



City Council Regular Meeting Agenda

Refer to the bottom of the agenda for meeting information.

Tuesday, July 21, 2026

6:00 PM

Council Chambers and Online

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. 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.

5. Approval of Agenda and Consent Agenda Items

- A. Worksession Minutes June 23, 2026
- B. Council Informational Meeting Minutes July 7, 2026
- C. Council Meeting Minutes July 7, 2026
- D. Payment of claims, wages, and transfers for June 26 through July 10, 2026
- E. Ordinance 1703: LMC Chapter 1.08.010 Official Newspaper
- F. Resolution 1183: Official Newspaper Designation
- G. 2026 CDBG Annual Action Plan Approval

6. Public Comment

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

7. Agenda Items

- A. **Advisory Board Reappointment: Andrew Shin, Lodging Tax Advisory Committee**
Mayor Ryder

- B. **Resolution 1184: 2027 Six-Year Transportation Improvement Program**
Chris Stolberg, Transportation Engineer
- C. **Ordinance 1704: Infill Residential Development Regulations & LMC Amendments for Child Care Centers, Parking Update, and Conversion of Existing Buildings**
Hans Shepherd, Senior Planner
Jennifer Adams, Housing Coordinator

8. City Manager's Report

9. Mayor's Report

10. Council Reports

- A. Deputy Mayor Malcolm Miller
- B. Councilmember Lenny Greenstein
- C. Councilmember Carolyn Cox
- D. Councilmember Nicolas Dunning
- E. Councilmember Maren Turner
- F. Councilmember Ryan Siu

11. Adjourn

Attendance and Public Comment

Attend Remotely 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:

In Person	Council Chambers at Lacey City Hall 420 College Street SE, Lacey, WA 98503
Zoom:	https://us02web.zoom.us/webinar/register/WN_Rw2EYvGhT0C060sduaDi0w
Website:	https://cityoflacey.org/government/public-meetings/
Facebook:	https://www.facebook.com/cityoflacey
YouTube:	https://www.youtube.com/watch?v=Lwh_Ry13caM
Cable:	Channel 77 with your local cable provider
Phone:	(888) 788-0099 or (877) 853-5247 (Webinar ID 847 0171 5656)

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 in the Council Chambers.

Zoom: Preregister using the following Zoom link no later than two hours prior to the meeting:
https://us02web.zoom.us/webinar/register/WN_Rw2EYvGhT0C060sduaDi0w

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

Written Public Comment

Public comments may also be submitted by email to PublicComment@cityoflacey.org. The commenting period will close two hours before the meeting time. Written comments will be provided to the City Council electronically prior to the meeting. Comments will not be addressed during the Council meeting; however, comments received will be added to the official record.



Lacey City Council Worksession Minutes

Tuesday, June 23, 2026

Council Chambers and Online

1. Call to Order

Deputy Mayor Miller called the meeting to order at 6 p.m.

2. Roll Call

Council Present

Deputy Mayor Malcolm Miller
Councilmember Carolyn Cox
Councilmember Nicolas Dunning
Councilmember Maren Turner
Councilmember Ryan Siu (remote)

Council Excused

Mayor Andy Ryder
Councilmember Lenny Greenstein

Staff Present

Shannon Kelley-Fong, Assistant City Manager
Dave Schneider, City Attorney
Vanessa Dolbee, Community and Economic Development Director
Ryan Andrews, Community Planning Manager
Hans Shepherd, Senior Planner
Jennifer Adams, Housing Coordinator
Paul J. White, Deputy City Clerk

3. Land Acknowledgement

Deputy Mayor Miller presented the abbreviated Land Acknowledgement.

4. Approval of the Agenda

Councilmember Dunning moved to approve the agenda. Councilmember Turner seconded. The motion carried.

5. Public Comment

No one registered to speak, and no written comments were received.

6. Agenda Items

A. Community Planning Docket Briefing

Vanessa Dolbee, Community and Economic Development Director

Ryan Andrews, Community Planning Manager

Hans Shepherd, Senior Planner

Jennifer Adams, Housing Coordinator

1. Infill Residential Development Regulations

Dolbee and Andrews provided an update on progress of the 2026 Community and Economic Development Department's 2026 work plan, or "docket." Andrews listed completed, in progress, and future work plan items, noting that the City's efforts toward Thurston County's work plan item for Urban Growth Area Joint Planning had been suspended by the County.

Adams presented the department's work on infill residential development, including state requirements affecting middle housing, accessory dwelling units (ADUs), and Growth Management Act compliance deadlines. State mandates require local provision for at least six out of nine defined housing types on properties zoning primarily for residential use. Depending on the circumstances, Lacey may be required to allow between two (2) and four (4) dwelling units per lot under the new legislation.

Proposed municipal code updates address middle housing and ADUs and provide an infill residential development option to complement existing zoning and development standards. Provisions of proposed Chapter 16.52 LMC were outlined and improvements to design review provisions were proposed. An ordinance will be presented for future adoption by the City Council.

2. Mobile Home Park Protections - Outreach and Engagement Plan

Adams provided background on manufactured home parks (MHPs) as a housing type in Lacey. The ownership characteristics of this housing type were described. Recent state regulations affecting MHPs that address sale, lease, and rent increases for these properties were reviewed. Lacey Comprehensive Plan policies related to MHPs were highlighted, and local engagement efforts are planned for MHP residents and owners.

3. Child-Care Centers, Parking Updates, and Conversion of Existing Buildings

Shepherd described state legislative updates that require compliance revisions to the Lacey Municipal Code related to child care centers, parking, and conversion of existing buildings to different uses. Affected city codes include Title 11—

Development Procedures, Title 14—Buildings and Construction, and Title 16—Zoning. Some code changes aim to remove barriers to converting existing buildings to residential use by limiting conversion requirements like design changes. Other clarifying amendments under consideration not responsive to recent state legislation were summarized. The code amendments will be proposed by ordinance at a future City Council meeting.

7. Adjourn

Deputy Mayor Miller adjourned the meeting at 7:41 p.m.



Lacey City Council Informational Dinner Meeting Minutes

Tuesday, July 7, 2026

Lacey City Hall Community Room

1. Call to Order

Mayor Ryder called the meeting to order at 4:32 p.m.

2. Roll Call

Council Present

Mayor Andy Ryder

Deputy Mayor Malcolm Miller

Councilmember Lenny Greenstein

Councilmember Carolyn Cox (present after 4:35 p.m.)

Councilmember Nicolas Dunning

Councilmember Maren Turner (present after 4:34 p.m.)

Councilmember Ryan Siu

Staff Present

Rick Walk, City Manager

Elissa Fontaine, City Clerk

3. Land Acknowledgement

4. Approval of the Agenda

Councilmember Greenstein moved to approve the agenda. Councilmember Dunning seconded. The motion carried.

5. Discussion on Local and Regional Matters

Discussion ensued on the following topics:

1. Impacts of the Public Safety Tax (HB 2015)
2. Regional Housing Council debrief
3. Transportation Benefit District
4. Coffee with Council community event
5. Parking options for the Night Market

6. Public Works Director recruitment update
7. Visitor Convention Bureau Director selection
8. Quiemuth Village Project update
9. Council participation in the 2026 Nisqually Canoe Journey

No final action was taken per Lacey City Council Policies and Procedures, Chapter 7.01.

6. Adjourn

The meeting was adjourned at 5:34 p.m.

DRAFT



City Council Regular Meeting Minutes

Tuesday, July 7, 2026

Council Chambers and Online

1. Call to Order

Mayor Ryder called the meeting to order at 6 p.m.

2. Roll Call

Council Present

Mayor Andy Ryder
Deputy Mayor Malcolm Miller
Councilmember Lenny Greenstein
Councilmember Carolyn Cox
Councilmember Maren Turner
Councilmember Ryan Siu

Council Excused

Councilmember Nicolas Dunning

Staff Present

Rick Walk, City Manager
Dave Schneider, City Attorney
Jennifer Burbidge, Parks, Culture, and Recreation Director
Vince McGowan, Interim Public Works Director
Donna Feliciano, Communications Manager
Jamie Oakland, Parks Maintenance Supervisor
Elissa Fontaine, City Clerk

3. Pledge of Allegiance

Mayor Ryder led the flag salute.

4. Land Acknowledgement

Mayor Ryder presented the abbreviated Land Acknowledgement.

5. Approval of Agenda and Consent Agenda Items

- A. June 9, 2026, Worksession minutes
- B. June 16, 2026, Council minutes

- C. Payment of claims, wages and transfers for May 26 - June 26, 2026
- D. 2027 Budget Calendar

Councilmember Greenstein moved to approve of the agenda and consent agenda items. Councilmember Turner seconded. The motion carried.

6. Public Comment

Verbal Public Comment

Five (5) people signed up to speak at the meeting.

Margaret Green, Lacey and Jubilee neighborhood resident, commented on the tree removal and sidewalk repair project and delivered a petition to staff.

John Green, Lacey and Jubilee neighborhood resident, commented on the tree removal and sidewalk repair project.

Mary Seuton, Lacey resident, signed up to provide public comment but declined to comment.

Dot Clayton, Lacey and Jubilee neighborhood resident, commented on the tree removal and sidewalk repair project.

Cortni Holthaus, former Lacey resident, commented on public safety concerns and a civil matter with the Department of Corrections.

One (1) person registered to speak remotely.

Benjamin Persyn registered to provide remote public comment but was not online at the time of public comment.

Written Public Comment

Seven (7) written public comments were received.

7. Agenda Items

A. Contract Award: Madrona Connection to the 337 (PW2023-01)

Vince McGowan, Interim Public Works Director

McGowan presented the Madrona Connection to 337 project. The project includes installation of approximately 3,300 linear feet of water main across Spruce Street SE, 9th Way SE, Pacific Avenue SE (SR 510), and Milbanke Drive SE, to increase water availability and transmission throughout the system. Eleven (11) bids were received, with the engineer's estimate at \$4,070,728.20. Construction is anticipated to begin August 2027 and conclude by March 2028. Discussion ensued.

Councilmember Siu moved to award contract PW 2023-01 for the Madrona Connection to 337 project to the low bidder, Pacific Civil & Infrastructure of Tacoma, Washington, in the amount of \$2,418,450.95. Councilmember Cox seconded. The motion carried.

B. Resolution 1182: Lightcurve Telecommunications Franchise Agreement

Donna Feliciano, Communications Manager

Feliciano presented draft Resolution 1182, approving a five-year telecommunications franchise agreement to Lightcurve. The agreement was discussed in detail during the June 9, 2026, worksession. Staff advised that the application meets City telecommunications regulations, and all work would be subject to applicable City codes, permitting requirements, and right-of-way regulations.

Deputy Mayor Miller moved to approve adoption of Resolution 1182 granting a franchise for telecommunications and directing the City Manager to enter into a franchise agreement with Mashell Telecom Inc. dba Lightcurve. Councilmember Greenstein seconded. The motion carried.

C. Lacey Parks Annual Report

Jennifer Burbidge, Parks, Culture, and Recreation Director

Jamie Oakland, Parks Maintenance Supervisor

In honor of National Parks and Recreation Month, Burbidge and Oakland provided a joint presentation for the 2025 Parks Annual Report. Burbidge highlighted key events, statistics, and accomplishments from athletics, the museum and cultural center, facilities, volunteer and community programs, and construction and development. A review of sponsorships, partnerships, grants, and donations was also presented in detail. Oakland presented statistics and key accomplishments from the Public Works Maintenance teams on work performed at all City parks, the Regional Athletic Complex, and right-of-way and utility locations. The presentation also detailed information on work completed by the Rapid Response Team. Discussion ensued.

8. City Manager's Report

Walk announced the upcoming annual Cops, Cars, and Kids community event and provided updates on the Police Station and Greg Cuoio Park grand openings.

9. Mayor's Report

No updates were provided during the Mayor's Report. After Councilmember Siu's report, Mayor Ryder provided an overview of items for the upcoming Transportation Policy Board meeting.

10. Council Reports

- A. Deputy Mayor Malcolm Miller
Deputy Mayor Miller provided a report from the Economic Development Council.
- B. Councilmember Lenny Greenstein
Councilmember Greenstein provided reports from Emergency Medical Services, and TCOMM911.
- C. Councilmember Carolyn Cox
Councilmember Cox provided a report from the Intercity Transit Authority.
- D. Councilmember Nicolas Dunning
Councilmember Dunning was excused, and no reports were provided.
- E. Councilmember Maren Turner
Councilmember Turner provided a report from the Thurston Regional Planning Council and commented on representing the City of Lacey in the City of Tumwater's Independence Day Parade.
- F. Councilmember Ryan Siu
Councilmember Siu commented on Lacey's Fireworks Spectacular event and recent attendance at the Association of Washington Cities conference.

11. Adjourn

Mayor Ryder adjourned the meeting at 7:08 p.m.



STAFF REPORT

Council Regular Meeting
July 21, 2026

Subject: Disbursement Approval
To: Lacey City Council
Prepared by: Carrie Bode, Accounting Technician
Department Director: Troy Woo, Finance Director
Reviewed By: Troy Woo, Finance Director *TW*
Final Review: Rick Walk, City Manager *RW*

Purpose: Action Item

Recommendation: Motion to Approve

Brief: The action requested of the City Council is by motion to approve payment of claims, wages and transfers for 6/26/2026 through 7/10/2026. The disbursements consist of the items below.

Alternatives:

Not Applicable

Prior Review:

Not Applicable

Advisory Board Recommendation(s):

Not Applicable

Fiscal Impact:

Budgeted Item: No

Disbursements consist of the following:

Checks:

<u>Week of</u>	<u>Beg. Check No.</u>	<u>End. Check No.</u>	<u>Amount</u>
6/30/2026*	284699	284702	9,121.61
7/3/2026	284703	284861	2,032,001.42
7/10/2026	284862	284935	147,002.29

Electronic Transfers:

<u>Week of</u>	<u>Amount</u>
6/26/2026	76,819.73
6/30/2026	64,783.26
6/30/2026*	2,100,148.66
6/30/2026*	36,342.34
7/3/2026	244,073.57
7/7/2026	139.50
7/7/2026	67.45
7/7/2026	3,983.91
7/7/2026	5,957.73
7/7/2026	701.00
7/7/2026	180,140.02
7/10/2026	205,832.04

Payroll:

<u>Month End</u>	<u>Wages</u>
6/30/2026*	2,447,881.10

Significant Disbursements:

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
US Bank PCard	76,819.73	Employee Credit Card Charges
Olympia-CARPFD	64,783.26	June 2026 CARPFD
LOTT Wastewater Alliance	343,496.56	June 2026 Reserve Capacity Fee
LOTT Wastewater Alliance	1,476,671.26	June 2026 ERU's
North Thurston Public Schools	80,958.30	June 2026 Impact Fees
Department of Revenue	180,140.02	June 2026 Excise Taxes

*Disbursements for employee out-of-pocket deductions and employee benefits.





STAFF REPORT

Council Regular Meeting
July 21, 2026

Subject: City's Official Newspaper Update LMC 1.08.010
To: Lacey City Council
Prepared by: Elissa Fontaine, City Clerk
Department Director: Shannon Kelley-Fong, Assistant City Manager
Reviewed By:
Final Review: Rick Walk, City Manager

SKF

RW

Purpose: Action Items

Recommendation: Motion to Adopt Ordinance 1703 amending Lacey Municipal Code 1.08.010 to remove designation of the City's official newspaper.

Brief: As part of ongoing efforts to reduce expenditures and improve the publication of notice process, a locally owned and operated newspaper has been identified to serve as the City's official legal newspaper in accordance with RCW 35A.21.230.

Alternatives:

1. No change: Continue as is.
2. Some other option not contemplated in the above.

Prior Review:

Not Applicable

Advisory Board Recommendation(s):

Not Applicable

Fiscal Impact: Yes fiscal impact

Budgeted Item: No

Amount: Not Applicable

Project Code: Not Applicable

Funding Source:

Not Applicable

Attachments:

1. Ordinance 1703

Policy or Legal Alignment:

1. RCW 35A.21.230
2. RCW 65.16.020

Background:

In 1988, the City designated The Olympian as the official newspaper in accordance with [RCW 35A.21.230](#), which states every code city must designate an official newspaper by resolution, and the official newspaper must be (1) of general circulation, and (2) meet the qualifications of [RCW 65.16](#).

Due to rising costs, publishing barriers such as multiple online submission platforms, multiple time zones, deadline restrictions, and inconsistent reliability, staff began reviewing additional options available for legal newspapers. Pursuant to [RCW 65.16.020](#), a qualifying newspaper must:

- Be published **at least weekly**, in English, for six months or more prior to approval;
- Be compiled in whole or part in an office within its place of publication;
- Contain news of general interest (not limited to a particular organization or group);
- Have a policy to print all statutorily required legal notices; and
- Hold a periodical class mailing permit.

Under [RCW 65.16.030](#) and [65.16.050](#), Superior Court determines which newspapers qualify as “legal newspapers.”

The Thurston County Superior Court has identified the following approved legal newspapers:

1. The Olympian
2. Nisqually Valley News
3. The Tenino Independent

Upon further review, it was determined that all of Lacey and its Urban Growth Area (UGA) are within the Nisqually Valley News print delivery area, qualifying them to serve as the City’s official legal newspaper.

The transition would also offer lower subscription costs to consumers within the community (**Table A**), as well as lower publication costs for the City by nearly 50% (**Table B**). Based on the average annual expenditure of \$39,664 (collected from 2023-2025), the City is projected to save close to \$20,000 per year.



TABLE A		
Cost Estimates for Community Members		
	The Olympian	Nisqually Valley News
6-month subscription	\$191.76 (print and digital) \$76.94 (digital only)	\$30.00 (print and digital)
1-year subscription	\$159.99 (digital only)	\$52.00 (print and digital)

TABLE B		
Cost Comparisons for City Publications		
	The Olympian	Nisqually Valley News
Example Notice of a Public Hearing	\$392.84 + 7% surcharge	\$213.85

Although the Nisqually Valley News publishes only one (1) day a week, compared to The Olympian's seven (7) days, staff don't anticipate any disruption or delays for publishing deadlines and recommend proceeding with designating the Nisqually Valley News as the City's official newspaper.

As part of this update, staff reviewed the City's legal notice publication practices and determined that all legal notices, with the exception of public works bid solicitations, should continue to be published in the City's designated official newspaper.

Public works bid solicitations are governed by RCW 35.23.352, which provides that such notices shall be published either in the official newspaper **or** in a newspaper of general circulation most likely to bring responsive bids. Based on this authority, staff determined that public works bid solicitations may be published in the Seattle Daily Journal of Commerce, as it is a newspaper of general circulation most likely to bring responsive bids.

This approach reduces publication costs by eliminating the need to publish bid solicitations in both the official newspaper and a separate newspaper selected to maximize bid responsiveness. It also provides greater flexibility in meeting publication schedules and deadlines. The process does not preclude publication in the official newspaper when appropriate.



ORDINANCE 1703

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATED TO THE OFFICIAL NEWSPAPER, REPEALING SECTION 1.08.010 OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, RCW 35A.21.230 provides that each code city shall designate an official newspaper by resolution; and

WHEREAS, the City of Lacey currently identifies an official newspaper within Lacey Municipal Code Section 1.08.010; and

WHEREAS, the City of Lacey finds that designating the official newspaper by resolution rather than ordinance provides greater administrative flexibility and consistency with state law;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Section 1.08.010 of the Lacey Municipal Code is repealed.

Section 2. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 3. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make corrections to this ordinance, including, but not limited to, the corrections of scrivener's/clerical errors, references, ordinance numbering, section/subsection number, and any references thereto.

Section 4. The Summary attached is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this July 21, 2026.

CITY COUNCIL

BY: _____
Andy Ryder, Mayor

Attest:

Approved as to form:

Elissa Fontaine, City Clerk

Dave Schneider, City Attorney

Published: _____, 2026

SUMMARY FOR PUBLICATION

ORDINANCE NO. 1703

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on _____ 2026, Ordinance No. 1703 entitled "AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATED TO THE OFFICIAL NEWSPAPER, REPEALING SECTION 1.08.010 OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION."

The main points of the Ordinance are described as follows:

1. The Ordinance repeals Section 1.08.010 of the Lacey Municipal Code, relating to the City's official newspaper.
2. The Ordinance approves this summary for Publication.

Published: _____ 2026.



STAFF REPORT

Council Regular Meeting
July 21, 2026

Subject: City's Official Newspaper Update LMC 1.08.010
To: Lacey City Council
Prepared by: Elissa Fontaine, City Clerk
Department Director: Shannon Kelley-Fong, Assistant City Manager
Reviewed By:
Final Review: Rick Walk, City Manager

SKF

RW

Purpose: Action Items

Recommendation: Motion to Adopt Resolution 1183 designating Nisqually Valley News as the City's official newspaper.

Brief: As part of ongoing efforts to reduce expenditures and improve the publication of notice process, a locally owned and operated newspaper has been identified to serve as the City's official legal newspaper in accordance with RCW 35A.21.230.

Alternatives:

1. No change: Continue as is.
2. Some other option not contemplated in the above.

Prior Review:

Not Applicable

Advisory Board Recommendation(s):

Not Applicable

Fiscal Impact: Yes fiscal impact

Budgeted Item: No

Amount: Not Applicable

Project Code: Not Applicable

Funding Source:

Not Applicable

Attachments:

1. Resolution 1183

Policy or Legal Alignment:

1. RCW 35A.21.230
2. RCW 65.16.020

Background:

In 1988, the City designated The Olympian as the official newspaper in accordance with [RCW 35A.21.230](#), which states every code city must designate an official newspaper by resolution, and the official newspaper must be (1) of general circulation, and (2) meet the qualifications of [RCW 65.16](#).

Due to rising costs, publishing barriers such as multiple online submission platforms, multiple time zones, deadline restrictions, and inconsistent reliability, staff began reviewing additional options available for legal newspapers. Pursuant to [RCW 65.16.020](#), a qualifying newspaper must:

- Be published **at least weekly**, in English, for six months or more prior to approval;
- Be compiled in whole or part in an office within its place of publication;
- Contain news of general interest (not limited to a particular organization or group);
- Have a policy to print all statutorily required legal notices; and
- Hold a periodical class mailing permit.

Under [RCW 65.16.030](#) and [65.16.050](#), Superior Court determines which newspapers qualify as “legal newspapers.”

The Thurston County Superior Court has identified the following approved legal newspapers:

1. The Olympian
2. Nisqually Valley News
3. The Tenino Independent

Upon further review, it was determined that all of Lacey and its Urban Growth Area (UGA) are within the Nisqually Valley News print delivery area, qualifying them to serve as the City’s official legal newspaper.

The transition would also offer lower subscription costs to consumers within the community (**Table A**), as well as lower publication costs for the City by nearly 50% (**Table B**). Based on the average annual expenditure of \$39,664 (collected from 2023-2025), the City is projected to save close to \$20,000 per year.



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Cost Estimates for Community Members		
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TABLE B		
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Example Notice of a Public Hearing	\$392.84 + 7% surcharge	\$213.85

Although the Nisqually Valley News publishes only one (1) day a week, compared to The Olympian's seven (7) days, staff don't anticipate any disruption or delays for publishing deadlines and recommend proceeding with designating the Nisqually Valley News as the City's official newspaper.

As part of this update, staff reviewed the City's legal notice publication practices and determined that all legal notices, with the exception of public works bid solicitations, should continue to be published in the City's designated official newspaper.

Public works bid solicitations are governed by RCW 35.23.352, which provides that such notices shall be published either in the official newspaper **or** in a newspaper of general circulation most likely to bring responsive bids. Based on this authority, staff determined that public works bid solicitations may be published in the Seattle Daily Journal of Commerce, as it is a newspaper of general circulation most likely to bring responsive bids.

This approach reduces publication costs by eliminating the need to publish bid solicitations in both the official newspaper and a separate newspaper selected to maximize bid responsiveness. It also provides greater flexibility in meeting publication schedules and deadlines. The process does not preclude publication in the official newspaper when appropriate.



RESOLUTION 1183

CITY OF LACEY

**A RESOLUTION OF THE CITY OF LACEY, WASHINGTON, DESIGNATING
THE CITY’S OFFICIAL NEWSPAPER**

WHEREAS, the City is required to designate an official newspaper under RCW 35A.21.230; and

WHEREAS, the City considered official newspapers designated by Thurston County Superior Court that meet the qualifications in Chapter 65.16 RCW; and

WHEREAS, the Nisqually Valley News was confirmed to be a newspaper designated by Thurston County Superior Court in accordance with Chapter 65.16 RCW; and

WHEREAS, the Nisqually Valley News is a newspaper of general circulation in the City of Lacey; and

WHEREAS, the City Council finds that the Nisqually Valley News is locally sourced, provides community-focused reporting and public notice services, and offers a cost-efficient option for both the City and residents seeking access to official publications and notices; and

WHEREAS, the City Council of the City of Lacey wishes to continue to satisfy the legal requirements of the Revised Code of Washington while providing public notice and serving the community;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. The Nisqually Valley News is designated to be the official newspaper for the City of Lacey.

Section 2. This designation shall be reviewed on an on-going basis by the city clerk to ensure the newspaper maintains the applicable qualifications. Until such time as the qualifications identified in Chapter 65.16 RCW are not met or the city council determines a new official newspaper is warranted, this designation shall remain in effect.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON this _____, 2026.

CITY COUNCIL

BY: _____

Andy Ryder, Mayor

Attest:

Approved as to form:

Elissa Fontaine, City Clerk

Dave Schneider, City Attorney

Published: _____, 2026



STAFF REPORT

Council Regular Meeting
July 21, 2026

Subject: CDBG 2026 Annual Action Plan
To: Lacey City Council
Prepared by: Michelle Chavez, Human Services Coordinator
Department Director: Not Applicable
Reviewed By:
Final Review: Rick Walk, City Manager

mjc

RW

Purpose: Action Item

Recommendation: Authorize the submittal of the final draft of the 2026 CDBG Annual Action Plan to the U.S. Department of Housing and Urban Development.

Brief: The City is required to submit a CDBG Annual Action Plan (AAP) to the US Department of Housing and Urban Development (HUD) as part of its three-year (2025-2027) CDBG Consolidated Plan. The 2026 AAP is a planning framework that describes expected resources, annual goals and objectives, projects, geographic distribution, other actions and program specific requirements.

Two public hearings were held for the 2026 AAP at the Human Services Commission (HSC) on June 4 and July 2, 2026. A 30-day public review and comment period was also held from June 2 to July 1, 2026. At the July 3, 2026 meeting, the HSC recommended the attached DRAFT 2026 AAP be forwarded to the City Council for review and approval.

The City Council reviewed the 2026 Draft AAP at their Worksession on July 14, 2026 and staff is asking for authorization to submit the final draft to HUD.

Alternatives:

1. N/A

Prior Review:

Human Services Commission - January 8, 2026 [LINK](#)

City Council - March 10, 2026 [LINK](#)

Human Services Commission - June 4, 2026 [LINK](#)

Human Services Commission - July 2, 2026 [LINK](#)

City Council Worksession - July 14, 2026 [LINK](#)

Advisory Board Recommendation(s):

Human Services Commission Recommended Council Authorization of the DRAFT 2026 CDBG Annual Action Plan at their July 3, 2026 meeting

Fiscal Impact:

Budgeted Item: Yes

Amount: \$337,498

Project Code: N/A

Funding Source: 120-0000-333-14-20

Attachments:

1. DRAFT 2026 CDBG AAP

Policy or Legal Alignment:

1. [2025-2027 CDBG Consolidated Plan](#)

Background: The Community Development Block Grant (CDBG) Program provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons.

CDBG funded programs or projects must fall under one of the three national objectives:

1. Benefit low- and moderate-income persons
2. Prevention or elimination of slums or blight
3. Address community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which other funding is not available.

General information on the City of Lacey's (City) Community Development Block Grant Program (CDBG) can be accessed on the [CDBG webpage](#).

The City Council approved the 2025-2027 CDBG Consolidated Plan and 2025 AAP, which recommended allocating CDBG funds for City capital projects in the first few years, e.g., ADA improvements, sidewalks, etc. This approach complements existing Human Service Grant Program (HSGP) funds, which predominantly focus on services. This use also aligns with administrative resource limitations and is the most flexible if federal requirements change.

The first public hearing on the 2026 CDBG AAP was held on June 4, 2026. There were no public comments received. A 30-day review and comment period was held from June 2 to July 1. No additional comments were received during the period to date. A second public hearing was held on July 2, 2026. In attendance were representatives of several non-profit organizations. There were not any public testimony or public comments received by the HSC. Any comments submitted via the Human Services Commission and Lacey City Council will be submitted to HUD along with the AAP.

City Council reviewed the DRAFT 2026 CDBG AAP at their Worksession on July 14, 2026. Staff presented the planned use of 2026 funds and answered questions from Council regarding the allowable uses, project plans and costs, and future planning opportunities for use of CDBG funds.



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The City recommends dedicating Program Year 2026 (PY26) CDBG for the same purposes as identified in PY25 CDBG, with 90% of the CDBG dollars proposed to be spent on capital improvements in Lacey that benefit a majority (51%) of community members who are low to moderate-income; the remaining 10% would be used for administrative costs (the maximum administrative costs allowed under CDBG is 20%), see **Attachment 1**.

Table A displays the updated HUD CDBG Income limits for Lacey, which became effective June 1, 2026.

Table A			
Effective June 1, 2026			
Income Limits Summary			
HUD Definitions - FY 2025			
Household Size	Extremely Low Income (30%)	Very Low Income (50%)	Low (80%)
1 (Person)	\$ 25,800	\$ 43,000	\$ 68,800
2 (Person)	\$ 29,500	\$ 49,150	\$ 78,600
3 (Person)	\$ 33,200	\$ 55,300	\$ 88,450
4 (Person)	\$ 36,850	\$ 61,400	\$ 98,250
5 (Person)	\$ 39,800	\$ 66,350	\$ 106,150
6 (Person)	\$ 42,750	\$ 71,250	\$ 114,000
7 (Person)	\$ 45,700	\$ 76,150	\$ 121,850
8 (Person)	\$ 48,650	\$ 81,050	\$ 129,700

Total estimated 2026 Lacey CDBG allocation: \$337,498.

- Proposed 2026 Capital Project Dollars (Public Facilities and Infrastructure): \$303,749
- Proposed 2026 Administration and Planning dollars: \$33,749

Like the 2025-2027 Consolidated Plan and 2025 AAP, City staff recommend that the 2026 AAP include the same list of potential capital projects for potential CDBG use, see **Table B**.

Table B					
Sample Potential CDBG Eligible City Capital Projects					
#	Project	Eligibility	Timeline	Brief	Est. Cost
1.	Huntamer Park Improvements	Qualified Census Track	Near-term 2026 - 2028	Updates to park, including sidewalks	\$1.8M
2.	ADA sidewalk updates	Qualified Census Track	Near-term 2026+	Update sidewalks throughout areas	Scalable
3.	Senior Center Expansion	Potential LMI Qualifier	Near-term 2027+	Expand approx. 3,000 sq. ft. to meet the needs of the growing senior community	\$4.3M
4.	Brooks Park Enhancements	Qualified Census Track	Near-term 2027+	Add new amenities, e.g., playground	\$615K
5.	Other public infrastructure improvements (lighting, septic, etc.)	Qualified Census Track	Near-term 2026 - 2028	Varies	Scalable
6.	Rainier Vista Park Improvements	Qualified Census Track	Long-term 2028+	Add new amenities, e.g., playgrounds, courts, etc.	\$1M
7.	Lacey Museum & Cultural Center	Qualified Census Track	Long-term 2028+	Construct a new museum and cultural center	\$14+M
8.	College St. Sidewalk and Pedestrian Crossing Improvements	Qualified Census Track	Long-term 2028+	Improve crossing infrastructure	\$1M+

To date, the City has not allocated CDGB funding to any specific project, however, Project #1 below, Huntamer Park Improvements, is close to commencing with funding from CDBG, potential other federal sources, and potential local sources, including state and City funding.

Project #1 – Huntamer Park Improvements

For decades, the City has actively engaged in planning and public projects to transform the Midtown District into a vibrant, community-centered urban core. The “heart” of this area, Huntamer Park, a 1.5-acre civic space, desperately needs updates to meet the growing community's needs. The last significant improvements at Huntamer Park occurred in 2005. Since then, the surrounding Midtown District has grown significantly with new mixed-use and residential (re)developments. This project would strengthen civic engagement, improve equity by increasing park access and amenities in Community Development Block Grant-qualified census tracts, increase environmental resiliency, improve public health and wellness, and expand economic growth and development. The overall project includes adding plaza spaces, a water feature, new landscaping, pathways, pedestrian lighting, and recreational enhancements and furniture designed for daily use while maintaining civic

spaces for important community-wide events. The total project cost is estimated at approximately \$1.6 million, with the CDBG portion used to improve sidewalks and accessibility. City staff recommends allocating \$303,749 of PY26 CDBG dollars to this project.

Contingency Project: Accessibility Improvements to the Virgil S. Clarkson Senior Center parking lot

City staff recommends a contingency project for PY26 CDBG dollars to expand the existing parking lot at the Virgil S. Clarkson Senior Center (Senior Center) and improve ADA accessibility. The expansion is necessary to accommodate increased use and attendance at the Senior Center, improve accessibility for older adults, and enhance overall safety during peak hours and special events. The existing lot is often at capacity during regular programming, forcing older adults to park a considerable distance away or to forgo attendance. The expanded parking lot will include approximately 50 additional spaces and improve ADA-accessible parking. The preliminary estimated cost of the project is \$1,000,000 to 2,000,000.

This includes environmental review, engineering, demolition, construction, and contingencies. The City has used CDBG funds through the Washington State competitive CDBG Program for both the construction of the Senior Center in 2000 and the Senior Center Expansion Project in 2011.

Administration

City staff also recommends allocating 10% of PY26 CDBG funds to project administration (\$33,749) which is half of the total amount eligible for this purpose (20% maximum). This reduces impact to the City's general fund and partially supports staff CDBG resources, including planning for future CDBG allocations, new 5-year Con Plans, AAPs, and CAPERS; creating program guides and monitoring handbooks; potential future sub-recipient monitoring; submitting financial reports; completing environmental reviews for programs and projects; and continuing program improvements and reporting on outcomes.

Program Year Reports

CDBG Program Year 26 (PY26) funds must be reported on via the Consolidated Annual Performance and Evaluation Report (CAPER) within 90 days of the PY26 end date. The U.S. Treasury Department recaptures CDBG funds if they are not spent within 6 years.

The 2026 Program Year (PY26) runs from September 1, 2026, to August 31, 2027.

Table C provides a draft 2026 CDBG Program Timeline.



Table C 2026 CDBG Program Timeline Dates Subject to Change			
Dates	Activity	Who	Notes
January 8, 2026	CDBG Update to Human Services Commission (HSC)	City of Lacey	Update and get recommendations on 2025 capital projects
March 10, 2026	CDBG Update to City Council	City of Lacey	Update and get recommendations/direction on 2025 capital projects
May 27, 2026	Public Notice of Public Hearing #1 and 30- day public review and comment period for 2026 Annual Action Plan (AAP) June 2 to July 1	City of Lacey	Olympian, City website – Public Comment Period 30 days
June 4, 2026	HSC Holds First Public Hearing for 2026 AAP	City of Lacey	Review draft 2026 AAP and Timeline for Submittal
June 24, 2026	Public Notice of Public Hearing #2 for 2026 AAP	City of Lacey	Olympian, City website
July 2, 2026	HSC Holds Second Public Hearing for 2026 AAP	City of Lacey	Review draft 2026 AAP and Timeline for Submittal
July 14, 2026	City Council Reviews Draft AAP	City of Lacey	Reviews public comment, HSC recommendation
July 21, 2026	City Council takes final action	City of Lacey	Reviews public comment and HSC recommendation, and approves version for submittal to HUD.
Late July	Staff Submits Final Draft of AAP to HUD	City of Lacey	Online
August 2026	HUD Review and Comment Period	HUD	45 days maximum
September 1, 2026 to August 31, 2027	Year two of Lacey CDBG Entitlement Program	City of Lacey / HUD	
September 3, 2026	HSC Reviews Draft 2025 CAPER	City of Lacey	15-day public comment period
November 2026	Submit 2025 Consolidated Annual Performance Evaluation Report (CAPER) to HUD	City of Lacey	Report on activity



2026 CDBG Annual Action Plan



Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

1. Introduction

In 2024, the City of Lacey (City) took the necessary steps to begin the process of becoming a Community Development Block Grant (CDBG) entitlement community and to receive CDBG funding directly from the U.S. Department of Housing and Urban Development (HUD). Previously, the City received a CDBG allocation through a consortium with Thurston County. A requirement to receive these funds is to prepare an Annual Action Plan covering a three-year period, 2026-2027. The Annual Action Plan aims to identify how funds will be targeted to develop viable urban communities by providing decent housing, suitable living environments, and expanding economic opportunities, principally for low- and moderate-income persons.

The City remains in a HOME Investment Partnership (HOME) Consortium with Thurston County and Olympia to receive and manage HOME funding.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan, or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis, or the strategic plan.

The City is providing this action plan to include priority needs identified in the Thurston County 2023-2027 Consolidated Plan. They are as follows:

- Community and Economic Development, including: Improvements to public facilities and infrastructure which support housing for low- or moderate-income households, improvements to public facilities and infrastructure to support low- or moderate-income neighborhoods, improvements to low-income neighborhoods to reduce the concentration of poverty.
- Services, including: Supportive services for unhoused community members or those experiencing a mental health crisis, services to support older adults, children, and

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families, including food insecurity and child care, services to improve economic opportunities for low- or moderate-income persons.

- Affordable Housing, including: Increasing the affordable housing supply and preserving or improving existing affordable housing. The following goals address the priority needs:

- 1) Provide Public Facilities and Infrastructure Improvements to support low- or-moderate income households and neighborhoods and reduce the concentration of poverty.
- 2) Provide Services and Assistance to Improve Housing and Economic Outcomes
- 3) Increase affordable housing supply in Lacey and preserve existing affordable housing that will provide permanent housing for formerly unhoused community members, LMI renters and improve quality of affordable housing stock, including LMI home-owners.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City previously received direct CDBG dollars through the competitive State of Washington CDBG program in 2000 and 2011. This funding was successfully used for the construction and expansion of the Lacey Senior Center. That project was completed with no corrective action taken.

More recently, the City received CDBG funding through a Consortium with Thurston County since 2014. The attached CDBG Project List (Table 1) include all of Lacey's CDBG-funded programs and projects as part of the Consortium from 2014 through 2023.

In 2024, Thurston County and the City were monitored by HUD for the 2020 Veterans Hub Expansion project. Thurston County received a finding from this HUD monitoring. As a result, they were required to update and extend the CDBG contract with the City and also perform additional monitoring of the Lacey Veterans Services Hub (LVSH) to ensure compliance with CDBG requirements. This served as corrective actions to the finding.

From January through March 2025, Thurston County monitored the City and the LVSH. After reviewing income verification documents provided by the City, it was determined that there were no findings or concerns regarding compliance with CDBG income documentation requirements for the LVSH.

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Each quarter in 2025, the City provided client income verification data to Thurston County to ensure that the City remained in compliance with CDBG regulations. The LVSH remains well above the 51% low- to moderate-income beneficiary ratio. 77% of LVSH clients were LMI in 2025. The City will continue collecting CDBG client income data for the duration of the CDBG contract with Thurston County, which ends 8/31/2030.

In 2025, the City approved its first Annual Action Plan and 3-year Consolidated Plan. The dollars for the initial few years of CDBG entitlement funds will be used 10% for administration and planning and 90% for capital improvements to infrastructure and facilities that support low-to-moderate income community members in Lacey.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

Public and stakeholder engagement took place prior to and throughout the preparation of this Annual Action Plan. The following are highlights of the outreach efforts:

- One-on-one interviews with City and nonprofit leaders
- Lacey Human Services Commission –June 4, 2026 (Public Hearing 1), July 2, 2026 (Public Hearing 2)
- Lacey City Council –_____ and _____
- Focus group discussions with constituent groups
- Online community survey
- Interviews with partner jurisdictions
- Interviews with various governing boards
- The City's 30-day public comment period was held from June 2, 2026 to July 1, 2026.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

The City received public comments from the Human Services Commission on _____, 2026 which are included in the attached minutes. The City also received comments from the City Council on _____ 2026 and _____ 2026. Comments from those meetings are also attached.

The City received _____ comments from the community and that is also attached.

6. Summary of comments or views not accepted and the reasons for not accepting them

- TBD

7. Summary

The Annual Action Plan was developed to be consistent with and support the HUD goals identified in Title 1 of the Housing and Community Development Act of 1974, as amended. All program activities and strategies discussed in the Annual Action Plan are designed to further these goals and address the most critical affordable housing, homeless, and community development needs in Lacey. Recipients of CDBG, HOME, and other federal funding must adopt one or more federal performance objectives and outcome categories. To meet one of the national objectives for CDBG funding, an activity must:

- Low/Moderate Income: Benefit low- or moderate-income persons;
- Slum/Blight: Prevent or elimination of slums or blight; or
- Urgent Need: Meet a particularly urgent community development need.

Outcome categories improve:

- Availability or accessibility of housing units or services;
- Affordability not just for housing but also of other services; and
- Sustainability by promoting viable communities.

The CDBG program provides funding to state and local governments for projects and activities that principally benefit low- to moderate-income people. This HUD program helps local governments develop viable urban communities by providing adequate supplies of affordable housing, a healthy living environment, and economic opportunities.

Communities can use CDBG funds for a wide range of activities such as rehabilitating single-family homes and apartment buildings, improving community centers and public facilities, constructing water and sewer lines, supporting economic development, and providing vital social services. The fundamental philosophy of CDBG is the belief that local elected officials are best positioned to identify and prioritize local needs and to effectively allocate funding to address those needs.

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HOME provides formula grants to build, buy, and/or rehabilitate affordable rental or owner-occupied housing, or provide direct rental assistance to low-income people. Communities can use HOME funds for new construction, rental assistance, and homeowner assistance.

The City created the Annual Action Plan for the City's CDBG program. HOME programs will be planned in collaboration with the Thurston County HOME Consortium.

The required elements of the Action Plan include:

1. Expected Resources
2. Annual Goals and Objectives
3. Projects
4. Geographic Distribution
5. Other Actions
6. Program Specific Requirements

The 2026 program year will begin on September 1, 2026.

PR-05 Lead & Responsible Agencies - 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Table 1 – Responsible Agencies

Agency Role	Name	Department/Agency
CDBG Administrator	LACEY	City Manager

Narrative

The City of Lacey is the lead entity responsible for overseeing the development and administration of the Annual Action Plan. This task is delegated to the staff in the City Manager's Office. The City Manager oversees the effective and efficient delivery of all city services, including public safety, emergency preparedness, street maintenance and construction, traffic management, public works construction, planning, building inspection, code enforcement, parks and recreation, economic development, policy development, public information and neighborhood communications, water, wastewater, reclaimed water, and stormwater services, special events, and intergovernmental relations.

The City Manager and City staff work closely with the Lacey City Council to develop policy initiatives and ensure the implementation of the Lacey City Council's goals and priorities. The City Manager prepares and presents the annual city budget to the Lacey City Council and is responsible for the proper expenditure and monitoring of all City funds.

The City is eligible to receive CDBG Entitlement Funds directly from HUD. HOME funding is included automatically for the Thurston Urban County region. The City has entered into an interlocal agreement with the City of Olympia and Thurston County as a HOME Consortium, to allow HOME funds to be used countywide in all jurisdictions. Thurston County is considered the Participating Jurisdiction under HOME program rules.

Consolidated Plan Public Contact Information

For questions about the CDBG program, please contact:

Michelle Chavez, Human Services Coordinator

City of Lacey

360-486-8746

Michelle.Chavez@CityofLacey.org

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AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

1. Introduction

The consultation process for creating the Annual Action Plan included: 1) An online survey to assess community needs; 2) stakeholder review and comments on preliminary needs assessment and market analysis; 3) consultation with other jurisdictions, housing providers and nonprofit organizations; 4) public hearings on the needs assessment, market analysis, and development of proposed activities; 5) consultation with the Thurston County Housing Authority; 6) 11 focus groups with various stakeholders and 7). review and comments on the draft Annual Action Plan.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

To enhance coordination between public and assisted housing providers and mental health and service agencies, interviews were conducted with:

- Thurston County Public Health and Social Services
- Housing Authority of Thurston County
- HUD / VASH

The interviews were conducted to gain perspectives about how we can enhance coordination between the City and these agencies.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The City connected with the WA Department of Commerce, which oversees the Statewide Continuum of Care (COC), to determine how to stay up-to-date on their activities and initiatives. The City has been attending these meetings as needed and sharing program materials, program updates, etc.

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The City operates a local grant program that offers \$300,000 in direct allocations to local non-profit agencies that serve vulnerable community members, including chronically unhoused individuals and families, families with children, Veterans, and unaccompanied youth, and persons at risk of becoming unhoused.

The City funds and manages the Lacey Veterans Services Hub (LVSH) which provides direct services to vulnerable community members, including unhoused residents, Veterans and families with children. Every Thursday, LVSH provides coordinated entry for unhoused veterans. There are also four HUD/VASH caseworkers located at the LVSH who help with housing vouchers and case management for unhoused veterans Monday through Friday, 8 a.m. to 4 p.m.

The Thurston County Veterans Assistance fund also operates out of the LVSH Monday through Friday, 8 a.m. – 4 p.m. to provide emergency assistance to Veterans at risk of becoming unhoused.

The LVSH also serves as a satellite location for the Thurston County Food Bank Monday through Friday, 8 a.m. to 4 p.m., by providing access to food, socks, personal hygiene kits, and basic items to persons and families in need.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The City does not currently receive ESG funds. The City does not oversee the coordinated entry program or the administration of HMIS. The City does oversee the Lacey Veterans Services Hub (LVSH) which provides direct services to unhoused residents including veterans and families with children. Every Thursday, LVSH facilitates a meeting with Coordinated Entry providers and unhoused veterans and non-veterans. This weekly meeting is called the Veterans Housing Options Group (VHOG).

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VHOG Providers:

Veterans Affairs-Community Housing and Outreach Services
VA Employment Specialist
VA Justice Outreach Coordinator
Thurston County Veterans Assistance Funds Program
Supportive Services for Veterans Families
Family Support Center-Coordinated Entry
Thurston County Food Bank
Worksource
MedAdvise (Medicare)
Vocational Rehabilitation Specialists (VRSI-Homeless Veteran Reintegration Program)
Olympic Health and Recovery Services-Forensic Projects for Assistance in Transition from Homelessness
Joint Animal Services
AJAC-Advanced Manufacturing Apprenticeships
Heavy Equipment Colleges of America

2. Agencies, groups, organizations and others who participated in the process and consultations

Table 2 – Agencies, groups, organizations that participated

1	Agency/Group/Organization	Thurston Regional Planning Council
	Agency/Group/Organization Type	Other government - County Regional organization Planning organization Civic Leaders
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis

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	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Thurston Regional Planning Council (TRPC) was consulted online and via regular meetings to provide data on housing needs, public housing needs, unhoused person's needs, and market analysis to help identify the priority needs and goals for the Consolidated Plan, Annual Action Plan, and Human Services Strategic Plan. This data helps Lacey set priorities for funding.
2	Agency/Group/Organization	Lacey Parks, Culture and Recreation
	Agency/Group/Organization Type	Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Health Services-Education Other government - Local
	What section of the Plan was addressed by Consultation?	Infrastructure needs in LMI neighborhoods
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Lacey Parks, Culture and Recreation Department was consulted via email and in person to determine capital project improvements needed in LMI Census Tract Areas in Lacey. Lacey Parks, Culture and Recreation also participated in a focus group on human service needs in Lacey.
3	Agency/Group/Organization	Lacey Community and Economic Development Department
	Agency/Group/Organization Type	Housing Other government - Local Planning organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy

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	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Lacey Community and Economic Development Department was consulted in person and on-line regarding housing needs, homeless needs, affordable housing strategy, homelessness strategy, market analysis, economic development needs and strategy, and climate hazard mitigation strategy. The agency also leads infrastructure improvements to parks in LMI neighborhoods.
4	Agency/Group/Organization	Lacey Human Services Commission
	Agency/Group/Organization Type	Other government - Local Civic Leaders Business and Civic Leaders
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Lacey Human Services Commission was consulted at their regular meeting(s) regarding the CDBG Community Participation Plan, Consolidated Plan and Annual Action Plan. This included human services needs, unhoused needs, needs for unaccompanied youth, anti-poverty strategy and overall participation in strategic planning for human services.

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5	Agency/Group/Organization	Thurston County Public Health and Social Services
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Health Agency Child Welfare Agency Other government - County
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Thurston County Public Health and Social Services was consulted regarding the Five-Year Consolidated Plan, Homelessness Strategy, Needs of unhoused Veterans, public Housing Needs, and Homeless data sets (PIT Count) and general human services provided. Thurston County also participated in a focus group on human service needs in Lacey.

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6	Agency/Group/Organization	Thurston County Veterans Advisory Board
	Agency/Group/Organization Type	Other government - County Civic Leaders
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homelessness Needs - Veterans Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Thurston County Veterans Advisory Board (VAB) was consulted at their regular meeting and via a Veterans Community Forum to determine the services, housing, and needs of veterans who are unhoused and veterans who are housed.
7	Agency/Group/Organization	Lacey Youth Council
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Lacey Youth Council was consulted at their regular meeting to discuss the needs of youth, including youth who are unhoused.
8	Agency/Group/Organization	Lacey Commission on Equity
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Non-Homeless Special Needs Anti-poverty Strategy

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	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Lacey Commission on Equity was consulted at their regular meeting regarding outreach to communities regarding human service needs, unhoused person needs, needs for unaccompanied youth, anti-poverty strategy, and overall participation in strategic planning for human services which informs annual action plan.
9	Agency/Group/Organization	Lacey Public Works Department
	Agency/Group/Organization Type	Agency - Managing Flood Prone Areas Agency - Management of Public Land or Water Resources Other government - Local
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Anti-poverty Strategy Infrastructure needs in LMI Area
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Lacey Public Works Department was consulted via email regarding capital project needs in LMI Census Tract Areas and overall human services needs including helping people unhoused. Lacey Public Works also participated in a focus group on human service needs in Lacey.

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10	Agency/Group/Organization	North Thurston Public Schools
	Agency/Group/Organization Type	Services-Children Services-Persons with Disabilities Services-Victims of Domestic Violence Services-homeless Services-Education Other government - Local
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	North Thurston Public Schools was consulted via focus group to discuss human services needs in Lacey. In particular the needs of youth who are unhoused.
11	Agency/Group/Organization	Lacey Police Department
	Agency/Group/Organization Type	Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Victims of Domestic Violence Services-homeless Services - Victims Agency - Emergency Management Other government - Local
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs

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	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Lacey Police Department was consulted via focus group to assess the needs of people unhoused in Lacey, and general human services needs.
12	Agency/Group/Organization	Intercity Transit
	Agency/Group/Organization Type	Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-homeless Other government - County Regional organization
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Intercity transit was consulted via focus group regarding human services needs in Lacey. In particular around public infrastructure, people who are unhoused and low-income resident's needs.

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13	Agency/Group/Organization	CIELO -
	Agency/Group/Organization Type	Services - Housing Services-Children Services-Elderly Persons Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	CIELO was consulted via a focus group with immigrant and cultural organizations regarding immigrant human service needs.
14	Agency/Group/Organization	City of Olympia Housing and Homeless Response
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-homeless Services - Victims Other government - Local

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	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	City of Olympia was consulted via focus group regarding human services needs. Specifically, needs for people unhoused in Lacey.
15	Agency/Group/Organization	City of Tumwater
	Agency/Group/Organization Type	Services - Housing Services-Children Services-Persons with Disabilities Services-homeless Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	City of Tumwater was consulted via focus group regarding human services needs in Lacey and surrounding areas. Specifically, the needs of people unhoused.

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16	Agency/Group/Organization	Lacey South Sound Chamber of Commerce
	Agency/Group/Organization Type	Business and Civic Leaders Major Employer Private Sector Banking / Financing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Lacey South Sound Chamber was consulted via focus group to assess human services needs in Lacey.

Identify any Agency Types not consulted and provide rationale for not consulting

There were no agency types not consulted during the formation of the Annual Action Plan.

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Other local/regional/state/federal planning efforts considered when preparing the Plan

Table 3 - Other local / regional / federal planning efforts

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	WA State Department of Commerce	Housing and Service Goals Overlap.
2025 City Council Work Plan	City of Lacey	Comprehensive Infrastructure System that Connects People and Places. Provide Excellent, people-centered services. Building a Community of Safety and Belonging.
Economic Development Strategic Plan 2026-2030	City of Lacey	Assisting LMI households with youth and childcare services
DEIB Strategic Plan 2024-2030	City of Lacey	Increasing the equity of human services in Lacey
Local Homeless Housing Plan 2025-2030	Thurston County	Housing Goals
Planning for and Accommodating Housing Needs	Thurston Regional Planning Council	Housing Goals
Comprehensive Plan 2025-2045	City of Lacey	Housing Goals
Veterans Services Hub Strategic Plan 2027-2031	City of Lacey	Veterans Housing and Services goals
Veterans Service Needs and Awareness 2024	Thurston County	Veterans Housing and Services goals
Coordinated Human Services Transportation Plan 2023	Thurston Regional Planning Council	Transportation and Infrastructure Needs for LMI Community Members

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Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Rent Assistance Survey 2023	Thurston County	Homelessness prevention
Human Services Commission Workplan	City of Lacey	Review CDBG projects and hold public hearings
ALICE in Thurston County 2023	United Way of Thurston County	Anti-Poverty Strategy

Narrative

AP-12 Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal-setting

The City began its engagement and participation efforts in 2024 as part of the Community Participation Plan for the Human Services Strategic Plan. The City established a Human Services Work group of community members to oversee the creation of the Community Participation Plan, Human Services Strategic Plan, allocations of Human Services Grant Program dollars, and eventually Community Development Block Grant (CDBG) funds. The Workgroup consisted of seven general members and one youth member. General membership must include at least two professionals with experience in human services e.g., direct service management or volunteer work. This work group received its first update on CDBG in November of 2024. At their December 2024 meeting, the work group approved the CDBG / HOME Community Participation Plan 2026-2027 and opened up a 30-day review and comment which was open from December 5, 2024 to January 5, 2026.

On December 5, 2024, the Lacey City Council established a permanent Human Services Commission (HSC) via ordinance, which would continue the work and oversight begun by the work group. The Commission's makeup is essentially the same as the workgroup's, with similar rules of procedure and three—and four-year terms.

The Human Services Commission receives monthly updates on human services programming and projects including the CDBG Annual Action Plan. They will provide initial review and feedback before the City Council reviews the plan. These are public meetings open to all and are streamed live as well as recorded.

In addition to the HSC and City Council, the City has continued community engagement and outreach for priority setting and developing the Human Services Strategic plan (2027-2031). Staff has conducted 9 additional focus groups with various stakeholders /community members.

As of May 2026, over 300 community members have participated in the formation of Human Services goals.

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Citizen Participation Outreach

Table 4 – Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	11 Human Services Focus Groups	Minorities Persons with disabilities Various Stakeholders	Attached in Appendix	Attached in Appendix	None	
2	News-paper Ad	Non-targeted/broad community	TBD	TBD	none	
3	News-paper Ad	Non-targeted/broad community	TBD	TBD	TBD	
4	Public Hearing	Non-targeted/broad community	TBD	TBD	TBD	
5	Public Hearing	Non-targeted/broad community	TBD	TBD	TBD	
6	Public Meeting	Non-targeted/broad community	TBD	TBD	TBD	
7	Public Meeting	Non-targeted / community	TBD	TBD	TBD	

Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

The amount expected in Year 1 is based on the annual allocation to Lacey from HUD CDBG Entitlement grants

The amount expected to be available in the remaining two years of the Consolidated Plan is based on the 2025 allocation estimate.

Anticipated Resources

Table 5 - Expected Resources – Priority Table

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	337,498.00	0.00	348,393.00	685,891.00	342,945.00	

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City of Lacy (City) will leverage its CDBG funds with local, private, and state funds.

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If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City owns and operates the public infrastructure and public parks within the City boundaries. These facilities and infrastructure include but are not limited to: Huntamer Park, City Senior Center, City ADA Sidewalk and Pedestrian Crossings, Brooks Park, City Streetlights, Rainier Vista Park and the City Museum and Cultural Center.

Discussion

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Table 6 – Goals Summary

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Provide Public Facilities and Infrastructure	2025	2027	Affordable Housing Homeless Non-Homeless Special Needs Non-Housing Community Development		Public Facilities and Infrastructure Improvements	CDBG: \$303,749.00	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 5400 Persons Assisted

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Goal Descriptions

1	Goal Name	Provide Public Facilities and Infrastructure
	Goal Description	This goal includes the following priority needs: • Improvements to public facilities and infrastructure that support housing for low-income households • Improvements to public facilities and infrastructure to support low-income neighborhoods • Improvements to low-income neighborhoods to reduce the concentration of poverty • Modifications to provide accessibility

AP-35 Projects - 91.420, 91.220(d)

Introduction

The City has a number of planned facility expansions, park improvements, and infrastructure improvements located in LMI census tract neighborhoods. Growing demand for parks exceeds our capacity at the current levels. The Lacey Senior Center is at maximum capacity and lacks adequate parking and programming space. For more detailed information, see the complete City Parks, Culture and Recreation (LPCR) Strategic Plan is at PARKSLPCR_Sections_01-09-ToC_LS.pdf. This plan includes extensive community outreach that was done to prioritize future needs.

The City has emphasized and continues to emphasize a multimodal transportation system. Many of the City's streets include sidewalks and bicycle lanes as well as new standards for pedestrian improvements, making non-motorized travel a viable alternative to cars. Current standards require non-motorized elements on all new or redeveloped portions of roadways, in order to close any gaps in the existing system and expand its network further. Additionally, Transportation Demand Management (TDM) strategies include provisions for bicycle and pedestrian facilities, as well as long-term efforts to promote multimodal transportation options and implement transit-oriented development. Improvements located in the LMI census tract neighborhoods could help meet Consolidated Plan goals and priorities. For more detailed information, see the complete [City's Long Range Transportation Plan](#).

Table 7 – Project Information

#	Project Name
1	City Facility or Infrastructure Project
2	Planning and Administration

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The City has a number of projects planned in LMI Census tract areas. In year-one and two of entitlement status, the City plans to focus leveraging CDBG dollars for capital projects. Due to administrative availability and reporting timelines, the City feels this is the most reasonable path toward utilizing CDBG funds in PY26.

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AP-38 Project Summary Information

#	Project	Goals Supported	Geographic Areas	Needs Addressed	Funding
	City Facility or Infrastructure Project	Provide Public Facilities and Infrastructure		Public Facilities and Infrastructure Improvements	CDBG: \$303,749.00
	Description				
	Target Date for Completion	08/31/2027			
1	Estimate the number and type of families that will benefit from the proposed activities (additional information for this discussion may be available on the AP-36 Project Detail screen)	Huntamer Park is located in Lacey Midtown. The community uses the park for events almost every weekend. The park serves thousands of families from Lacey and beyond. It is difficult to estimate the amount.			
	Location Description (additional information for this discussion may be available on the AP-36 Project Detail screen)	For decades, the City has actively engaged in planning and public projects to transform the Midtown District into a vibrant, community-centered urban core. The “heart” of this area, Huntamer Park, a 1.5-acre civic space, desperately needs updates to meet the growing community's needs. The last significant improvements at Huntamer Park occurred in 2005. Since then, the surrounding Midtown District has grown significantly with new mixed-use and residential (re)developments. This project would strengthen civic engagement, improve equity by increasing park access and amenities in Community Development Block Grant-qualified census tracts, increase environmental resiliency, improve public health and wellness, and expand economic growth and development. The overall project includes adding plaza spaces, a water feature, new landscaping, pathways, pedestrian lighting, and recreational enhancements and			

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		furniture designed for daily use while maintaining civic spaces for important community-wide events. The total project cost is estimated at approximately \$1.6 million, with the CDBG portion used to improve sidewalks and accessibility. Similar to PY 2025, City staff recommends allocating \$303,749 of PY26 CDBG dollars to this project. Contingency Project: Accessibility Improvements to the Virgil S. Clarkson Senior Center parking lot City staff recommends a contingency project for PY26 CDBG dollars to expand the existing parking lot at the Virgil S. Clarkson Senior Center (Senior Center) and improve ADA accessibility. The expansion is necessary to accommodate increased use and attendance at the Senior Center, improve accessibility for older adults, and enhance overall safety during peak hours and special events. The existing lot is often at capacity during regular programming, forcing older adults to park a considerable distance away or to forgo attendance. The expanded parking lot will include approximately 50 additional spaces and improve ADA-accessible parking. The preliminary estimated cost of the project is \$1,000,000 to 2,000,000. This includes environmental review, engineering, demolition, construction, and contingencies. The City has used CDBG funds through the Washington State competitive CDBG Program for both the construction of the Senior Center in 2000 and the Senior Center Expansion Project in 2011.		
Planned Activities (additional information for this discussion may be available on the AP-36 Project Detail screen)				
2	Planning and Administration	Provide Public Facilities and Infrastructure	Public Facilities and Infrastructure Improvements Public Services Housing: Increase and Improve Affordable Housing	CDBG: \$33,749.00

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Description	
Target Date for Completion	08/31/2027
Estimate the number and type of families that will benefit from the proposed activities (additional information for this discussion may be available on the AP-36 Project Detail screen)	The Planning and Administration of the CDBG Program will support the Public Facilities and Infrastructure improvements that will serve thousands of Lacey families.
Location Description (additional information for this discussion may be available on the AP-36 Project Detail screen)	Lacey City Hall 420 College St. SE Lacey WA 98503
Planned Activities (additional information for this discussion may be available on the AP-36 Project Detail screen)	Oversee the environmental review, project oversight, HUD reporting, planning for future CDBG Consolidated Plans and Annual Action Plans.

AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Census Tract 112 Thurston County, WA and Census Tract 116.25 Thurston County, WA

Geographic Distribution

Table 8 - Geographic Distribution

Target Area	Percentage of Funds

Rationale for the priorities for allocating investments geographically

Based on research, program experience, and administrative capacity, the City plans to designate CDBG funding for City capital project(s) for the first few years. Table B provides a matrix of CDBG funding considerations.

Discussion

AP-75 Barriers to affordable housing -91.420, 91.220(j)

Introduction

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Discussion

AP-85 Other Actions - 91.420, 91.220(k)

Introduction

The City has prioritized human services by investing in programs and staffing to address community needs. The City provides and supports a broad range of efforts. Services include, but are not limited to, direct outreach to our unhoused community members, direct funding to non-profits that provide human services funding, managing the City Veterans Services Hub, and supporting and Enhanced Shelter in City, Maple Court. To learn more about our human services efforts, please visit our Human Services Web Page CityofLacey.org/Human-Services/

Actions planned to address obstacles to meeting underserved needs

The City is in the process of developing a Human Services Strategic Plan (2027-2031) and expects to have this plan finalized and approved by the Lacey City Council in Fall of 2026. The initial draft priorities are:

1. Affordable Housing and Preventing Homelessness
2. Behavioral Health Services (mental health and substance use disorder)
3. Youth Services (including daycare)
4. Senior Services
5. Veteran Services
6. Enhancing Accessibility

The City continues its annual \$300,000 allocation to the Human Services Grant Program, which is available to non-profits in the community that provide direct service and reduce obstacles to meeting underserved needs. Since beginning in 2024, 22 grants have been

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awarded, averaging \$26,000 per grant.

Actions planned to foster and maintain affordable housing

The City aims to build on the strategic directions outlined in its Affordable Housing Strategy [in the updated Comprehensive Plan](#) to continue investing in local and regional plans to create more affordable new rental housing and homeownership opportunities, and to establish broader anti-displacement measures. The City remains committed to all goals outlined in the plan(s) and will pursue those goals through investment in projects through the Human Services Grant Program, Regional Housing Council, HOME Consortium, and other opportunities as they arise.

Actions planned to reduce lead-based paint hazards

Any infrastructure or facility rehabilitation project that falls under EPA and Washington State rules for Lead-Based Paint Risk Assessments will ensure that any hazards are remediated or abated by certified contractors using safe work practices to prevent lead contamination. If lead-based paint hazards are discovered before and during remediation, the community will be educated further.

Actions planned to reduce the number of poverty-level families

The City's strategy for reducing the number of poverty-level families is through direct service, government and public-sector partnerships, and funding community-based organizations that provide critical social services. Examples of these are:

- Direct outreach to unhoused individuals, including individuals in encampments, living in vehicles, or living on the street
- Funding to non-profit agencies that provide emergency financial assistance, job training and placement, youth programs, emergency home repairs, emergency supplies for school, rapid re-housing, homegrown food supplies and gardening classes, home sharing programs, and more.
- Funding and managing the City Veterans Services Hub, which provides emergency financial assistance, rapid rehousing, direct housing vouchers, food and hygiene supplies, job training and placement, education counseling and placement, access to Veterans benefits, wrap-around intensive case management, and more.

Actions planned to develop institutional structure

There is a strong commitment in the community to work on issues affecting low-and moderate-income persons. Housing affordability and human services are a high priority and the institutional delivery system has been modified in recent years to help address these issues.

The changes include:

- Additional local funding to create and preserve affordable housing and mental health
- Coordination and help getting additional state and federal funds for affordable housing and mental health
- Adopting the Affordable Housing Strategy
- Coordination with other local governments and nonprofits
- Participating in the Regional Housing Council
- Convening and working with the Homelessness Work Group
- Convening and working with Human Services Work Group
- Convening and working with Human Services Commission

Actions planned to enhance coordination between public and private housing and social service agencies

The City will continue to partner with social service agencies, and public and private housing initiatives through:

- Funding and maintaining its Human Services Grant Program, which fosters collaboration with non-profits that provide direct services, including housing
- Participation in the Regional Housing Council
- Remaining in the Thurston County HOME Consortium
- Managing the City Veterans Services Hub and acting as a primary site for weekly Helping the Maple Court Enhanced shelter transition to Permanent Supportive Housing with State, County, and other partners.
- Continued work with the Housing Authority of Thurston County and other local non-profits
- Providing local tax incentives for new affordable housing coordinated entry

Discussion

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Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(I)(1,2,4)

Introduction

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100%

Discussion



STAFF REPORT

Council Regular Meeting
July 21, 2026

Subject: LTAC Reappointment Andrew Shin
To: Lacey City Council
Prepared by: Sadie Siglin, Management Analyst
Department Director: Shannon Kelley-Fong, Assistant City Manager
Reviewed By:
Final Review: Rick Walk, City Manager

RW

Purpose: Action Item

Recommendation: Motion to Approve the reappointment of Andrew Shin to the Lodging Tax Advisory Committee.

Brief: The City of Lacey (City) imposes a 4% lodging tax. Any city with a population of 5,000 or more that has imposed lodging taxes must establish a Lodging Tax Advisory Committee (LTAC) (RCW 67.28.1817). LTAC membership shall include at least two members who are representative of businesses required to collect tax. Andrew Shin represents La Quinta, a business required to collect the lodging tax. Andrew Shin was appointed to LTAC on August 3, 2023, and is eligible for reappointment. The recommendation is to re-appoint Shin to another LTAC term.

Alternatives:

1. Do not re-appoint; seek additional applicants for consideration.
2. Some other option not contemplated in the above.

Prior Review:

Council Regular Meeting – 8/3/2023 [Link](#)

Fiscal Impact: No fiscal impact

Budgeted Item: No

Amount: \$

Project Code:

Funding Source:

Attachments:

Policy or Legal Alignment:

1. [RCW 67.28.1817](#)
2. [LMC 3.03](#)

Background: Cities have the authority to levy lodging taxes, also known as “hotel/motel taxes,” on all lodging charges at hotels, motels, and short-term rentals (such as VRBO or Airbnb), bed and breakfasts (B&Bs), RV parks, and other accommodations for stays of fewer than 30 days. The tax is collected as a sales tax and paid by the customer at the time of the transaction.

- A **“basic”** or **“state-shared”** lodging tax up to 2% that is taken as a credit against the 6.5% state sales tax rate, so that the lodging patron does not see any tax increase. (RCW 67.28.180)
- An **“additional”** or **“special”** lodging tax up to 2% on top of the state sales tax rate that results in a higher tax bill for the patron. (RCW 67.28.181)

Lacey Municipal Code (LMC), Section 3.03, sets the lodging tax rate at 4% (the state maximum) for the City.

State law limits use of lodging tax revenues exclusively for the following expenditures (RCW 67.28.1815 and RCW 67.28.1816):

- Tourism marketing;
- Marketing and operations of special events and festivals designed to attract tourists;
- Operations and capital expenditures of tourism-related facilities owned or operated by a municipality or a public facilities district; or
- Operations of certain tourism-related facilities owned or operated by nonprofit organizations.

"Tourism" means economic activity resulting from tourists, which may include sales of overnight lodging, meals, tours, gifts, or souvenirs.

Lodging Tax Advisory Committees: Any city with a population of 5,000 or more that has imposed lodging taxes. LTAC membership shall include at least two members who are representative of businesses required to collect tax and at least two members who are persons involved in activities authorized to be funded by lodging tax revenues. One member shall be an elected official of the municipality, serving as the chair (RCW 67.28.1817). For more information on the City's LTAC, visit:

<https://cityoflacey.org/government/lacey-city-council/boards-commissions/ltac/>

LTAC does not have a limit on the number of terms a committee member may serve.

Re-appointment Request: Andrew Shin represents a business required to collect the lodging tax, La Quinta. Shin was appointed to LTAC on August 3, 2023, and continues to meet the criteria for service on LTAC. With the support of the LTAC Chair and staff liaison, the recommendation is to re-appoint Shin to serve a second consecutive, three-year, LTAC term.





STAFF REPORT

Council Regular Meeting
July 21, 2026

Subject: 2027 Six-Year Transportation Improvement Program
To: Lacey City Council
Prepared by: Chris Stolberg, Transportation Engineer
Department Director: Vince McGowan, Interim Public Works Director *VMc*
Reviewed By: Aubrey Collier, City Engineer
Final Review: Rick Walk, City Manager *RW*

Purpose: Action Item

Recommendation: **Motion to Adopt Resolution 1184** adopting the 2027 Six-Year Transportation Improvement Program (TIP) and the Transportation Improvement Mitigation List

Brief: The Six-Year Transportation Improvement Program (TIP) is required to be reviewed annually and amended as necessary. Updates to the TIP and the Transportation Improvement Mitigation List were made by City staff. The TIP update was approved by the Planning Commission at their June 10th, 2026, meeting.

Alternatives:

1. Modify the 2025 Six-Year Transportation Improvement Program and Mitigation List.
2. Some other option not contemplated in the above.

Prior Review:

Planning Commission – 6/10/2026 [Link](#)

Advisory Board Recommendation(s):

Planning Commission – Recommended approval of the TIP by City Council

Fiscal Impact: Not applicable

Budgeted Item: No

Amount: N/A

Funding Source: N/A

Project Code: N/A

Attachments:

1. Resolution 1184
2. Six-Year Transportation Improvement Program Summary
3. Transportation Mitigation List
4. Six Year Transportation Improvement Program Forms

Policy or Legal Alignment:

1. [RCW 35.77.010](#) Requires all cities to adopt a Six-Year TIP and update it annually. This also requires a public hearing.
2. [LMC 14.21.026](#) Requires the City Council to annually review and adopt the Six-Year TIP.

Background: The City is required to prepare an annual Transportation Improvement Program (TIP) and submit it to the Washington State Department of Transportation (WSDOT) and Thurston Regional Planning Council (TRPC). The TIP contains projects that fall into at least one of three categories:

- The project is receiving state or federal grant funds that have not yet been obligated.
- The City collects traffic mitigation fees for the project.
- The project is considered to be regionally significant.

The primary purpose of the TIP is to track transportation grant funds and regionally significant projects. For a local project to receive funding from the state (such as grants from the Transportation Improvement Board) or federal highway funds, it must be included in the jurisdiction's 6-year TIP. The funds shown on the TIP do not obligate the City to any specific amount of matching dollars. All projects on the TIP are consistent with the Transportation Comprehensive Plan.

The only change for the TIP this year is anticipating an additional right of way grant for College St Corridor – Phase 3.

The Planning Commission held a public hearing on TIP on June 10th. No public comments were received. The Planning Commission voted to approve the TIP.

The Transportation Mitigation List is also updated with the TIP. The costs in the Mitigation List were increased 3.0% based on the Engineering News Record Construction Cost Index for the July 1st 2026 publication.

RESOLUTION 1184

CITY OF LACEY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LACEY ADOPTING THE 2027 SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM (TIP) FOR THE CITY OF LACEY AND ADOPTING A REVISED TRANSPORTATION IMPROVEMENT MITIGATION LIST.

WHEREAS, under the requirements of RCW 35.77.010 it is necessary that the City of Lacey adopt a Six-Year Comprehensive Transportation Improvement Program and review said program annually; and

WHEREAS, the City of Lacey has heretofore adopted a Six-Year Comprehensive Transportation Improvement Program and has revised said program annually; and

WHEREAS, the Public Works Director, city staff, and the City's Planning Commission have studied the city streets of Lacey and have presented a proposed revised and extended Six-Year Comprehensive Transportation Improvement Program and the Planning Commission has held a public hearing on said proposal; and

WHEREAS, in conjunction with such review, the City's Transportation Improvement Mitigation List has been reviewed and changes to such list proposed; and

WHEREAS, it is in the best interest of the City of Lacey and its citizens that the proposed transportation program be adopted as the Six-Year Comprehensive Transportation Improvement Program of the City of Lacey and that the City's Transportation Improvement Mitigation List be modified as proposed;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

1. That certain document entitled 2027 Six-Year Transportation Improvement Program (TIP), attached hereto and made a part hereof, is hereby adopted as the Six-Year Comprehensive Transportation Improvement Program of the City of Lacey and a copy of said plan together with a copy of this Resolution shall be filed with the Department of Transportation of the State of Washington.
2. That certain document entitled 2026-2027 Transportation Improvement Mitigation List, attached hereto and made a part hereof, is hereby adopted as the current Transportation Improvement Mitigation List designated as Table 14T-15 in Section 14.21.026 of the Lacey Municipal Code.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON,
this July 21, 2026.

CITY COUNCIL

By _____
Andy Ryder, Mayor

Attest:

Approved as to form:

Elissa Fontaine, City Clerk

Dave Schneider, City Attorney

2027 SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM SUMMARY

Current Process	LACEY STIP ID	PROJECT TITLE	2026 Total Project Cost
Planned	11-010	Carpenter Rd Capacity and Safety Improvements Pacific to Shady Lane	\$ 5,400,000
Planned	11-013	Marvin Road from Britton Parkway to Columbia Drive	\$ 19,000,000
Planned	11-014	Martin Way / I-5 Interchange Improvements	\$ 52,000,000
Planned	11-015	Carpenter Road Widening from Martin Way to Britton Parkway	\$ 23,000,000
Planned	11-018	Britton Parkway -- Phase II	\$ 2,500,000
Planned	11-021	College Street Corridor Improvements	\$ 46,000,000
Planned	11-024	Yelm Highway Improvements from Ruddell Rd to Amtrak Bridge	\$ 6,000,000
Planned	11-025	Martin Way East Roadway Improvements	\$ 6,000,000
Planned	11-026	Lacey Hawks Prairie Business District (LHPBD) Commercial Corridors	\$ 11,000,000
Pending CN Grant	19-001	College St Corridor -- Phase 3 (College St and 16th Ave Roundabout)	\$ 16,000,000
Planned	20-002	Willamette Dr and Campus Glen Dr Roundabout	\$ 2,000,000
Planned	26-001	Britton Parkway and Central Ave/ Callison Rd Roundabout	\$ 3,000,000
Planned	26-002	Britton Parkway and Western Parkway Roundabout	\$ 3,000,000
Planned	26-003	Marvin Road and Steilacoom Rd Roundabout	\$ 5,000,000
Total TIP Costs			\$ 199,900,000

Current Phase	Projects to be Removed from TIP (Funds Obligated)
	None
	Indicates Changes

2026-2027 TRANSPORTATION IMPROVEMENT MITIGATION LIST

a										
b		Capped or a/b		d	e = (b-d)	f = (0.90*e)	Varies by Type			
Account Number	Project	2025-2026 Project Cost	2026-2027 Project Cost	Consistent Denominator	Cost per Trip	Existing Volume	Remaining Volume	Mitigated Volume 90%	Collection	% of Total
COMPLETED PROJECTS										
102-0000-224.50-03	45th Avenue and College Street Improvements	\$ 1,600,390	\$ 1,648,402	3500	\$ 470.97	1,645	1,855	1,670	\$ 786,288	49%
102-0000-224.50-50	Marvin Road and Britton Parkway Intersection Improvements	\$ 500,193	\$ 515,199	4000	\$ 128.80	595	3,405	3,065	\$ 394,707	79%
102-0000-224.50-43	Golf Club Road Extension	\$ 743,511	\$ 765,816	3500	\$ 218.80	-	3,500	3,150	\$ 689,235	93%
102-0000-224.50-44	Martin Way / Hoh Street Intersection Improvements	\$ 991,349	\$ 1,021,089	3500	\$ 291.74	1,352	2,148	1,933	\$ 563,991	57%
102-0000-224.50-45	Willamette Drive / 31st Ave Intersection Improvements	\$ 1,239,186	\$ 1,276,362	3500	\$ 364.67	1,034	2,466	2,219	\$ 809,359	65%
102-0000-224.50-47	Carpenter Rd/Mullen Rd Intersection Improvements	\$ 1,442,543	\$ 1,485,819	3500	\$ 424.52	1,212	2,288	2,059	\$ 874,171	61%
FIXED-COMPLETED PROJECTS										
102-0000-224.50-29	Mullen Road Capacity/Safety Improvements East of Ruddell	\$ 8,495,569	\$ 8,750,436	4000	\$ 1,607.39	1,138	2,862	2,576	\$ 5,470,721	64%
102-0000-224.50-42	6th Avenue / Sleater Kinney Improvements	\$ 5,605,133	\$ 5,773,287	3500	\$ 1,607.39	2,319	1,181	1,063	\$ 1,702,199	30%
102-0000-224.50-38	Carpenter Rd from Martin Way to Britton Parkway	\$ 24,589,514	\$ 25,327,199	4000	\$ 1,607.39	295	3,705	3,335	\$ 20,498,433	83%
102-0000-224.50-46	Hogum Bay Road Improvements	\$ 10,881,783	\$ 11,208,237	3500	\$ 1,607.39	530	2,970	2,673	\$ 8,310,573	76%
102-0000-224.50-51	31st Avenue Extension Hogum Bay to Marvin Road	\$ 6,669,238	\$ 6,869,316	4000	\$ 1,607.39	580	3,420	3,078	\$ 5,131,979	77%
FIXED-ACTIVE PROJECTS										
102-0000-224.50-49	College Street Reconstruction -- Lacey Blvd to 37th Ave	\$ 48,421,387	\$ 49,874,029	5000	\$ 1,607.39	2,000	3,000	2,700	\$ 26,147,549	54%
102-0000-224.50-39	Marvin Road-- Britton to Columbia Drive NE	\$ 20,007,717	\$ 20,607,948	5000	\$ 1,607.39	580	4,420	3,978	\$ 15,918,139	80%
102-0000-224.50-41	Yelm Highway Improvements Ruddell Road to East City Limits	\$ 6,371,676	\$ 6,562,826	4000	\$ 1,607.39	1,277	2,723	2,451	\$ 3,903,767	61%
102-0000-224.50-33	Martin Way & I-5 Interchange Improvements	\$ 54,866,580	\$ 56,512,577	6000	\$ 1,607.39	3,515	2,485	2,237	\$ 20,451,518	37%
ACTIVE PROJECTS										
102-0000-224.50-25	College Street Extension NE	\$ 4,247,785	\$ 4,375,218	3500	\$ 1,250.06	1,017	2,483	2,235	\$ 2,793,515	66%
102-0000-224.50-28	Carpenter Road Capacity /Safety Improvements Pacific to Shady Lane	\$ 5,663,713	\$ 5,833,624	4000	\$ 1,458.41	1,521	2,479	2,231	\$ 3,253,850	57%
102-0000-224.50-40	Rainier Road from Yelm Hwy to 66th Ave	\$ 3,681,414	\$ 3,791,856	4000	\$ 947.96	774	3,226	2,903	\$ 2,752,319	75%
102-0000-224.50-52	Britton Parkway and Carpenter Road Intersection Improvements	\$ 1,828,329	\$ 1,883,179	4000	\$ 470.79	412	3,588	3,229	\$ 1,520,290	83%
102-0000-224.50-58	Willamette Drive / Campus Glen Drive Roundabout	\$ 2,111,910	\$ 2,175,267	3500	\$ 621.50	386	3,114	2,803	\$ 1,741,830	82%
102-0000-224.50-59	Britton Parkway and Central Ave/ Callison Rd Roundabout	\$ 3,000,000	\$ 3,090,000	3500	\$ 882.86	896	2,604	2,344	\$ 2,069,064	69%
102-0000-224.50-60	Britton Parkway and Western Parkway Roundabout	\$ 3,000,000	\$ 3,090,000	3500	\$ 882.86	851	2,649	2,384	\$ 2,104,820	70%
102-0000-224.50-61	Marvin Road and Steilacoom Rd Roundabout	\$ 5,000,000	\$ 5,150,000	4000	\$ 1,287.50	2,715	1,285	1,157	\$ 1,488,994	30%

Year	ENR Construction Index	Residential Cap	Resolution
2025-2026	2.5%	\$ 2,454	Resolution 1170 Passed 7-15-2025
2026-2027	3.0%	\$ 2,528	Resolution 1184 Passed 7-21-2026

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey

County: Thurston

MPO/RTPO: TRPC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
16	1110	Carpenter Road Capacity and Safety Improvements Carpenter Road SE Pacific Ave SE to Shady Lane Widen roadway to taper from 5-lane section to 3-lane section with bike lanes and sidewalks. Realign 14th Ave.	Lacey11010					21	C G O P T	1.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2027		0	TIB	3,240,000	2,160,000	5,400,000
Totals				0		3,240,000	2,160,000	5,400,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	500,000	500,000	0	0	0
Totals	500,000	500,000	0	0	0

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey

County: Thurston

MPO/RTPO: TRPC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
16	1113	Marvin Road from Britton Parkway to Columbia Drive Marvin Road NE Britton Parkway to Columbia Drive NE Widen Marvin Road from 2 lanes to 5 lanes to Hawks Prairie Rd then transition to 3 lane section, with bike lanes and sidewalks.	Lacey11013					03	C G O P S T W	2.150	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2030	BUILD	15,000,000	TIB	1,000,000	3,000,000	19,000,000
Totals				15,000,000		1,000,000	3,000,000	19,000,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	5,000,000	500,000
Totals	0	0	0	5,000,000	500,000

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey

County: Thurston

MPO/RTPO: TRPC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
02	1114	Martin Way / I-5 Interchange Improvements Interstate 5 MP109 to MP 109 Construct interchange per approved IJR.	Lacey11014					03	C G O P S T W	2.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2027	HSIP	41,000,000	WSDOT	10,000,000	1,000,000	52,000,000
Totals				41,000,000		10,000,000	1,000,000	52,000,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	1,000,000	1,000,000	0	0	0
Totals	1,000,000	1,000,000	0	0	0

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey

County: Thurston

MPO/RTPO: TRPC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
03	1115	Carpenter Road Widening from Martin Way to Britton Parkway Carpenter Road Martin Way to Britton Parkway Widen roadway to 5 lanes with auxiliary turn lanes, bike lanes, sidewalks, and other urban amenities.	Lacey11015					03	C G O P S T W	1.300	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2027	Discretionary	13,000,000	TIB	5,000,000	5,000,000	23,000,000
Totals				13,000,000		5,000,000	5,000,000	23,000,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	1,000,000	1,000,000	0	0	0
Totals	1,000,000	1,000,000	0	0	0

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey
County: Thurston
MPO/RTPO: TRPC

Y InsideN Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
16	1118	Britton Parkway -- Phase II Britton Parkway Gateway Blvd to Carpenter Road Widen remaining portion of Britton Parkway to 4 lane boulevard.	Lacey11018					03		1.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2027	STP(US)	2,500,000		0	1,000,000	3,500,000
Totals				2,500,000		0	1,000,000	3,500,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	500,000	500,000	0	0	0
Totals	500,000	500,000	0	0	0

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey
County: Thurston
MPO/RTPO: TRPC

Y InsideN Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
14	1121	College Street Corridor Improvements College St SE Lacey Blvd to 37th Ave SE Construct remaining portions of College St Corridor. Anticipated to be 4-6 phases	Lacey11021					21	C G O P T W	2.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2028		0		0	46,000,000	46,000,000
Totals				0		0	46,000,000	46,000,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	500,000	500,000	0	0
Totals	0	500,000	500,000	0	0

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey

County: Thurston

MPO/RTPO: TRPC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
03	1124	Yelm Hwy Improvements from Ruddell Rd to Amtrak Bridge Yelm Highway SE Compton Blvd to Ruddell Road Widen east side for additional northbound lane, bike lane, sidewalk and other urban amenities.	Lacey11024					03	C G O P S T W	1.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2027	STBG(R)	3,000,000		0	3,000,000	6,000,000
Totals				3,000,000		0	3,000,000	6,000,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	500,000	500,000	0	0
Totals	0	500,000	500,000	0	0

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey

County: Thurston

MPO/RTPO: TRPC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
14	1125	Martin Way East Roadway Improvements Martin Way Galaxy Drive to River Ridge Drive Access management, bike lanes, sidewalks, and other urban amenities.	Lacey11025					21	C G O P S T	1.300	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2028		0		0	5,500,000	5,500,000
Totals				0		0	5,500,000	5,500,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	500,000	500,000	0	0
Totals	0	500,000	500,000	0	0

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey

County: Thurston

MPO/RTPO: TRPC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17	1126	Lacey Hawks Prairie Business District (LHPBD) Commercial Corridors Several LHPBD to LHPBD Construct new corridors within LHPBD	Lacey11026					01	C G O P S T W	5.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2030		0	OTHER	11,000,000	0	11,000,000
Totals				0		11,000,000	0	11,000,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	1,000,000	1,000,000
Totals	0	0	0	1,000,000	1,000,000

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey

County: Thurston

MPO/RTPO: TRPC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
03	1901	WA382 / 5289(005) College Street Corridor Improvements Phase 3 College St 22nd Avenue to Lacey Blvd Per the 2009 College Street Corridor Study, this project will widen the roadway to include a planted center median, auxiliary left turn lanes, sidewalks, with typical urban amenities. This includes a traffic control roundabout at 16th Avenue SE.	Lacey19001					04	C G O P S T W	0.400	CE	Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	RW	2027		0		0	1,000,000	1,000,000
P	RW	2030	STBG(UL)	1,000,000		0	156,070	1,156,070
P	CN	2028	BUILD	12,800,000		0	3,200,000	16,000,000
Totals				13,800,000		0	4,356,070	18,156,070

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
RW	1,000,000	1,000,000	0	0	0
CN	0	7,000,000	7,000,000	4,000,000	0
Totals	1,000,000	8,000,000	7,000,000	4,000,000	0

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey

County: Thurston

MPO/RTPO: TRPC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
04	2002	Willamette Dr and Campus Glen Dr Roundabout Willamette Dr NE Campus Glen Dr to Campus Glen Dr Roundabout	Lacey20002					21	C G O P S T W	0.250	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	RW	2027		0		0	50,000	50,000
P	CN	2028	STBG(UL)	1,686,750		0	263,250	1,950,000
Totals				1,686,750		0	313,250	2,000,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
RW	50,000	0	0	0	0
CN	1,000,000	950,000	0	0	0
Totals	1,050,000	950,000	0	0	0

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey
County: Thurston
MPO/RTPO: TRPC
Y Inside
N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
04	2601	Britton Parkway and Central Ave / Callison Rd Roundabout Britton Parkway Central Ave/Callison Rd to Construct Roundabout	Lacey26001					21			CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2030	BIA	2,000,000		0	1,000,000	3,000,000
Totals				2,000,000		0	1,000,000	3,000,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	0	500,000
Totals	0	0	0	0	500,000

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey

County: Thurston

MPO/RTPO: TRPC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
04	2602	Britton Parkway and Western Parkway Roundabout Britton Parkway Western Parkway to Intersection Construct Roundabout	Lacey26002					21		0.250	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2030	BIA	2,000,000		0	1,000,000	3,000,000
Totals				2,000,000		0	1,000,000	3,000,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	0	500,000
Totals	0	0	0	0	500,000

Six Year Transportation Improvement Program
From 2027 to 2032

Agency: Lacey

County: Thurston

MPO/RTPO: TRPC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
03	2603	Marvin Road and Steilacoom Road Roundabout Marvin Road NE to Construct Roundabout	Lacey26003					21				No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2030	SRTS	4,500,000		0	500,000	5,000,000
Totals				4,500,000		0	500,000	5,000,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	0	500,000
Totals	0	0	0	0	500,000

	Federal Funds		State Funds	Local Funds	Total Funds
Grand Totals for Lacey	98,486,750		30,240,000	73,829,320	202,556,070



STAFF REPORT

Council Regular Meeting
July 21, 2026

Subject: Ordinance 1704 - LMC Text Amendments: Parking, Daycare Centers, Conversions of Existing Buildings, and Infill Residential

To: Lacey City Council

Prepared by: Hans Shepherd, CED Senior Community Planner *HS*
Jennifer Adams, CED Housing Coordinator *JA*

Department Director: Vanessa Dolbee, CED Director *VD*

Reviewed By: Ryan Andrews, CED Community Planning Manager

Final Review: Rick Walk, City Manager *RW*

Purpose: Action Item

Recommendation: Motion to Adopt Ordinance 1704 Amending the Lacey Municipal Code consistent with state-required amendments related to Parking, Daycare Centers, Conversions of Existing Buildings, and Infill Residential developments.

Brief: City Council will review Ordinance 1704 covering state-required amendments to city regulations pertaining to limits on minimum parking, permitted locations for daycare centers, the conversion of existing buildings for residential uses, and infill housing (also known as middle housing and ADU Legislation). On May 27th, 2026, the Lacey Planning Commission recommended draft code updates to City Council to maintain compliance with recent state legislation. Ordinance 1704 and draft amendments are included as an attachment to this report.

Alternatives:

1. No change: Continue as is. Will result in preemption by the Revised Code of Washington (RCW).
2. Update the Lacey Municipal Code (LMC) to align with recent Washington State legislative changes consistent with the Growth Management Act GMA).

Prior Review:

Planning Commission – 11/12/2025 [Meeting Link](#)
Planning Commission – 1/14/2026 [Meeting Link](#)
Planning Commission – 1/28/2026 [Meeting Link](#)
Planning Commission – 3/11/2026 [Meeting Link](#)
Planning Commission – 3/25/2026 [Meeting Link](#)
Planning Commission – 4/8/2026 [Meeting Link](#)
Planning Commission – 4/22/2026 [Meeting Link](#)
Planning Commission – 5/13/2026 [Meeting Link](#)
Planning Commission – 5/27/2026 [Meeting Link](#)
Council Worksession – 6/23/2026 [Meeting Link](#)

Advisory Board Recommendation(s):

Planning Commission - Recommended Adoption

Fiscal Impact:

Budgeted Item: Yes

Budgeted item utilizing staff resources from General Fund.

Attachments: 1. Ordinance 1704 2. Ordinance 1704 Exhibits A-S (see Table A below and attachment bookmarks for details)	Policy or Legal Alignment: 1. 2026 CED Work Program: Legislation - Docket-02 Child-Care Centers - Docket-03 Parking Updates - Docket-04 Accessory Dwelling Unit Updates - Docket-05 Middle Housing - Docket-08 Conversion of Existing Buildings

Background:

The Washington State Legislature has passed several bills over the last few years related to parking standards, the development of multi-unit housing, accessory dwelling units, infill housing, and the siting of daycare centers. These bills resulted in changes to [Chapter 36.70A](#) of the RCW – relating to the continuance and implementation of the Growth Management Act (GMA). To remain in compliance with the GMA and end preemption by the State Legislature, municipalities planning under the GMA (such as Lacey) must update their municipal codes to reflect these legislative changes. Below is a list of state level preempting bills driving this update:

1. [1042](#) Use of Existing Buildings for Residential Purposes (Code Cities)
2. [1110](#) Middle Housing
3. [1757](#) Existing Buildings Used for Residential Purposes - Various Provisions
4. [1337](#) Accessory Dwelling Units
5. [5509](#) Child Care Centers Zoning
6. [5655](#) Child Care Centers – Existing Buildings-Occupancy Load Calculation
7. [1183](#) Building Codes and Development Regulations – Various Provisions
8. [6015](#) Minimum Parking Requirements - Residential Development
9. [5184](#) Parking Reform and Modernization Act

A summary of these bills can be found within the staff report provided during the Council Worksession held on [June 23rd, 2026](#). In addition, detailed staff reports summarizing the



proposed amendments are included in the agenda packets accessed through the meeting links in the prior review section of this staff report. As various sections of Titles 11, 14, and 16 of the Lacey Municipal Code (LMC) are impacted by these state level updates, all LMC amendments are proposed under one Ordinance to ensure accuracy of the code amendment processes with the City's codifier.

Planning Commission Review and Public Hearing:

The Lacey Planning Commission reviewed these legislative changes and proposed updates to the LMC at seven meetings held between the months of November 2025 and May 2026. Public Hearings were held on [May 13th](#) (Accessory Dwelling Units and Middle Housing) and [May 27th](#) (Child Care Centers, Parking Updates, Conversions of Existing Buildings), 2026.

Following the conclusion of both Public Hearings, the Planning Commission unanimously recommended draft amendments to the Lacey City Council for further review and adoption.

City Council Worksession:

On June 23rd, 2026, the Lacey City Council received a briefing from CED staff on these proposed updates consistent with state mandated legislation. Following this briefing, council directed staff to develop a draft ordinance incorporating the amendments to the Lacey Municipal Code for review and action by the City Council. The draft ordinance and exhibits are attached to this staff report. The exhibits to the ordinance are organized as outlined by Table A below.

Table A	
Lacey Municipal Code	Staff Report Attachment
11.09	Attachment 1: Ordinance 1704 (pages 2-4)
14.23	Attachment 2: Exhibit A (pages 1-100)
14.25	Attachment 2: Exhibit B (pages 101-118)
16.03	Attachment 2: Exhibit C (pages 119-133)
16.06	Attachment 2: Exhibit D (pages 134-185)
16.13	Attachment 2: Exhibit E (pages 186-196)
16.14	Attachment 2: Exhibit F (pages 197-202)
16.15	Attachment 2: Exhibit G (pages 203-212)
16.18	Attachment 2: Exhibit H (pages 213-222)
16.21	Attachment 2: Exhibit I (pages 223-232)
16.23.020	Attachment 1: Ordinance 1704 (pages 4-7)
16.24.030	Attachment 1: Ordinance 1704 (pages 7-10)
16.25.020	Attachment 1: Ordinance 1704 (pages 10-23)
16.27.020	Attachment 1: Ordinance 1704 (pages 24-27)
16.27.030	Attachment 1: Ordinance 1704 (page 27)
16.36	Attachment 2: Exhibit J (pages 233-245)
16.37.020	Attachment 1: Ordinance 1704 (page 27-30)
16.41	Attachment 2: Exhibit K (pages 246-252)
16.49.020	Attachment 1: Ordinance 1704 (page 30-31)
16.52	Attachment 2: Exhibit L (pages 253-259)
16.61	Attachment 2: Exhibit M (pages 260-266)
16.62	Attachment 2: Exhibit N (pages 267-274)
16.65	Attachment 2: Exhibit O (pages 275-278)
16.70	Attachment 2: Exhibit P (pages 279-293)
16.72	Attachment 2: Exhibit Q (pages 294-306)



16.73.032	Attachment 1: Ordinance 1704 (page 31-32)
16.75	Attachment 2: Exhibit R (pages 307-352)
16.80	Attachment 2: Exhibit S (pages 353-367)

Next Steps:

At the July 21st, 2026 City Council Meeting, Council Members will have the opportunity to review recommended updates to the LMC consistent with state mandated legislation. Following this review, Council Members will have the opportunity to take one of the following actions:

Option 1: Adopt Ordinance 1704 related to state-required amendments to city regulations pertaining to limits on minimum parking, permitted locations for daycare centers, the conversion of existing buildings for residential uses, and infill housing.

Option 2: Provide direction to City staff on potential further modifications to the recommended draft for inclusion in the final ordinance. After further diligence, City Staff would then return to the Lacey City Council for review and final action. Note, until updates are incorporated within the Lacey Municipal Code, this option will result in the City of Lacey being preempted by state level requirements as identified within Chapter 36.70A of the Revised Code of Washington.

Option 3: Another action as identified by City Council. Note, this option will result in the City of Lacey being preempted by state level requirements as identified within Chapter 36.70A of the Revised Code of Washington.

ORDINANCE NO. 1704

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY RELATED TO STATE MANDATED AMENDMENTS TO CITY REGULATIONS PERTAINING TO PARKING REGULATIONS, CHILD CARE CENTERS, ACCESSORY DWELLING UNITS, INFILL HOUSING, AND THE CONVERSION OF EXISTING BUILDINGS TO RESIDENTIAL USES; AMENDING CHAPTERS 11.09, 14.23, 14.25, 16.03, 16.06, 16.13, 16.14, 16.15, 16.18, 16.21, 16.23, 16.24, 16.25, 16.27, 16.36, 16.37, 16.41, 16.49, 16.52, 16.61, 16.62, 16.65, 16.70, 16.72, 16.73, 16.75, AND 16.80, ALL OF THE LACEY MUNICIPAL CODE; AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, the City of Lacey is required to adopt development regulations consistent with the Growth Management Act, Chapter 36.70A RCW; and

WHEREAS, the Washington State Legislature has enacted legislation requiring local jurisdictions to amend their zoning and development regulations relating to parking regulations, child-care centers, accessory dwelling units, infill housing, and the conversion of existing buildings for residential use in order to remain consistent with state law; and

WHEREAS, the proposed amendments implement the requirements of HB 1042, HB 1110, HB 1337, HB 1757, HB 1183, SB 5509, SB 5655, SB 6015, and SB 5184; and

WHEREAS, the proposed amendments are intended to encourage housing opportunities, facilitate the development of child-care centers, modernize parking regulations, and provide for the adaptive reuse of existing buildings consistent with state law and the public health, safety, and welfare; and

WHEREAS, the Planning Commission reviewed the proposed amendments at seven separate public meetings held between November 2025 and May 2026; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on May 13, 2026 on amendments related to accessory dwelling units and infill housing; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on May 27, 2026 on amendments related to child care centers, parking updates, and the conversion of existing buildings to residential uses; and

WHEREAS, following the conclusion of both the May 13, 2026 and May 27, 2026 public hearings, the Planning Commission unanimously recommended the proposed amendments be forwarded to City Council for their review and adoption; and

WHEREAS the City Council subsequently reviewed the proposed amendments at a public work session on June 23, 2026; and

WHEREAS, the City Council finds and determines adoption of this ordinance to be in the public interest and in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, AS FOLLOWS:

Section 1. Section 11.09.010 of the Lacey Municipal Code is hereby amended to read as follows:

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.

Section 2. Chapter 14.23 of the Lacey Municipal Code is hereby amended as shown on Exhibit A, attached hereto and incorporated by reference as if fully set forth herein.

Section 3. Chapter 14.25 of the Lacey Municipal Code is hereby amended as shown on Exhibit B, attached hereto and incorporated by reference as if fully set forth herein.

Section 4. Chapter 16.03 of the Lacey Municipal Code is hereby amended as shown on Exhibit C, attached hereto and incorporated by reference as if fully set forth herein.

Section 5. Chapter 16.06 of the Lacey Municipal Code is hereby amended as shown on Exhibit D, attached hereto and incorporated by reference as if fully set forth herein.

Section 6. Chapter 16.13 of the Lacey Municipal Code is hereby amended as shown on Exhibit E, attached hereto and incorporated by reference as if fully set forth herein.

Section 7. Chapter 16.14 of the Lacey Municipal Code is hereby amended as shown on Exhibit F, attached hereto and incorporated by reference as if fully set forth herein

Section 8. Chapter 16.15 of the Lacey Municipal Code is hereby amended as shown on Exhibit G, attached hereto and incorporated by reference as if fully set forth herein

Section 9. Chapter 16.18 of the Lacey Municipal Code is hereby amended as shown on Exhibit H, attached hereto and incorporated by reference as if fully set forth herein.

Section 10. Chapter 16.21 of the Lacey Municipal Code is hereby amended as shown on Exhibit I, attached hereto and incorporated by reference as if fully set forth herein.

Section 11. Section 16.23.020 of the Lacey Municipal Code is hereby amended to read as follows:

16.23.020 Permitted uses in all mixed high density corridor zones.

A. *Commercial Uses and Public Administration.* The following uses are permitted as an allowed use or by conditional use permit as noted if they have a gross floor area of no more than fifteen thousand square feet and require no outside storage. The square footage limitation may be waived by the site plan review committee for general merchandise stores, food stores, hotels and motels, rooming houses, educational services, and museums. To waive this requirement the site plan review committee must find that the proposed use can conform to other requirements of the high density corridor, is designed to accommodate the pedestrian emphasis and is compatible and complementary to surrounding uses in the zone. Noted conditional uses may also be approved with a greater or lesser square footage under the same conditions of pedestrian emphasis, compatibility and complementary design.

Uses allowed include:

1. *Retail Uses*. Preferred retail activities are those that promote a shopping experience for pedestrians and can accommodate design that is easily integrated into the corridor's mixed use vision. Preferred retail uses include activities such as:

- a. General merchandise;
- b. Food;
- c. Apparel and accessories;
- d. Eating and drinking establishments;
- e. Drug and proprietary;
- f. Shopping goods stores.

2. *Finance, Insurance and Real Estate*. Preferred uses include finance, insurance and real estate servicing needs of surrounding neighborhood and community residents. Such uses will have a design that promotes the immediately surrounding mixed use high density corridor. Such uses include:

- a. Finance depository institutions, non-depository institutions, holding companies, other investment companies, brokers and dealers in securities and commodity contracts and security and commodity exchanges;
- b. Insurance, including carriers of all types of insurance and insurance agents and brokers;
- c. Real estate, including owners, lessors, lessees, buyers, sellers, agents and developers of real estate.

3. *Services*. Preferred service uses are establishments primarily engaged in a variety of services for individuals, business and government establishments and other organizations and have a design promoting the service needs of the mixed uses within the corridor.

Preferred service uses include activities such as:

- a. Hotels and lodging places;
- b. Personal services: laundry, photo studios, beauty shops, shoe repair and funeral service;
- c. Business services: advertising agencies, commercial art and computer programming;

- d. Repair services: radio and TV repair;
- e. Theaters;
- f. Amusement and recreation: physical fitness facilities and health clubs;
- g. Health services: office and clinics of doctors, dentists, health practitioners, veterinarian clinics and medical laboratories;
- h. Educational services: establishments involved in academic and technical instruction and libraries;
- i. Social services: childcare and residential care;
- j. Museums, art galleries and botanical and zoological gardens;
- k. Membership organizations;
- l. Engineering, accounting, research, management and related services.

4. *Public Administration.* Preferred uses include activities involving the executive, legislative, judicial, administrative and regulatory activities of federal, state, local and international governments. However, activities of the state of Washington shall be allowed only if such location and use also conform with the state's current Preferred Leasing Areas Plan provided said Preferred Leasing Areas Plan meets the city's adopted goals and policies and further is endorsed by the city of Lacey.

Preferred public administration uses are those promoting the mixed use of the corridor by servicing the residents of the neighborhoods and within the corridor. Such uses include activities like a post office, satellite police stations and fire stations.

5. *Transportation Activities.* Preferred uses are transportation activities which promote a multi-modal environment or can be easily integrated into the mixed use vision for the corridor. Such uses include activities such as:

- a. Bus terminals;
- b. Taxi cab services;
- c. Transportation services;
- d. Travel agencies;
- e. Tour operators;

f. Commercial parking facilities may be allowed provided they are limited to twenty-five cars. Commercial parking facilities shall be prohibited on corner lots.

B. *Residential Uses.* ~~Multifamily~~ Residential uses are permitted provided they are generally mixed use and/or located away from primary district frontages and high activity corners. A minimum density of at least twelve units per acre is required. No density maximum shall be imposed provided any density beyond twenty units per acre shall be obtained by purchase of transfer of development rights; low income housing density bonuses or other incentive density bonuses as may be available or determined in the best interest of the community by the site plan review committee.

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

Section 12. Section 16.24.030 of the Lacey Municipal Code is hereby amended to read as follows:

16.24.030 Uses.

A. *Permitted Uses.* Uses permitted in the Woodland District subdistricts are listed in Table 16.24.030-1 with a "P." These uses are allowed if they comply with the development standards and other regulations of this section. Listing as an allowed use does not mean that a proposed development will necessarily be granted an adjustment or other exception to the regulations of the LMC.

B. *Conditional Uses.* Uses which are allowed if approved through the conditional use review process are listed in Chapter 11.09 LMC and Table 16.24.030-1 with a "C." These uses are allowed provided they comply with the conditional use approval criteria for that use, the specific development standards contained in this chapter, and other regulations of the LMC.

Table 16.24.030-1. Urban Neighborhoods

Use Categories	Urban Neighborhood 1 Woodland Square	Urban Neighborhood 2 Pacific Avenue	Urban Neighborhood 3 Master Plan Area
	P--Permitted C--Conditional		
Residential Categories			
Household Living	P	P	P
Group Living	C	C	C
Commercial Categories			
Retail Sales and Service	P	P	P

Use Categories	Urban Neighborhood 1 Woodland Square	Urban Neighborhood 2 Pacific Avenue	Urban Neighborhood 3 Master Plan Area
	P--Permitted C--Conditional		
Office	P	P	P
Institutional Categories			
Parks and Open Space	P	P	P
Educational Facilities, Government Offices, Museum; Civic Uses, Transit Uses	P	P	P
Other Categories			
Rail Lines and Utility Corridors	P	P	P

C. *Use-Specific Development Standards.*

1. *Parks and Open Space.* Huntamer Park, West Plaza Park, South Plaza Park, I-5 Park and Bikeway, and Civic Plaza are the current open spaces and parks in the Woodland District. These city-owned and managed facilities provide open space and natural amenities for the enjoyment of the public. The Woodland District Strategic Plan recommends reinforcing these areas through an improved network of sidewalks, bicycle lanes, paths, and multi-purpose trails. New development shall enhance these existing district open spaces. Application of the design standards for streets, paths, buildings, landscaping, and other design elements from this chapter will provide a complementary relationship between the parks and surrounding development. Any new common open space, park, or through connection shall be designed to be useable for the recreation and enjoyment of the citizens.

a. *Standards.* There are no new open spaces identified for development in the Woodland District. Any new open space dedicated to the city shall be subject to the design criteria of LMC 14.23.088, Open space, and requirements of Chapter 16.48 LMC, Open Space/Institutional District. Private open space and recreation associated with new residential or mixed-use development shall comply with the design criteria of LMC 14.23.088, Open space.

2. *Drive-Through Facilities.* Where a drive-through component is proposed as part of a development, it shall meet the following regulations:

- a. The drive-through shall be accessory to the principal use of the development, which includes interior space for customers to enter the building for goods or services;
- b. The entrance and exit for the drive-through lane shall not be on a primary street unless shared with the primary site access of the principal use. The drive-through lane and the drive-through window shall not be visible from a primary street.
- c. The standards above may be met in either of the following ways:
 - (1) The drive-through shall be accessed from a secondary street, other street or through connection, and contained within the building;
 - (2) The drive-through shall be accessed from a secondary street, other street or through connection, and located on the portion of the infill block that is farthest away from the primary street.

3. Ground Floor Residential Uses. Where residential uses occur on the ground floor, vertical and horizontal separation is required to ensure privacy for building residents, and a high quality public realm. The minimum and maximum vertical and horizontal distance from the sidewalk is defined in LMC 16.24.070, Building and landscape frontage.

3.4. Child care facilities as provided for in Chapter 16.65 LMC.

D. *Prohibited Uses.*

1. Uses with physical and operational requirements generating substantial:
 - a. Truck traffic;
 - b. Dust;
 - c. Glare;
 - d. Heat or vibration;
 - e. Noise; or
 - f. Odors.
2. Uses of a character which are either not compatible with the high aesthetic standards of the area, will not enhance the marketability of the core area, or will adversely impact the city's economic development strategies for this zone. These uses shall include, but are not limited to:

- a. Activities entailing movement of heavy equipment on and off the site except during construction;
- b. Auto or truck storage as a primary use;
- c. Cemeteries and crematoria;
- d. Machine shops;
- e. Motor freight terminals;
- f. Park and ride lots;
- g. Solid waste disposal facilities, including transfer stations, incinerators and sanitary landfills; and
- h. Stand-alone warehouse, mini-storage, and distribution facilities.

Section 13. Section 16.25.020 of the Lacey Municipal Code is hereby amended to read as follows:

16.25.020 Permitted uses.

Specific categories of permitted uses are listed, by land use district, in Table 16T-06. In addition to such listings, child day care centers will be allowed subject to the provisions of Chapter 16.65 LMC as a permitted use. Also, within the Saint Martin's University zoning district, churches, religious institutions, and monasteries are permitted uses.

Table 16T-06

S.I.C. Codes are divided into ten major categories. Under each is a list(ing) of Major Groups(s), which are listed 01 through 99. And listed below these are subclassifications of Auxiliary Establishments, which are usually three or four digit numbers. These correspond to major group numbers.

S.I.C. Codes are those according to the Standard Industrial Classification Manual, 1987, published by the Executive Office of the President, Office of Management and Budget, for the City of Lacey CBD.

The following is a list of abbreviations used on the tables:

P = Permitted Use

C = Conditional Use

A = Accessory Use

NEC = Not Elsewhere Classified

Bolded 2 Digit S.I.C. Code = Entire Major Group

In using the following chart, the reader should also refer to notes at the end of the chart that provide specific requirements or qualifications for uses under specific categories.

Category: Agriculture, Forestry, and Fishing

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
0272	Animal Aquaculture			P	
0742	Veterinary Services for Animal Specialties	P	P		
0781	Landscape Counseling and Planning	P	P	P	P
0782	Lawn and Garden Services	C	P	P	P
0783	Ornamental Shrub and Tree Services	C	P	P	P
	Noncommercial Forest			P	P
	Water Areas			P	P
	Open Space, Open Space			P	P
	Open Space, Timber			P	

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
	Open Space, NEC			C	

Category: Construction

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
152	Residential Building Construction	P	P	P	
153	Operative Builders	P	P	P	
154	Nonresidential Building Construction	C	C	C	
17	Special Trade Contractors	C	P	P	

Category: Manufacturing

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
205	Bakery Products	P			
206	Sugar/Confectionery Products	P			
271	Newspapers	C	P		

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
275	Commercial Printing	P	P	P	
276	Manifold Business Forms			P	
277	Greeting Cards			P	
278	Blankbooks, Bookbinding			P	
279	Printing Trade Services	P	P	P	
39	Misc. Manufacturing Industries			C	

Category: Transportation and Public Utilities

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
411	Local and Suburban Transportation	C	C	C	
412	Taxicabs	C	C	C	
43	United States Postal Service	C	C	C	C
472	Passenger Transportation Activities	P	P	P	P
481	Telephone Communications	P	P		

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
483	Radio and Television Broadcasting		P	P	P
489	Communication Services, NEC	C	C		

Category: Wholesale and Retail Trade
(all uses subject to note 1)

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
501	Motor Vehicles, Parts, and Supplies		P	P	
502	Furniture and Home Furnishings		P	P	
503	Lumber and Construction Materials		P		
504	Professional and Commercial Equipment		P	P	
505	Metals and Minerals, Except Petroleum		P		
506	Electrical Goods		P	P	

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
507	Hardware, Plumbing, Heating Equipment		P	P	
508	Machinery, Equipment and Supplies		P	P	
509	Misc. Durable Goods		P	P	
511	Paper and Paper Products		P	P	
512	Drugs, Proprietaries and Sundries		P	P	
513	Apparel, Piece Goods, and Notions		P	P	
514	Groceries and Related Products		P	P	
518	Beer, Wine and Distilled Beverages		P	P	
519	Misc. Nondurable Goods			P	
521	Lumber and Other Building Materials		P	P	
523	Paint, Glass and Wallpaper Stores		P	P	
525	Hardware		P	P	
526	Retail Nurseries and Garden Stores	P	P	P	

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
53	General Merchandise Stores	C	P	P	
54	Food Stores	C	P		
541	Grocery Stores	C	P	P	
542	Meat and Fish Markets	C	P	C	
551	New and Used Car Dealers		P		
553	Auto and Home Supply Stores		P	P	
554	Gasoline Service Stations	C	P	P	
555	Boat Dealers		P		
556	Recreational Vehicle Dealers		P		
557	Motorcycle Dealers		P		
559	Automotive Dealers, NEC		P		
56	Apparel and Accessory Stores	P	P	P	
57	Furniture and Home Furnishings Stores		P	P	
58	Eating and Drinking Places	P	P	P	P

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
58A	Fast Food Restaurants With Drive-Through Windows and Espresso Stands		P 2		
591	Drug Stores and Proprietary Stores	P	P	P	
592	Liquor Stores	P	P	P	
593	Used Merchandise Stores		P	P	
594	Misc. Shopping Goods Stores	P	P	P	
596	Nonstore Retailers	P	P	P	
598	Fuel Dealers		P		
599	Retail Stores, NEC	P	P	P	

Category: Finance, Insurance, and Real Estate

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
60	Depository Institutions	P	P	P	
61	Nondepository Institutions	P	P	P	

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
62	Security and Commodity Brokers	P	P	P	
63	Insurance Carriers	P	P	P	
64	Insurance Agents, Brokers and Services	P	P	P	
65	Real Estate	P	P	P	
67	Holdings and Other Investment Offices	P	P	P	

Category: Services

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
701	Hotels and Motels	P	P	P	
72	Personal Services	P	P	P	
73	Business Services	P	P	P	
751	Automotive Rentals, No Drivers		P	P	
752	Automobile Parking	C	P	C	C

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
753	Automotive Repair Shops		P		
7542	Carwashes	P	P		
76	Miscellaneous Repair Services	C	P	C	
78	Motion Pictures		P		
784	Video Tape Rental	P	P	P	
7832	Motion Picture Theaters, No Drive-In		P	P	
79	Amusement and Recreation Services	C	P	P	C
801	Offices and Clinics of Doctors of Medicine	P	P	P	P
802	Offices and Clinics of Dentists	P	P	P	P
803	Offices of Clinics of Doctors of Osteopathy	P	P	P	P
804	Offices and Clinics of Other Health Practitioners	P	P	P	P
807	Medical and Dental Laboratories	P	P	P	P

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
808	Home Health Care Services	P	P	P	P
809	Misc. Health and Allied Services	P	P	P	P
81	Legal Services	P	P	P	
82	Educational Services	P	P	P	P
83	Social Services	P	P	C	
835	Child Day Care Services	P	P	P	P
84	Museums, Botanical, Zoological Gardens	P	P	P	P
86	Membership Organizations (up to 5,000 square feet of gross floor area)	P	P	P	P**
86	Membership Organizations (greater than 5,000 square feet of gross floor area)	C	C	C	C**
87	Engineering and Management Services	P	P	P	
88	Private Households	P			

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
89	Services, NEC	C	C	C	C

** Churches, religious institutions, and monasteries are permitted uses with the SMU zone.

Category: Public Administration

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
91	Executive, Legislative and General	PC7	PC7	PC7	PC7
9221	Police Protection	P	P		
9224	Fire Protection	P	P		
93	Finance, Taxation and Monetary Policy	PC7	PC7	PC7	PC7
94	Administration of Human Resources	PC7	PC7	PC7	PC7
95	Environmental Quality and Housing	PC7	PC7	PC7	PC7
96	Administration of Economic Programs	PC7	PC7	PC7	PC7
97	National Security and International Affairs	C	C	C	C

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
99	Nonclassifiable Establishments	C	C	C	C

Category: Residential
(Not Listed in SIC Codes)

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	TBD	DBD	MBD	SMU
	Single-Family	P1			
	~~Multifamily (2-4 Units)~~ <u>Duplexes, Triplexes, Fourplexes</u>	P1			
	~~Multifamily (Attached Dwellings of 5+ Units)~~	P1	P1	P1	
	Other Households		P1		

NOTES TO GENERALIZED LAND USES IN CBD ZONE: Land Use Code Category

Manufacturing: Notes applicable to all manufacturing activities in CBD zones:

1 Manufacture of flammable, dangerous or explosive materials is excluded in CBD districts.

2 Office space is permitted only if accessory and subordinate to a manufacturing use in DBD. No more than twenty-five percent of the gross floor area of the structure shall be devoted to non-manufacturing uses.

Transportation and Public Utilities: Notes specific to those uses as notated in the chart:

1 Permitted only as a subordinate use to a permitted or conditional use.

Wholesale and Retail Trade: Notes specific to those uses as notated in the chart:

- 1 Display and sales only; limited on-site inventory storage.
- 2 Drive-through as an accessory use to a pharmacy, bakery, cafe, or coffee shop with indoor seating (not permitted between the street and building, or in locations where vehicles would impede pedestrian access to storefront).

Finance, Insurance, and Real Estate:

Services and Public Administration: Notes applicable to all Services and Public Administration uses in CBD districts:

- 1 Permitted only as a subordinate use to a permitted use.
- 2 Commercial lots and garages are those lots which provide vehicular parking for the public generally for a fee and do not include lots and garages which provide the required parking for other uses.
- 3 The location of any off-site parking facility must be approved by the enforcing officer and/or site plan review committee.
- 4 All types of commuter pooling facilities shall be regulated as a park-and-ride. A park-and-ride providing no more than twenty-five parking spaces, and utilizing the parking area of an existing use, shall be regulated as an accessory use. Any other park-and-ride requires a conditional use permit.
- 5 Excludes zoos.
- 6 Excludes drive-in theaters.
- 7 To reserve prime retail commercial buildings and sites for retail commercial use, government offices shall not be permitted in binding site plans, subdivisions or building complexes designed for commercial retail use unless the original design specifically included a mixed use concept anticipating such use. Provided, however, the city may consider government offices in commercial retail buildings and sites through a conditional use permit process if it can be demonstrated the use is complementary to adjacent commercial retail activity, enhances the retail environment and will develop strategies for the zone in which it is located. Provided further existing structures that have been used for government offices shall be considered to have been determined appropriate for such use under original approvals and will require only normal site plan review approval when new government tenants are proposed.

Residential: ~~Multifamily R~~esidential where permitted as a secondary use to listed commercial uses within this chapter. Residential uses shall be located above ground floor commercial and/or away from primary district frontages and high activity corners:

- 1 Density and standards must comply with Chapter 16.18 LMC.

Section 14. Section 16.27.020 of the Lacey Municipal Code is hereby amended to read as follows:

16.27.020 Permitted Uses

A. Specific types of uses permitted in this district are those commercial activities which are more dependent on direct vehicular access than the activities permitted in other districts, including the following:

1. Retail and commercial establishments such as:
 - a. Food stores and drug (variety) stores;
 - b. Building, hardware, and garden materials;
 - c. Auto supply stores;
 - d. Gasoline service stations;
 - e. Liquor stores;
 - f. Used good retail stores;
 - g. Sporting goods and related stores;
 - h. Books and stationery, video, and art supply stores;
 - i. Hobby, toy and game shops;
 - j. Photographic and electronics stores;
 - k. Fabric stores;
 - l. Florists;
 - m. Pet shops;
 - n. Bulk retail stores;
 - o. Personal services;

- p. Professional and business services;
 - q. Banks and financial offices;
 - r. Greenhouses and garden materials;
 - s. Other similar retail, professional and business uses as approved by the site plan review committee;
2. Sales and/or servicing of:
- a. Appliances and home furnishings;
 - b. Automotive equipment;
 - c. Boats and marine equipment;
 - d. Building contractors, including plumbing, electrical, etc.;
 - e. Campers, manufactured homes and trailers;
 - f. Car washes and service stations;
 - g. Farm equipment and supplies;
 - h. Lumber yards and hardware;
 - i. Laundry and dry cleaning, both commercial and self-service;
3. Eating and drinking places, including drive-ins;
4. Commercial recreation, such as:
- a. Personal amusement or recreation establishments such as those featuring mechanical or electronic games, games of skill such as billiards, bowling, table tennis, and the like; and
 - b. Drive-in theaters;
5. Recycling centers for the collection and temporary storage of materials; provided, that the storage and collection operation is conducted within an enclosed building having a

maximum gross floor area of four thousand square feet. All recycling centers must be reviewed and approved prior to operation by the site plan review committee;

6. Child-~~day~~ care facilities ~~centers~~ as provided in Chapter [16.65](#) LMC;
7. Urban agricultural uses as provided for and limited under Chapter [16.21](#) LMC.

B. Similar or related uses permitted as follows:

1. Distributive business establishments such as wholesaling and warehousing, including for example:

- a. Mail order warehouses;
- b. Automotive parts wholesalers;
- c. Hotels and motels; and

2. Other, unlisted, similar or related uses, and criteria for determination of similarity or relatedness, as follows:

- a. Uses similar to, or related to, those listed in subsection [A](#) of this section are permitted upon a finding of the enforcing officer and/or the site plan review committee that a particular unlisted use does not conflict with the intent of this chapter or the policies of the Comprehensive Land Use Plan.
- b. The criteria for such finding of similarity shall include but not be limited to the following:
 - (1) That the proposed use is appropriate in this district;
 - (2) That the development standards for permitted uses can be met by the proposed use;
 - (3) That the public need is served by the proposed use.

C. Conditional uses may be permitted as provided for in Chapter [11.09](#) LMC.

As a conditional use the city may consider administrative offices or other facilities of governmental institutions. However, before the city approves such use, it must be demonstrated the use is complementary to adjacent retail uses, enhances the retail

environment and will not adversely impact the city's economic development strategies for the zone.

D. On-site hazardous waste treatment and storage facilities as an accessory use to any activity generating hazardous waste and lawfully allowed in this zone; provided, that such facilities meet the state siting criteria adopted pursuant to the requirements of RCW [70.105.210](#).

Section 15. Section 16.27.030 of the Lacey Municipal Code is hereby amended to read as follows:

16.27.030 Prohibited uses.

Uses other than those identified or described in LMC 16.27.020 are prohibited, including but not limited to:

A. Auto wrecking yards including junk, scrap metal, and other material salvage operations with the exception of recycling centers as provided for in LMC 16.27.020;

~~B.~~ Storage of explosives or materials of such character or in such quantities as to constitute a significantly greater hazard to persons, property or environmental health than that posed by materials commonly used or stored in the ordinary retail and service establishments permitted in this district;

~~B.C.~~ Mini-storage.

Section 16. Chapter 16.36 of the Lacey Municipal Code is hereby amended as shown on Exhibit J, attached hereto and incorporated by reference as if fully set forth herein.

Section 17. Section 16.37.020 of the Lacey Municipal Code is hereby amended to read as follows:

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.~~

~~4.3.~~ Electrical equipment research, development, and assembly.

~~5.4.~~ High-tech industry.

~~6.5.~~ Offices and manufacturing.

~~7.6.~~ Photo and optical goods design and development.

~~8.7.~~ Professional and business offices.

~~9.8.~~ Scientific research and development.

~~10.9.~~ Scientific, analytic or control instrument research and development.

~~11.10.~~ 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.

Section 18. Chapter 16.41 of the Lacey Municipal Code is hereby amended as shown on Exhibit K, attached hereto and incorporated by reference as if fully set forth herein.

Section 19. Section 16.49.020 of the Lacey Municipal Code is hereby amended to read as follows:

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.

B.C. Child care facilities consistent with this chapter and as provided for in Chapter 16.65 LMC.

Section 20. Chapter 16.52 is hereby added to Title 16 of the Lacey Municipal Code as shown on Exhibit L, attached hereto and incorporated by reference as if fully set forth herein.

Section 21. Chapter 16.61 of the Lacey Municipal Code is hereby amended as shown on Exhibit M, attached hereto and incorporated by reference as if fully set forth herein.

Section 22. Chapter 16.62 of the Lacey Municipal Code is hereby amended as shown on Exhibit N, attached hereto and incorporated by reference as if fully set forth herein.

Section 23. Chapter 16.65 of the Lacey Municipal Code is hereby amended as shown on Exhibit O, attached hereto and incorporated by reference as if fully set forth herein.

Section 24. Chapter 16.70 of the Lacey Municipal Code is hereby amended as shown on Exhibit P, attached hereto and incorporated by reference as if fully set forth herein.

Section 25. Chapter 16.72 of the Lacey Municipal Code is hereby amended as shown on Exhibit Q, attached hereto and incorporated by reference as if fully set forth herein.

Section 26. Section 16.73.032 of the Lacey Municipal Code is hereby amended to read as follows:

16.73.032 Required facilities.

A. Electric vehicle charging station(s) level 2 or higher shall be provided for the land uses in Table 16T-86; provided, that one of the following occurs:

1. A new building or a new off-street parking facility is developed;
2. The parking capacity of an existing building, site, or parking facility is increased by more than fifty percent. The fifty percent threshold shall be cumulative over the most recent five years, including calculations of all previously exempt expansions.

Table 16T-86 Required Number of Electric Vehicle Charging Stations

Land Use Type	Percentage of Parking Spaces*
~~Multifamily~~ Residential, 10 or more <u>attached</u> units	5%
Lodging	5%
Office, institutional, municipal, medical	3%
Industrial	1%

Land Use Type	Percentage of Parking Spaces*
Recreational/entertainment/cultural	1%

*Percentage shall be rounded to the nearest whole number of spaces. For example, if two and four-tenths spaces are calculated, two spaces would be required. If two and six-tenths spaces are calculated, three spaces would be required. For percentages equaling one-half space or less, no spaces are required.

Section 27. Chapter 16.75 of the Lacey Municipal Code is hereby amended as shown on Exhibit R, attached hereto and incorporated by reference as if fully set forth herein.

Section 28. Chapter 16.80 of the Lacey Municipal Code is hereby amended as shown on Exhibit S, attached hereto and incorporated by reference as if fully set forth herein.

Section 29. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 30. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 31. The Summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, at a regularly called meeting thereof, held this ____ day of _____, 2026.

CITY COUNCIL

By: _____
Mayor

Approved as to form:

City Attorney

Attest:

City Clerk

SUMMARY FOR PUBLICATION

ORDINANCE NO 1704

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on July 21, 2026, Ordinance No. 1704, entitled “AN ORDINANCE OF THE CITY OF LACEY RELATED TO STATE MANDATED AMENDMENTS TO CITY REGULATIONS PERTAINING TO PARKING REGULATIONS, CHILD CARE CENTERS, ACCESSORY DWELLING UNITS, INFILL HOUSING, AND THE CONVERSION OF EXISTING BUILDINGS TO RESIDENTIAL USES; AMENDING CHAPTERS 11.09, 14.23, 14.25, 16.03, 16.06, 16.13, 16.14, 16.15, 16.18, 16.21, 16.23, 16.24, 16.25, 16.27, 16.36, 16.37, 16.41, 16.49, 16.52, 16.61, 16.62, 16.65, 16.70, 16.72, 16.73, 16.75, AND 16.80, ALL OF THE LACEY MUNICIPAL CODE; AND APPROVING A SUMMARY FOR PUBLICATION. ”

The main points of the Ordinance are described as follows:

1. The Ordinance amends the Lacey Municipal Code to implement recent state mandated amendments pertaining to parking regulations.
2. The Ordinance amends the Lacey Municipal Code to implement recent state mandated amendments pertaining to child care centers.
3. The Ordinance amends the Lacey Municipal Code to implement recent state mandated amendments pertaining to accessory dwelling units.
4. The Ordinance amends the Lacey Municipal Code to implement recent state mandated amendments pertaining to infill housing.
5. The Ordinance amends the Lacey Municipal Code to implement recent state mandated amendments pertaining to the conversion of existing buildings for residential use.
6. The Ordinance approves this Summary for Publication.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: _____, 2026.

Exhibit A: 14.23

Chapter 14.23

DESIGN REVIEW

Sections:

~~14.23.010 Purpose~~

14.23.0210 Definitions

14.23.0320 Applicability

14.23.0350 Consideration Of Design And Modifications To Standards

14.23.040 Design Review Process

14.23.050 Length Of Approval

14.23.060 Extensions

14.23.070 Submittal Requirements

~~14.23.071 Design Criteria For Accessory Dwelling Units (ADU)~~

14.23.072 Design Criteria For Detached Single-Family Dwelling Units And Cottage Housing

14.23.073 Design Criteria For Duplexes And Triplexes ~~In Areas Predominantly Built Out With Single-Family Detached Structures~~

14.23.074 Design Criteria For Lacey Historical ~~al~~ Neighborhood

14.23.076 Design Criteria For ~~Townhouses~~ Fourplexes

14.23.080 Design Criteria For More than Four Attached Units ~~Multi-Family Projects, Condominiums And Townhouses~~

14.23.082 Commercial Design Guidelines

14.23.083 Industrial Design Guidelines

14.23.084 Public Transportation And Pedestrian Circulation Design Requirements For Commercial Development

14.23.086 Design Requirements For Zones With Pedestrian Emphasis And Key Multimodal Corridors And Intersections

14.23.087 Repealed

14.23.088 Open Space

14.23.089 Design Standards And Design Review Checklist For Development In ~~The Retail/Commercial Portion Of~~ The Hawks Prairie Business District

14.23.090 Appeals

14.23.100 Enforcement

14.23.110 Conflicts

14.23.120 Severability

4.23.010

Purpose.

The purpose of this chapter is:

- A. To promote the health, safety and welfare of the public;
- B. To encourage the development of visually sensitive functional and pedestrian-oriented commercial and residential developments;
- C. To encourage commercial and residential developments that will contribute to the stability and integrity of a safe and attractive neighborhood and planning area;
- D. To recognize that aesthetic and functional considerations along with environmental review contribute toward an enhanced environment;
- E. To recognize that aesthetic considerations are appropriate in order to protect property values of adjacent properties and to ensure that multi-family developments contribute to desirable neighborhood character.
- F. To provide opportunity for higher residential densities and smaller lot sizes through superior design standards.
- G. To contribute, through the use of design review, to the city's economic development by promoting healthy, vibrant and attractive residential, commercial and industrial areas that will attract additional private investment.

14.23.0~~21~~0

Definitions.

Terms used in this chapter that are not defined herein shall have the meanings set forth in Chapter 16.06 LMC.

~~A. "Arcade" means a covered walk with shops along one side and a line of arches or columns on the other side. See definition of "Arcade".~~

~~B.A.~~ "Architectural features" means a prominent or significant part or element of a building, structure, or site.

~~C.B.~~ "Blank wall" means a wall that meets the following criteria: a ground floor street wall or building wall or segment of a wall which is within fifty feet of the public right-of-way and which is longer than fifteen horizontal feet without having a ground level window door, or building facade modulation at least one foot in depth, or other architectural feature lying wholly or in part within that fifteen feet length.

~~D. "Buffer" means a land area used to visibly separate one use from another or to shield or block noise, lights, or other nuisances. See definition of "Buffer".~~

~~E.C.~~ "Building prominence" includes the size, scale and bulk of a building or similar features.

~~F. "City" means city of Lacey, Washington. See definition of "City".~~

~~G.D.~~ "Compatibility" means harmony in the appearance of two or more external design features in the same vicinity.

~~H.E.~~ "Continuity" means unity of composition between design elements or a building or a group of buildings and the landscape development.

~~H.~~ “Development” means the erection, alteration, enlargement, demolition, maintenance, or use of any structure or the alteration or use of any land above, at or below ground or water level, and all acts authorized by a city of Lacey regulation.

~~J.~~ “Director” or “director of community and economic development” means the director of community and economic development or designee. See definition of “Director”.

~~K.~~ “Duplex” means a structure on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units. See definition of “Duplex”.

~~L.~~ “Dwelling unit” means one or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. See definition of “Dwelling unit”.

~~M.G.~~ “Harmony” means a quality that represents an appropriate and congruent arrangement of parts, as in an arrangement of varied architectural and landscape elements.

~~N.~~ “Human scale or pedestrian scale” means the relationship between dimensions of the human body and the proportion of the spaces which people use. This relationship is underscored by surface texture, activity patterns, colors, materials and details. Places which respect pedestrian/human scale offer walks through visually interesting streets and spaces with opportunity for positive interaction and comfort. Respect is given to normal walking distances, spatial perception in placement of buildings and the physical layout of individual sites and the entire community. The relationship of building height to street width, the placement of buildings with comfortable, protected access and interaction respecting human scale are crucial to a successful pedestrian environment.

~~O.N.H.~~ “Key multimodal intersections” means key intersections within multimodal corridors of roads and pedestrian systems that serve as a focus for pedestrians, bike-bicycle, and transit opportunities. Map designations for key multimodal intersections emphasize such opportunities showing conceptual pedestrian links with key components of each neighborhood. Such intersections are to be placed at strategic junctures along the multimodal corridors where they can be the most advantageous to the function and purpose of promoting multimodal activities. Designated intersections are intended to will provide guidance or location of enhance pedestrian crossings and other offer expanded multimodal improvements which may include amenities such things as street furniture, transit improvements, bike racks, drinking fountains, street merchant pads, shade canopies, and other similar amenities to improve and enhance pedestrian and multimodal activities. Generally, these intersections are located within

districts as defined within 14.23.020 “Zones with pedestrian emphasis” and as identified within the Comprehensive Plan “Strategy Corridors”. The exact location of such intersections is based upon guidance provided on the zoning map and ~~site-site~~-specific analysis at the time of development applications as determined by the site-plan review committee.

~~P~~L. “Mixed Use Zones” means zoning designations which allow both commercial and residential uses.

~~Q~~. “Multi family” means ~~three or more living units under the same ownership where land use has not been divided, i.e., triplex, quadraplex, condominiums, housing cooperatives and apartment units.~~

~~R~~QJ. “Natural features” means vegetation indigenous to the site.

~~S~~RK. “Open space” means any parcel or area of land or water essentially unimproved or improved with recreational facilities and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

~~T~~SL. “Performance guarantee” means any security that may be accepted by a municipality as a security that improvements required as part of an application for development are satisfactorily completed.

~~U~~TM. “Proportion” means balanced relationship of parts of a building, landscape, structures, or buildings to each other and the whole.

~~V~~. “Single family” means ~~a dwelling unit which is designed for and occupied by not more than one family and under separate ownership. “Single family detached” means a dwelling unit which is designed for and occupied by not more than one family and surrounded by yards, which is not attached to any other dwelling unit.~~

~~W~~UN. “Site plan review committee” means the director of public works, director of community and economic development, and the city manager or designee.

~~X~~VO. “Street wall” means a building wall that faces or is parallel to the street frontage.

~~YWP~~. “Transition areas” shall be that portion of property used to mitigate adverse impacts of proposed development on adjacent, existing developments with incompatible uses. Within the transition area, heights shall be restricted to those compatible with adjacent uses. This height restriction shall apply to that property adjacent to the required landscaping buffer. Beyond this, heights may increase up to the maximum height and density permitted in the underlying zone.

Such impacts may employ the following techniques: buffers, clustering, height limitations, landscaping, landscaping berms and fences.

~~ZXQ~~. “Tree protection professional” is a licensed professional with academic and/or field experience that makes him or her a recognized expert in tree preservation and management. The tree protection professional shall be a member of the Society of American Foresters, the Association of Consulting Foresters, and shall have specific experience with tree management in the state of Washington. Additionally the tree protection professional shall have the necessary training and experience to use and apply the International Society of Arboriculture’s guide to evaluation and management of trees, and to successfully provide the necessary expertise relating to management of trees specified in this chapter.

~~AAVR~~. “Visually integrated” means the use of elements which connect a development to existing environments.

~~BBZS~~. “Visual linkage” means the usage of building and landscape elements which interconnect with existing housing single or multi-family developments.

~~CCAAT~~. “Visual relief” is the act of providing building or landscaping variations that add interest to a site.

~~DDBBU~~. “Zones with pedestrian emphasis” means zoning designations based upon Comprehensive Plan language ~~with expressed intent of~~ emphasizing pedestrian-friendly developments, human scale, major pedestrian corridors, or character-defining streetscapes. ~~This~~ These includes all ~~CBD~~ Central Business District zones, the Woodland District, ~~the~~ mixed use corridor zones, the Hawks Prairie Business District, ~~the neighborhood and community commercial zones~~ districts, General Commercial Districts, and the moderate and high density residential zones.

14.23.0~~3~~20

Applicability.

Development referenced in this chapter and projects taking place in zones referencing this chapter shall follow the described process as provided in LMC 14.23.040. This chapter applies to all new residential, commercial, industrial, and institutional development within the city unless otherwise noted.

Consideration Of Design And Modifications To Standards.

The director or their designee may approve modifications to the standards of this chapter where the applicant demonstrate that the proposed development achieves a functionally equivalent or superior outcome consistent with the applicable standards of this chapter.

Any modification to the requirements of Ordinance 1124 shall be subject to the following considerations:

~~Consideration for approval and conditioning or design review shall be based on and interpreted in light of the conformance of the development with the intent and requirements of Ordinance 1124, and the Comprehensive Land Use Plan goals and policies.~~

~~These standards and requirements are normally to be considered the minimum necessary design criteria to accomplish development objectives of the city. The city may require more stringent standards, or less demanding standards, based upon the specific and unique nature of the site and the surrounding areas. Such decision shall be at the sole discretion of the city, in determining standards necessary to protect the health, safety, and welfare of the citizens of the city and to further the purposes and intent of Ordinance 1124 and the Land Use Element of the Comprehensive Plan. Any modification of the requirements of Ordinance 1124 shall be subject to the following considerations:~~

A. The proposed modification results in a development that is consistent with the purpose of the chapter. ~~The design and improvement of the proposal shall be in harmony with the purpose and intent of Ordinance 1124 and the Comprehensive Land Use Plan.~~

B. The proposed modification provides a level of site design, building design, and pedestrian accessibility that is equal to or better than that achieved through strict application of the standards. ~~The design and improvement of the proposal shall generally enhance the site plan, or in any case not have an adverse impact on its physical, visual, or spatial characteristics.~~

C. The proposed modification does not reduce the usability, safety, or accessibility of the site or adjacent rights-of-way. ~~The design and improvement of the proposal shall generally enhance the streetscape and neighborhood, or in any case not have an adverse impact on the streetscape and neighborhoods.~~

D. The proposed modification does not result in site or circulation patterns that are impractical or unsafe. ~~The modification shall not result in configurations of the site or street systems which shall be impractical or detract from the appearance or functionality of the design.~~

E. The applicant demonstrate that the requested modification is the minimum necessary to achieve the desired outcome. ~~Design review principles and other methods, prepared by a certified design professional, shall be used to ensure compliance with the intent of Ordinance 1124.~~

F. The proposed modification does not result in adverse impacts to adjacent properties or the surrounding area, including impacts to public safety, access, or site functionality. ~~The proponent shall demonstrate that the proposed modification will allow for equal or better results and represents the minimum modification necessary.~~

G. ~~The modifications shall not detract from the ability of pedestrians to walk in or through the proposal and their access to public transportation.~~

~~If the city determines that the applicant has met these standards, it may grant a modification of the requirements of Ordinance 1124 as part of the normal review process. In granting modifications, the city may impose such conditions as will, in its judgment, secure the objectives and purposes of Ordinance 1124.~~

14.23.040

Design Review Process.

A. The design review process shall be conducted administratively by the director of community and economic development or their designee. Decisions will be determined pursuant to LMC 14.23.071 through 14.23.110. The director or their designee shall implement design review concurrent with the underlying planning review process or building permit application consistent with 11.03.030 LMC. An example of concurrent review for design review and site plan review can occur as follows:

1. Presubmission Conference.1

a. Land use meeting with SPR Committee.

b. Design review meeting with assigned staff member. Drawings can be conceptual.

2. Site Plan Review Meeting.

a. Approval of project for land use and environmental review. Subject to completion of meetings for design review approval.

b. If design review is not completed prior to SPR approval, a second design review meeting to determine approval of formalized design plans may be requested as necessary.

B. The decision shall accompany the underlying land use approval. Any person aggrieved by a decision by staff may appeal pursuant to LMC 14.23.090.

14.23.050**Length Of Approval.**

Applications for design review approval shall be submitted to the department of community and economic development. Design review approval shall be valid for twenty-four months from the date of approval, in accordance with LMC 11.03.110. All required items in LMC 14.23.070 shall be submitted to the department of community and economic development prior to the twenty-four-month expiration. However, if design review approval is connected with PRD/subdivision approval, then the longest approval shall apply.

14.23.060**Extensions.**

A six-month extension of an approval made pursuant to LMC 14.23.050 may be granted by the department of community and economic development upon written request filed at least thirty days prior to expiration of such approval. Before an extension is granted, the director of community and economic development may require updated plans if the proposal changes in scope or if the applicant failed to follow the terms of the design review approval.

14.23.070

Submittal Requirements.

At the presubmission conference, the site plan and landscaping plan may be conceptual in form. After presubmission, the application for the following design review meeting shall contain the following items:

A. Plans. Four copies of the set of plans are required. The license stamps of the architect and landscape architect shall be on each appropriate page.

1. Site Plan. A site plan is required containing the following information:

a. Scale and north arrow;

b. Address of site;

c. Vicinity map showing location of site and surrounding landmarks;

d. Property dimensions and names of adjacent roads;

e. Existing and finished grades at two-foot contours;

f. Location and dimensions of existing and proposed structure(s), accessory structures with appropriate setbacks, parking dimensions, and driveways. Also, include ingress and egress patterns through the site with directional arrows;

g. General location of trees as determined by the Lacey tree protection professional;

h. Location, dimensions, and nature of any proposed easements or dedications;

i. Location, dimensions, and description of common open space and recreation areas;

j. For all ~~multifamily residential dwellings containing multiple unit~~ proposals a description of compliance with crime prevention through environmental design techniques (CPTED).

2. Landscaping and Irrigation Plan. The landscaping and irrigation plan shall contain the following information:

a. Existing vegetation to be retained;

b. Proposed vegetative materials to be placed on site. The type, size, number and spacing of plantings must be illustrated;

c. Proposed irrigation system to be installed including general location of irrigation main lines and sprinkler head locations;

d. Stamp from a licensed landscape architect or nursery person shall be placed on the plan.

3. Elevations. Complete elevations of all proposed construction and related elevations of existing structures (if any) are required containing the following information:

a. Dimensioned elevations of building drawn at $1/8" = 1'$ or a comparable scale. Elevations should show the type of exterior materials;

b. Color and exterior finishes for buildings and accessory structures;

c. Location and elevations of exterior lighting for buildings and parking areas;

d. Perspective drawings, photographs, color renderings or other graphics which accurately represent the proposed project.

4. Section Profiles. Two section profiles through the site are required containing the following information:

- a. Scale;
- b. Building(s) details;
- c. Landscaping against the building when installed;
- d. Lighting fixtures and standards;
- e. Signs.

5. Design Vocabulary. A design vocabulary shall be established for each application subject to these design requirements and shall include the general design qualities as well as the specific architectural standards to be used. Provided a design vocabulary may be waived by the director or their designee if building plans and other application materials are detailed enough to review compliance with the provisions of Chapter 14.23 LMC. The design vocabulary shall respond to the general and specific design standards as specified in this chapter.

A listing of significant compatible features that will be incorporated into the design of the buildings and streetscape shall be prepared in matrix form or other form approved by the director or their designee. Photographs, colored images, drawings, or a combination can be used. The horizontal axis of the matrix shall include all the categories of residential, commercial, parks and open space, and industrial if used. The vertical axis of the matrix shall include the following:

- a. Building mass and style--which includes the bulk, mass or size of the selected building types and the style selected;
- b. Roofs and roof materials--the various types and pitches of roofs;
- c. Facade treatment and facade materials--the types of materials, textures and colors;
- d. Entry and doors--door openings and the area immediately surrounding;

e. Windows--window types with detailing;

f. Eaves, porches and arcades--decorative building elements, like pergolas, cupolas, shutters, etc.;

g. Decorative trim;

Details of these features in elevation and section that reflect the architectural styles selected both vertical and horizontal:

h. Towers;

i. Cross gables and dormers;

j. Gutters;

k. Chimneys;

l. Walls, fences, and hedges (front yard);

m. Walls, fences, and hedges (side yards);

n. Colors;

o. Driveway;

p. Pavement materials and textures;

q. Curb treatment;

r. Streetlights;

s. Street signs;

t. Street furniture.

Under each category specific written instructions can be included. See Table 14T-10.

14.23.071

Design Criteria For Accessory Dwelling Units (ADU).

A. Intent and Specific Design Criteria. Accessory dwelling units are a necessary and desirable use for all residential neighborhoods. Because of the increased density they represent and providing of an additional dwelling unit in a non-conventional way, it is important to have the units blend in with and complement the primary use on lots. It is also important to ensure that both residents of the accessory dwelling unit and main unit have adequate privacy. To do this, special design features are required. Additionally, it is important to promote compatibility and complementary design of accessory structures with primary structures in an area to protect the character of the neighborhood.

B. Design Requirements. In order to assure that the development of all accessory dwelling units and those accessory structures to which this section is applicable is consistent with policies of the Comprehensive Land Use Plan, the following special design features and provisions shall apply to all accessory dwelling units:

1. Size. An accessory dwelling unit shall be limited in size to fifty percent of the size of the main unit and not to exceed eight hundred fifty square feet in floor area, except as provided in subsection C of this section.

2. Density Calculations. For the purposes of calculating residential density, accessory dwelling units shall not count as a dwelling unit.

3. Only One ADU per Lot Permitted. There shall not be more than one accessory dwelling located on a lot in addition to the single-family dwelling.

4. Subordinate to Main Use. The accessory dwelling unit shall be clearly subordinate to the primary use as demonstrated in the building design and location. Design for this purpose shall include the following considerations:

a. Integration with Main Unit and Appearance. If the unit is integrated into the main unit, design shall present the overall appearance of the structure as an individual single-family residence. Designs which give the impression of a "duplex" shall not be permitted. A separate entrance to the accessory dwelling may be in view from public right-of-way, but should blend in to the primary unit in a way that does not indicate its function as an entrance to a separate unit.

b. ~~Detached from Main Unit and Appearance.~~ If the accessory dwelling is detached from the main unit, it shall be located in a position on the lot that presents a less dominant focus than the primary use. Design shall present the general impression that it is clearly an accessory building to the primary use.

c. ~~Above the Garage and Appearance.~~ If the unit is located on top of a detached garage, design shall complement the architectural style of the main residence while maintaining the primary unit as the main emphasis and focus for the lot.

5. ~~Privacy for Residents Is a Main Focus.~~ Maintain privacy of adjacent residences by using a combination of native and drought-tolerant landscaping, vegetated LID facilities, screening, fencing, and window and door placement to reduce the opportunity of accessory dwelling units having direct visibility into windows, porches and decks. Care shall be given to location of windows so that they do not intrude onto the private space of adjacent neighbors. If the garage and ADU are rear loaded, for enhanced security, windows are encouraged to provide eyes on the alley.

6. ~~Driveway Consolidated.~~ The driveway to a separate, detached accessory unit shall be consolidated with the existing driveway area.

7. ~~Distance from Other Structures.~~ For those accessory units that are detached, distance separation between the primary residence shall meet building code requirements.

8. ~~Livability of Neighborhood.~~ In order to ensure that an accessory dwelling unit fits into and contributes to the livability of the neighborhood, design and construction shall:

a. ~~Roof Design.~~ Ensure that roof breaks and pitch closely relate to the primary residence. Window proportions shall complement the accessory unit;

b. ~~Materials.~~ Use similar exterior materials (roof, siding and trim) and a color that complements the primary residence;

c. ~~Height of Roof Ridge.~~ In general, the roof ridge of the primary residence should be higher than the accessory dwelling unit. An exception is when the accessory dwelling unit is built onto the second story of an existing unit.

~~9. Parking. At least one parking space should be provided for the accessory dwelling unit. This parking may be provided in a garage, a parking space adjacent to the alley, or, if available, by on-street parking.~~

~~10. Pedestrian Access. A pedestrian walkway from the street or alley to the primary entrance of an accessory dwelling unit shall be provided. Such walkway may be shared with a driveway.~~

~~11. Accessory Structures. To promote compatibility and consistency of design and neighborhood aesthetics, all accessory structures requiring a building permit shall be required to have design review. Review shall ensure accessory structures are constructed of similar material and in a complementary design to primary structures on site and on immediately adjacent lots. Provided, a different design or material may be approved if it is demonstrated that the design and material will enhance the general character and appearance of the neighborhood and promote policies of the Comprehensive Land Use Plan. All applications for construction of such accessory structures shall demonstrate that the proposed structure will be in compliance with any protective covenants or other restrictions applicable to the property.~~

~~C. Guidelines for Varying from the Size Requirement of Subsection (B)(1) of This Section.~~

~~1. Intent. The intensity of use and impacts from an accessory dwelling unit is expected to be less than that of the primary dwelling, because it is intended to be accessory to the main unit and designed to be limited in scope. It is not designed to expect a double loading of full-size residential units on lots intended for single-family development. This expectation is important in the overall planning of infrastructure and services to a subdivision. This design limitation protects the overall quality and character of the subdivision and the planned capacity of subdivision infrastructure, while still allowing for the extraordinary benefits and advantages the ADU is intended to provide. The accessory dwelling unit must necessarily be subordinate to the primary use.~~

~~To this purpose, limitations have been established for the size of the accessory dwelling units. However, there may be circumstances, applicable to the subject property and existing buildings, that require a smaller size than permitted to limit identified impacts. Alternately, the city realizes there may also be circumstances, applicable to existing structures and the subject property, that would make a larger size more practical or functional without compromising the intent or the subordinate nature of the proposed ADU.~~

~~2. Guidelines. To accommodate special circumstances the following guidelines have been developed to allow reasonable variation from the size standards of subsection (B)(1) of this section. When reviewing an accessory dwelling unit for size requirements the following guidelines and criteria shall be applied:~~

~~a. Increasing Size.~~

~~(1) Basis for Consideration. When a request is for an ADU of a size larger than the established maximum, the following situations may be valid reasons for the administrator to allow an increased size. Generally, this will involve the following situations where the proposed size of the ADU is logical given circumstances and if permitted would have no discernable impact on the appearance of the main unit or in meeting the intent of design requirements of this chapter:~~

~~(a) The ADU is located within the existing main unit, such as a basement unit, and the logical use of the floor area exceeds the square foot limitation;~~

~~(b) The ADU is located within the existing main unit and use of the area, rooms and configuration of existing space proposed for the ADU is more logical and functional than options of trying to reduce its size simply to fit the size standard;~~

~~(c) Special circumstances considering the configuration of the property and/or existing buildings make the increased size logical from a building or design standpoint and more functional.~~

~~(2) Mandatory Criteria for Increase in Size. Any request to increase the size must meet all of the following criteria:~~

~~(a) The proposed ADU can meet all other design expectations of this chapter and is subordinate to the main unit both functionally and in appearance.~~

~~(b) The proposed ADU will not have a discernable impact in the context of the neighborhood in which it is located, considering infrastructure, support services and neighborhood character.~~

~~(c) The increased size is logical from a design standpoint, given configuration of existing structures or organization of space, and is the least amount of size necessary to accommodate the circumstances.~~

~~b. Decreasing Size:~~

~~(1) Compromise Design Expectations. Given the unique nature of the site and/or structures, the full size permitted for the ADU will compromise other design expectations needed to make the ADU subordinate to the main structure or meet the intents of this chapter;~~

~~(2) Impacts to Neighborhood Character, Infrastructure or Services. The proposed ADU while meeting the allowed size limit will have a discernable adverse impact in the context of the neighborhood in which it is located considering infrastructure, support services or neighborhood character;~~

~~(3) Not Logical Given Site Considerations. The proposed ADU, while meeting the allowed size limit, is not logical from a design standpoint given either configuration of existing structures, the organization of space, size of lot, or space available and the full size is not necessary to accommodate the intended use and function of an ADU.~~

14.23.072

Design Criteria For Detached Single-Family Dwelling Units And Cottage Housing.

~~A. Intent. To ensure that new development contributes to the visual character of the city; to create developments that promote walking and bicycling; to create variety and interest in the appearance of streets; to encourage interaction among neighbors; to minimize impacts of vehicular access on the streetscape; to ensure privacy of residents and adjacent properties; to provide usable yard space for residents; to provide design details that add visual interest; to provide flexibility where unique site conditions exist. (See Table 14T-20.)~~

~~BA.~~ Roof Design. Provide pitched or articulated roof line, or other roof element such as eyebrow roof forms or dormers that emphasize building form. ~~and help it fit in with neighboring structures with prominent roofs.~~ Pitched roofs shall utilize a minimum slope of four feet vertical to twelve feet horizontal. Encourage rooflines along the side yard that maximize solar access to adjacent homes and/or private open space. (See Table 14T-21.)

~~CB.~~ Architectural Details. Buildings shall provide proportioned, human scale architectural details and for architectural details that add visual interest to the neighborhood and are well proportioned to achieve good human scale. ~~Specifically,~~ incorporate at least three of the following detail elements into the facade of the house:

1. Decorative porch design, including decorative columns or railings.
2. Bay windows or balconies.
3. Decorative molding/framing details around all ground floor windows and doors.
4. Decorative door design including transom and/or side lights or other distinctive feature.
5. Decorative roofline elements including brackets, multiple dormers, and chimneys.
6. Decorative building materials, including decorative masonry, shingle, brick, tile, stone, or other materials with decorative or textural qualities.

7. Landscaped trellises or other decorative elements that incorporate landscaping near the building entry.

8. Distinctive paint schemes.

9. Other decorative facade elements or details that are similar to the elements listed above. ~~meet the intent of criteria.~~ (See Table 14T-22.)

~~DC.~~ Side Facade Treatments. In order to create a separation between yards ~~and beautify private space~~ where zero lot line or reciprocal use easement concepts are used, one or more of the following features shall be provided. ~~utilize the following treatments:~~

1. Use horizontal wood siding or other similar exterior material. ~~that provides visual interest.~~ T-111 siding is not permitted along the privacy wall.

2. A planting strip with native and drought-tolerant vegetation, vegetated LID facilities, and/or a pergola or other similar features that provide comparable privacy treatments, as determined by the director or their designee. ~~adds visual interest along the privacy wall is encouraged.~~ (See Table 14T-23.)

~~ED.~~ Entries. Provide clearly defined building entries which face the street and are well lighted and easily accessible. Specific standards:

1. Weather protection shall be provided at least four feet deep along the width of the building entry for each dwelling unit. Exceptions may be granted by the director or their designee for the use of regional housing styles that do not traditionally incorporate covered ~~contain such~~ entries.

2. At least fifty percent of houses in a development shall have entries that face the street and are clearly visible from the street. ~~Undeveloped lots vested prior to May 15, 2008, are exempt from these requirements.~~

3. Raised entries and porches are recommended, particularly where front yard setbacks have been reduced. ~~Raised porches help define private space yet create a pedestrian-friendly streetscape.~~

4. Exterior stairways are prohibited on the facade, except for stairs leading to the front porch or entry. Such stairways shall ~~be simple, bold projections of stairways to~~ fit with the architectural massing and form of the building and the neighborhood. ~~Thin-looking, o~~Open metal, prefabricated stairs and railings are discouraged. (See Table 14T-24.)

FE. Garages and Driveways. Design streetscapes in a way that garages and driveways do not dominate the street and facade of the residential building:

1. Rear-loaded lots with garages off of alleys are encouraged.

2. For lots less than four thousand square feet in size, garages shall be located off of alleys, behind or in back of residences, stepped back from the front facade of the dwelling, or other techniques used to ensure the garage does not dominate the streetscape.

3. For all lots, garage doors facing the street may not occupy more than sixty percent of the ground level facade of the house. For example, in a forty-foot-wide lot with a thirty-foot-wide house, a garage door facing the street shall not be greater than eighteen feet in width. (See Table 14T-25.)

4. Three-car garages are allowed provided the garage doors take up less than sixty percent of the ground level facade of the house, the garage is separated into at least two doors, one of the doors is set back/modulated at least two feet behind the other door, and a planting strip (at least two feet wide) separates at least one of the drive lanes. (See Table 14T-26.)

5. Driveways shall be ~~as narrow as possible- designed~~ to minimize impervious surfaces and shared where possible to minimize disruption of the sidewalk by curb cuts.

6. No more than one driveway is permitted per ~~lot. dwelling unit.~~

7. Garage sidewalls that face the street (e.g., as a result of garages being aligned at an angle or perpendicular with the house) shall appear to contain habitable space. This can be accomplished by incorporating windows and other design elements into the garage wall that are ~~in-character-consistent~~ with the remainder of the dwelling.

8. For front loaded lots where the garage faces the street and the garage is located in front of the facade of the house, at least two of the following design details shall be utilized. For front loaded lots where the garage faces the street and the garage is even with the facade of the house or less than five feet behind the front facade of the house, at least one of the following design details shall be utilized:

- a. A decorative trellis over the entire garage.
- b. A balcony that extends out over the garage and includes columns.
- c. Two separate doors for two-car garages instead of one large door.
- d. Decorative windows on the garage door.
- e. Decorative details on the garage door. Standard squares on a garage door will not qualify as a decorative detail.
- f. A garage door color (other than white) that matches or complements the color of the house.
- g. Other design techniques that ~~meet the intent~~ achieve a similar level of visual articulation and garage de-emphasis as the features listed above, as determined by the director or their designee. (See Table 14T-27.)

GF. Privacy Standards.

1. Development shall provide privacy between adjacent dwelling units through building placement, window placement, or screening elements.

2. Development shall comply with one or more of the side-yard screening options listed below:

a. Types I, II, or III landscaping as defined in LMC 16.80.050.

b. Solid wood fence, masonry wall, or combination thereof, at least six feet in height.

c. Zero-lot-line configuration without transparent windows on the privacy wall.

d. Other screening treatments that are functionally equivalent to the options listed above.

~~1. Window Placement. Placement of windows shall consider privacy so residents from one unit to the next cannot look directly into another unit.~~

~~2. Location and orientation of dwelling units shall consider privacy.~~

~~3. Side Yard Screening Options. All developments shall utilize one of the following screening methods in side yards:~~

~~a. Provide Type I, II, or III landscaping (as defined in LMC 16.80.050) between adjacent homes.~~

~~b. Provide solid wood fence or masonry wall, or combination of wood and masonry, six feet in height and located along the property line.~~

~~c. Provide a zero-lot line configuration or other similar treatment whereby one side of a home does not feature transparent windows or other openings and thus maximizing privacy on the side yard of the adjacent dwelling unit.~~

~~d. Other treatments that meet the intent of the criteria as approved by the director. Examples can include lower fencing and/or reduced or alternative landscaping treatments. (See Table 14T-28.)~~

HG. Exterior Materials.

1. Traditional materials consistent with local and regional architectural styles are encouraged (horizontal wood siding and brick).

2. Stucco and other troweled finishes should be trimmed in masonry or wood.

3. Mirrored glass and exposed concrete block (except for foundation/crawl space walls where not visible from the street) are not in keeping with the desired character of Lacey and are prohibited.

4. T-111 siding and other plywood types of siding (board and batten is an exception) shall not be used for facades adjacent to or directly viewable from a street.

H. Windows and Transparency.

1. Transparent windows and/or doors facing the street are required. To meet this requirement, at least ten percent of the facade must be transparent. The facade is measured from the base of the house to the start of the roofline and any other vertical walls facing the street, except for gabled portions of the facade not containing livable floor area (see Table 14T-29 for clarification). Garages facing the street shall count as part of the facade. ~~Undeveloped lots vested prior to May 15, 2008, are exempt from this requirement.~~

2. Building facades visible from a public street shall employ techniques to recess or project individual windows above the ground floor at least two inches from the facade or incorporate window trim at least four inches in width that features color that contrasts with the base building color. Alternative treatments that provide comparable articulation may be permitted. Exceptions will be considered where buildings employ other distinctive window or facade treatment that adds depth and visual interest to the building. (See Table 14T-30.)

J. Architectural Variety. Developments shall achieve architectural variety by accommodating a variety of architectural styles, variations of the same architectural style, and through the use of multiple design elements. Specifically:

1. Duplicative house designs adjacent to each other are prohibited. Simple reverse configurations of the same house design on adjacent lots are not sufficient to meet architectural variety goals. Exceptions may be granted by the director or their designee where the applicant demonstrates that a consistent architectural design contributes to a cohesive development pattern, such as clustering around common open space or along a defined streetscape. ~~in special circumstances where similar architectural consistency provides a distinct character for a cluster of homes surrounding an open space or on a particular street (cottage homes around a common open space are an example).~~

2. Generally, the more houses in a subdivision, the greater the number of different facade elevations will be required. Specifically:

- a. Ten to nineteen homes, a minimum of four different facade elevations shall be used.
- b. Twenty to thirty-nine homes, a minimum of five different facade elevations shall be used.
- c. Forty to sixty-nine homes, a minimum of six different facade elevations shall be used.
- d. Seventy or more homes, a minimum of seven different facade elevations shall be used.

e. Alternatives compliance may be achieved where the design demonstrates comparable variation in building form, materials, and layout. will be considered provided the design and configurations of the subdivision meet the intent. (See Table 14T-31.)

3. In order to qualify as a different facade elevation, dwellings shall have different roofline configurations, different color palettes, and different porch/entry design. In addition, a minimum of two of the following alternatives shall be utilized:

- a. Different window openings (location and design).
- b. One- and two-story houses.
- c. Different exterior materials and finishes.
- d. Different garage location, configuration, and design.

e. Other different design elements that provide a comparable level of visual differentiation between helps to distinguish one facade elevations as the features listed above, as determined by the director or their designee. from another as determined by the director.

4. Residential subdivisions and developments shall avoid uniform development patterns by incorporating variation in lot size, building size or building form. This standard may be satisfied through a range of lot areas, dimensions, building heights, floor areas, footprints, or through an alternative design approach that achieves a functionally equivalent level of variation.

~~4. Variation in lot size within a subdivision is encouraged for single family lots. For example, larger corner lots can provide more visual interest, and also allow for more usable open space for such residents, as those lots have two street frontages.~~

~~5. Variation in house sizes is encouraged within developments. A combination of one and two story structures is attractive to a wider demographic (particularly seniors).~~

KJ. Corner Lots. Structures on corner lots are encouraged to take advantage of the dual frontage, make an architectural statement, and create interest in architecture and human activity on the street. This could be accomplished by providing one or more of the following:

1. Wrap around porches.

2. Bay windows or turrets.

3. Varied exterior materials, roof feature, colors, and/or articulation. Varied materials shall complement each other. (See Table 14T-32.)

~~**LK. Encourage** Alternative Lot Configurations. A land division and its internal access roads, pedestrian connections and overall lot configuration should be designed to allow placement of homes to address functional design issues. As much as the configuration allows, placement and orientation of homes should consider privacy, solar orientation, access, location and access to open space and other factors that can contribute to the overall livability of the home and its relationship to the surrounding environment. Flexibility in spatial orientation of homes may be permitted to address site-specific conditions. shall be encouraged in spatial orientation of homes on lots to address these issues and create interesting and attractive streetscapes with homes having a high functional value that might not otherwise occur with a less flexible approach.~~

To maximize site efficiency and usable open space, small lot developments are encouraged to utilize zero lot line and courtyard access configurations as described below:

1. Zero Lot Line. This is a configuration where the house and/or garage is built up to one of the side property lines, providing the opportunity for more usable side yard space. Standards:

a. Dwelling units and accessory structures may be placed on one interior side property line. The opposite side yard shall be at least ten feet.

b. Privacy Wall. In order to maintain privacy, no windows, doors, air conditioning units, or any other types of openings in the walls along a zero lot line structure are allowed except for windows that do not allow for visibility into the side yard of the adjacent lot. Examples include clerestory or obscured windows. See Table 14T-33 for an example of a privacy wall for a zero lot line house.

c. Eaves along a zero lot line may project a maximum of eighteen inches over the adjacent property line.

2. Reciprocal Use Easement Lots. This works similar to the zero lot line configuration, except that the homes and accessory structures that meet the standard setbacks and easements are granted on one side yard to allow consolidated use of the side yards by the adjacent property (see Table 14T-34 for example). Also, configurations providing for reciprocal use easements in the rear yard are allowed to maximize usable open space (see Table 14T-35). Standards/provisions:

a. Reciprocal easements shall be noted on the plat.

b. Privacy Wall. In order to maintain privacy, no windows, doors, air conditioning units, or any other types of openings in the walls of a structure along a reciprocal use easement are allowed except for windows that do not allow for visibility into the side yard of the adjacent lot. Examples include clerestory or obscured windows. (See Table 14T-23 for an example of a privacy wall.)

c. Areas within reciprocal use easements may count towards usable open space requirements for applicable lots.

3. Courtyard Access Lots. This includes a series of lots clustered around a private internal roadway. Standards:

a. Maximum number of lots served by a courtyard access: Five (this includes lots fronting the street on either side of the courtyard access).

b. Maximum length of a courtyard access: One hundred feet (or deeper if approved by the local fire department).

c. Surface width of courtyard access: Twelve feet. Due to the limited length, wider drives are unnecessary (safety and function) and undesirable (aesthetics).

d. An easement of twenty feet in width shall be secured over the applicable parcels to allow lots legal access to the public street. A maintenance agreement shall be required for all applicable lots and must be recorded on the final plat. (See Table 14T-36.)

4. Pedestrian-Only Entry Lots. This includes configurations where one or more lots are clustered around a pedestrian easement and/or common open space and do not front on a street (see Table 14T-37 for an example). Standards:

a. A pedestrian entry easement shall be provided to all homes that do not front on a street, alley, or common open space.

b. Pedestrian entry easements shall be a minimum of fifteen feet wide with a five-foot minimum sidewalk.

c. These lots must contain private detached or shared garages off an alley or other access if approved by public works and reviewed for conflicts with existing codes.

5. Protective Covenants. The development types described in this section may involve shared access, easements, and other features that require coordinated management. Covenants shall be provided, as applicable, to address operational and maintenance responsibilities associated with these development configurations, including shared access, reciprocal use easements, and common elements. Covenants may include additional provisions necessary to address site-specific conditions and shall be recorded and apply to all affected properties. The styles of developments discussed above require special consideration to ensure conflicts between neighbors are minimized and that opportunities are provided for a home owners association to deal with unique issues created by these development forms. Covenants for these development styles shall be written to address issues unique to small lot

~~developments that use reciprocal use and easement agreements. Great latitude shall be allowed the city in reviewing and requiring covenant elements that deal with identified issues.~~

~~M~~L. Alley Design. Alleys shall be designed to incorporate landscaping and lighting elements. Specifically:

1. Landscaping elements may be used as an alternative to fencing to separate private yard space from the alley.

2. Fences shall be set back at least three feet from the alley (pavement) to provide for landscaping to soften the view of the fence.

See Table 14T-38 for a good example of how landscaping can enhance the design of an alley.

3. Garages shall feature building-mounted lighting to provide illumination of alleys for safety.

M. accessory structures over sixteen feet in height shall comply with the roof design, siding type and color requirements contained within this chapter and are subject to design review. Accessory structures shall demonstrate scale and design compatibility with the primary structure, or an alternative approach that achieves a functionally equivalent result.

14.23.073

Design Criteria For Duplexes And Triplexes ~~In Areas Predominantly Built Out With Single-Family Detached Structures.~~

~~To locate duplex and triplex units in areas developed with single-family structures will be controversial because of perceptions that rental units could potentially devalue traditional single-family units. One way to allay these perceptions is to provide duplex and triplex units that blend in with the environment. This can enrich the architectural standards and appearance of the surrounding subdivision or neighborhood. To do this, special guidelines are needed to promote outstanding design and quality of such units.~~

A. ~~Similarity~~Relationship to Single-Family Design Standards. ~~Detached Structures. To accomplish this,~~
~~D~~uplex and triplex units in single-family residential areas shall comply with the design criteria for detached single-family dwellings in LMC 14.23.072 unless otherwise noted below. (See Table 14T-39.)

B. Supplemental Design Criteria. Where ~~there is a conflict~~ exists ~~with the detached single-family design criteria set forth in~~ between this section and LMC 14.23.072, the provisions of this section ~~design criteria herein~~ shall apply.

1. Entry Design.

a. ~~Use either a single entry providing access to multiple units with appearance of a single entry to a single-family house or separate distinct covered entries~~ Buildings shall provide either a shared entry or individual covered entries for each dwelling unit;

b. For duplexes located on street corners, entries shall be provided on different sides of the structure so only one entry is visible from any one street.

2. Location of Garages. Garages ~~for each of the~~ serving individual dwelling units shall be separated ~~from one another by~~ habitable space, or designed as single or tandem configurations. ~~living units of one or more of the units, except where designed with adjacent single or tandem garages.~~ No more than two single or tandem garages may be placed in a row.

3. Architectural Variety. When reviewing developments with multiple adjacent duplexes, each duplex structure shall comply with the architectural variety requirements set forth in ~~be reviewed as an individual home or building in terms of compliance with~~ LMC 14.23.072(J).

C. Design Option. Duplexes and triplexes ~~can~~ shall be designed to appear as a single unit containing one entry or multiple distinct units containing more than one entry. either be designed to look like one single-family house (containing one distinct entry) or designed to look like two or three distinct dwelling units (each with their own individual covered entry). Both design options shall utilize complementary design elements as described in subsection (D) of this section.

D. Complementary Design. Units shall incorporate complementary design features such as: ~~have a design that provides significant architectural interest and is complementary to single-family units in the subdivision. A number of techniques can be used to achieve architectural interest:~~

1. Roof breaks, ~~use of~~ dormers, masonry chimneys;
2. Modulation of facades and fenestration;
3. ~~Use of~~ Balconies, decks and porches.

E. Landscaping. Utilize native and drought-tolerant landscaping and/or vegetated LID facilities that are integrated with the overall site design. ~~complement the architecture of the unit.~~

F. Privacy Standards.

1. Development shall provide privacy between adjacent dwelling units through building placement, window placement, or screening elements. ~~Window Placement. Placement of windows shall consider privacy so residents from one unit to the next cannot look directly into another unit.~~

~~2. Location and orientation of dwelling units shall consider privacy.~~

32. Side Yard Screening Options. All developments shall utilize one of the following screening methods in side yards:

a. ~~Provide~~ Type I, II, or III landscaping (as defined in LMC 16.80.050) between adjacent homes.

b. ~~Provide~~ A solid wood fence or masonry wall, or combination ~~thereof of wood and masonry~~, six feet in height and located along the property line.

c. ~~Provide a~~ A zero-lot line configuration or ~~other~~ similar treatment in which one side of a structure does not include transparent windows or openings. whereby one side of a home does not feature transparent windows or other openings and thus maximizing privacy on the side yard of the adjacent dwelling unit.

d. Other screening treatments that are functionally equivalent to the options listed above ~~meet the intent of the criteria~~ as approved by the director or their designee. Examples can include lower fencing and/or reduced or alternative landscaping treatments. (See Table 14T-28.)

G. Frontage Improvements. Duplexes and triplexes shall comply with the street frontage improvement requirements of Chapter 4B of the Development Guidelines and Public Works Standards.

14.23.074

Design Criteria For Lacey Historical Neighborhood.

To recognize and preserve the historical values and neighborhood character of the Lacey Villas area, special development standards are necessary. These standards should allow reasonable infill while maintaining the older neighborhood historical characteristics, including large lot sizes and single-family traditional housing styles.

~~A. Each lot may have one single family detached structure and one accessory dwelling unit that meets the design criteria of LMC 14.23.071. Home occupations meeting requirements of Chapter 16.69 LMC may also be permitted. (See Table 16T-06.2.)~~

~~B~~A. A neotraditional, single-family detached housing style is required, with the following features:

1. A ~~usable~~ pedestrian scale front porch;
2. A ~~focused, predominant~~ clearly defined entryway;
3. ~~An alternative garage style, including a detached or recessed garage; Garages shall be detached, recessed, or otherwise designed to minimize visual prominence from the street;~~
4. A pitched roof which may include ~~with architectural interest~~; dormers, chimneys and roof breaks ~~recommended~~;
5. Horizontal lap siding shall be used on the front, back and all sides.

~~C~~B. Narrow local access streets with out ~~no~~ sidewalks, ~~typical of existing streets,~~ consistent with existing neighborhood patterns, are permitted.

~~D~~C. ~~If street lights are used,~~ Where street lighting is provided, fixtures ~~they~~ shall be of decorative design and pedestrian scale (twelve to eighteen feet in height).

D. Accessory structures shall be designed to be architecturally compatible with the primary structure on the lot and consistent with the established historic character of the neighborhood. Compatibility may be demonstrated through building form, materials, roof style, and architectural detailing.

14.23.076

Design Criteria For ~~Townhouses~~ Fourplexes.

~~Fourplex development shall comply with the standards of this section and applicable provisions of LMC 14.23.080, where specifically referenced. The following criteria will be utilized by staff in review of a project's design. Additional design strategies may be considered if they meet the intent of this section to provide for an attractive development that is complementary to the existing neighborhood and addresses functional components of design in the context of the needs of future residents and surrounding neighbors. Townhouses are also subject to the multi-family design criteria in this section and other design criteria in LMC 14.23.080; the townhouse design criteria herein shall apply.~~

~~A. Intent:~~

- ~~1. To ensure that townhouse developments enhance the character of the street.~~
- ~~2. To reduce the impact of garages and driveways on the pedestrian environment.~~
- ~~3. To reduce the apparent bulk and scale of townhouse buildings.~~
- ~~4. To promote architectural variety that adds visual interest to the neighborhood.~~
- ~~5. To promote infill development compatible and complementary to the surrounding neighborhood.~~
- ~~6. To promote attractive, safe and functional design that addresses the needs of future residents and is properly integrated into the surrounding neighborhood environment. (See Table 14T-40.)~~

BA. Street Access. ~~Townhouses~~ Fourplexes fronting a street ~~must all have~~ shall provide individual ground-related entries accessible from the street. Configurations where enclosed rear yards back up to a street are prohibited. The director or their designee may allow departures from these provisions ~~exceptions to these rules~~ depending on the nature of the site and where design treatments have been included to enhance ~~the character of the street~~ view. ~~Such departure must meet the intent of the guidelines and goals and objectives of the Comprehensive Plan in terms of desired character of the area and pedestrian access.~~

CB. Pedestrian Entries. ~~New-d~~Developments ~~must shall~~ emphasize individual pedestrian entrances over private garages ~~to the extent possible~~ by using incorporating both of the following measures:

1. Enhance entries with a trellis, small porch, or other similar architectural feature that provides cover for a person entering the unit and a transitional ~~space~~ between the exterior and interior ~~outside and inside of~~ the dwelling.

2. ~~Provide a rain garden, where feasible, or planted area in front of each pedestrian entry of at least twenty square feet in area, with no dimension less than four feet. Provide a combination of native and drought tolerant shrubs or groundcover and a street tree. A planted area in front of each pedestrian entry of at least twenty square feet, with no dimension less than four feet, consisting of native or drought-tolerant vegetation.~~ A planted area in front of each pedestrian entry of at least twenty square feet, with no dimension less than four feet, consisting of native or drought-tolerant vegetation. (Refer to city arborist or street tree list.)

DC. Garage Configuration. For any ~~townhouse fourplex~~ configuration where the primary pedestrian access is off the same facade as vehicular access, developments shall incorporate single-width parking configurations for at least fifty percent of the units. This will minimize the impact of garage doors on the pedestrian environment. The director or their designee may grant departures ~~from~~ to this provision where alternative garage configurations incorporate design features that achieve a comparable reduction in the visual prominence of garage doors along the street frontage. ~~provided design treatments effectively minimize the impacts of garage doors on the pedestrian environment.~~ (See Table 14T-41.)

ED. Driveways on Private Internal Streets. Where ~~townhouse fourplex~~ units are served by private internal streets, ~~developments are encouraged to limit the depth of driveways between the streets and the garage wall to de-emphasize vehicular access.~~ ~~D~~driveway depths shall be between ~~of~~ five to ten feet ~~are appropriate to accommodate vehicular allow the maneuverability and provide space to include the required landscaping and entry elements features for each unit. The shallow width also discourages residents from parking cars in their driveways. By default, this encourages residents to keep their vehicles in their garage.~~ Additional surface guest parking spots shall be provided around the development. ~~should be scattered around the development to provide space for guests.~~ (See Table 14T-42.)

FE. Building Articulation. ~~Townhouse Fourplex~~ buildings shall be articulated to emphasize individual units. Thus, if individual units are fifteen feet wide, the building shall include at least three articulation features per Guideline LMC 14.23.080(D)(2) for all facades facing a street, common open space, and common parking areas at intervals no greater than fifteen feet.

GF. Repetition with Variety. ~~Townhouse-Fourplex~~ developments shall ~~employ~~ incorporate at least two or more of the following ~~“repetition with variety” guidelines:~~ design strategies to provide variation in building form and appearance:

1. Reversing the elevation of two out of four dwellings for ~~townhouses~~ fourplexes.
2. Providing different building elevations for external ~~townhouse- fourplex~~ units (versus internal units) by changing the roofline, articulation, windows, and/or building modulation patterns.
3. Adding a different dwelling design or different scale of the same design, such as a one-story version of the basic dwelling design where two stories are typical (or a two story design where three stories are typical).
4. Other design treatments that add variety ~~or provide special visual interest~~. While the variable use of color on buildings can be effective in reducing the perceived scale of the building and adding visual interest differentiation, color changes alone do not sufficiently provide variety. ~~are not sufficient to meet the intent of the criteria.~~ (See Table 14T-43.)

14.23.080

Design Criteria For More than Four Attached Units Multi-Family Projects, Condominiums And Townhouses.

The following criteria will be utilized by staff in review of a project's design. Additional design strategies may be considered if they meet the intent of this section to provide for an attractive development that is complementary to the existing neighborhood.

A. Site Design and Parking.

~~1. Intent:~~

~~a. To create safe and vital streets by encouraging development to enhance the street environment.~~

~~b. To create new development that contributes to natural surveillance and provides for the personal safety of residents.~~

~~c. To ensure that new development reinforces the existing or desired spatial characteristics of the neighborhood.~~

~~d. To promote infill development compatible and complementary to the surrounding neighborhood.~~

~~e. To promote attractive, safe and functional design that addresses the needs of future residents and is properly integrated into the surrounding neighborhood environment.~~

21. Building Location and Orientation. All residential buildings must be oriented towards streets, interior private roadways, or common open space and not parking lots or adjacent properties. Specifically:

a. Pedestrian building entrances shall face the street and be clearly visible from the street.

b. Building entries that face onto a common open space that is oriented towards the street are acceptable.

c. Buildings shall also provide windows that face the street to provide ~~“eyes on the street” for safety~~ provide visibility and natural surveillance. See ~~Guideline~~ LMC 14.23.080(E)(3) for applicable standards. ~~specific requirements~~. (See Table 14T-44.)

d. ~~Avoid locating parking spaces directly in front of the building entrance or in such a way as to interfere with visibility and access. Parking shall not be located directly in front of the building or where it would interfere with visibility or pedestrian access.~~

e. Provide diversity in the layout of multi-building developments. For example, avoid linear arrangement and utilize offset building footprints.

32. Surface Parking Location. Parking lots shall be located to the side or rear of buildings. Parking lots may not be located adjacent to street corners. (See Table 14T-45.)

43. Parking Garages.

a. Parking Garage Entries. Parking garage entries shall be designed and located to minimize their visual prominence relative to primary pedestrian entrances. ~~(both individual private and shared parking garages) must not dominate the streetscape. They should be designed and sited to complement, not subordinate, the pedestrian entry.~~ This applies to both public garages and any individual private garages, whether they front on a street or private interior access road.

b. Common Parking Garage Design Guidelines. Buildings containing above-grade structured parking shall screen such parking areas with Type II or III landscaping (as defined in LMC 16.80.050) or incorporate ~~contextual~~ architectural elements that complement adjacent buildings in the area, as approved by the director or their designee. ~~consistent with surrounding buildings in the area, as approved by the director or their designee. or buildings in the area to the satisfaction of the director.~~ Upper level parking garages shall incorporate ~~must use~~ articulation or fenestration treatments to reduce the appearance of large blank walls. ~~that break up the massing of the garage and/or add visual interest.~~ (See Table 14T-46.)

B. Vehicular Access and Connectivity.

~~1. Intent.~~

~~a. To provide for visual continuity of the street.~~

~~b. To minimize conflicts with pedestrian access to the buildings on site.~~

~~21. Minimize the number of vehicular access points shall be minimized through the use of shared by sharing driveways and connections between adjacent sites, where feasible. linking parking lots between adjacent uses.~~

~~32. On-Site Parking spaces (on-site) areas shall be designed to reduce conflicts with pedestrian circulation and primary building entrances. should be separated from major drives, and the circulation patterns of such drives should be clean.~~

~~43. Coordinate circulation drives and staging areas to accommodate routes needed by fire, refuse collection, delivery vehicles, moving vans, etc.~~

~~54. Consideration shall be given to load/unload parking zones near the entry of the building. These spaces shall be located in such a manner as to minimize interferences with the entryway.~~

~~65. A bus pullout and shelter may be required by Intercity Transit or North Thurston School District. The shelter shall meet the guidelines of Intercity Transit and the development guidelines. The director or their designee of community and economic development may require additional bus shelter design features- where necessary to ensure consistency with applicable transit agency standards or to address site-specific conditions related to safety, accessibility, or integration with the development.~~

~~7. Developments are encouraged to consider the needs of individuals with physical limitations in the layout and design of buildings. For example, developments could provide some units available with street level access or other provisions to provide for accessibility.~~

~~86. Meet all requirements of LMC 14.23.086.~~

C. Pedestrian Access and Amenities.

~~1. Intent.~~

~~a. To orient developments to the pedestrian by making pedestrian access convenient, safe, and inviting.~~

~~b. To encourage walking.~~

~~c. To enhance the character of multi-family development.~~

~~d. To minimize impacts to residents' privacy.~~

~~e. To provide accessible, safe, convenient, and usable on-site open space for the enjoyment of residents of the development.~~

~~f. To create open spaces that enhance the residential setting.~~

21. Internal Paths and Circulation. An on-site pedestrian circulation system meeting the following standards shall be provided:

a. Pathways shall connect dwelling units to the street and be direct where feasible. ~~between dwelling units and the street are required. Such pathways between the street and buildings fronting on the street should be in a straight line.~~ Exceptions may be allowed by the director or their designee where steep slopes prevent a direct connection or where an indirect route would enhance the design and/or use of a common open space. (See Table 14T-47.)

b. The pedestrian circulation system shall connect all main entrances on the site. For street fronting dwelling units the sidewalk may satisfy this requirement. ~~townhouses or other residential units fronting on the street, the sidewalk may be used to meet this standard. For multiple-family developments,~~ pedestrian connections shall be provided between building and common areas, including parking areas, recreational areas, and shared open space, where applicable. ~~to other areas of the site, such as parking areas, recreational areas, common outdoor areas, and any pedestrian amenities shall be required, where applicable.~~

c. Elevated external stairways or walkways which provide pedestrian access to dwelling units located above the ground floor are prohibited. The director or their designee may allow exceptions for external stairways or walkways located in or facing interior courtyard areas provided they do not compromise visual access from dwelling units into the courtyard. (See Table 14T-48.)

d. ~~Appropriate s~~Screening or buffering shall be provided to create a physical separation between pedestrians pathways, and vehicle access areas, and ground floor residential unit windows. ~~and the windows of residential units shall be provided.~~ Acceptable treatments include:

(1) Landscaped beds that separate the pathway from the building facade featuring windows (see Table 14T-49); and/or

(2) Site ~~or building design techniques that provide privacy for windows to maximize privacy while allowing for surveillance from dwelling unit. For example, where~~ ground floor units, including elevating finished floors are raised three or more feet above the level of a adjacent walkways, ~~pedestrians have limited views into dwelling units.~~

e. Pedestrian walkways ~~should~~ shall be defined ~~by~~ with Type II or Type III landscaping (as defined in LMC 16.80.050) for a combination of overstory and understory vegetation.

f. Provide signage to identify pedestrian/bicycle routes according to the department of public works development guidelines.

g. Minimize grades on site to allow ease of access for pedestrians and persons with disabilities.

h. Development shall comply with ~~Meet all requirements of~~ LMC 14.23.086.

3. Materials Standards for Pathways.

a. The pedestrian circulation system must be cement concrete or permeable paving and at least five feet wide. ~~Segments of the circulation system that provide access to no more than four residential units may be three feet wide.~~

b. Except as allowed in subsection (C)(3)(c) of this section, the pedestrian circulation system shall be clearly ~~defined and designed so as to be separated~~ distinguished from driveways and parking/loading areas through the use of raised curbs, elevation changes, bollards, landscaping, ~~different distinct~~ paving materials, and/or other similar method. Striping alone does not meet this requirement. If a raised path is used it must be at least four inches high and the ends of the raised portions must be equipped with curb ramps. Bollard spacing must be no further apart than five feet on center.

c. The pedestrian circulation system may be located within an auto travel lane if the ~~auto travel~~ lane provides access to sixteen or fewer parking spaces and ~~the entire auto travel lane~~ is surfaced with paving blocks, bricks, or other ~~special~~ enhanced paving materials that clearly distinguish the shared travel surface from standard vehicle drive aisles, as approved by the director or their designee. Trees and other landscaping elements shall be integrated into the design of a shared auto/pedestrian court. (See Table 14T-50.)

4. Bicycle Racks. Bicycle racks shall be located near recreational facilities and apartment buildings and shall meet the requirements of Chapter 16.72 LMC.

5. Covered Entrance. The main public entrances of all ~~multi-family~~ buildings must provide weather protection with at least thirty-six square feet of weather cover and a minimum depth of six feet. Exception: The weather protection feature for the primary entries of individual ground-level residential units may be reduced to a minimum depth of four feet and twelve square feet in area.

6. Common Open Space. ~~Multi-family d~~Developments of two acres or greater must provide at least twenty percent of the gross site area for common open space purposes. The following standards ~~special requirements shall be considered to~~ qualify for various as types of allowable open spaces:

a. Common open space designed primarily for use by residents ~~may satisfy of the development may be used to meet~~ up to fifty percent of the open space requirement. Common open space may include landscaped courtyards, front porches, internal gardens with pathways, children's play areas, and other shared recreational or green space areas. Internalized open spaces not visible from a street may be included. While this is not intended to encourage gated or closed off open spaces, it can include internalized open spaces that may not be visible from a street. This can include landscaped courtyards, front porches, internal gardens with pathways, children's play areas, or other internal multi-purpose recreational and/or green spaces. Special requirements and recommendations for common open spaces include Common open spaces shall be designed to comply with the following:

(1) Required setback areas shall not count towards the open space requirement, except for spaces that meet the dimensional and design requirements and guidelines herein.

(2) Space shall be large enough to provide functional leisure or recreational activity. To meet this requirement, no dimension shall be less than fifteen feet in width (except for front porches). Alternative configurations may be ~~considered approved~~ by the director or their designee where the applicant ~~can successfully demonstrate~~ that the common open space provides usable areas(s) for recreational or leisure activity and is comparable in function to the required dimensional standards. ~~meets the intent of the standards.~~

(3) Spaces (particularly children's play areas) shall be visible from dwelling units and positioned near pedestrian activity.

(4) Spaces shall feature paths, landscaping, seating, and lighting. ~~Other amenities that make the area more functional and enjoyable are encouraged.~~

(5) Individual ground floor dwelling units ~~entries~~ shall ~~be provided onto~~ common open space. ~~from adjacent ground floor residential units, where applicable. Small, s~~ Semi-private open spaces ~~for serving~~ adjacent ground floor units may be provided where they that maintain visual connection to the common areas. ~~access to the common area are strongly encouraged to enliven the space.~~

(6) Common open space shall be separated from ground floor windows, streets, service areas and parking lots with landscaping, low-level fencing, and/or other treatments that provide a physical or visual buffer to limit direct views and enhance safety and privacy, as approved by the director or their designee. ~~that enhance safety and privacy (both for common open space and dwelling units).~~

(7) Space ~~should~~ shall be oriented to receive sunlight, where feasible. ~~facing east, west, or (preferably) south, when possible.~~

(8) Stairways, stair landings, above grade walkways, balconies and decks shall not encroach into the common open space. An atrium roof covering may be built over a courtyard to provide weather protection provided it does not obstruct natural light inside the courtyard. Front porches are an exception.

(9) Front porches qualify as common open space provided:

No dimension is less than eight feet.

“Cave” porches are not included in calculations for common open space. “Cave” porches are porches that are entirely inset into the building. Porches set into the corner of a building are an exception.

b. Natural Areas. Retention of existing natural areas with mature trees may count for up to fifty percent of the required common open space provided the subject area is located outside of the minimum required setback and buildings are configured to use the natural area as an amenity. For example, private patios or a trail bordering the natural area would meet this objective. (See Table 14T-51.)

7. Private Open Space. In addition to the common open space requirements noted in subsection (C)(6) ~~of this section, multi-family uses must at least fifty percent of the required open space shall be provided as provide at least fifty percent of the required open space as~~ private open space. Private open space ~~This may include private balconies, porches, decks, or patios. Semi-private open space areas concepts, designed to service specific blocks- serving groups~~ of units, or portions of a complex (where such space is not included in the calculations for the required common open space), may qualify for up to fifty percent of the private open space requirement. (See Table 14T-52.)

D. Architectural Character and Scale.

~~1. Intent.~~

~~a. To promote development that is compatible and visually integrated within the existing development if surrounding development is consistent with goals and policies of the Comprehensive Plan and design review standards.~~

~~b. To reduce the apparent bulk and scale of large buildings.~~

~~c. To enhance the pedestrian environment.~~

~~d. To promote architectural variety that adds visual interest to the neighborhood.~~

21. Articulation. All residential buildings and residential portions of mixed-use buildings shall include at least three of the following articulation features at intervals of no more than thirty feet along all facades facing a street, internal access road, and common open space:

a. Repeating distinctive window patterns at intervals no more than thirty feet.

b. Vertical Building Modulation. Minimum depth and width of modulation are eighteen inches and four feet (respectively) if tied to a change in color or building material and/or roofline modulation as defined below. Otherwise, minimum depth of modulation is ten feet and minimum width for each modulation is fifteen feet. Balconies may not be used to meet modulation ~~requirements option~~ unless they are recessed or projected from the facade and integrated with the building's architecture to create visible variation in massing and façade depth, as determined by the director or their designee. ~~For example, "cave" balconies or balconies that appear to be "tacked on" to the facade will not qualify for this option.~~

c. Horizontal Modulation (Upper Level Step-Backs). To qualify for this measure, the minimum horizontal modulation shall be five feet.

d. Articulation of the Building's Top, Middle, and Bottom. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline.

e. Change of Roofline. To qualify for this measure, the maximum length of any continuous roofline shall be thirty feet and comply with the treatments below:

(1) For flat roofs or facades with a horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of two feet or one-tenth of the wall height (finish grade to top of wall).

(2) For gable, hipped, or shed roofs--a minimum slope of five feet vertical to twelve feet horizontal.

(3) Other roof forms consistent with the design standards herein may satisfy this standard if the individual segments of the roof with no change in slope or discontinuity are no more than thirty feet in width (measured horizontally).

f. Change in building material or siding style, coordinated with building modulation and/or color variation. ~~(perhaps coordinated with horizontal building modulation and a change in color).~~

g. Alternative methods may be as-approved by the director or their designee where the applicant demonstrates that the proposed design achieves a level of façade articulation and building scale consistent with the requirements of this section. ~~that effectively reduce the perceived bulk and scale of the buildings and add visual interest. For example, buildings using high quality materials such as brick and special facade detailing may not need much modulation to provide visual interest.~~ (See Tables 14T-53 and 14T-54.)

32. Facades of Large Buildings. Buildings visible from the street must use design techniques to break up long continuous building walls, reduce the architectural scale of the building, and add visual interest. ~~Specifically, a~~Any building facade longer than one hundred twenty feet in width must employ shall use design techniques to limit the length of individual facades. To meet this requirement, buildings must utilize a combination of vertical and/or horizontal building modulation with a change in building materials or finishes, a clear change in building articulation and/or fenestration technique sufficient to create visual breaks in building massing and reduce the appearance of long, continuous facades, ~~meet the intent of the standards~~-as determined by the director or their designee. (See Table 14T-55.)

43. Diversity of Building Types. Multi-building developments shall employ techniques to provide architectural variety. ~~This Techniques~~ may include alternating building materials, roofline treatments, building heights, building modulation, entry design, window treatment, color, and/or other architectural treatments. The director or their designee may require additional façade variation where buildings are substantially similar in design and do not provide sufficient visual differentiation between structures. ~~changes to the facades, when necessary, to meet the intent of the standards.~~ (See Table 14T-56.)

54. Roofline Standards. Single-purpose residential buildings shall incorporate roofline variation. ~~must provide a p~~Pitched roofs shall have with-a minimum slope roof pitch of five feet vertical to twelve feet horizontal. Alternative roof designs such as including vegetated roofs are permitted where elements are used to provide visual variation and articulation.~~allowed, provided design elements are included to help the building and its roofline fit into the site's context.~~ (See Table 14T-57.)

65. Raised Ground Floor. Where feasible, Developments are encouraged to raise the-ground floor dwelling units located within fifteen feet of residential buildings at least thirty-six inches above the sidewalk or common parking areas, or in neighborhoods with established raised dwelling units, shall incorporate elevation changes or design features to enhance residents' privacy. ~~This is particularly important when dwelling units are within fifteen feet of a sidewalk or common parking area or for buildings in established neighborhoods that have an established pattern with raised dwelling units.~~

76. Street Corner Buildings. Buildings located at street corners ~~are encouraged~~ shall incorporate design features to utilize prominent building elements to emphasize the corner. ~~these highly visible locations.~~

This could include a corner facing building entry, ~~change-variation~~ in building materials, ~~special-distinct~~ roofline feature, or rounded or octagonal building shape at the corner.

E. Building Details, Materials, and Color.

~~1. Intent.~~

~~a. To encourage the incorporation of design details that are attractive at a pedestrian scale into building facades.~~

~~b. To promote the use of durable materials that are appropriate for residential use and that reduce long-term maintenance costs and depreciation.~~

~~c. To utilize colors that complement those of nearby established neighborhoods and reduce the perceived scale of the building.~~

~~21.~~ Details Toolbox. All ~~multi-family~~ buildings shall be enhanced with appropriate details. Each of the types of details listed below are worth one point unless otherwise noted. ~~Multi-family b~~ Buildings must achieve the equivalent of four points worth of architectural details. Chosen details must be compatible with the chosen architectural style. All new residential buildings shall include at least two of the following elements on their facades:

a. Decorative porch design with distinct design and use of materials.

b. Decorative treatment of windows and doors, such as decorative molding/framing details around all ground floor windows and doors, bay windows, decorative glazing, door designs, and/or unique window designs.

c. Landscaped trellises or other decorative element that incorporates landscaping near the building entry or entries.

d. Decorative light fixtures with a diffuse visible light source, such as a globe or “acorn” that is non-glaring or a decorative shade or mounting for each building entry on the facade.

e. Brick or stonework covering more than ten percent of the facade (two points).

f. Decorative building materials ~~that add visual interest,~~ including:

(1) ~~Individualized patterns or continuous~~ Patterned or detailed wood ~~elements. details.~~

(2) Decorative moldings, brackets, wave trim or lattice work.

(3) Decorative brick or stonework. ~~(may be in addition to the brick or stonework credits noted above if they are arranged in a decorative manner that adds visual interest to the facade).~~

(4) Other materials with decorative or textural qualities that provide visual interest and variation in building facades, as approved by the director or their designee. The applicant must submit architectural drawings and material samples for approval.

g. Decorative roofline design, including multiple gables and/or dormers or other design that adds distinct visual interest, including decorative railings, grille work, or terraced landscape beds integrated along the facade of the building.

h. Decorative balcony design, such as distinctive railings.

i. Decorative paint schemes.

j. Other detailing work that provides a comparable level of architectural detail as the elements listed above that adds visual interest to the building as approved by the director or their designee. (See Table 14T-58.)

~~32.~~ Windows.

a. Transparent windows or doors shall be provided on facing the street facing facades. are required. To meet this requirement, at least fifteen percent of the facade ~~must~~ shall be transparent. The facade is

measured from the base of the building to the start of the roofline and any other vertical walls facing the street, except for gabled portions of the facade not containing livable floor area (see Table 14T-29 for clarification). Garages facing the street shall count as part of the facade.

b. Windows facing the street ~~shall be~~ should aligned to reflect floor levels and shall not be located between floors. indicate floor levels and should not occur between floors. Exceptions may be granted for stairwells.

c. Building facades shall incorporate at least one of the following ~~employ techniques: to recess or project individual windows above the ground floor at least two inches from the facade or incorporate window trim at least four inches in width that features color that contrasts with the base building color. Exceptions will be considered by the director where buildings employ other distinctive window or facade treatment that adds visual interest to the building.~~ (See Tables 14T-58 and 14T-59.)

i. Windows recessed or projected at least two inches from the façade above ground floor; or

ii. Window trim at least four inches in width that contrasts with the base building color; or

iii. Alternative window or façade treatments that provide comparable depth or articulation as approved by the director or their designee.

43. Exterior Materials.

a. ~~Exterior Traditional~~ materials shall be consistent with commonly used local and regional materials, including architectural styles are encouraged (horizontal wood siding, ~~and~~ brick, or similar materials).

b. Stucco and other troweled finishes ~~should~~ shall be trimmed in masonry or wood.

c. Mirrored glass and exposed concrete block are prohibited (except for foundation/crawl space walls where not visible from the street). ~~are not in keeping with the desired character of Lacey and are prohibited.~~

d. T-111 siding and other plywood-based ~~types of~~ siding materials are prohibited. (~~Board and batten siding is permitted. is an exception~~) shall not be used.

~~54.~~ Colors. Building facades shall incorporate variation in color to avoid large areas of uniform appearance. Color changes may be used in conjunction with building modulation, material changes, or architectural detailing.

~~a. Continuity of colors and materials should be considered, particularly for infill projects that require special sensitivity for preservation of existing neighborhood character. Colors and materials should complement and act as an amenity to the neighborhood.~~

~~b. The overall color scheme and materials used should create the appearance of reducing building prominence and complementing the natural environment.~~

~~c. Innovative usage of colors and materials can be encouraged in areas devoid of any existing development.~~

F. Service Elements and Outdoor Storage.

~~1. Intent. To minimize impacts of service and storage elements on the pedestrian environment and adjacent uses.~~

~~21.~~ All ~~multi-family~~ developments shall provide a designated area spot for service elements (refuse and disposal). Such elements shall meet the following requirements:

a. Service elements shall be sited off of the alley, where available. Where ~~there is~~ no alley is available, service elements shall be located to minimize ~~the negative visual~~, noise, odor, and physical impacts to the street environment, adjacent (on- and off-site) residents or other uses, and pedestrian areas.

b. Service elements shall be sited and designed to provide sufficient visibility for safety and security. ~~to prevent hiding places for unwanted persons.~~

c. The designated spot for service elements shall be paved.

d. Service elements shall be enclosed using materials and design features consistent with the primary structure and shall incorporate screening such as fencing and/or landscaping. Appropriate enclosure of the service elements shall be required, as determined by the director or their designee may approve alternative enclosure methods that provide equivalent screening and compatibility. Enclosures shall be designed to meet the following standards:- Requirements and considerations:

(1) The design of any detached service enclosure shall be compatible with the design of the primary structure or structures on the site. This could include similar building materials and/or detailing. The six-foot fence may be constructed of concrete block, brick, or wood. Coordination with the current franchise hauler is required. The sides and rear of the enclosure must be screened by Type I landscaping (~~as defined in~~ accordance with LMC 16.80.050).

(2) Service enclosures shall be located to maintain separation from adjacent residential units where feasible. Enclosures are particularly important for corner lots, where that portion of the alley is more visible from the adjacent street.

~~(3) Proximity to adjacent residential units will be a key factor in determining appropriate service element treatment.~~

~~(43) Preferably,~~ sService enclosures are integrated into the building itself. (See Table 14T-60.)

32. Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street. If such elements are mounted in a location visible from the street, pedestrian pathway, common open space, or shared auto courtyards, they shall be screened with vegetation in accordance with Chapter 16.80 LMC or by architectural features. (See Tables 14T-61 and 14T-62.)

43. Rooftop Mechanical Equipment. All rooftop mechanical equipment shall be organized, proportioned, detailed, landscaped (with vegetated roofs, decks or terraces) and/or colored to be an integral element of the building.

54. If storage is provided on site for recreational items such as boats, RVs, etc., these items shall be ~~placed~~ located adjacent to the parking areas. If recreational storage is utilized, it shall be screened by a six-foot fence that matches the architectural style of the buildings on site. The six-foot fence may be constructed of concrete block, brick, or wood.

G. Privacy and Relationship to Adjacent Sites.

~~1. Intent.~~

~~a. To enhance privacy between dwelling units.~~

~~b. To minimize impacts between multi-family developments and established single-family areas.~~

21. Privacy and Relationship to Adjacent Sites. Adequate solar access and privacy for multi-family dwelling units shall be provided along the side yard. Specific standards and guidelines:

a. Buildings or portions thereof containing dwelling units whose solar access is only from the side of the building (facing towards the side property line) shall be set back from the property line at least fifteen feet.

b. Transparent windows shall occupy no more than ten percent of any facade within fifteen feet of the side property line.

c. Balconies or rooftop decks located within fifteen horizontal feet of a side property line ~~must~~ shall utilize opaque guard rails to ~~minimize~~ enhance privacy ~~impacts~~ to adjacent properties. (See Tables 14T-62 and 14T-63.)

~~3. Developments Adjacent to Single-Family Areas.~~

~~a. Extra attention shall be given to proposed developments that are located adjacent to existing single-family detached developments. This consideration shall ensure that proposed developments minimize impacts onto adjacent, lower density uses. Submitted proposals may be reviewed for the following items:~~

~~(1) Clustering.~~

~~(2) Height.~~

~~(3) Landscaping, berms and fences.~~

~~(4) Setbacks.~~

~~(5) Number of units in a building.~~

~~(6) Transition of units on proposed sites.~~

~~b. The proposed development shall be designed to complement or improve the aesthetic character of the neighborhood.~~

~~c. Sensitivity in regard to building setbacks, massing of structures, spacing between buildings, scale of buildings, facade proportions and building materials shall be observed when placing developments adjacent to single-family detached neighborhoods.~~

~~42. The design shall incorporate crime prevention through environmental design (CPTED) techniques.~~

~~53. Where development is located adjacent to Low Density Residential or non-residential zones, a buffer shall be provided along the side and or rear property lines using one or more of the following options: Side and rear yards buffer requirements between multi-family and non-residential developments shall incorporate one or more of the following design options. This requirement also applies between multi-family and single-family residential development.~~

a. ~~Provide~~ Type I landscaping (as defined in LMC 16.80.050) at least ten feet deep along side and/or rear property lines. ~~where a strong visual buffer to the adjacent use is desired.~~ A screen fence up to six feet ~~tall~~ in height may be used in conjunction with the landscaping.

b. ~~Provide~~ Type II or III landscaping (as defined in LMC 16.80.050) at least ten feet deep along side and rear property lines. ~~where a visual separation of uses is desired.~~ The width of the planting strip may be reduced to five feet if used in conjunction with a screen fence approximately six feet ~~tall~~ in height.

c. Other treatments ~~may be that meet the intent of the criteria as~~ approved by the director ~~or their designee where they achieve functionally equivalent screening and separation as the options listed above, and address factors such as views, applicable uses, connectivity, and privacy. Factors that must be considered in determining the appropriate treatment include views, applicable uses, connectivity, and desired level of privacy.~~ Some options include:

(1) ~~A S~~shared pathway along or adjacent to the property line with landscaping. ~~This is a desirable configuration that can enhance pedestrian circulation and provides an efficient use of the space.~~ This treatment requires a recorded agreement with applicable adjacent property owner(s).

(2) ~~A t~~all privacy fence or hedge (up to six feet ~~tall in height; or~~).

(3) ~~A l~~ow screen fence or hedge (up to three feet ~~tall in height.~~). ~~This may be a more attractive option where a taller fence might provide negative visual impacts.~~ (See Table 14T-64.)

H. Landscaping and Natural Features.

~~1. Intent.~~

~~a. To provide for visual linkages between the proposed development and the existing neighborhood or natural environmental.~~

~~b. To encourage development that respects natural features of the land.~~

~~21.~~ Landscaping shall meet the requirements of Chapter 16.80 LMC.

~~32.~~ Trees shall be preserved in accordance with Chapter 14.32 LMC (Tree and Vegetation Protection and Preservation).

~~43.~~ Existing topographic patterns shall be preserved and enhanced. This shall ensure that indiscriminate grading and vegetation removal does not occur. Site grading shall comply with applicable City standards and shall minimize unnecessary disturbance of existing topography.

54. Any wetlands and associated buffers shall be saved in accordance with the Wetland Protection Ordinance, Chapter 14.28 LMC.

65. Storm drainage and erosion control for ~~multi-family~~ developments shall meet the requirements of the "Drainage Design and Erosion Control Manual for Lacey" included in Lacey's development guidelines.

76. Foundation Planting. All street-facing elevations ~~must have~~ shall include landscaping along any exposed foundation. ~~The landscaped area may be located~~ along the outer edge of a porch instead of the foundation. This ~~landscaping~~ requirement does not apply to portions of the building facade that provide building access for pedestrians or vehicles ~~to the building~~. The foundation landscaping ~~must~~ shall meet the following standards:

a. The landscaped area must be at least three feet ~~wide in width~~.

b. ~~There must be a~~ At least one three-gallon shrub shall be provided for every three lineal feet of foundation.

c. Ground cover plants must fully cover the remainder of the landscaped area. (See Table 14T-65.)

87. Parking Lot Landscaping Buffer. Surface parking lots adjacent to the street shall ~~feature~~ include a ten-foot minimum landscape buffer with Type III landscaping (as defined in LMC 16.80.050). Exceptions:

a. ~~Preservation of e~~Existing native ~~or desirable~~ vegetation may be retained ~~is preferred~~, where applicable.

b. The ~~planting strip~~ required buffer width may be reduced to five feet ~~if when~~ a decorative masonry wall (approximately three feet in height) is incorporated with the landscaping bed ~~(preferably behind the landscaping)~~.

c. Other landscaping types will be considered by the director or their designee, provided they achieve the same or greater level of screening and visual separation as the standards above ~~meet the intent of the criteria~~.

I. Site Lighting.

~~1. Intent. To integrate lighting into the overall design of a multi-family project.~~

~~21.~~ Lighting shall be required for entryways, parking lots, carports, swimming pools, play areas, and along pedestrian pathways. The on-site pedestrian circulation system must be lighted to a level where pedestrians can identify faces from a reasonable distance.

~~32.~~ Lighting shall be activated by photo electric cells or timer.

~~43.~~ Directional signage should be lit by either internal or external illumination.

~~54.~~ Lighting fixtures shall complement project design and shall be oriented to avoid direct glare onto adjacent properties while providing adequate safety for pedestrians.

J. Sign Guidelines. All signs shall meet the requirements of Chapter 16.75 LMC.

~~1. Intent. To incorporate signs that are designed to be complementary to the building design.~~

~~2. All signs shall meet the requirements of Chapter 16.75 LMC.~~

~~3. Style Elements.~~

~~a. Use sign shapes, lettering styles and materials that reflect architectural features of the multi-family development.~~

~~b. Locate building identification signs so that building details will not be covered or obscured.~~

~~c. Sign illumination shall be oriented to reduce glare and shall only be white or yellow in accordance with LMC 16.75.060(C).~~

K. Fence Standards.

~~1. Intent. To minimize negative impacts on the pedestrian environment.~~

~~21.~~ Fences located within ~~the a~~ required front yard setback area and between any street and buildings shall not exceed three feet high in height and shall be no more than seventy percent solid. ~~to maintain views into the street for security.~~ Exception: Fences up to six feet in height may be permitted no closer than ten feet from the sidewalk, provided they allow pedestrian visibility into the site and are complemented with landscaping features.

~~32.~~ Fences taller than three feet six inches in height and visible from a street shall be screened with Type I, II, or III landscaping (as defined in LMC 16.80.050) to mitigate the visual impact of a wall on the street.

~~43.~~ Chain link fences are prohibited.

14.23.082

Commercial Design Guidelines.

A. Commercial Building Design Guidelines.

1. To avoid flat walls, building modulation shall be used to reduce the mass and bulk of the structure. This can be achieved by utilizing the following:

- a. Building setbacks on upper floor levels;
- b. Recessed or clearly defined entryways;
- c. Building ornamentation;
- d. Varying roof lines, pitches, and shapes;
- e. Overhangs, awnings and marquees;
- f. Dormers, balconies, porches, staircases;
- g. Window and door fenestration.

For building walls that are located away from public viewing, landscaping, trellises with climbing vegetation, or art work can be utilized.

2. Buildings located within a multiple building complex shall utilize similar or complementary colors, materials, window patterns and roof forms.

3. For commercial structures developed along arterial or collector roadways, the building shall be placed as near as possible to the adjacent sidewalk. This will allow the building walls to frame/anchor the streetscape.

4. Structures that are located on corner lots will be permitted additional height of up to six stories. Additional height to structures on corner lots can create an entryway into a complex while also creating a definite street edge. Building heights should step back from the lower level to increase building modulation. Usage of different building materials to differentiate the lower level from the upper stories can provide visual interest as well.

5. Consideration shall be given to colors and materials. Each shall complement the other and enhance existing buildings.

6. Weather protective devices shall be incorporated into the building design. Such items as extended roof overhangs, canopies or awnings can offer protection from the elements.

7. Consistency shall be used with architectural elements to ensure that building walls that are highly visible to the public are compatible with one another.

8. For commercial uses proposed within a neighborhood commercial zone, building design shall blend with the adjacent neighborhood. Items to consider include such things as scale, building height, colors and materials.

B. Site Design Guidelines.

1. For structures proposed on corner lots, a special design feature shall be utilized. This can be done with distinctive entryways, annual flower arrangements, planter boxes, or other landscaping materials, decorative tile at entryways, or artwork.

2. Service areas shall not be located between the building area and the street unless there is no possible alternative location. Screening in the form of landscaping shall be used to diminish public visibility. Service areas shall not be located to face a residential area.

3. For those commercial uses that utilize outdoor seasonal display items, they shall be located so they do not impede pedestrian access to the building or required fire lanes. Such stored items shall be stacked in an orderly manner. Furthermore, aisle way widths shall meet the requirements of the Americans with Disabilities Act, and building and fire codes. Truck containers used for storage are prohibited.

4. Site features such as fences, walls, refuse and recycle enclosures, and light fixtures shall be designed to be consistent with the scale and aesthetic character of the building. These features shall also be designed to contribute towards a pedestrian environment.

5. Any mechanical equipment that is not attached to a structure shall be enclosed within an enclosure that is an aesthetic amenity to the building. For mechanical equipment attached to the building, it shall be enclosed within the roof form or within a screening structure.

6. To enhance the pedestrian environment, commercial uses shall consider pedestrian amenities such as large windows, outdoor eating areas, street furniture such as benches, bike racks and trash receptacles.

7. Meet all applicable requirements of LMC 14.23.084 and 14.23.086.

C. Materials. Exterior finishes shall be primarily wood and/or masonry. Other building materials used locally including, but not limited to, concrete masonry units are also acceptable in combination with other complementary materials. Rated panel siding such as T1-11 shall not be allowed. Techniques that provide architectural interest like texturing, fenestration and modulation shall be used.

D. Landscaping. In addition to meeting the landscaping standards established in Chapter 16.80 LMC, window boxes, planter boxes and hanging flower baskets shall be considered as accents to create a friendly pedestrian environment.

E. Signs.

1. All signs shall meet standards of Chapter 16.75 LMC.

2. Window signs shall be considered in instances where architectural elements would be covered by a wall sign.

F. Site Lighting.

1. Establishments shall install lighting throughout the site for entryways, parking lots, and pedestrian areas. This shall be achieved both at a pedestrian and overall site level.

2. Lighting shall be activated by photo electric cells or timers.

3. Lighting fixtures shall complement project design and shall be oriented to avoid direct glare to adjacent properties.

G. Compatibility with Residential Developments. Where neighborhood commercial zones are developed and where commercial establishments in other zones are to be located adjacent to residential zones, care shall be taken to ensure compatibility and integration of the development with the adjacent residential neighborhood. This will include the physical layout of the site plan, the architectural design of the buildings and improvements, and consideration of mitigation techniques to reduce or eliminate identified impacts to the residential environment. Impacts such as, but not limited to, light/glare, noise and traffic shall be considered.

In development of the site plan, consideration shall be given to how the layout fits into the neighborhood and how it may become a desirable focus point for neighborhood services and pedestrian activities.

Architectural design shall consider compatibility with the neighborhood character and style with special emphasis for pedestrians.

Special techniques shall be considered to adequately address impacts, such as security and automobile light and noise issues, through such techniques as landscaping, buffering and other measures.

H. Refuse.

1. Refuse container screening shall be required and be of a material and design compatible with the overall architectural theme of the associated structure, shall be at least as high as the refuse container, and shall in no case be less than six feet high.

2. No refuse container shall be permitted between a street and the front of the building.

3. Refuse collection areas shall be designed to contain all refuse generated on site and deposited between collections. Deposited refuse shall not be visible from outside the refuse enclosure.

I. Drive-Thru Facilities. Where a drive-thru is proposed as part of a building, the following requirements shall apply, provided that the drive-thru meets the specific requirement contained elsewhere within LMC Title 16:

1. The entrance and exit for the drive-thru lane shall not be located on a public street.

2. The drive-thru and the drive-thru window shall be screened when visible from a public street. Screening shall include architectural projections, fencing, landscaping, or a combination of these elements.

3. Drive-thru lanes and windows shall be located a minimum of one hundred fifty feet from adjacent residential uses unless the residential use is separated from the lane or window by an arterial street. If separated by an arterial street, then no distance requirement shall apply.

4. A drive-thru is permitted on the same property as a residential use; provided, that the residential use is not located on the ground floor.

5. Drive-thru lanes shall not result in queuing or stacking which impedes pedestrian or bicycle access or mobility.

6. The drive-thru shall be designed to ensure safety for drivers and pedestrians, and avoid creating security dangers for customers or employees.

14.23.083

Industrial Design Guidelines.

A. Site Organization for Multiple-Building Complexes.

1. Placement and orientation of multiple structures shall be designed to provide configurations that do not result in a strict geometric or monotonous look.
2. Multiple-building placement should create the impression that the structures within the complex were planned and designed to complement one another. However, each structure shall be of independent use and function except as provided for structures with shared facilities as set forth below.
3. Generally buildings shall be separated a distance similar to what would be expected if located on separate lots (sixty feet or more considering setbacks, parking and/or access and yard area).
4. Structures may be arranged in a configuration to share common loading, unloading and truck maneuvering facilities for efficiency, reduction of impervious surfaces and general functionality.
5. Site components such as structures, parking, driveways, and outdoor functions shall be arranged and located to emphasize the aesthetically pleasant components of the site such as existing mature trees and views, or superior architectural features, and disguise its less attractive scenes such as service facilities, outside storage and equipment areas, and trash enclosures through placement and design of the structure and landscaping.

B. General Site Circulation for Multiple-Building Projects.

1. Circulation shall be designed for the required function of moving trucks in an efficient fashion, but also to provide an attractive and natural flowing network.
2. Design, construction, and the look of accessways/streets throughout the parcel shall be similar to the result which would occur by a subdivision of the property into separate lots, including a city street system with collectors, local access ways, and private drives.

3. As much as practical and avoiding a loss of function, effort shall be taken to design an interconnected access system that avoids a strict geometric grid and provides interest. Long, straight streets that transect a whole parcel should be avoided for light curves that provide interest and bring street trees and buildings into the natural line of sight.

C. Additional Site Design Guidelines.

1. For those industrial uses that utilize outdoor storage area, inventory shall be placed in an orderly manner and shall be screened from right-of-way areas in accordance with Chapter 16.80 LMC.

2. Site features such as fences, walls, refuse and recycle enclosures, and light fixtures shall be designed to be consistent with the scale and aesthetic character of the building.

3. Landscaping shall meet requirements of Chapter 16.80 LMC for the intended function. Particular emphasis shall be focused on buffering and compatibility issues when adjacent to a zoning classification with different land use intensity.

4. In multi-building complexes, internal landscape areas shall be developed and designed in a similar fashion as if individual lots were developed and yard areas landscaped. Landscaping design should provide a visual connection between buildings and take maximum advantage of landscaping by providing amenities for workers such as outdoor lunch areas and plazas between selected buildings.

5. All applicable requirements of LMC 14.23.084 and 14.23.086 shall apply.

6. All signs shall meet standards of Chapter 16.75 LMC.

7. Site Lighting.

a. Lighting shall be installed throughout the site for entryways, parking lots, and pedestrian areas. This shall be achieved both at a pedestrian and overall site level.

b. Lighting shall be activated by photoelectric cells or timers.

c. Lighting fixtures shall complement project design and shall be oriented to avoid direct glare to adjacent properties, particularly where properties are located in a different zoning classification.

8. Refuse.

a. Refuse container screening shall be required and be of a material and design compatible with the overall architectural theme of the associated structure, shall be at least as high as the refuse container, and shall in no case be less than six feet high.

b. No refuse container shall be permitted between a street and the front of the building.

c. Refuse collection areas shall be designed to contain all refuse generated on site and deposited between collections. Deposited refuse shall not be visible from outside the refuse container.

D. Architecture and Building Design.

1. New buildings shall maintain diversity and individuality in style while improving the aesthetic character of their surrounding area.

2. In multi-building complexes, a comprehensive architectural concept shall be developed and maintained. Various site components should be unified through the use of similar design, material and colors.

3. New buildings shall have three distinct components: base; middle; and top. Each component shall be defined by horizontal and/or vertical articulation. Facade articulation may consist of changes in the wall plane, use of openings and projections, and material and color variations. Exceptions may be permitted by the site plan review committee only where a specific architectural style offers other types of building form and facade articulation.

4. Where function necessitates a basic, box-like building form, design strategies shall be utilized to provide an attractive facade where portions of the structure are visible to the public. A preferred technique is to provide exterior articulation such as change in color, material, or plane introduced on an outer decorative shell. Other architectural strategies may also be used, provided they accomplish the same purpose to provide a more attractive facade.

5. Less architecturally interesting facades of buildings shall be substantially set back and screened from public view by mature, dense landscaping. Landscaping size and location shall be determined on a site-by-site basis and may exceed the minimum required in the city code.

6. To avoid flat walls building modulation shall be used to reduce the mass and bulk of the structure. This can be achieved by utilizing the following techniques:

- a. Building setbacks on upper floor levels;
- b. Recessed or clearly defined entryways;
- c. Building ornamentation;
- d. Varying roof lines, pitches, and shapes;
- e. Overhangs, awnings and marquees;
- f. Dormers, balconies, porches, staircases;
- g. Window and door fenestration;
- h. Architectural technique that will have a modulation effect and meet the intent of this section;
- i. Landscaping trellises with climbing vegetation or artwork may be utilized for building walls that are located within public viewing;
- j. Vegetated roofs;
- k. Use of glass and storefront window systems;

l. Use of reveals to create patterning in the concrete;

m. Main entrances to the buildings shall be well defined.

7. New buildings shall have at least one major focal point and minor focal points. Focal points may be achieved through horizontal and vertical lines, change in material, change in color, change in the form and shape of a portion of the building, or other means. Combining the main entrances and the focal points is encouraged.

8. Service doors visible from public streets shall be recessed and integrated into the overall design of the building, or have some other architectural treatment to enhance their appearance.

9. Buildings located within a multiple-building complex shall utilize similar or complementary colors, materials, window patterns and roof forms.

10. Consideration shall be given to colors and materials. Each shall complement the other and enhance existing buildings.

11. Consistency shall be used with architectural elements to ensure that building walls that are highly visible to the public are compatible with one another.

12. Building design for industrial uses adjacent to community office, commercial, open space institutional or residential zone districts shall blend with the adjacent neighborhood and create an attractive and functional transition between the zones. Items to consider include such things as scale, building height, colors, and materials to promote the blending of the zones and setbacks and buffering to reduce impacts from incompatible elements of the different zones and provide an appropriate transition.

E. Compatibility with Adjacent Residential and Open Space Institutional Developments.

1. Where industrial buildings are to be located adjacent to different zone districts, care shall be taken to ensure compatibility and integration of the development with the adjacent area. This will include the physical layout of the site plan, the architectural design of the buildings and improvements, and

consideration of mitigation techniques to reduce or eliminate identified impacts to the adjacent environment. Impacts such as, but not limited to, light/glare, noise, traffic and aesthetics shall be considered.

2. In development of the site plan, consideration shall be given to how the layout fits into the surrounding neighborhood.

3. Architectural design shall consider compatibility with the character and style of adjacent uses. Special techniques shall be considered to adequately address impacts, such as security and automobile light and noise issues through such techniques as landscaping, buffering and other measures.

14.23.084

Public Transportation And Pedestrian Circulation Design Requirements For Commercial Development.

A. Site Access.

1. Projects shall maximize public transportation access for buses and ride share vehicles by providing for their physical requirements. Projects also need to provide the necessary physical environment for those who use public transportation. To meet this intent, the following criteria shall be met:

a. Public transportation vehicles need to be accommodated on the road network to service the development;

b. Roads need to accommodate heavyweight and large vehicle requirements;

c. Public transportation facilities, such as bus pullouts, shall be considered in the initial design;

d. Streets adjacent to a development shall have sidewalks and other pedestrian facilities, such as bus shelters. Pedestrians shall be provided with convenient and safe access between a transit or bus area and entrance to a building or cluster of buildings.

B. Building Location. To locate buildings in a manner that helps create a public transportation compatible development. In mixed use and commercial zones with a pedestrian emphasis the following criteria shall be met. In other commercial zones the following criteria are recommended where feasible:

1. Buildings shall be located as close as possible to streets with transit facilities or to internal transit stops;

2. Buildings shall be clustered around a central pedestrian space;

3. In a building cluster, an identifiable and dominant entrance to the cluster shall be provided that is clearly visible from the nearest transit facility. Within clusters, each building's entrance shall face the other entrances or shall be in close proximity so that the clear pedestrian destination can be identified.

C. Parking Design and Public Transportation. Placement of parking is the key ingredient for successful pedestrian and public transportation circulation. To create developments that are less reliant on autos and encourage the use of public transportation and pedestrian access, all the following criteria shall be considered in design of all commercial projects:

1. Intercity Transit shall be consulted to develop transit ridership marketing programs for the development.
2. Preferential parking close to building entrances for ride-share vehicles shall be provided pursuant to requirements of Chapter 16.72 LMC.
3. Parking shall be designed substantially similar to the design types in Table 14T-12.
4. Bus stops and passenger drop-offs shall be located at major entrances to buildings when feasible rather than across the parking lot.
5. Site design needs to balance the location of parking with pedestrian and transit access and circulation. Parking lots shall provide clear, direct pathways for safe, easy pedestrian movement.

D. Internal Circulation for Commercial Developments. Successful internal circulation requires that pedestrian and public transportation be designed together as compatible integrated circulation systems. To promote an integrated circulation system, the following criteria shall be met:

1. Where requested by Intercity Transit and the city, the internal road improvements shall be designed to handle transportation vehicles. Roads shall be able to accommodate large, heavyweight buses and have places for stopping for brief periods. Standards for transit-compatible road design shall be those approved by the city.
2. For large developments to be served by Intercity Transit, direct streets should be designed through a development. Consultation with Intercity Transit shall be required to consider bus bypasses through bottlenecks such as congested intersections and parking lots.

3. Transit use shall be designed so transit can serve the main entrances of buildings. On site, transit shall serve the main entrances of buildings and main entrances to clusters of buildings.

4. When requested by Intercity Transit and the city and when traffic volumes warrant such facilities, exclusive bus lanes, entrances and exits should be provided.

E. Pedestrian Circulation. It is expected that people will walk five hundred to one thousand feet to a bus stop. This distance shall be measured using the actual walking route. Walkways need to be built according to the following criteria:

1. Walkways should be located so the pedestrian has a short distance to walk between the transit facility or street with a transit stop and entrance to the building. Visual as well as physical pathways to streets with transit facilities need to be provided. Transit centers or bus stops need to be integrated with other pedestrian areas and corridors.

2. Buildings on site shall be connected to abutting land use with walkways. To stimulate walking, all buildings within a development shall be connected by paved walkways, not only to each other, but also to adjoining buildings, particularly in mixed use developments.

3. Roads and parking areas shall be separated from pedestrian pathways by grade or other devices. Pedestrian and auto conflict shall be minimized by consolidating driveways, creating safe pedestrian crossings, and providing continuous sidewalks and curbs. Adequate width pathways and transit facilities available from buildings shall be provided for pedestrian security.

4. Walkways must meet barrier-free design standards.

5. Every parking lot shall have a minimum of one pedestrian lane. Additional pedestrian lanes shall be provided at a ratio of one for every four parking rows or approximately one hundred forty feet of parking lot width, whichever is greater. Pedestrian lanes shall be designed and located to accommodate the greatest number of parking stalls and pedestrian interconnections possible while providing the most convenient pedestrian situation. The pedestrian lane shall be a minimum of six feet wide, paved and have a minimum of four feet of Type II or III landscaping on each side with appropriate breaks for pedestrian access to the walk as provided below. The landscaping shall be protected and separated from the parking area by wheel stops or other features such as two man rocks. Wheel stops shall be located a minimum six feet from the edge of the pedestrian walk. To reduce impervious surfacing, paving does not need to extend beyond the wheel stop and the applicant may opt to grass the additional two feet of parking area for additional credit on drainage treatment requirements. Clearly marked pedestrian area

for pedestrian access shall be provided adjacent to each landscape island along the pedestrian path. Colored stamped concrete, different textured surfacing, pedestrian markers or other design features shall be placed across automobile access lanes from pedestrian lanes and bus stops to provide clear, convenient and safe pedestrian movements throughout the parking lot.

F. Pedestrian and Transit Facilities. Designing quality into the walk to and the wait at a transit facility is as important for design consideration as is the provision of walkways and bus stops. People will walk farther in a quality pedestrian environment. The Northwest weather can also have a marked effect on the extent people will use public transit and must be considered in designs. The following criteria shall be followed in design of pedestrian walkways:

1. All walkways shall be paved and lighted. Paving materials should be safe under wet weather conditions. Walkways shall be enhanced with screening from the parking lot by landscaping as required in Chapter 16.80 LMC. For pedestrian safety, landscaping must not interfere with visibility. A Type III or Type II landscaping shall be utilized. Landscaping shall be an integral part of early design plans. Walkways shall be designed to capture landmarks and views where available.

2. The size of facilities shall be scaled to correspond to pedestrian volumes. A ten-foot minimum width sidewalk shall be provided adjacent to a transit stop. The minimum width of a pedestrian walkway shall be six feet. An increased width for the transit area or pedestrian walkway may be required if the number of users warrants additional circulation space. Pedestrian facilities such as lighting, signs, benches, trash cans and weather protection shall be provided as the volume and need require.

G. Transit Facilities. Special attention needs to be given to pedestrian facilities near bus stops and transit centers. All transit facilities considered for a site must be developed with and approved by Intercity Transit. The following criteria will be required to make transit stops work effectively:

1. Shelters shall be provided to protect patrons from the weather. The design shall be as specified in Section 4G.060 of the Lacey Development Guidelines. Design shall provide shelter while remaining safe, easy to maintain, and relatively vandal-proof.

2. Bus stops shall be considered as a significant destination and an important part of design of all development. Transit facilities may be combined with a shared plaza placed between neighboring buildings or at the main entrance to a development.

3. Separate waiting places shall be provided for transit patrons as part of the walking path to improve pedestrian circulation.

4. Pedestrian facilities shall be provided at transit stops. All facilities must be approved by Intercity Transit and the city's department of community and economic development. The following types of facilities should be provided: benches with back rests; attractive, well-maintained landscaping; trash containers with lids; walkway lighting between transit stops and buildings, and at transit waiting areas; and community information displays and guides.

14.23.086

Design Requirements For Zones With Pedestrian Emphasis And Key Multimodal Corridors And Intersections.

~~A major emphasis of the Comprehensive Plan is to create more opportunities for pedestrians and multimodal transportation. Key multimodal corridors and intersections designated in the Comprehensive Plan and zoning map will be the heart of the city's circulation system. If the city's goals of a more pedestrian-friendly city are to be realized, these multimodal corridors and intersections and surrounding road networks must develop with amenities and designs that will entice pedestrians, bicyclists and transit riders.~~

A. Applicability. Standards listed under subsections B and C of this section apply to all zones with pedestrian emphasis. Standards for circulation and design for multimodal corridors and key pedestrian intersections apply to all zones along such corridors and at key pedestrian intersections. Provided ~~multifamily condominium and townhouse~~ residential development with less than five units and all single-family short plats and permits for individual single-family detached homes and accessory uses shall be exempt.

B. General Requirements.

1. Increase pedestrian amenities and function along key multimodal corridors, at intersections, and in pedestrian-oriented zones.
2. Provide a network of ~~comfortable and interesting~~ pedestrian streets which link residential areas with commercial zones throughout the growth area.
3. Reduce dependence on the automobile in zones with pedestrian emphasis by providing increased emphasis on other modes of transportation, such as walking, bicycling and transit through the provision of pedestrian-oriented, multimodal streets.
4. Provide a ~~high-quality,~~ compact pedestrian-oriented street environment that is easily ~~and pleasantly~~ traversed on foot.
5. Increase architectural continuity and compatibility within and between zones.

~~6. Encourage business and pedestrian areas and spaces that are active throughout the day and evening.~~

~~7. Improve sidewalk and building integration, which increases human comfort and activity.~~

~~86.~~ Incorporate “human-scaled” elements into building design.

~~97.~~ Provide direct visual contact between activities occurring inside buildings and the street environment. (See also subsection (C)(4) of this section, Blank Wall Limitation.)

C. Specific Pedestrian Requirements.

1. Reduced Setbacks. Placement of building walls shall be such that they enclose and define the street space. The location, height, and massing of walls shall provide human-scaled street enclosure and building edge continuity on pedestrian-oriented streets (multimodal corridors). To provide a more continuous building edge, buildings shall be placed forward on lots adjacent to designated multimodal corridors. Street wall location adjacent to the sidewalk shall bring building activities into physical and visual contact with the sidewalk environment. ~~and increase the liveliness of the street.~~

a. Key commercial designations with pedestrian emphasis (central business districts, neighborhood commercial and mixed use corridors) have maximum front yard setbacks of fifteen feet and allow zero feet. Residential zones allowing moderate to high densities also provide for reduced setbacks.

b. Exceptions to Reduced Setbacks. The street wall may be set back to provide transition to residential neighborhoods, to provide more separation of public and private space in residential development, to meet centerline setback requirements, for building entrances, for pedestrian plazas, and to allow existing setback buildings as conforming uses.

(1) Building Entrances Allowance. Large entryways which are integral to a building design may be set back more than fifteen feet.

(2) Pedestrian plazas.

2. Pedestrian Plazas. Pedestrian plazas are intended to be open to the public (but are not required to be). They are spaces which people will use along intensively developed streets (multimodal corridors) and in some commercial and all mixed use corridors. Facilities and buildings can be grouped around small pedestrian plazas to create places where people may congregate.

All commercial subdivisions or binding site plans in mixed use zones or zones with pedestrian emphasis shall provide plazas, unless the city determines that site conditions or project constraints make such provision infeasible or inconsistent with the applicable standards of this chapter ~~are expected to provide plazas unless the city determines the provision of such is not consistent with the intent of this chapter due to special circumstances of the site or project.~~

Commercial or ~~multifamily residential~~ building projects in the mixed moderate or high density corridors may provide plazas to obtain bonus building or development coverage. Pedestrian plaza designs must meet the following criteria:

a. Size and Dimension. The maximum width of the pedestrian plaza shall normally be sixty feet. (See Table 14T-13.)

b. Access. The surface of all pedestrian plazas must be visually and physically accessible from the public right-of-way. Allowances may be made for sites with steep topography.

c. Surface. Paved walking surfaces must be provided.

d. Landscaping.

(1) At least ten percent of the plaza area must be landscaped with living plants.

(2) The landscaping must be planted and maintained according to Chapter 16.80 LMC.

(3) Landscaping shall not block visual access to the pedestrian plaza.

e. Seating.

(1) Seating shall be provided in all pedestrian plazas.

(2) Tops of walls and steps may be considered seating if designed to accommodate this function.

f. Exposure to Sunlight. (See Table 14T-13.)

(1) Southern locations are encouraged to allow direct sunlight to enter the space and strike the plaza floor.

(2) Pedestrian plazas shall be designed to allow some direct sunlight to enter the plaza.

(3) Pedestrian plaza landscaping shall be designed in a manner that does not block the entrance of direct sunlight.

g. Plaza Edges.

(1) Plaza Enclosure. All pedestrian plazas must be enclosed on at least two sides by a structure or by landscaping which creates a wall-like effect.

(2) Prohibited Edge Conditions.

(a) Unscreened parking lots, chain link fences and other inhibiting conditions are prohibited adjacent to pedestrian plazas.

(b) Blank walls in pedestrian plazas are subject to the blank wall limitation standards of subsection (C)(4) of this section.

h. Uses in Pedestrian Plazas.

(1) Permitted uses: playground equipment, fountains, waterfalls, pools, sculptures, works of art, arbors, trellises, benches, trees, planting beds, trash receptacles, drinking fountains, bicycle racks, open air cafes, kiosks, vending carts, outdoor furniture, lighting, flagpoles, public telephones, temporary exhibits, canopies, awnings, and similar uses to support ~~which encourage~~ pedestrian use of these spaces.

(2) Allowed Motor Vehicle Use. Motor vehicle use of pedestrian plazas for passenger drop off and pick up at plaza edge. All other loading or motor vehicle access is prohibited.

i. Exceptions. The site plan review committee may grant exceptions to the pedestrian plaza standards if the proposed design is functionally equivalent to the standards set forth in section 14.23.086 (C) (2).
~~meets the intent of this chapter.~~

3. Awnings, Marquees and Arcades. Continuous canopies, awnings, marquees, and arcades keep pedestrians out of the rain and contribute to overall integration of individual buildings within the streetscape. This pedestrian weather protection also helps define the pedestrian zone on the sidewalk.

a. Requirements.

(1) All commercial uses in zones with pedestrian emphasis shall provide some weather protection for their patrons.

(2) Awnings, marquees, and arcades must meet the city's adopted Building Code requirements.

(3) Awnings, marquees, and arcades are encouraged along the street wall, or that portion of the street wall that abuts or is parallel to the sidewalk. The maximum depth (projection from street wall) is regulated in the applicable section of the city's adopted Building Code.

(4) The lower edge of all awnings, marquees, and arcades must be between the heights of eight and twelve feet above finished grade. Awnings on a given block shall be the same or similar height.

(5) Canopies, awnings, marquees and arcades may project into the public right-of-way with approval of the site plan review committee.

4. Blank Wall Limitation. Blank walls shall be limited along streets and pedestrian areas to ensure building facades incorporate features that support pedestrian activity and visual continuity. A successful pedestrian environment will provide varied, pedestrian-friendly building facades and sidewalk activities. Blank walls and dull building facades can degrade a pedestrian streetscape and the business environment as they deaden the surrounding space and break the continuity of the building edge.

~~Therefore, the construction of blank walls shall be limited to prevent the disruption of existing building patterns and to avoid an uninviting street environment. The regulations in this section are intended to reduce blank wall impacts on the pedestrian and business environment.~~

a. Blank Wall Limitation Requirements.

(1) All commercial ground level walls within fifty feet of a street or pedestrian area shall feature pedestrian-friendly facades. Sixty percent of the street wall facade within fifty feet of the street or pedestrian area is regulated between two and eight feet in height. (See Table 14T-14.) This dimension applies to all options for blank wall treatments (transparent windows, art and architectural treatment, and trellis and planting techniques).

(2) At least sixty percent of a wall facing a street shall consist of transparent window area or display windows which provide visibility into building interiors. ~~Maximum wall coverage with windows is recommended.~~

(3) In addition to subsections (C)(4)(a)(1) and (2) of this section, at least two of the following features shall be incorporated into non-window wall areas: ~~two or more of the following techniques shall be employed to provide interest on non-window areas:~~

(a) Integrated artwork such as sculptures, mosaics and opaque glass art, or architectural detailing applied to the wall surface. Sculpture, mosaic, glass block opaque art glass, bas-relief artwork, or similar features of visual interest which are incorporated into the street wall or blank building wall. Structural architectural elements may be acceptable if the design meets the intent of this section.

(b) Installation of a permanent vertical trellis in front of the wall with climbing plants or plant materials.

(c) Pedestrian plazas adjacent to the wall area. ~~may meet this requirement if the design complies with the intent of this section.~~

(d) Other façade treatments that provide a level of articulation functionally equivalent to the features listed above. Any other architectural techniques that meet the intent of this section to provide a pedestrian-friendly, comfortable street environment with architectural interest.

b. Retaining Walls. Retaining walls on pedestrian streets are considered blank walls and are subject to the regulations in this section with the exception of subsection (C)(4)(a)(2) of this section. Retaining wall treatment may include a stone wall, landscaping treatment, special texture or design. Blank concrete is prohibited.

c. Exceptions. Where this section is in conflict with the city's adopted Fire Code, the Fire Code shall govern.

5. Primary Building Entrance. Primary building entrances are required on the street or pedestrian and transit access from street to allow people to arrive by foot, by transit, or by other means (in addition to the car), and to increase pedestrian and street activity. For buildings adjacent to a sidewalk entrances shall meet the following minimum requirements:

a. The primary entrance to all buildings shall face the street or central pedestrian plaza.

b. All primary building entrances shall be clearly visible from the sidewalk or pedestrian plaza.

c. Direct access shall be provided either:

(1) From the sidewalk if the building facade is adjacent to the sidewalk; or

(2) From a pedestrian plaza if the building facade is not directly adjacent to the sidewalk. (See Table 14T-13.)

D. Circulation and Design for Multimodal Corridors and Key Pedestrian Intersections.

1. Multimodal corridors and key pedestrian intersections shall provide a connected pedestrian circulation system linking residential uses, nonresidential uses, common open space, transit stops, and other key destinations within the development. ~~are intended to provide a focus for multimodal activity in each neighborhood. The corridor shall provide an area of convergence for the pedestrian sidewalk network that interconnects all dwelling units with other units, non-residential uses, common open space, bus stops and sensitive area tracts. Mid-block crossings shall be utilized where necessary to promote more efficient or strategic interconnections with pedestrian corridors or trail systems. Sidewalk systems shall be separate and distinct from motor vehicle circulation to the greatest extent possible,~~

~~provide a pleasant route for users, promote enjoyment of the development, and encourage incidental social interaction among pedestrians. Sidewalks shall be of barrier-free design.~~

a. Pedestrian pathways shall be physically separated from motor vehicle circulation where feasible.

b. Mid-block crossings shall be provided where necessary to maintain direct and continuous pedestrian connections.

c. all pedestrian facilities shall be designed to meet applicable accessibility standards.

d. Pedestrian circulation areas shall include features such as seating, landscaping, or street furniture in locations that support pedestrian use.

~~The pedestrian circulation system shall include gathering/sitting areas and provide benches, landscaping, and other street furniture where appropriate. Sidewalks along the corridors and at key intersections shall promote pedestrian activity.~~

2. Sidewalks shall be a minimum of six feet in width, expanding to eight feet or more along major pedestrian routes. Sidewalks in commercial areas shall normally be ten to fifteen feet in width depending upon location of major pedestrian routes and significance of the sidewalk for pedestrian use. The specified sidewalk dimensions shall be in addition to land area used for street functions or the placement of objects in the sidewalk area.

Standard material for sidewalk construction is acceptable; provided, however, key pedestrian intersections shall use special materials. See subsection (D)(5) of this section.

3. Bikeways.

a. Bikeways shall be provided to connect key destinations within the development to designated multimodal corridors. Key destinations may include residential areas, open space, and nonresidential areas.

b. Bikeways are not required on local residential streets with low average daily traffic.

c. Bikeways shall be provided along multimodal corridors, collectors, and arterials.

d. Bikeways shall meet the minimum width and design standards for Class 1,2 or 3 facilities as specified in the Regional Transportation Program and the Lacey Transportation Plan.

e. Bikeways shall be constructed using asphalt, porous asphalt, or other approved surface.

f. Bicycle parking shall be provided at key destination areas, including commercial uses, open space, and other activity areas.

~~shall be provided to link key components of each neighborhood with the corridor. Bikeways do not have to be marked on local residential streets with low average daily traffic. Bikeways are required on portions of multimodal corridor designations, collectors and arterials. The width of bikeways shall be in accordance with the minimum dimensions specified for Class 1, 2, and 3 bikeways as defined in the Regional Transportation Program and the Lacey Transportation Plan. Bikeways shall use asphalt paving, porous asphalt, or other approved surface. Bike racks shall be provided at strategic destination locations along the corridors such as commercial areas, open spaces and other neighborhood focus points.~~

4. Key pedestrian intersections shall be located at the focal point of neighborhoods as shown on the Lacey Comprehensive Plan Land Use Map. All key pedestrian intersections shall have street furniture as well as other significant pedestrian areas along the corridor.

Elements of street furniture, such as benches, waste containers, drinking fountains, planters, phone booth, bus shelters, bicycle racks, and bollards, should be carefully selected to ensure compatibility with the architecture of surrounding buildings, the character of the area, and with other elements of street furniture. Consistency in the selection and location of the various elements of street furniture is critical for maximum effect and functional usage. Street furniture shall meet all city guidelines for strength, durability, maintenance and safety.

5. At key pedestrian intersections and other areas of special significance to pedestrians along corridors, sidewalks shall be constructed of permeable pavers, brick, colored/textured concrete pavers, concrete containing accents of brick, colored stamped concrete or some combination thereof that is compatible with the style, materials, colors and details of the surrounding buildings and neighborhood. The functional, visual, and tactile properties of the paving materials shall be appropriate to the proposed functions of pedestrian circulation in the immediate area. Such techniques are also recommended for public or semi-public plazas, courtyards, or open spaces along the corridor.

6. Bus stops shall be located along collectors and arterials on the corridor in consultation with Intercity Transit and North Thurston School District and shall be integrated as part of the pedestrian network. Bus stops may also be provided along strategic sections of local access streets if the city of Lacey, North Thurston School District and Intercity Transit determine such location will provide the most convenient coverage for residents. Locations for bus stops shall be designed to make transit services accessible to all residents of the neighborhood.

7. Transit passenger pads and shelters may be provided at focal points in the neighborhood along corridors, such as commercial areas and key pedestrian intersections, if deemed necessary by the city in consultation with Intercity Transit and North Thurston School District. Design and size of shelters and pads will be determined in consultation with Intercity Transit.

8. Bus stops shall be illuminated at night to enhance passengers' safety and sense of security.

9. Pedestrian-scale lighting.

a. Pedestrian-scale lighting shall be provided along local access streets, pedestrian walkways, sidewalks, courtyards, community greens, internal open spaces and designated corridors.

b. Lighting shall be arranged to provide continuous illumination along pedestrian routes. Light poles may be arranged in a staggered pattern on both sides of the street.

c. Lighting fixtures and poles shall be between twelve and twenty-four feet in height.

d. Lighting poles and fixtures shall be constructed of durable materials, including steel, cast iron, aluminum, or other approved materials.

~~Decorative human scale lighting is recommended on all local access streets, pedestrian walkways, sidewalks, courtyards, community greens, internal open spaces and along corridors at intervals adequate to provide pedestrians with safe and comfortable lighting. Light poles may use a staggered pattern when measured and spaced using both sides of the street. Lighting fixtures and poles shall generally be between twelve to twenty-four feet in height and constructed from steel, cast iron, or aluminum, with poles and fixtures complementing the human scale and architectural character of the neighborhood.~~

10. Street lights should be decorative and blend with the architectural style of the plat or development project. (See Design Vocabulary in Table 14T-10.)

14.23.087

Repealed by Ord. 1487.

14.23.088

Open Space.

A. General Open Space Design Criteria.

1. Convenient, usable and accessible. All open spaces shall be physically and visually accessible from the adjacent street or major internal pedestrian route. Open spaces shall be in locations that the intended user(s) can easily access and use, rather than simply left-over or undevelopable space in locations where very little pedestrian traffic is anticipated. Locations integrated with transit stops, for instance, would be encouraged, as there is likely to be pedestrian traffic in the area.

2. Must be inviting. Inviting open spaces feature amenities and activities that encourage pedestrians to use and explore the space. On a large scale, it could be a combination of active and passive recreational uses. It could include a fountain, sculpture, children's play area, special landscaping element, or even a comfortable place to sit and watch the world go by. In order for people to linger in an open space, it must be comfortable. For instance, a plaza space should receive ample sunlight, particularly at noon, and have design elements that lend the space a "human scale," including landscaping elements, benches and other seating areas, and pedestrian-scaled lighting. No use shall be allowed within the open space that adversely affects the aesthetic appeal or usability of the open space.

3. Must be safe. Safe open spaces incorporate Crime Prevention through Environmental Design (CPTED) principles:

a. Natural surveillance--which occurs when parks or plazas are open to view by the public and neighbors. For example, a plaza that features residential units with windows looking down on space means that the space has good "eyes" on the park or plaza.

b. Lighting that reflects the intended hours of operation.

c. Landscaping and fencing. Avoid configurations that create dangerous hiding spaces and minimize views.

d. Entrances should be prominent, well lit, and highly visible from inside and outside of the space.

4. Maintenance. Open spaces shall utilize commercial grade materials that will last and require minimal maintenance costs. Walls, where necessary, shall be designed and treated to deter graffiti. Use and maintain landscape materials that reduce maintenance cost and maintain visibility, where desired.

5. Provides for uses/activities that appropriately serve the anticipated residents and users of the development. For example, common open space that serves a variety of functions will attract greater usage. When designing open spaces, project applicants should consider a broad range of age groups, from small children to teens, parents, and seniors.

6. Additional Criteria.

a. Consolidation of open space is encouraged to provide maximum access, visibility, usability, minimization of impacts to residential uses, and ease of maintenance.

b. Existing trees and significant vegetation shall be maintained in open space areas unless an alternate landscaping plan for such areas is required or approved or unless planned active recreational activities would conflict with existing vegetation. In case of conflicts with planned activities, the design should strike a balance, as determined by the city, where it maximizes active recreation opportunities while trying to maintain the most important stands of trees and vegetation. (See Table 15T-07.)

c. For the purpose of calculation of the applicable percentage requirement, open space shall be separate and distinct from buffers, required yard areas, setbacks, and other undeveloped portions of the site.

d. Open space areas shall be designed and placed in consideration of existing and potential open space on adjacent parcels to provide consolidation or opportunities for future consolidation of neighborhood open space areas.

e. The open space shall include amenities such as benches, trails or picnic tables to provide usable relief from buildings and pavement.

f. Cash or like value of land area and improvements may be donated to the city for open space purposes to fulfill a portion of open space requirements within that specific park's planning area. Acceptance of such donation will be at the discretion of the city and consistent with city policies for the provision of open space.

g. Up to fifty percent of a development's open space requirement may be satisfied by wetland and/or critical area habitat and required critical area buffers in consideration of the significant passive recreation opportunities provided by said lands. The remaining fifty percent open space requirement must be set aside outside of the wetland and wetland buffer area to provide for and accommodate proposed or potential future active (high intensity) recreational use.

B. Residential Open Space Location. Open spaces shall be considered an integral part of the entire development design. See Table 14T-67 for examples of desirable and undesirable open space locations. The following shall be considered when choosing the location of an open space:

1. Open spaces should not be located at intersections adjacent to arterials or collectors unless located at a key pedestrian intersection.
2. Open spaces should be easily accessible to a majority of the lots or units.
3. Open spaces should be located so that children have sidewalk access to it and have to cross as few streets as possible.
4. Open spaces should not be located in the corners of developments where visibility and supervision are at a minimum unless there is a possibility of linkage with other adjacent properties in the future or other factors make such location appropriate.

C. Residential Open Space Activities. Open space should be designed to accommodate a wide range of activities, ages and abilities. At least half of the open space within a development must be usable for active recreation. An open space shall include some or all of the following, depending upon size, conditions, and context of the open space:

1. Play equipment such as slides, swings or play structures.
2. A paved hard court for activities such as basketball, volleyball, pickleball, tennis, etc.
3. An open grassy area for active play.

4. An area for passive recreation such as walking or sitting.
5. Other elements such as benches, paths, picnic tables or shelters.
6. Pet waste stations.
7. Pedestrian plaza.
8. Vegetated LID facilities, such as rain gardens and bioretention, and permeable paving. LID facilities may not be used to meet active recreation requirements unless the design includes active use components as determined by the director or their designee.

D. Residential Open Space Layout. Layout of the open space depends on specific site conditions. Some general guidelines are as follows:

1. Arrange play equipment and activity spaces in similar groups rather than as isolated pieces of equipment. Make sure that the equipment is appropriate to the target age group.
2. Plan traffic flow to link activities in a safe, orderly manner. This can be done through walks, plantings or benches. Provide an unobstructed view between elements.
3. Place play equipment near deciduous shade trees to prevent pieces from getting too hot.
4. Provide adequate buffer zones around elements to protect children in the area.
5. Place swings toward the outside of the open space to discourage children from walking into them while in use. For greater safety, there should be no more than two swings per structure.
6. Orient play courts north to south for player safety.

7. Avoid placing play courts under trees to minimize problems with debris, moss, and slick surfaces.
8. Provide adequate drainage throughout the open space.
9. Place a low fence, if necessary, around the entire lot to prevent children from running out into the street.
10. Pet waste stations shall be sited in open space areas and located nearest to the right-of-way; also, station locations shall be placed away from stormwater pond and children play equipment areas.

E. Commercial Open Space. The requirements for commercial open space may be different than residential areas because of the different needs and emphasis of open space in commercial areas. In mixed use areas, the various open space needs may be balanced by blending several open space techniques to achieve all required functions. Open space in commercial and mixed use areas may be landscaped, hardscaped (such as plazas) or a combination of both.

In commercial areas, open space will emphasize areas to relax, preservation of trees, landscaped parks or uses providing a pleasant, stimulating experience for shoppers, pedestrians and office workers.

1. Uses that may be counted towards commercial retail open space include:
 - a. Pedestrian corridors with landscaping through parking lots.
 - b. Pedestrian plazas meeting the requirements of LMC 14.23.086(C)(2).
 - c. Landscaped outdoor seating areas for restaurants and cafes.
 - d. Pocket parks with public seating, art or fountains.
 - e. Vegetated LID facilities and drainage retention areas designed as an aesthetic view area with fountain, seating, trails and exceptional landscaping.

f. Additional landscaping areas not required by code.

g. Areas preserved in a pleasant, natural state with trees and shrubs.

h. Park areas with trees and landscaping designed for active or passive uses.

i. Other areas deemed to meet the intent of Ordinance 1124 as determined by the city.

2. Uses that do not count towards commercial open space include such areas as:

a. Required landscape islands in a parking lot.

b. Required yard areas or setback areas not readily available for use by pedestrians or with no special or significant amenities.

c. Drainage retention areas with no special or significant amenities.

14.23.089

Design Standards And Design Review Checklist For Development In ~~The Retail/Commercial Portion Of~~ The Hawks Prairie Business District.

Consideration for approval and conditioning of design review for development in the ~~retail/commercial portion of the~~ Hawks Prairie Business District shall be based on and interpreted in light of the conformance of the development with the intent and requirements of the zoning and design review ordinances, and the comprehensive land use plan goals and policies. These standards and requirements are set forth in the design review checklist Table 16T-71 and are generally to be considered the minimum necessary design criteria to accomplish development objectives of the city. The city may require more stringent standards, or less demanding standards, based upon the specific and unique nature of the site and the surrounding areas. Such decision shall be made in a manner which will uphold the standards necessary to protect the health, safety, and welfare of the citizens of the city and to further the purposes and intent of Ordinance 1139 and the comprehensive plans. Any modification of the requirements shall meet the criteria of LMC 14.23.035.

The provisions of the design review checklist shall be met unless the applicant can demonstrate that an alternative design proposal adequately meets the objectives of these guidelines or the comprehensive plan for the Hawks Prairie Business District. The city shall determine whether or not the alternative proposal is acceptable and that decision shall be final unless appealed pursuant to the appeal provisions of the Lacey Municipal Code.

14.23.090**Appeals.**

Any decision of the city of Lacey in the administration of this chapter may be appealed in accordance with Chapter 11.05 LMC.

14.23.100**Enforcement.**

If any person violates or fails to comply with any of these provisions, Chapter 14.40 LMC regarding civil violations shall be applied.

14.23.110**Conflicts.**

In the event of a conflict between this chapter and any other provision of any Lacey Municipal Code, the most restrictive shall apply.

14.23.120**Severability.**

If any one or more sections, subsections, or sentences of this chapter are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this chapter and the same shall remain in full force and effect.

Exhibit B: 14.25

Chapter 14.25

IMPACT FEES

Sections:

14.25.010 Title

14.25.020 Authority

14.25.030 Additional definitions

14.25.040 Service areas

14.25.050 Assessment of impact fees

14.25.060 School impact fees

14.25.070 Independent fee calculations

14.25.080 Exemptions

14.25.090 Credits

14.25.100 Tax adjustments

14.25.110 Appeals

14.25.120 Authorization for school interlocal agreement and establishment of school impact account

14.25.130 Refunds

14.25.140 Deferral of impact fees

14.25.150 Use of funds

14.25.160 Administrative guidelines

14.25.170 Review

14.25.180 Administrative fees

14.25.010

Title.

The ordinance from which this chapter is derived shall be known and may be cited as the "Impact Fee Ordinance of the city of Lacey."

14.25.020

Authority.

This chapter is adopted to assess impact fees for school facilities pursuant to Chapter 82.02 RCW. Traffic mitigation and concurrency requirements are outlined in Chapter 14.21 LMC and are not subject to this chapter.

14.25.030

Additional definitions.

The following words and terms when used in this chapter shall mean as follows. Terms otherwise not defined herein shall be defined pursuant to Chapter 16.06 LMC and Chapter 82.02 RCW, or given their usual and customary meaning.

- A. "Act" means the Growth Management Act as codified in Chapter 36.70A RCW as now in existence or as hereafter amended.
- B. "Building permit" means an official document or certification which is issued by the building official and which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, change of use, demolition, moving, or repair of a building or structure or any portion thereof.
- C. "Capital facilities" means the facilities or improvements included in a capital budget or capital facilities plan.
- D. "Capital Facilities Plan" means a capital facilities plan of a comprehensive plan adopted by the city of Lacey.
- E. "City" means the city of Lacey.
- F. "Council" means the city council of the city of Lacey.

G. "Concurrent" or "concurrency" means that the improvements are in place at the time the impacts of development occur, or that the necessary financial commitments are in place, which shall include the impact fees anticipated to be generated by the development, to complete the improvements necessary to meet the specified and defined standards of service within six years of the time the impacts of development occur.

H. "County" means Thurston County.

I. "Department" means the Lacey community and economic development department.

J. "Development activity" means any construction, expansion, or change in the use of a building or structure that creates additional demand and need for public facilities.

K. "Development approval" means any written authorization from the city of Lacey which authorizes the commencement of a development activity.

L. "Director" means the director of the community and economic development department or designee, unless specified in this chapter.

M. "Encumbered" means to reserve, set aside, or otherwise earmark the impact fees in order to pay for commitments, contractual obligations, or other liabilities incurred for public facilities.

N. "Feepayer" is a person, collection of persons, corporation, partnership, an incorporated association, or other similar entity, or department or bureau of any governmental entity or municipal corporation commencing a land development activity which creates the demand for additional system improvements, and requires the issuance of a building permit. "Feepayer" includes an applicant for an impact fee credit.

O. "Hearing examiner" means the examiner who acts on behalf of the council in considering and applying land use regulatory codes as provided under Chapter 2.30 LMC. Where appropriate, "hearings examiner" also refers to the office of the hearing examiner.

P. "Impact fee" means a payment of money imposed by the city of Lacey on development activity pursuant to this title as a condition of granting development approval in order to pay for the public

facilities needed to serve new growth and development. “Impact fee” does not include a reasonable permit fee, an application fee, the administrative fee for collecting and handling school impact fees, the cost of reviewing independent fee calculations, or the fee for deferring payment of impact fees.

Q. “Impact fee account” or “account” means the account(s) established for each type of public facility for which impact fees are collected. The accounts shall be established pursuant to LMC 14.25.120 and comply with the requirements of RCW 82.02.070.

R. “Independent fee calculation” means the school impact calculation, and/or economic documentation prepared by a feepayer, to support the assessment of an impact fee other than by the use of the city’s impact fee schedule, or the calculations prepared by the director or their designee where none of the fee categories or fee amounts in the city’s impact fee schedule accurately describe or capture the impacts of the new development on public facilities.

S. “Interest” means the average interest rate earned by the city of Lacey.

T. “Interlocal agreement” or “agreement” means an agreement between the city and a governmental agency, department or district authorized under this title as authorized in LMC 14.25.120.

U. “Low-income housing” means, for the purposes of this chapter, any form of housing occupied by households whose income when adjusted for size, is at or below eighty percent of the area median income, as annually adjusted by the U.S. Department of Housing and Urban Development.

V. “Occupancy permit” means the permit issued by the city of Lacey where development activity results in a change in use of a preexisting structure.

W. “Open space” means, for the purposes of this chapter, undeveloped public land that is permanently protected from development (except for the development of trails or other passive public access or use).

X. “Owner” means the owner of record of real property, or a person with an unrestricted written option to purchase property; provided that, if the real property is being purchased under a recorded real estate contract, the purchaser shall be considered the owner of the real property.

Y. "Project improvements" mean site improvements and facilities that are planned and designed to provide service for a particular development or users of the project, are necessary for the use and convenience of the occupants or users, or users of the project, and are not system improvements. No improvement or facility included in a capital facilities plan adopted by the council shall be considered a project improvement.

Z. "Proportionate share" means that portion of the cost of public facility improvements that are reasonably related to the service demands and needs of new development.

AA. "Public facilities" means capital facilities owned or operated by the city of Lacey or other governmental entities.

BB. "Residential" or "residential development" means all types of construction intended for human habitation. This shall include, but is not limited to, single-family, duplex, triplex, and other multifamily development.

CC. "Senior housing development" means a residential development of ten units or more that is occupied exclusively by residents fifty-five years of age or older. In order to qualify for the senior development impact fee rate, a restrictive covenant is required to be placed on the deed limiting the development to residents fifty-five years of age or older.

DD. "Service area" means a geographic area defined by a county, city, town, or intergovernmental agreement in which a defined set of public facilities provide service to development in the area. Service areas shall be designated on the basis of sound planning or engineering principles.

EE. "Single-family attached or detached dwelling unit" means a dwelling designated and intended for use by one family that may be site built or manufactured, or a townhouse defined as an attached single-family dwelling unit that is contained on a separate legal lot of record for the purposes of LMC 14.25.140, Deferral of impact fees.

FF. "Square footage" means the square footage of the gross floor area of the development.

GG. "System improvements" means public facilities that are included in the city of Lacey's capital facilities plan and are designed to provide service to service areas within the community at large, in contrast to project improvements.

HH. "Use or use area" means the portion of property or a building that is physically occupied or used by the land use activity.

14.25.040

Service areas.

A. The service area for school impact fees is the portions of the boundary of the North Thurston School District within the incorporated city limits of Lacey.

B. The service areas for the North Thurston School District Capital Facilities Plan, as amended, is hereby found to be reasonable and established on the basis of sound planning and engineering principles and are consistent with Chapter 82.02 RCW.

14.25.050

Assessment of impact fees.

A. The city shall collect impact fees based on the adopted city impact fee schedule or an independent fee calculation as provided for in LMC 14.25.070 and the applicable interlocal agreement pursuant to LMC 14.25.120, from any applicant seeking development approval from the city for development activity within the city limits of Lacey, where such development activity requires the issuance of a building or occupancy permit for new residential development. This shall include the expansion of existing structures that increase the number of dwelling units.

B. For mixed-use developments, impact fees shall be imposed for the proportionate share of the residential land use, based on impact fee rates in the city impact fee schedule.

C. Impact fees shall be assessed at the time the complete building permit application is submitted for each unit in the development, using either the impact fee schedules in effect or an independent fee calculation, at the election of the applicant and pursuant to the requirements set forth in LMC 14.25.060. The city shall not accept an application for a building permit if short plat, final plat, binding site plan, site plan review or planned community approval is needed and has not yet been granted by the city. Furthermore, the city shall not accept an application for a building permit unless prior to submittal or concurrent with submittal, the feepayer submits complete applications for all other discretionary reviews needed.

D. Applicants that have been awarded credits prior to the submittal of the completed building permit application pursuant to LMC 14.25.090, shall submit, along with the complete building permit application, a copy of the letter or certificate prepared by the director [or their designee](#) pursuant to LMC 14.25.090 setting forth the dollar amount of the credit awarded.

E. A feepayer may identify in the application information regarding fees that the feepayer has paid or will be required to pay under the State Environmental Policy Act (Chapter 43.21 RCW), or that are being assessed upon the feepayer by other municipalities, in either case which the feepayer believes would duplicate the impact fee. The director [or their designee](#) will respond to the information in writing, determining whether collection of the impact fee under the circumstances would be lawful under RCW 82.02.100 or other applicable law, and the determination may be appealed through procedures provided under this title.

F. Impact fees, as determined after the application of appropriate credits, shall be collected from the feepayer prior to the time the building permit is issued for each unit in the development, unless payment of fees is deferred pursuant to LMC 14.25.140.

[G. impact fees for accessory dwelling units shall be assessed at fifty percent of the rate applicable to detached single-family dwellings.](#)

14.25.060

School impact fees.

The school impact fees as set forth in the city impact fee schedule are generated from the formula for calculating impact fees set forth in the Capital Facility Plan for the North Thurston School District, as amended, which is incorporated herein by reference. Except as otherwise provided in LMC 14.25.070 through 14.25.090, all new identified residential development in the North Thurston School District shall be charged school impact fees from the city impact fee schedule. (Ord. 1507 §7 (part), 2017).

14.25.070

Independent fee calculations.

A. If the North Thurston School District for which the impact fee is being charged believes in good faith that none of the fee categories or fee amounts set forth in the city's impact fee schedule accurately

describe or capture the impacts of a new development on schools, the district may conduct independent fee calculations and submit such calculations to the director or their designee. The director or their designee may impose alternative fees on a specific development based on the calculations of the school district, or may impose alternative fees based on the calculations of the department. The alternative fees and the calculations shall be set forth in writing and shall be mailed to the applicant.

B. An applicant may elect to prepare and submit an independent fee calculation for the development activity for which a building permit is sought. The applicant must make the election between fees calculated under the city's impact fee schedule and an independent fee calculation prior to issuance of the building permit for the development. If the applicant elects to prepare his/her own independent fee calculation, the applicant must submit documentation showing the basis upon which the independent calculation was made. An independent fee calculation shall use the same methodology used to establish the district's fee schedule for the school district.

C. While there is a presumption that the calculations set forth in the city's impact fee schedule based on school calculations are valid, the director or their designee shall consider the documentation submitted by the applicant but is not required to accept such documentation or analysis which the director or their designee reasonably deems to be inapplicable, inaccurate, incomplete, or not reliable, and may modify or deny the request, or, in the alternative, require the applicant to submit additional or different documentation for consideration. The director or their designee is authorized to adjust the impact fees on a case by case basis based on the independent fee calculation and the specific characteristics of the development. The director's or their designee's decision shall be set forth in writing and shall be mailed to the feepayer. (Ord. 1507 §7 (part), 2017).

14.25.080

Exemptions.

A. The following shall be exempted from the payment of impact fees:

1. Alteration of an existing nonresidential structure that does not expand the usable space or add any dwelling units;
2. Miscellaneous improvements, including but not limited to, fences, walls, residential swimming pools, mining, dredging, filling, grading, paving, excavation, or drilling operations, storage of equipment or materials, and signage;

3. Demolition or moving of a structure or dwelling unit;
4. Expansion of an existing residential structure that does not increase the number of residential units;
5. Replacement of a structure with a new structure of the same use at the same site or lot when such replacement occurs within six years of the demolition or destruction of the prior structure;
6. Dwelling units located in housing developments intended for and solely occupied by persons fifty-five years and older, including nursing homes and retirement centers, shall be exempt from the payment of school impact fees as long as those uses are maintained, and the necessary covenants or declarations of restrictions in a form approved by the city attorney and the school district attorney, required to ensure the maintenance of such uses, are recorded on the property;

~~7. The creation of an accessory dwelling unit including but not limited to family member units, shall be exempt from the payment of school impact fees;~~

~~87.~~ A single room occupancy dwelling shall be exempt from the payment of school impact fees;

~~98.~~ A partial exemption of not more than eighty percent of school impact fees for any form of low-income housing occupied by households whose income when adjusted for size, is at or below eighty percent of the area median income, as annually adjusted by the U.S. Department of Housing and Urban Development; provided, that a covenant approved by the school district to assure continued use for low-income housing is executed, and that the covenant is an obligation that runs with the land upon which the housing is located and is recorded against the title of the property.

B. The director or their designee shall be authorized to determine whether a particular development activity falls within an exemption identified in this section. Determinations of the director or their designee shall be subject to the appeals procedures set forth in LMC 14.25.110.

14.25.090

Credits.

A. A feepayer may request that a credit or credits for impact fees be awarded to him/her for the total value of system improvements, including dedications of land and improvements, and/or construction

provided by the feepayer. The application for credits shall be presented by the feepayer and shall include documentation, such as receipts, to establish the amount of credit requested by the feepayer. Credits will be given only if the land, improvements, and/or the facility constructed are:

1. Included in the North Thurston School District Capital Facilities Plan as projects providing capacity to serve new growth;

2. Determined by the director or their designee to be suitable sites and constructed at acceptable quality;

3. Offsetting impacts of the feepayer's development activity; and

4. For one or more of the projects listed in the school district's capital facilities plan as the basis for calculating the impact fee.

B. For each credit request, the director or their designee shall determine the value of dedicated land by using available documentation or selecting an appraiser who is a member of the American Institute of Appraisers and be licensed in good standing under Chapter 18.40 RCW in the category for the property to be appraised. A description of the appraiser's certification shall be included with the appraisal and the appraiser shall certify that he/she does not have a fiduciary or personal interest in the property being appraised. The feepayer shall pay the cost of the appraisal and shall deposit on account the estimated cost of the appraisal as determined by the city at the time the feepayer requests consideration for a credit.

C. Where the dedicated land, improvements, and/or construction are for the benefit of the school district, the request will be directed to the appropriate agency to determine the general suitability of the land, improvements, and/or construction for district purposes. The district shall determine whether the land, improvements, and/or the facility constructed are included within the district's adopted capital facilities plan or the board of directors of the school district makes a finding that such land, improvements, and/or facilities would serve the goals and objectives of the capital facilities plan. The district shall forward its determination to the director or their designee, including cases where the district determines that the dedicated land, improvements, and/or construction are not suitable for district purposes. The director or their designee may adopt the determination of the district and may award or decline to award a credit, or ~~the director~~ may make an alternative determination and set forth in writing the rationale for the alternative determination.

D. After receiving the appraisal, the director or their designee shall provide the applicant with a letter or certificate setting forth the dollar amount of the credit, the reason for the credit, where applicable, the legal description of the site donated, and the legal description or other adequate description of the project or development to which the credit may be applied. The applicant must sign and date a notarized duplicate copy of such letter or certificate indicating his/her agreement to the terms of the letter or certificate and return such signed document to the director or their designee before the impact fee credit will be awarded. The failure of the applicant to sign, date, and return such document within sixty days shall nullify the credit.

E. Any claim for credit must be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.

F. In no event shall the credit exceed the amount of the impact fees that would have been due for the proposed development activity.

G. No credit shall be given for project improvements.

H. Determinations made by the director or their designee pursuant to this section shall be subject to the appeals procedures set forth in LMC 14.25.110.

14.25.100

Tax adjustments.

Pursuant to and consistent with the requirements of RCW 82.02.060, the school study has provided adjustments for future taxes to be paid by the new development which are earmarked or proratable to the same new public facilities which will serve the new development. The impact fees on the city's impact fee schedule have been reasonably adjusted for taxes and other revenue sources which are anticipated to be available to fund these public improvements.

14.25.110

Appeals.

A. Determinations of the director or their designee with respect to the applicability of the impact fees imposed by this title to a given development activity, the availability or value of a credit, or the

director's or their designee's decision concerning the independent fee calculation, or exemptions, or any other determination which the director or their designee is authorized to make pursuant to this title, can be appealed to the hearing examiner subject to the procedures set forth in Chapters 2.30 and 11.05 LMC within fourteen days of the written determination.

B. Any feepayer may pay the impact fees imposed by this title under protest in order to obtain a building permit or certificate of occupancy permit. No appeal submitted under protest shall be permitted unless and until the impact fees have been paid. Alternatively, any feepayer may appeal the impact fees determined by the director or their designee without first paying the fees, providing the applicant is willing to postpone issuance of the building permit until after the exhaustion of the appeal process when the final fee is known.

C. Appeals regarding the impact fees imposed on any development shall only be filed by the feepayer of the property where such development activity will occur.

14.25.120

Authorization for school interlocal agreement and establishment of school impact account.

A. The city manager is authorized to execute, on behalf of the city, an interlocal agreement for the collection, expenditure, and reporting of school impact fees; provided that such interlocal agreement complies with the provisions of this section.

B. As a condition of the interlocal agreement, a school district impact fund will be established with the finance department of the city of Lacey, who will serve as the treasurer for the school district funds. The fund shall be an interest-bearing fund invested in a manner consistent with the investment policies of the city and the school district.

C. Funds withdrawn from the school impact fund for the school district must be used in accordance with the provisions of LMC 14.25.150. The interest earned shall be retained in this fund and expended for the purposes for which the school impact fees were collected.

D. On an annual basis, pursuant to the interlocal agreement, the school district shall provide a report to the city council on the school impact account, showing the source and amount of all monies collected, earned, or received, and the public improvements that were financed in whole or part by impact fees.

E. School impact fees shall be expended or encumbered within ten years of receipt, unless the council identifies in written findings an extraordinary and compelling reason or reasons for the school district to hold the fees beyond the ten-year period. Under such circumstances, the council shall establish the period of time within which the fees shall be expended or encumbered, after consultation with the school district

14.25.130

Refunds.

A. If the school district fails to expend or encumber the impact fees within ten years of when the fees were paid, or where extraordinary or compelling reasons exist, such other time periods established pursuant to LMC 14.25.120, the current owner of the property on which impact fees have been paid may receive a refund of such fees. In determining whether impact fees have been expended or encumbered, impact fees shall be considered expended or encumbered on a first in, first out basis.

B. The city shall notify claimants by first class mail deposited with the United States Postal Service at the last known address of such claimants. The potential claimant must be the current owner of record of the property for which the impact fee was paid.

C. Current owner(s) seeking a refund of impact fees must submit a written request for a refund of the fees to the school district within one year of the date that the right to claim the refund arises or the date that notice is given, whichever is later.

D. Any impact fees for which no application for a refund has been made by the claimant within this one year period shall be retained by the school district and expended on the appropriate public facilities. Claimants shall have no right to refund if not timely requested pursuant to subsection C of this section.

E. Refunds of impact fees under this section shall include any interest earned on the impact fees.

F. When the city seeks to terminate any or all components of the impact fee program, all unexpended or unencumbered funds from any terminated component or components, including interest earned, shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the city shall place notice of such termination and the availability of refunds in the newspaper of general circulation at least two times and shall notify all potential claimants by first class

mail at the last known address of the claimants. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained but must be expended for the appropriate public facilities. This notice requirement shall not apply if there are no unexpended or unencumbered balances within an account or accounts being terminated.

G. The school district shall also refund the current owner of property for which impact fees have been paid all impact fees paid, including interest earned on the impact fees, if the development activity for which the impact fees were imposed did not occur; provided that if the school district has expended or encumbered the impact fees in good faith prior to the application for a refund, the school district can decline to provide the refund. If within a period of three years, the same or subsequent owner of the property proceeds with the same or substantially similar development activity, the owner can petition the school for an offset against the actual impact fee amounts paid. The petitioner must provide receipts of impact fees previously paid for a development of the same or substantially similar nature on the same property or some portion thereof. In the case of school district impact fees, the school district shall forward its determination to the director or their designee, and the director who may adopt the determination of the school district and may grant or decline to grant an offset, or ~~the director~~ may make an alternative determination and set forth rationale for the alternative determination. Determinations of the director or their designee shall be in writing and shall be subject to the appeals procedures set forth in LMC 14.25.110(A).

14.25.140

Deferral of impact fees.

A. Each applicant for single-family residential attached and detached construction permit, in accordance with his or her contractor registration number or other identification number, may request a deferral for the full impact fee(s) payment up to twenty units for a period not to exceed eighteen months from the date of building permit issuance.

B. The amount of impact fees deferred are determined by the fees in effect via ordinance, interlocal agreement or other schedule as adopted by the city council at the time of building permit application.

C. The city of Lacey shall withhold any final inspection and/or certification for occupancy until all applicable impact fees have been paid in full.

D. An applicant seeking deferral shall grant and record a “deferred impact fee lien” in a form approved by the city against the subject property and in favor of the city, for the full amount of the impact fee(s) being deferred. Said deferred impact fee lien form shall include:

1. The legal description, tax account number, and address of the property;
 2. A signature by the listed owner(s) of the property, with all signatures acknowledged as required for a deed and recorded with the Thurston County auditor's office;
 3. Shall indicate that the lien is binding on all successors in title;
 4. Shall indicate that the lien is junior and subordinate to the mortgage for the purpose of construction upon the same real property granted by the person who applied for the deferral of impact fees.
- E. If impact fees are not paid in accordance with the terms of this section; the city is authorized and may choose to institute foreclosure proceedings. (The extinguishment of a deferred impact fee lien by the foreclosure of a lien having priority shall not affect the obligation to pay impact fees as a condition of final inspection, certificate of occupancy, or equivalent certification, or at the time of closing of the first sale.)
- F. If the city does not institute foreclosure proceedings for unpaid school impact fees within forty-five days after receiving notice from the school district requesting that it do so, the district may institute foreclosure proceedings with respect to the unpaid school impact fees. The city shall remain responsible for collection of all remaining impact fees.
- G. Upon receipt of full payment of all outstanding impact fees deferred under this section, the city shall execute a "deferred impact fee lien release" for the subject property. The property owner at the time of the release shall be responsible for recording the lien release at his or her own expense.

14.25.150

Use of funds.

A. Pursuant to this title, impact fees:

1. Shall be used for public improvements that will reasonably benefit the new development; and

2. Shall not be imposed to make up for deficiencies in public facilities; and

3. Shall not be used for maintenance or operation.

B. School impact fees may be spent for public improvements, including, but not limited to, school planning, land acquisition, site improvements, necessary off-site improvements, construction, engineering, architectural, permitting, financing, and administrative expenses, applicable impact fees, or mitigation costs, capital equipment pertaining to educational facilities, and any other expenses which can be capitalized.

C. Impact fees may also be used to recoup public improvement costs previously incurred by the school district to the extent that new growth and development will be served by the previously constructed improvements or incurred costs.

D. In the event that bonds or similar debt instruments are or have been issued for advanced provision of public improvements for which impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this section and are used to serve the new development.

14.25.160

Administrative guidelines.

The director [or their designee](#) shall be authorized to adopt forms, applications, brochures, and guidelines for the implementation of this title which may include the adoption of a procedures guide for impact fees.

14.25.170

Review.

A. The city's impact fee schedule shall be reviewed by the city council as it may deem necessary and appropriate in conjunction with the annual update of the capital facilities plan element of the city's Comprehensive Plan.

B. The city's community and economic development department shall maintain and preserve records of impact fee deferrals in conformance with RCW 44.28.812 and RCW 43.31.980 including:

1. The number of deferrals requested and issued;
2. The type of impact fee deferred;
3. The monetary amount of deferrals;
4. The number of deferrals that were not fully, and timely paid; and
5. The cost to the city for collecting both timely and delinquent fees.

14.25.180

Administrative fees.

A. For each request for the deferral of payment of residential impact fees requested per the provisions contained in LMC 14.25.140, administrative fees will be imposed per the city's fee schedule, as amended. Fees shall be paid in conjunction with the submission of the deferral request.

B. Any feepayer filing an appeal of impact fees per LMC 14.25.110 shall pay the fee set forth by the city for appeals of administrative decisions set forth in Chapters 2.30 and 11.05 LMC. The appeal fee shall be paid at the time of filing an appeal.

C. Administration fees shall be deposited into a separate administrative fee account that is established by the city separate from any impact fees paid by the feepayer. Administrative fees shall be used to defray the actual costs associated with reviewing the permit/request.

D. Administrative fees shall not be refundable, shall not be waived, and shall not be credited against the impact fees.

Exhibit C: 16.03

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

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16.03.040 Exemptions

16.03.045 Prior limited rezones

16.03.050 Permitted intrusions into required yards

16.03.055 ~~Minimum~~ Residential 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;

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 and existing building:

1. 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;

2. 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;

3. Non-conformity of the existing building to parking, height, setbacks, 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

4. 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.

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.

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 plan.

4. Nothing in this section limits the director of Community and Economic Development and or the director 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.

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.

A. Minimum residential density requirements apply as specified for each zone. These requirements are intended to ensure that land divisions and residential developments achieve the density ranges established for the applicable zoning district.

Minimum density standards apply when property is subdivided, or developed.

Nothing in this section is intended to prohibit development of a legally established lot. A legally existing lot may be developed in accordance with the standards of the applicable zoning district and other provisions of this title.

B. Within commercial, mixed use, and residential zones, where multi-unit 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.

Exhibit D: 16.06

Chapter 16.06

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16.06.010

Intent.

It is the intent of this chapter to:

A. Promote consistency and precision in the interpretation of this title;

B. Define (and illustrate, where necessary) certain words, terms and phrases in the interest of reducing to a minimum the misunderstanding which may occur in the absence of such definition. (Ord. 583 §2.09(A), 1980).

16.06.020

Use and interpretation generally.

Words, terms and phrases contained within this chapter, and their interpretation, are generally based upon common custom and meanings set forth in broadly recognized dictionaries. Due to the unique nature of planning terminology, however, the enforcing officer and/or site plan review committee shall refer to the most recent edition of "The Illustrated Book of Development Definitions" when drafting and interpreting definitions in this chapter and subsequent chapters of this title. (Ord. 871 §2 (part), 1989).

16.06.030

Interpretation in case of conflicting definitions.

In addition to the words and terms defined in this chapter, several sections of this title contain definitions specifically related to those sections. In the event of conflict between definitions in this list and those shown in other sections of this title, the definition in the other section shall govern within the context of the section within which it appears.

16.06.040

Abutting.

"Abutting" means having a common boundary except that parcels having no common boundary other than a common corner shall not be considered abutting

16.06.050

Accessory building.

"Accessory building" means a building, or structure, or portion of a building, devoted to an activity or use subordinate to the principal use of the premises, but located on the same lot as the principal use.

16.06.055

Accessory dwelling.

“Accessory dwelling” means a small self-contained dwelling unit that provides complete independent living facilities for one household and that may be located within, attached to, or detached from another structure, or created through the conversion of an existing structure.

~~“Accessory dwelling” is a separate living unit (apartment) integrated within a single family dwelling, or one located as a detached accessory dwelling located on the same lot as a single family dwelling. Accessory dwellings shall be subordinate to the main home, limited in size and scope according to the criteria of LMC 14.23.071 and generally limited to 850 square feet in floor area or one-half the size of the main unit, whichever is smaller. Provided, the size may be adjusted based upon specific circumstances applicable to the subject site. During design review of the ADU application, an increase in size may be permitted or a decrease in the size required. Consistent with the guidance of LMC 14.23.071, the size permitted will be dependent upon the individual circumstances and design challenges of the specific lot where the ADU is proposed. For the purposes of calculating residential density, the ADU shall not count as a dwelling unit. There shall not be more than one accessory dwelling located on a lot in addition to the single family dwelling.~~

16.06.060

Accessory living quarters.

“Accessory living quarters” means living quarters, which may include kitchen facilities, within an accessory building or the main building for the sole use of persons employed on the premises and not rented or otherwise used as a separate dwelling.

16.06.070

Accessory use.

“Accessory use” means a use customarily incidental and/or subordinate to the principal use of the land or building site, or to a building or other structure located on the same building site as the accessory use.

16.06.080

Acres or acreage, gross.

“Gross acres or acreage” means the total area of a parcel of land, excluding lakes, stream beds, and wetland areas, and may be expressed in square feet or fractions of an acre.

16.06.085

Adjacent.

“Adjacent” means to be separated by common property lines, lot lines, or an alley; abutting, adjoining, contiguous, or touching.

16.06.090

Repealed by Ord. 1024.

16.06.095

Adult family home.

“Adult family home” means the regular family abode of a person or persons who are providing personal care, room and board under a license issued pursuant to RCW 70.128.060 to more than one but not more than six adults with functional disabilities who are not related by blood or marriage to the person or persons providing the services.

16.06.097

Agricultural Use.

See definition of Urban Agriculture.

16.06.100

Alley.

“Alley” means a public or private way or easement having a width of not more than twenty feet, nor less than ten feet, which affords a secondary access to abutting property generally running down the middle of a block of lots and is not intended for primary access from a dedicated street, and is not intended for general traffic circulation.

16.06.110

Amendment.

“Amendment” means any change, modification, deletion, or addition to the wording, text or substance of the zoning ordinance, or any change, modification, deletion, or addition to the application of the zoning ordinance to property within the city, including any alteration in the boundaries of a zone, when adopted by ordinance passed by the city council.

16.06.115

Arcade.

“Arcade” means a continuous covered area, open to the public at all times, having direct access from all the streets or plazas which it adjoins or connects.

16.06.116

Arcade, shopping.

“Shopping arcade” means a continuous covered area open to the public at all times, having direct access from all the streets or plazas which it adjoins or connects, devoted to consumer shopping uses such as, but not limited to, flower and gift shops, indoor-outdoor cafes, art galleries and similar specialty shops readily accessible to the public from it. To help ensure that required consumer shopping uses are retained and the public interest served, in the event such spaces cease to function for their intended purpose, the actual area so affected or an equivalent area shall be converted into readily accessible public space either as additional plazas, arcades or public display areas.

16.06.120

Attic story.

“Attic story” means any story situated wholly or partly in the roof, so designated, arranged or built as to be used for business, storage, or habitation. An attic story shall be counted as a story.

16.06.128

Automobile-oriented use.

“Automobile-oriented use” means any use of land which provides a service directly to a motor vehicle; or which provides goods or services to the occupants of a motor vehicle while seated therein; or which is a freestanding eating establishment characterized by over-the-counter service of pre-prepared or quickly prepared food which is ready to eat and packaged primarily for consumption in vehicles or off-premises. For the purpose of this chapter, automobile-oriented uses shall include, but not be limited to, such uses as service stations having no more than three interior service stalls, car washes, drive-in banks, drive-in laundries or dry cleaners, and free-standing drive-in or carry-out eating establishments. Automobile-oriented uses shall not be interpreted to include vehicle sale, rental and service establishments.

16.06.130**Automobile wrecking.**

“Automobile wrecking” means the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of five or more motor vehicles which for a period exceeding thirty days have not been capable of operating under their own power, and from which parts have been or are to be removed for reuse or sale shall constitute prima facie evidence of an automobile wrecking yard.

16.06.135**Awning.**

“Awning” means a roof-like cover that is temporary in nature and that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

16.06.140**Basement.**

“Basement” means that portion of a building between floor and ceiling, which is partly below and partly above the finished grade, but so located that the vertical distance from the finished grade to the floor below is less than the vertical distance from the finished grade to the ceiling. If a basement has a ceiling height of seven feet or more, it shall be considered a story unless it is used exclusively for parking,

storage, and/or housing of mechanical or central heating equipment. (See Table 16T-01. See also LMC 16.06.220, Cellar.)

16.06.142

Bed and breakfast.

“Bed and breakfast” means an owner-occupied residence or detached guesthouse providing transient lodging accommodations in up to three rooms. Breakfast may be served only to overnight guests of the bed and breakfast.

16.06.145

Bioretention.

“Bioretention” means engineered facilities that store and treat stormwater by passing it through a specified soil profile, and either retain or detain the treated stormwater for flow attenuation. Refer to the current City of Lacey Stormwater Design Manual for bioretention design standards.

16.06.150

Boardinghouse or roominghouse.

“Boardinghouse” or “roominghouse” means a dwelling unit having only one kitchen, and used for the lodging (with or without meals), for compensation, of not more than five persons in addition to the related family members or operator of such dwelling unit.

16.06.160

Buffer.

“Buffer” means an area of land, natural vegetation, or a structure used or created for the purpose of insulating or separating a structure or land use from other uses or structures in such manner as to reduce or mitigate adverse impacts of one on the other.

16.06.170

Buildable area.

“Buildable area” means that portion of the land that remains after the required yards, rights-of-way, critical areas and their buffers, tree tracts, open spaces and similar required land uses have been excluded from the project site.

16.06.180**Building.**

“Building” means any structure built for the support, shelter or enclosure of persons, animals, chattels, or property of any kind.

16.06.190**Building coverage.**

“Building coverage” means the amount or percentage of ground area covered or occupied by a building or buildings; usually expressed in square feet or percentage of land on the lot, and measured horizontally at the foundation.

16.06.200**Building height.**

“Building height” means the vertical distance from average grade level to the highest point of a building or structure, excluding any chimney, antenna or similar appurtenance. (See Table 16T-02.)

16.06.210**Building line.**

“Building line” means a line normally considered the outside of the foundation wall.

16.06.220

Cellar.

“Cellar” means that portion of a building between floor and ceiling which is wholly or partly below the finished grade, and is so located that the vertical distance from the finished grade to the floor below is equal to, or greater than, the vertical distance from the finished grade to the ceiling. (See Table 16T-01. See also LMC 16.06.140, Basement.)

16.06.230

City.

“City” means the city of Lacey.

16.06.235

Co-living housing.

“Co-living housing” means a residential development with sleeping units that are independently rented and lockable and contains shared facilities.

16.06.240

Conditional uses.

“Conditional uses” means certain uses which, because of special requirements, unusual character, size or shape, infrequent occurrence or possible detrimental effects on surrounding property and for other similar reasons, may be allowed in certain use districts only by the granting of a conditional use permit by the city council.

16.06.245

Cottage housing.

“Cottage housing” means small detached dwelling units that are typically grouped together on a site and oriented around shared open space or a common area, forming a cohesive residential development pattern.

16.06.250

County.

“County” means Thurston County.

16.06.255

Court, inner.

“Inner court” means an open area, unobstructed from the ground to the sky, which is bounded on more than three sides by the exterior walls of one or more buildings.

16.06.256

Court, outer.

“Outer court” means an open area, unobstructed from the ground to the sky, which is bounded on not more than three sides by the exterior walls of one or more buildings.

16.06.258

Deck.

“Deck” means a flat surface capable of supporting weight, similar to a floor, typically constructed outdoors, elevated from the ground, and usually connected to a building.

16.06.260

Density.

“Density” means the permissible number of dwelling units that may be developed on a specific amount of land area, measured in number of dwelling units per acre calculated on the gross area of the lot.

16.06.270

Development coverage.

“Development coverage” means the amount or percentage of ground area covered by impervious surfaces (i.e., surfaces which do not absorb moisture, specifically rainwater). Therefore, impervious surfaces include rooftops and all paved surfaces such as parking areas, roads, driveways, walkways and the like.

16.06.273

Director.

~~“Director” shall refer to the director of the community and economic development department, or his or her designee, that is responsible for administration of limited administrative review pursuant to Section 1C of the Development Guidelines and Public Works Standards.~~

16.06.275

Drive-in use.

“Drive-in use” means an establishment which by design, physical facilities, service or packaging procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in a motor vehicle.

16.06.278

Duplex.

“Duplex” means ~~one a residential~~ building containing two attached single-family dwelling units ~~totally separated from each other by a fire wall or floor.~~

16.06.280

Dwelling.

“Dwelling” means a building, or portion thereof designed exclusively for residential purposes, generally including detached or attached units, including one family, two family, multiple family or apartment dwellings and manufactured homes.

16.06.290

Dwelling unit.

“Dwelling unit” (also referred to as single family dwelling/unit) means a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, cooking and sanitation.

16.06.300

Easement.

“Easement” means a recorded right of interest in the land of another, which entitles the holder thereof to some use, privilege or benefit out of or over such land.

16.06.310

Emergency medical center.

“Emergency medical center” means a facility that is structurally separate and distinct from a hospital; is staffed by doctors, nurses and medical support staff; is open twenty-four hours; provides level 3 to level 5 trauma and emergency medical care and may have an ambulance bay to allow for hospital transport. Services typically include imaging and radiology services and equipment that may include CT scanners, ultrasounds and x-ray machines, and an on-site lab. Emergency medical centers do not have operating or inpatient rooms, meaning patients who need hospital admission for observation, enhanced treatment or surgeries are transported to a hospital.

16.06.312

Enforcing officer.

“Enforcing officer” or “director” means the director of community and economic development or the person designated to enforce the provisions of this title.

16.06.313

Façade modulation.

“Façade modulation” means a change in building plan, that changes the shape of the exterior massing of the building.

16.06.315

Factory-built home.

“Factory-built home” means a structure constructed in a factory of assembled parts and transported to the building site, in whole or in units, which meets the requirements of the State of Washington Building Code. The completed structure is not a mobile/manufactured home.

~~16.06.320~~

~~Family.~~

~~“Family” means an individual, or two or more persons living together in a dwelling unit as a single housekeeping unit.~~

16.06.325

Family home provider. ~~child care.~~

~~“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 for in RCW 43.216.692.~~~~

16.06.330

Federal.

“Federal” means the Government of the United States.

16.06.340

Floor area.

“Floor area” means the sum of the gross horizontal area of the floor or floors measured from the exterior faces of the exterior walls, including elevator shafts and stairwells on each floor and all horizontal areas having a ceiling height of seven feet or more, but excluding all parking and loading spaces, cellars, unroofed areas, roofed areas open on two sides, areas having ceiling height of less than seven feet and basements used exclusively for storage or housing of mechanical or central heating equipment.

16.06.341

Floor area, gross.

A. “Gross floor area” means the sum of the total horizontal areas of the several floors of all buildings on a lot, measured from the interior faces of exterior walls. The term gross floor area includes basements, elevator shafts and stairwells at each story, floor space used for mechanical equipment with structural head room, interior balconies, and mezzanines.

B. The gross floor area of structures devoted to bulk storage of materials including, but not limited to, grain elevators and petroleum storage tanks, shall be computed by counting each ten feet of height or fraction thereof, as being equal to one floor.

C. The term gross floor area shall not include cellars, or outside balconies that do not exceed a projection of six feet beyond the exterior walls of the building. Parking structures below grade and rooftop mechanical structures are excluded from gross floor area.

16.06.342

Floor area, net.

“Net floor area” means the sum of the total horizontal areas of the several floors of all buildings on a lot, measured from the interior faces of exterior walls and from the centerline of walls separating two or more buildings. The term net floor area shall include outdoor display areas for the sale, rental and display of recreational vehicles, boats and boating equipment, trailers, horticultural items, farm or garden equipment and other similar products, but shall exclude areas designed for permanent uses such as toilets, utility closets, malls enclosed or not, truck tunnels, enclosed parking areas, meters, rooftop mechanical structures, mechanical and equipment rooms, public and fire corridors, stairwells, elevators and escalators.

16.06.343

Floor area ratio (FAR).

“Floor area ratio (FAR)” means dividing the gross floor area of all buildings on a lot by the area of that lot.

16.06.344

Fourplex.

“Fourplex” means a residential building containing four attached dwelling units.

16.06.345

Garage, parking.

“Parking garage” means a structure, or part thereof, used only for the storage of vehicles by the public and including the sale of automobile fuels, lubricants, radiator fluids and accessories; and the performance of incidental services including tire changing, tube repairing, lubrication and washing.

16.06.346

Garage, private customer and employee.

“Private customer and employee garage” means a structure that is accessory to a nonretail commercial or manufacturing establishment, building or use and is primarily for the parking and storage of vehicles

operated by the customers, visitors and employees of such building, and which is not available to the general public.

16.06.350

Grade, average.

“Average grade” means the average of the natural or existing topography at the center of all exterior walls of a building or structure to be placed on a site.

16.06.351

Grade, natural.

“Natural grade” means the elevation of the ground surface in its natural state, before human-made alterations.

16.06.352

Gross area.

“Gross area” means all land, excluding tidelands, within the exterior boundaries of the development, including but not limited to land allocated for open space and land to be dedicated for streets or roads.

16.06.353

Hazardous waste.

“Hazardous waste” means all dangerous and extremely hazardous waste as defined in RCW 70.105.010(15) except radioactive wastes and except for moderate risk waste as set forth in RCW 70.105.010(17).

16.06.354

Hazardous waste storage.

“Hazardous waste storage” means the holding of hazardous waste for a temporary period, as regulated by the State Dangerous Waste Regulations, in Chapter 173-303 WAC.

16.06.356

Hazardous waste treatment.

“Hazardous waste treatment” means the physical, chemical or biological processing of hazardous waste for the purpose of rendering these wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume, as regulated by the State Dangerous Waste Regulations, Chapter 173-303 WAC.

16.06.360

Hearings examiner.

“Hearings examiner” means the hearings examiner of the city of Lacey.

16.06.370

Home occupation.

For a definition of “home occupation” see Chapter 16.69 LMC.

16.06.372

Homeless Encampment.

“Homeless encampment” means a temporary encampment, hosted by a religious organization to provide temporary shelter for homeless persons.

16.06.373

Horticultural activity.

“Horticultural activity” means the raising of plants for the use of the plants or their products, generally for food production, but may also include ornamental uses; examples include vegetable raising, P-Patch community gardens, raising flowers, orchards, vineyards and similar activities.

16.06.374

Hospital.

“Hospital” means a medical institution or facility within an integrated campus setting for the purpose of diagnosis, care, and treatment of human illness, including surgery, long-term and emergency medical treatment.

16.06.375

Host agency.

“Host agency” means a religious organization that owns or has a leasehold interest in property to be used for a temporary homeless encampment that makes an application for a temporary use permit for providing basic services and support to temporary homeless encampment residents.

16.06.380

Hotel.

“Hotel” means any building containing six or more guest rooms where lodging, with or without meals, is provided for compensation, and where no provisions are made for cooking in any individual room or suite.

16.06.382

Housing for people with functional disabilities.

“Housing for people with functional disabilities” means housing used, or intended for use, by persons with functional disabilities. The term includes, but is not limited to, adult family homes, residential care facilities and housing for any supported living arrangement, as herein defined.

16.06.385

Industrial park.

“Industrial park” means a large tract of land that has been planned, developed and operated as an integrated facility for a number of individual industrial uses, with special attention to circulation, parking, utility needs, aesthetics and compatibility.

16.06.390

Kennel.

“Kennel” means a place where adult dogs or cats are kept by persons providing facilities for breeding and the offspring thereof are sold for profit, or where such dogs or cats are received for care, training and boarding for compensation, but not including a small animal hospital, clinic or pet shop. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of six months.

16.06.391

Key multimodal corridors.

“Key multimodal corridor” ~~and “Major Pedestrian Corridor” means-~~ denote streets designated as key multimodal corridors ~~on the comprehensive land use plan map or within the latest zoning map or as defined within 14.23.020 “Zones with pedestrian emphasis”, and as identified within the Comprehensive Plan “Strategy Corridors” section of the Transportation Element.~~ These corridors are intended to provide a range of ~~options for interconnected~~ transportation options including pedestrians, bikes, transit and automobiles travel. 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.

16.06.395

Kiosk.

“Kiosk” means a freestanding structure upon which temporary information and/or posters, notices and announcements are posted.

16.06.400**Lacey Comprehensive Plan.**

“Lacey Comprehensive Plan” means the Comprehensive Plan for the Lacey urban growth area, as adopted, and as amended from time to time.

16.06.403**Large farm animal.**

“Large farm animal” means this term shall refer to varieties of large animals used in urban agricultural activities for production of food, their products, or use such as cows, sheep, goats, horses, swine and other similar sized farm animals. Miniature varieties of farm animals such as pygmy goats shall not be considered large farm animals.

16.06.405**Limited animal husbandry.**

“Limited animal husbandry” means the keeping of animals for the use or the sale of their products, such as meat, milk or eggs. Examples of animal husbandry uses are raising poultry for eggs and meat, raising rabbits for meat, keeping goats or cows for milk or meat, keeping bees for honey or pollination of plants and other similar activities.

16.06.407**Live/work unit.**

“Live/work unit” means a structure or portion of a structure that combines a commercial activity with a residential living unit where there is a distinct physical separation between the commercial space and the living unit. An internal connection is provided between the living and commercial working spaces within the unit. The nonresidential portion of the unit must meet commercial building standards.

16.06.410**Lot.**

“Lot” means a platted or unplatted parcel of land unoccupied, occupied or intended to be occupied by a principal use or building and accessory buildings, together with all yards, open spaces and setbacks required by this title.

16.06.420

Lot area.

“Lot area” means the total land space or area contained within the boundary lines of any lot, tract or parcel of land and may be expressed in square feet or acres.

16.06.430

Lot, corner.

“Corner lot” means a lot that abuts two or more intersecting streets.

16.06.440

Lot depth.

“Lot depth” means the horizontal distance between the front lot line and the rear lot line measured within the lot boundaries. (See Table 16T-04.)

16.06.445

Lot, flag.

“Flag lot” means a lot not fronting on or abutting a public road and where access to the public road is by a narrow, private right-of-way or where the street frontage of the lot is less than the lot width required by this code which would result in a narrow portion of the property being used as access to the main portion of the lot.

16.06.450

Lot line, front.

“Front lot line” means that boundary of a lot which is located along an existing or dedicated public street, or, where no public street exists, along a public right-of-way or private way.

16.06.452**Lot or parcel, fully developed.**

A fully developed parcel or lot is a parcel of land with an existing development or use that may or may not be part of a previous subdivision or short subdivision, binding site plan or any formal development approval, is of a size that is within the range of density or intensity permitted within the underlying zoning classification, is generally similar in size to other developed parcels or lots within the immediate vicinity, and does not qualify within the definition of an undeveloped or underdeveloped parcel or lot. Any lot or parcel with an existing residential development or use that is below 10,890 square feet shall be classified as fully developed.

16.06.454**Lot, infill.**

An infill lot is one that is created from an underdeveloped lot or parcel. Such a lot is generally created through a short subdivision on a piece of property that contains an existing residential or commercial use before the new lot is created.

16.06.456**Lot or parcel, underdeveloped.**

An underdeveloped parcel or lot is a parcel that contains a residential unit or commercial use that does not take advantage of the full density permitted in the underlying zoning classification. It is a lot that may or may not have been part of a previous subdivision, short subdivision, binding site plan or formally developed site. For the purposes of this definition an underdeveloped parcel or lot shall refer only to a lot which is larger than 10,890 square feet and smaller than one acre in size and is in a configuration which will allow the parcel or lot to be re-divided or utilized for additional development or use in conformance with the requirements of LMC 15.32.060 and Chapter 14.23 LMC.

16.06.458**Lot or parcel, undeveloped.**

An undeveloped parcel or lot is one that does not contain structures and has the capacity to be developed for urban uses in compliance with the underlying zoning classification. In addition, for purposes of this code, any lot or parcel or more than one acre in size and containing no more than one single family residence shall also be considered as an undeveloped parcel or lot.

16.06.460**Lot, interior.**

“Interior lot” means a lot that has frontage on one street only.

16.06.470**Lot line, rear.**

“Rear lot line” means the lot line which is opposite and most distant from the front lot line, except, in the case of a triangular or pie-shaped lot, it means a straight line ten feet in length which: (1) is parallel to the front lot line; or, (2) intersects the two other lot lines at points most distant from the front lot line.

16.06.480**Lot, through.**

“Through lot” means a lot that fronts on two parallel or nearly parallel streets. (See Table 16T-03.)

16.06.490**Lot width.**

“Lot width” means the horizontal distance between side lot lines measured at right angles to the lines comprising the depth of the lot at a point midway between the front lot line and the rear lot line. (See Table 16T-04.)

16.06.49~~2~~1

Low impact development (LID) facility.

“Low impact development (LID) facility” means distributed stormwater management practices, integrated into a project design that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID facilities include, but are not limited to: bioretention, rain gardens, permeable paving, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water re-use.

16.06.49~~3~~2

Low impact development (LID) principles.

“Low impact development (LID) principles” means land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff.

16.06.49~~5~~3

Major pedestrian corridor.

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

~~See “Key multimodal corridors”.~~

16.06.49~~6~~4

Mall.

“Mall” means:

A. A shaded walk or public promenade; or

B. A shopping center where stores front on both sides of a pedestrian way that may be enclosed or open.

16.06.49~~65~~5A

Manufactured Home, Designated.

A “designated manufactured home” is a manufactured home constructed after June 15, 1976, in accordance with federal requirements for manufactured housing (meeting HUD code) which:

A. Is comprised of at least two fully enclosed parallel sections each of not less than twelve feet wide by thirty-six feet long;

B. Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch; and

C. Has exterior siding similar in appearance to siding materials commonly used on site built single family homes built according to the International Building Code.

16.06.49~~65~~5B

Manufactured home, new.

A “new manufactured home” means any manufactured home required to be titled under RCW Title 46, which has not been previously titled to a retail purchaser, and is not a “used mobile home” as defined in RCW 82.45.032(2).

16.06.49~~65~~5C

Manufactured home park.

A “manufactured home park” means an area of land, in single ownership, on which ground space is made available for the location of manufactured homes. Said manufactured homes would generally be owned by the occupants who pay a fee for the use of the ground space. The manufactured home units remain essentially portable and may be moved.

16.06.49~~76~~

Marquee.

“Marquee” means any hood, canopy, awning or permanent construction that projects from a wall of a building, usually above an entrance.

16.06.497

Middle housing.

“Middle housing” means residential building types that are compatible in scale, form, and character with single-family detached homes and that contain two or more attached, stacked, or clustered homes including duplexes, fourplexes, stacked flats, townhouses and cottage housing.

16.06.498

Mass timber construction.

“Mass timber construction” a building with structural components primarily made of mass timer products.

16.06.49~~89~~

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.

16.06.500

Mobile home.

A transportable, factory-built home designed and intended to be used as a year round dwelling, and built prior to the enactment of the Federal Manufactured Housing and Safety Standards Act of 1974. Mobile homes are no longer built, and placement in this community is prohibited.

16.06.502

Modular construction.

“Modular construction” means a multistory building constructed of standardized components produced off-site.

16.06.510

Repealed by Ord. 1243.

16.06.520

Repealed by Ord. 1243.

16.06.530

Motel.

“Motel” means a building or group of buildings containing guest rooms which may or may not contain cooking facilities, and where lodging with or without meals is provided for compensation. Motels are designed to accommodate the automobile tourist or transient, and parking spaces or garages are conveniently located near each guest room.

16.06.532

Multifamily.

“Multifamily” means three or more living units under the same ownership where land has not been divided, i.e., triplex, quadraplex, condominiums, housing cooperatives and apartment units.

16.06.535**Multiple use building.**

“Multiple use building” means a building containing uses from more than one land use classification.

16.06.538**Native vegetation.**

“Native vegetation” means vegetation including trees, comprised of plant species that are either indigenous or naturalized to the Puget Sound region. Native vegetation does not include noxious weeds.

16.06.540**Nonconforming building or structure.**

“Nonconforming building or structure” means a building, structure, or portion thereof that was legally in existence, either constructed or altered prior to the effective date of the ordinance codified in this title, which does not conform with the requirements of this title.

16.06.550**Nonconforming lot.**

“Nonconforming lot” means a parcel of land, in separate ownership, and of record prior to the effective date of the ordinance codified in this title, which does not conform with the dimensional or area requirements of this title.

16.06.560**Nonconforming use.**

“Nonconforming use” means an activity in a structure or on a tract of land that was legally in existence prior to the effective date of the ordinance codified in this title, which does not conform with the use regulations of the use district in which it is located.

16.06.562**Off-site hazardous waste treatment and storage facility.**

“Off-site hazardous waste treatment and storage facility” means treatment and storage facilities which treat and store hazardous wastes generated on properties other than those on which the off-site facilities are located.

16.06.564**On-site hazardous waste treatment and storage facility.**

“On-site hazardous waste treatment and storage facility” means treatment and storage facilities which treat and store hazardous wastes generated on the same property.

16.06.565**Office.**

“Office” means a room, studio, suite or building in which a person transacts his/her business or carries on his/her stated occupation, further defined in some provisions as business office. For the purpose of this chapter, an office shall not involve manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair or storage of materials, goods and products; or the sale and delivery of any materials, goods or products that are physically located on the premises. An office shall not be deemed to include a veterinary clinic.

16.06.566**Office, business.**

“Business office” means any room, studio, suite or building wherein the primary use is the conduct of a business such as accounting, correspondence, research, editing, administration or analysis; or the conduct of a business by salespersons, sales representatives or manufacturer’s representatives, or the conduct of a business by professionals such as engineers, architects, land surveyors, artists, musicians, lawyers, accountants, real estate brokers, insurance agents, dentists or physicians, urban planners and landscape architects, but specifically excluding veterinarians.

16.06.567**Office, medical.**

“Medical office” means the offices of doctors, dentists, chiropractors, optometrists, and other health practitioners providing outpatient care. It also includes medical and dental laboratories, blood banks, and the like.

16.06.570**Open space.**

“Open space” means that portion of a lot or parcel not developed or built upon or occupied by buildings, parking areas, driveways and the like; generally the front, rear and side yards of a lot.

16.06.580**Open space, common.**

“Common open space” means that portion of lot or parcel not developed, built upon or occupied by buildings, parking areas, driveways and the like; other than minimal appurtenances such as walkways designed and intended to make such open space usable and accessible, and the use of which is intended for and accessible to all of the persons residing in the development of which the open space is a part.

16.06.590**Open space, usable.**

“Usable open space” means undeveloped or unbuilt portions of land designed and maintained in a manner which makes such open space accessible and usable by and for the persons for whom the space is intended.

16.06.600**Parcel.**

“Parcel” means a contiguous quantity of land in the possession of, or owned by, or recorded as the property of, the same person.

16.06.610

Parking area.

“Parking area” means an open area, other than a street or alley, which contains one or more parking spaces, and the aisles which provide access to such spaces.

16.06.615

Parking, off-street.

“Off-street parking” means an area devoted to the parking of vehicles and located within the boundaries of a lot.

16.06.620

Parking space.

“Parking space” means an unobstructed space or area other than a street or alley which is permanently reserved and maintained for the parking of one motor vehicle.

16.06.621

Passive house requirements.

“Passive house requirements” means the criteria for certification as a passive house by the International Passive House Institute.

16.06.622

Patio.

“Patio” means an outdoor space generally used for dining or recreation that adjoins a residence and is typically paved with concrete, brick, gravel or other similar surface.

16.06.625

Pedestrian scale-oriented frontage.

“Pedestrian scale” or “human scale” refers to the proportional relationship between people and the built environment, emphasizing dimensions, walking distances, and design elements that can be comfortably perceived, accessed, and interacted with via the sidewalk and other pedestrian gathering spaces. A key component of pedestrian scale relies on “pedestrian oriented frontage”, that include design elements such as varied surface textures, massing articulation, awnings, street separation, murals, walk sculptures, street trees, and the display windows of adjacent buildings. “Pedestrian oriented frontage” means a building frontage devoted to uses that stimulate pedestrian activity, or to visually interesting features at the pedestrian level. Uses are typically sidewalk-oriented and physically or visually accessible by pedestrians from the sidewalks. Uses that comprise pedestrian-oriented frontage include, but are not limited to, specialty retail stores, delicatessens, drug stores, shoe repair shops, cleaning establishments, floral shops, beauty shops, barber shops, department stores, apparel shops or boutiques, travel agencies and other services, restaurants and theaters. Banks and financial institutions are not pedestrian-oriented uses. Visually interesting features include, but are not limited to, murals, wall sculptures and display cases.

16.06.626

Pedestrian scale.

“Pedestrian scale” means the proportional relationship between an individual and the individual’s environment.

16.06.627

Permeable paving.

“Permeable paving” means pervious concrete, porous asphalt, permeable pavers or other forms of pervious or porous paving material intended to allow passage of water through the pavement section. It often includes an aggregate base that provides structural support and acts as a stormwater reservoir. Refer to the current City of Lacey Stormwater Design Manual for permeable paving design standards.

16.06.628

People with functional disabilities.

“People with functional disabilities” means:

A. A person who, because of a recognized chronic physical or mental condition or disease, is functionally disabled to the extent of:

1. Needing care, supervision or monitoring to perform activities of daily living or instrumental activities of daily living, or
2. Needing support to ameliorate or compensate for the effects of the functional disability so as to lead as independent a life as possible, or
3. Having a physical or mental impairment which substantially limits one or more of such person’s major life activities, or
4. Having a record of having such an impairment, or

B. Being regarded as having such an impairment, but such term does not include current, illegal use of or active addiction to a controlled substance.

16.06.630

Person.

“Person” means an individual or any group of individuals, acting as a unit, whether or not legally constituted as an association, company, corporation, estate, family, partnership, syndicate, trust or other entity.

16.06.640

Planning commission.

“Planning commission” means the city planning commission of the city of Lacey.

16.06.645

Plaza.

“Plaza” means a continuous open area that is readily accessible to the public at all times, open above and on at least one side, and designed specifically for use by people as opposed to serving as a setting for a building.

16.06.646

Plaza, shopping.

“Shopping plaza” means a continuous, one-story area that is readily accessible to the public and visible consumer shopping with uses such as, but not limited to, flower shops, apparel shops, magazine and smoke shops, card shops, gift shops, outdoor-indoor cafes, art galleries and similar specialty shops.

16.06.650

Premises.

“Premises” means an area of land with its appurtenances and buildings which because of its unity of use may be regarded as the smallest conveyable unit.

16.06.660

Principal use.

“Principal use” means the specific and primary purpose for which land or building is occupied, arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

16.06.670

Property line.

“Property line” means a line bounding and indicating the ownership, or intended ownership, of a parcel of land.

16.06.670A

Rain garden.

“Rain garden” means a non-engineered shallow, landscaped depression, with compost-amended native soils and adapted plants. The depression is designed to pond and temporarily store stormwater runoff from adjacent areas, and to allow stormwater to pass through the amended soil profile.

16.06.671

Repealed by Ord. 1539.

16.06.672

Recreational vehicle.

“Recreational vehicle” means a portable structure such as a motor home, travel trailer, equivalent facilities in or on an automotive vehicle, tent, or other short-term recreational shelter designed as a temporary dwelling for travel, recreation and vacation uses.

16.06.674

Repealed by Ord. 1539.

16.06.676

Religious organization.

“Religious organization” means organizations and institutions developed for the purposes of religious exercise and considered protected under the Religious Land Use and Institutionalized Persons Act (RLUIPA). Particularly relevant in the context of the ordinance codified in this section is a religious

organization whose religious activities and beliefs typically include providing basic needs such as homeless encampments, shelters, meals, and assistance to the poor and needy.

16.06.677

Reserve lot.

“Reserve lot” means a large lot reserved in a plat or short plat for future development. The large lot is intended to be reserved for intensive development at some future date when utilities become available. The large lot may have a community drainfield system on it that serves other smaller clustered lots within the plat or short plat until such time as sewer becomes available to the area and may also be used for open space purposes until such time as it is developed.

16.06.678

Residential care facility.

“Residential care facility” means a facility, licensed by the state, that cares for at least five but not more than fifteen people with functional disabilities, that has not been licensed as an adult family home pursuant to RCW 70.128.170. These facilities include, but are not limited to: boarding homes as licensed by RCW 18.20.010 in accordance with Chapter 248-16 WAC; residential treatment facility for psychiatrically impaired children and youth in accordance with Chapter 17.12 RCW and WAC 248-23-001(32); adult residential rehabilitation center in accordance with Chapter 71.12 RCW and WAC 248-25-002(3); private adult treatment home in accordance with Chapter 71.12 RCW and WAC 248-25-002(28); alcoholism treatment facility in accordance with Chapter 71.12 RCW and WAC 248-26-100(6); congregate care facility in accordance with Chapters 71.12 and 18.20 RCW, RCW 74.08.044 and WAC 388-15-560; evaluation and treatment facility in accordance with RCW 71.34.020(6); group training home in accordance with RCW 71A.22.020(2), group care facility in accordance with RCW 74.15.010(3)(a); and foster family homes in accordance with RCW 74.15.010(3)(e).

16.06.679

Restaurant.

“Restaurant” means a use providing preparation and retail sale of food and beverages, including coffee shops, sandwich shops, ice cream parlors, fast food take-out, espresso stands, and similar uses. A “drive-in” restaurant is one where all or a significant portion of the consumption takes place or is designed to take place with the patrons remaining in their vehicles while on the premises. A “drive-through”

restaurant is one which has one or more drive-through lanes for ordering and dispensing of food and beverages to patrons remaining in their vehicles, for consumption off the premises.

16.06.680

Section.

“Section” means any of the various sections of this zoning title, unless otherwise clearly indicated by the context.

16.06.685

Shared facilities.

“Shared facilities” means common areas or spaces within a building or development that are available for joint use by multiple occupants, or sleeping units, including but not limited to: kitchens, bathrooms, dining areas, laundry rooms, or similar shared amenities.

16.06.690

Shoreline.

“Shoreline” means a line determined by the “ordinary high water mark” as defined in the Shoreline Management Act of 1971, as follows:

“Ordinary high water mark” on all lakes, streams, and tidal water is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on the effective date of this chapter or as it may naturally change thereafter: PROVIDED, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining saltwater shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water. (Or, as shown by markings of water surface contaminants on rocks, bulkheads, pilings or other relatively permanent structure or natural feature.)

16.06.691

Single Family Dwelling.

~~“Single family dwelling” means any dwelling designed and intended for use by one family. A single family dwelling may be site built or manufactured.~~

16.06.692

Site Built.

“Site built” refers to a dwelling that is constructed on the site where it will be used and is regulated under the International Building Code.

16.06.693

Sleeping unit.

“Sleeping unit” means a private, lockable room within a co-living development that provides living and sleeping space for one or more persons. A sleeping unit may include a toilet and sink within the unit, but does not include a private kitchen or bathing facilities. Sleeping units rely on shared common areas for kitchens, bathing facilities, and other household functions.

16.06.694

Small farm animal.

“Small farm animal” means small varieties of animals used in urban agricultural activities for production of food or their products and generally under 150 pounds, such as chickens, rabbits, pygmy goats, bees, and other similar sized farm animals.

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 device 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
- d. The generation of electricity.

16.06.695C

Solar skyspace.

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

16.06.697

Stacked flat.

“Stacked flat” means a residential building containing two or more dwelling units arranged vertically, in which each unit occupies a single floor or portion of a floor and units are accessed from a common entry or shared area.

16.06.698

Standard kitchen (co-living).

“Standard kitchen (co-living)” means a room or part of a room that is used, intended, or designed to be used for cooking or preparing food. A kitchen includes facilities, or utility hookups for facilities, sufficient to prepare, cook, and store food and wash dishes. At a minimum, a kitchen shall include countertops, a

kitchen-style sink, space and utilities sufficient for a gas or 220/240-volt electric stove and oven, and a refrigerator with a minimum storage capacity of 20 to 22 cubic feet.

16.06.700

State.

“State” means the state of Washington.

16.06.710

Street, flanking.

“Flanking street” means a street, alley or right-of-way other than the one on which a corner lot has its main frontage.

16.06.715

Street furniture.

“Street furniture” means human-made, above-ground items that are usually found in street rights-of-way, including, but not limited to, benches, kiosks, plants, canopies, shelters and phone booths.

16.06.720

Street, major.

“Major street” means a state highway, county road or city thoroughfare designated as a primary, or secondary, or collector, arterial in the city’s six-year street program and/or the circulation plan of the Lacey development plan.

16.06.730

Street, minor.

“Minor street” means a street or road designated as a local access street.

16.06.740

Structure.

“Structure” means anything erected, the use of which has fixed location on or in the ground, or attachment to something having fixed location on the land, including but not limited to buildings, fences, signs and walls.

16.06.74~~2~~1

Supported living arrangement.

“Supported living arrangement” means a living unit owned or rented by one or more persons with functional disabilities who receive assistance with activities of daily living, instrumental activities of daily living, and/or medical care from an individual or agency licensed and/or reimbursed by a public agency to provide such assistance.

16.06.742

Townhouse.

“Townhouse” means a dwelling unit which is part of a group of two or more units separated by a common party wall having no doors, windows or other provisions for human passage or visibility. Each one-dwelling unit shall be attached by not more than two party walls.

16.06.743

Townhouse group.

“Townhouse group” means a cluster or grouping of townhouse units containing not less than two nor more than six individual townhouse dwelling units contiguous to one another.

16.06.74~~3~~4

Transfer of development rights (TDR).

“Transfer of development rights” means the removal of the right to develop or build from land in one site, parcel, area or zoning district to another where such transfers are permitted.

16.06.74~~65~~

Transitional urban agricultural use.

“Transitional urban agricultural use” means an urban agricultural activity utilizing land prior to the time another activity is developed. This will usually occur as a temporary use of a site to provide a useful benefit on land until a more permanent use is established.

16.06.746

Triplex.

“Triplex” means a residential building containing three attached dwelling units.

16.06.747

Upper-level setback.

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

16.06.74~~7~~8

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.

16.06.750

Use district.

“Use district” means a specific zoned area or district designated on the official zone map. Such area is subject to all the regulations applicable to the district that are contained in this title.

16.06.760**Variance.**

“Variance” means a modification of the regulations because of the unusual nature, shape, exceptional topographic conditions, or extraordinary situation or conditions connected with a specific piece of property, where the literal enforcement of this title would pose undue hardship unnecessary in carrying out the spirit of this title.

16.06.764**Vegetated LID facility.**

“Vegetated LID facility” means bioretention, rain gardens, dispersion, and vegetated roofs, where applicable.

16.06.765**Vegetated roofs.**

“Vegetated roofs” (also known as ecoroofs and green roofs) means thin layers of engineered soil and vegetation constructed on top of conventional flat or sloped roofs. Refer to the current City of Lacey Stormwater Design Manual for vegetated roof design standards.

16.06.770**Yard.**

“Yard” means an open space unoccupied to the sky of uniform depth or width which lies between the property line and building line, or between the shoreline and the building line. The inside boundary shall be considered parallel to the nearest property line.

16.06.780**Yard, front.**

“Front yard” means a yard extending across the full width of the lot from one property line to another and measured as to depth at the least horizontal distance between street line and the exterior wall.

16.06.790**Yard, rear.**

“Rear yard” means a yard extending from one property line to another except in the case of corner building sites when the rear yard shall extend from the interior side property line to the opposite side yard. Yard is measured as to depth at the least horizontal distance between the rear site line and the exterior wall.

16.06.800**Yard, shoreline.**

“Shoreline yard” means a yard extending from the building line to the ordinary high water mark (OHWM) of the shoreline which qualifies as either a front or rear yard.

16.06.810**Yard, side.**

“Side yard” means a yard extending from the front yard to the rear yard except in the case of corner building sites when the side yard on the flanking street shall extend to the rear property line.

16.06.820**Zero lot line.**

“Zero lot line” means the location of a building on a lot in such a manner that one or more of the building’s sides rest directly on a lot line.

16.06.830

Zoning envelope.

“Zoning envelope” means the three-dimensional space within which a structure is permitted to be built on a lot and which is defined by maximum height regulations, yard setbacks and other bulk regulations.

Exhibit E: 16.13

Chapter 16.13
LOW-DENSITY RESIDENTIAL DISTRICT

Sections:

16.13.010 Intent

16.13.020 Permitted uses

16.13.030 Prohibited uses

16.13.035 Densities and infill

16.13.040 Environmental performance standards

16.13.050 Lot area

16.13.060 Off-street parking

16.13.070 Landscaping

16.13.080 Stormwater runoff

16.13.010

Intent.

It is the intent of this chapter to:

A. Enhance the residential quality of the city by providing a high standard of development for residential;

B. Allow a broad range of housing options;

C. Guide residential development to those areas where:

1. Public sewers are in place prior to residential building construction, or

2. Sewers can be extended, or

3. New technology in the processing of domestic sewerage makes residential development in unsewered areas environmentally acceptable;

D. Guide development of residential areas in such manner as to encourage and plan for the availability of public services and community facilities such as utilities, police and fire protection, streets, schools, parks and recreation;

E. Guide development in such a manner as to provide protection between noncompatible uses.

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.

7. Infill residential development, including accessory dwelling units as provided in Chapter 16.52 LMC.

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~~ LMC 14.23.072;

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~~4. Conditional uses as provided in Chapter 11.09 LMC;

~~6~~5. 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~~6. ~~Family day~~Child care ~~facilities~~ homes as provided for in Chapter 16.65 LMC.

16.13.030

Prohibited uses.

A. Kennels are prohibited.

B. Uses other than those identified or described in LMC 16.13.020 are prohibited.

16.13.035

Densities and infill.

~~Densities shall not exceed six units per acre; provided, that duplexes or triplexes either created by remodeling an existing single-family dwelling or constructed on an existing vacant lot of record are not subject to the maximum density limits. Every detached single-family dwelling, with the exception of an accessory dwelling meeting the requirements of LMC 16.06.055 and every duplex or triplex, shall be located on its own lot. Creation of said lot shall meet all requirements of LMC Title 15, the Lacey subdivision and short subdivision code.~~

A. Densities shall not exceed six units per acre, provided that the following development types are not subject to the maximum density limits established in this section:

1. Infill residential development permitted in accordance with Chapter 16.52 LMC;

2. Duplexes or triplexes created by either remodeling an existing single-family dwelling or constructed on an existing vacant lot of record.

B. Every detached single-family dwelling, duplex, or triplex shall be located on its own lot, unless developed in accordance with Chapter 16.52 LMC.

C. Creation of lots shall meet all requirements of LMC Title 15 Land Division.

16.13.040

Environmental performance standards.

A. Permitted uses shall create no noise, emissions, odors or other nuisances which are demonstrably disruptive or disturbing to other residences in the area, or which are of a quality or quantity not normally associated with residential use.

~~B. Accessory buildings shall be complementary to the basic architectural character of the main building on the lot, or appropriate to the accessory use.~~

~~C.~~ Conditional uses shall comply with the development standards described for such uses in Chapter 11.09 LMC.

~~D.~~ All uses shall comply with the applicable environmental performance standards of Chapter 16.57 LMC.

16.13.050

Lot area.

A. The size and shape of lots shall be as follows, provided they adhere to the density requirements:

1. Minimum lot area, four thousand five hundred square feet where alleys are utilized; five thousand square feet where alleys are not provided.

2. Minimum lot width, forty feet where alleys are utilized, fifty feet where alleys are not provided. In the case of infill lots, the street frontage shall also be forty feet when alleys are utilized and fifty feet if alleys are not utilized.

3. Minimum front yard:

Sixteen feet.

In addition, setbacks are encouraged to be staggered as provided in LMC 15.12.080(F) for the purpose of modulating the streetscape and providing more convenient opportunities for offsetting windows for privacy of individual homes ~~and other desired design outcomes.~~

Garages facing the street, twenty feet.

On front yard flanking streets, ten feet.

Unenclosed porches may project up to six feet into the front yard, provided the porches are at least forty-eight square feet in area with no dimension less than six feet.

4. Minimum side yards:

Minimum on one side, five feet.

Minimum total both sides, ten feet.

5. Alternative lot configurations may be approved provided they comply with all of the following:

a. Other applicable standards in this chapter.

b. Design criteria in LMC 14.23.072, particularly LMC 14.23.072(L).

c. The design results in a ~~superior~~ land division layout that ~~considering its~~ functionality and ~~character with particular consideration given to~~ privacy for individual lots, pedestrian access and convenience, and the design of public and/or private open space opportunities and natural features.

6. Minimum rear yard, fifteen feet, provided garages may be within three feet of the rear yard line, alley easement or paved surface when adjacent to an alley.

B. Lots intended for attached single-family development shall be reviewed and approved through a subdivision, townhouse, or PRD process where the concept is identified and the project is reviewed and approved subject to design requirements of LMC 14.23.080.

C. Development of lots not on sewer. Areas without sewer must be developed in a manner that maintains long-term potential to achieve minimum required densities and efficient provision of sewer once sewer becomes available. Areas developing without sewer must meet the following requirements:

1. The health department must review and approve plans for alternative sewage disposal.

2. Lots must be clustered in a configuration that results in urban size lots with one large reserve lot for future development.

3. Clustered lots must be between five thousand and ten thousand eight hundred ninety square feet.

4. Excluding the reserve parcel, clustered lots must meet density requirements of LMC 16.13.035.

5. Subdivisions and short subdivisions must have a statement on the face of the plat or short plat that when sewer becomes available to the area clustered lots shall hook up to sewer at each lot owner's expense. Such requirement shall also be provided for in protective covenants.

D. Other lot standards:

1. Minimum usable open space:

Where alleys are utilized, lots shall provide a contiguous open space equivalent to ten percent of the lot size. Specific open space requirements:

Shall feature minimum dimensions of fifteen feet on all sides, provided one side may be reduced to ten feet by the site plan review committee if it determines the space is designed with features that make it more inviting, private and usable. Design for reduction of the minimum dimension must include at least two of the following techniques:

- a. A pergola or other architectural feature with landscaping;
- b. An improved patio area with features for associated use such as sitting or barbeque;
- c. Other design features and improvements that add to the usability, privacy and desirability of the private space.

As an example, a forty-five-hundred-square-foot lot would require a contiguous open space of at least four hundred fifty square feet, or approximately fifteen feet by thirty feet in area for a standard dimension, or ten feet by forty-five feet if the dimension is reduced and design features added.

Such open space shall not be located within the front yard.

For duplexes and triplexes, each dwelling unit must have direct access to its own usable open space. (See Tables 16T-75 and 16T-76.)

Table 16T-75

Minimum standards for front-loaded lots in the Low Density Residential District.

Table 16T-76

Minimum standards for alley-loaded lots in the Low Density Residential District.

2. Maximum building area coverage, fifty percent.
3. Maximum development coverage, sixty-five percent. Side and rear yard patios are exempt from development coverage restrictions provided the paving material used is considered a pervious pavement by the city of Lacey's public works department.
4. Maximum height:

Main building and accessory dwelling, twenty-five feet; thirty-five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.

Townhouses, thirty feet; thirty-five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.

Accessory building shall be limited to the height of the primary building, provided structures over sixteen feet in height shall require design review. Design shall demonstrate a compatibility with the primary structure and shall not dominate the site visually.

An additional two feet in height is permitted for structures with green roofs occupying at least fifty percent of the area of the roof.

5. Accessory buildings. Accessory buildings shall comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than two hundred square feet, the following setbacks are permitted:

Front yard, sixteen feet.

Side yard, five feet.

Rear yard, three feet.

~~6. Accessory dwelling units: All attached accessory dwelling units shall comply with the setback requirements contained in this chapter; provided, however, minimum setbacks for single-story detached accessory dwelling units shall be as follows:~~

~~Front yard, sixteen feet.~~

~~Side yard, five feet.~~

~~Rear yard, five feet.~~

~~Front yard flanking streets, ten feet.~~

~~If the detached accessory dwelling unit is more than a single story, minimum setbacks shall be as follows:~~

~~Front yard, sixteen feet.~~

~~Side yard, ten feet.~~

~~Rear yard, ten feet.~~

~~Front yard flanking streets, ten feet.~~

16.13.060

Off-street parking.

Off-street parking shall be provided in accordance with Chapter 16.72 LMC.

16.13.070

Landscaping.

All requirements of Chapter 16.80 LMC shall be satisfied.

16.13.080

Stormwater runoff.

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. Stormwater generated on site shall not cause pollution to any surface or ground waters, or violate local, state, or federal standards governing the quality of such waters.

Exhibit F: 16.14

Chapter 16.14

LACEY HISTORICAL NEIGHBORHOOD

Sections:

16.14.010 Intent

16.14.020 Permitted uses

16.14.030 Prohibited uses

16.14.040 Environmental performance standards

16.14.050 Lot area

16.14.060 Off-street parking

16.14.070 Landscaping

16.14.080 Stormwater runoff

16.14.090 Special historic neighborhood design standards

16.14.100 Repealed

16.14.010

Intent.

The intent of this chapter is to provide for single-family residential uses in close proximity to the Central Business District and protection and preservation of structures and properties possessing historical significance.

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~~ LMC 14.23.072;

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. Infill residential development including Aaccessory dwelling units as defined in LMC 16.06.055 and meeting design criteria of LMC 14.23.071; as provided for in Chapter 16.52 LMC.

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 as provided for in Chapter 16.65 LMC.

16.14.030

Prohibited uses.

A. Kennels are prohibited.

B. Uses other than those identified or described in LMC 16.14.020 are prohibited.

16.14.040

Environmental performance standards.

A. Permitted uses shall create no noise, emissions, odors or other nuisances which are demonstrably disruptive or disturbing to other residences in the area, or which are of quality or quantity not normally associated with residential use.

~~B. The construction of accessory buildings shall be required in such a manner as to make them complementary to the basic architectural character of the main building on the lot, appropriate to the accessory use, and consistent with historical character of the zone.~~

~~DB.~~ Conditional uses shall comply with the development standards described for such uses in Chapter 11.09 LMC.

~~EC.~~ All uses shall comply with the applicable environmental performance standards of Chapter 16.57 LMC.

16.14.050

Lot area.

The size and shape of lots shall be as follows, provided they adhere to a density requirement of 2.5 units per acre:

A. Minimum lot area, seventeen thousand four hundred twenty four square feet;

B. Minimum lot width, fifty feet;

C. Minimum front yard, fifteen feet;

D. Minimum side yard, five feet on each side;

E. Minimum rear yard, fifteen feet for main house and; ~~five feet for~~ accessory dwelling units; five feet for ~~and~~ accessory structures;

F. Maximum building coverage, fifty percent;

G. Maximum development coverage, sixty five percent;

H. Maximum height of buildings:

1. Main building and accessory dwelling, thirty five feet;

2. Accessory building, sixteen feet.

16.14.060

Off-street parking.

Off-street parking shall be provided in accordance with Chapter 16.72 LMC.

16.14.070

Landscaping.

All requirements of Chapter 16.80 LMC shall be satisfied.

16.14.080

Stormwater runoff.

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.

16.14.090

Special historic neighborhood design standards.

All design requirements of LMC 14.23.074 shall be satisfied.

16.14.100

Repealed

Exhibit G: 16.15

Chapter 16.15
MODERATE-DENSITY RESIDENTIAL DISTRICT

Sections:

16.15.010 Intent

16.15.020 Types of uses permitted

16.15.030 Prohibited uses

16.15.035 Individual lots required

16.15.040 Environmental performance standards

16.15.050 Lot area

16.15.060 Off-street parking

16.15.070 Landscaping

16.15.080 Stormwater runoff

16.15.090 Repealed

16.15.010

Intent.

It is the intent of this chapter to:

- A. Enhance the residential quality of the city by providing a high standard of development for residential areas of moderate density;
- B. Permit a greater variety of housing types than are permitted in the low density residential districts;
- C. Permit a higher density of development as a means of achieving more economical housing;
- D. Permit moderate density development along arterials and collectors as a means of achieving more opportunity for mass transit;

E. Guide moderate density residential development to those areas where:

1. Public sewers are in place prior to residential building construction, or
2. Where sewers can be extended at minimal cost to the city, and
3. The Regional Transportation Plan designated moderate and high density transportation corridors to enhance and promote mass transit opportunities.

F. Guide development of residential areas in such manner as to encourage and plan for the availability of public services and community facilities such as utilities, police and fire protection, streets, schools, parks and recreation;

G. Preserve within developments as much open space and related amenities as possible.

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~~. residential dwellings containing multiple units. 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~~ LMC 14.23.072;

2. Home occupations as provided in Chapter 16.69 LMC;

3. Infill residential development including Accessory dwelling units as defined in LMC 16.06.055 as provided for in Chapter 16.52 LMC;

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~~ as provided for in Chapter 16.65 LMC.

16.15.030

Prohibited uses.

A. Kennels are prohibited.

B. Uses other than those identified or described in LMC 16.15.020 are prohibited.

16.15.035

Individual lots required.

Every detached single-family dwelling, ~~with the exception of an accessory dwelling meeting the requirements of LMC 16.06.055, and every duplex, or triplex, or other residential building~~ shall be located on its own lot. Exception: Townhouses developed through a condominium ordinance and apartment buildings designed as a single development may be located on one lot. Creation ~~of a lot or~~ lots shall meet all requirements of LMC Title 15 ~~the Lacey Land Division ordinance.~~

16.15.040

Environmental performance standards.

A. Permitted uses shall create no noise, emissions, odors or other nuisances which are demonstrably disruptive or disturbing to other residences in the area, or which are of a quality or quantity not normally associated with residential use.

~~B. Accessory buildings shall be complementary to the basic architectural character of the main building on the lot, or appropriate to the accessory use.~~

~~C.~~ Conditional uses shall comply with the development standards described for such uses in Chapter 11.09 LMC.

~~D.~~ All uses shall comply with the applicable environmental performance standards of Chapter 16.57 LMC.

16.15.050

Lot area.

A. The size and shape of lots for detached single-family shall be as follows, provided they adhere to the density requirements:

1. Minimum lot area, three thousand square feet where alleys are utilized, four thousand square feet if alleys are not provided.

2. Minimum lot width, thirty feet when alleys are utilized, forty feet where alleys are not provided. Minimum lot width and street frontage for infill lots designed for construction of a single-family

residence shall be thirty feet when alleys are utilized and forty feet when alleys are not utilized. Infill lots to be used for buildings containing two or more units ~~duplexes or other multifamily uses~~ shall have a minimum lot width and street frontage of fifty feet.

3. Minimum front yard:

Sixteen feet for single-family dwellings and duplexes. Ten feet for ~~multifamily~~ buildings containing three or more units.

In addition, setbacks are encouraged to be staggered as provided in LMC 15.12.080(F) for the purpose of modulating the streetscape and providing more convenient opportunities for offsetting windows for privacy of individual homes.

Garages facing the street, twenty feet.

On front yard flanking streets, ten feet.

Unenclosed porches may project up to six feet into the front yard, provided the porches are at least forty-eight square feet in area with no dimension less than six feet.

4. Minimum side yards:

Minimum on one side, five feet.

Minimum total both sides, ten feet.

5. Alternative lot configurations may be approved provided they comply with all of the following additional standards and design:

a. Other applicable standards in this chapter.

b. Design criteria in LMC 14.23.072, particularly LMC 14.23.072(L).

c. The design results in a superior land division layout considering its functionality and character with particular consideration given to privacy for individual lots, pedestrian access and convenience, and the design of public and/or private open space opportunities and natural features.

6. Minimum rear yard, fifteen feet, provided garages may be within three feet of the rear yard line, alley easement or paved surface when adjacent to an alley.

B. Lots intended for buildings containing multiple attached units ~~attached single family, condominiums and multifamily~~ shall be reviewed and approved through a subdivision, townhouse, PRD, site plan review, or building plan review process where such concept is identified and the project is designed and conditioned subject to design requirements of Chapter 14.23 LMC.

C. Development of Lots Not on Sewer. Areas without sewer must be developed in a manner that maintains long term potential to achieve minimum required densities and efficient provisions of sewer once sewer becomes available. Areas developing without sewer must meet the following requirements:

1. The health department must review and approve plans for alternative sewage disposal.
2. Lots must be clustered in a configuration that results in urban size lots with one large reserve lot for future development.
3. Clustered lots must be between four thousand and ten thousand eight hundred ninety square feet.
4. Excluding the reserve parcel, clustered lots must meet density requirements of LMC 16.15.020.
5. Subdivisions and short subdivisions must have a statement on the face of the plat or short plat that when sewer becomes available to the area, clustered lots shall hook up to sewer at each lot owner's expense. Such requirement shall also be provided for in protective covenants.

D. Other Lot Standards.

1. Minimum Usable Open Space. Where alleys are utilized, lots shall provide a contiguous open space equivalent to ten percent of the lot size. Specific open space requirements:

Shall feature minimum dimensions of fifteen feet on all sides, ~~provided~~ One side may be reduced to ten feet ~~by the site plan review committee if the design includes it determines the space is designed with features that make it more inviting, private and useable. Design for reduction of the minimum dimension must include~~ at least two of the following techniques:

- a. A pergola or other architectural feature with landscaping;
- b. An improved patio area with features for associated use such as sitting or barbeque;
- c. Other design features and improvements that add to the usability, privacy and desirability of the private space.

As an example, a three-thousand-square-foot lot would require a contiguous open space of at least three hundred square feet, or fifteen feet by twenty feet in area for a standard dimension, or ten feet by thirty feet if the dimension is reduced and design features added.

Such open space shall not be located within the front yard.

For duplexes and triplexes, each dwelling unit must have direct access to its own usable open space.

For townhouse developments, refer to LMC 14.23.080 and 16.61.040.

For ~~buildings containing four or more units multifamily developments,~~ refer to LMC 14.23.080. (See Tables 16T-77, 16T-78, and 16T-79.)

Table 16T-77

Example configurations of usable open space on small lots.

Table 16T-78

Minimum standards for front-loaded lots in the Moderate Density Residential District.

Table 16T-79

Minimum standards for alley-loaded lots in the Moderate Density Residential District.

2. Maximum building area coverage, fifty percent. Undeveloped lots vested prior to May 15, 2008, shall be exempted from this standard provided they meet minimum usable open space requirements herein.

3. Maximum development coverage, seventy-five percent. Side and rear yard patios are exempt from development coverage restrictions provided the paving material used is considered a pervious pavement by the city of Lacey's public works department.

4. Maximum height: forty feet.

~~Accessory structures over sixteen feet in height are subject to design review requirements. Design shall demonstrate a compatibility with the primary structure and shall not dominate the site visually.~~

5. Accessory Buildings. All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than two hundred square feet, the following setbacks are permitted:

Front yard, ten feet.

Side yard, five feet.

Rear yard, three feet.

16.15.060

Off-street parking.

Off-street parking shall be provided in accordance with Chapter 16.72 LMC.

16.15.070

Landscaping.

All requirements of Chapter 16.80 LMC shall be satisfied. Multi~~family-unit~~ projects shall also comply with the landscaping requirements of LMC 14.23.080.

16.15.080

Stormwater runoff.

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.

16.15.090

Repealed

Exhibit H: 16.18

Chapter 16.18
HIGH-DENSITY RESIDENTIAL DISTRICT

Sections:

16.18.010 Intent

16.18.020 Permitted uses

16.18.025 Prohibited uses

16.18.030 Environmental performance standards

~~**16.18.035 Individual lots required**~~

16.18.040 Lot area

16.18.050 Off-street parking

16.18.060 Repealed

16.18.070 Landscaping

16.18.080 Stormwater runoff

16.18.090 Repealed

16.18.010

Intent.

It is the intent of this chapter to:

- A. Enhance the residential quality of the city by providing a high standard of development for residential areas of high density;
- B. Designate certain areas where high density residential development may be located;
- C. Make high density residential developments available to those persons who may prefer such housing because of personal or financial circumstances;

D. Permit the highest acceptable density in strategic locations along arterials as a means of achieving more opportunity for mass transit;

E. Guide high density residential development to those areas where:

1. Public sewers are in place prior to residential building construction,

2. Sewers can be extended at minimal cost to the city, or

3. Along moderate and high density transportation corridors as designated by the Regional Transportation Plan to enhance and promote mass transit opportunities;

F. Guide development of residential areas in such manner as to encourage and plan for the availability of public services and community facilities such as utilities, police and fire protection, streets, schools, parks and recreation;

G. Preserve within developments open space and related amenities.

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~~ residential dwellings containing multiple units. 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 provided for in Chapter 16.52 LMC 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~~ as provided for in Chapter 16.65 LMC.

16.18.025

Prohibited uses.

- A. Kennels are prohibited.
- B. Uses other than those identified or described in LMC 16.18.020 are prohibited.

16.18.030

Environmental performance standards.

A. Permitted uses shall create no noise, emissions, odors or other nuisances which are demonstrably disruptive or disturbing to other residences in the area, or which are of a quality or quantity not normally associated with residential use.

~~B. Accessory buildings shall be complementary to the basic architectural character of the main building on the lot, or appropriate to the accessory use.~~

~~CB.~~ Conditional uses shall comply with the development standards described for such uses in Chapter 11.09 LMC.

~~DC.~~ All uses shall comply with the applicable environmental performance standards of Chapter 16.57 LMC.

~~16.18.035~~

~~Individual lots required.~~

~~Every detached single-family dwelling, with the exception of an accessory dwelling meeting the requirements of LMC 16.06.055, and every duplex, triplex or other residential building shall be located on its own lot. Exception: Townhouses developed through a condominium ordinance and apartment buildings designed as a single development may be located on one lot. Creation of a lot or lots shall meet all requirements of LMC Title 15 the Lacey subdivision and short subdivision code.~~

16.18.040

Lot area.

A. The size and shape of ~~single-family detached~~ lots for single-family, duplexes, and triplexes on individual lots shall be as follows:

1. Minimum lot area, two thousand square feet where alleys are utilized, three thousand five hundred square feet if alleys are not provided.

2. Minimum lot width, thirty feet when alleys are utilized, forty feet if alleys are not provided. Minimum lot width and street frontage for infill lots designed for construction of a single-family residence shall be

thirty feet when alleys are utilized and forty feet when alleys are not utilized. Infill lots to be used for buildings containing two or more units ~~duplexes or other multifamily uses~~ shall have a minimum lot width and street frontage of fifty feet.

3. Minimum front yard:

Sixteen feet for single-family dwellings and duplexes. Ten feet for ~~multifamily~~ buildings containing three or more units.

In addition, setbacks are encouraged to be staggered as provided in LMC 15.12.080(F) for the purpose of modulating the streetscape, providing more convenient opportunities for offsetting windows for privacy of individual homes or other desired design outcomes.

Garages facing the street, twenty feet.

Unenclosed porches may project up to six feet into the front yard, provided the porches are at least forty-eight square feet in area with no dimension less than six feet.

4. Minimum side yards:

Minimum on one side, five feet.

Minimum total both sides, ten feet.

5. Alternative lot configurations may be approved provided they comply with all of the following additional standards and design;

a. Other applicable standards in this chapter.

b. Design criteria in LMC 14.23.072, particularly LMC 14.23.072(L).

c. The design results in a superior land division layout considering its functionality and character with particular consideration given to privacy for individual lots, pedestrian access and convenience, and the design of public and/or private open space opportunities and natural features.

6. Minimum rear yard, fifteen feet, provided garages may be within three feet of the rear yard line, alley easement or paved surface when adjacent to an alley.

B. Lots intended for a building containing multiple attached dwelling units ~~attached single-family, condominium and multifamily~~ shall be reviewed and approved through a subdivision, townhouse, planned residential development, site plan review or building plan review process where such concepts are identified and the project is designed and conditioned subject to design requirements of Chapter 14.23 LMC.

C. Other Lot Standards for All Uses.

1. Minimum Usable Open Space. Where alleys are utilized, lots shall provide a contiguous open space equivalent to ten percent of the lot size. Specific open space requirements:

Shall feature minimum dimensions of fifteen feet on all sides, provided one side may be reduced to ten feet by the site plan review committee if it determines the space is designed with features that make it more inviting, private and useable. Design for reduction of the minimum dimension must include at least two of the following techniques;

a. A pergola or other architectural feature with landscaping;

b. An improved patio area with features for associated use such as sitting or barbeque;

c. Other design features and improvements that add to the usability, privacy and desirability of the private space.

As an example, a two-thousand-five-hundred-square-foot lot would require a contiguous open space of at least two hundred fifty square feet, or approximately fifteen feet by seventeen feet in area for a standard dimension, or ten feet by twenty-five feet if the dimension is reduced and design features added.

~~Such open space shall not be located within the front yard, except for those undeveloped lots vested prior to May 15, 2008.~~

For duplexes and triplexes, each dwelling unit must have direct access to its own usable open space.

Up to twenty-five percent of the ~~homes~~ dwelling units in a subdivision in the HDR zone can meet the ten percent usable open space requirement by providing a ten-foot-wide side yard in a zero lot line or reciprocal use easement configuration per LMC 14.23.072(L) for the length of the lot provided the subject house is only single-story in height.

For ~~townhouse developments~~ attached dwelling units, refer to LMC 14.23.080 and 16.61.040.

For buildings containing four or more units ~~multifamily developments~~, refer to LMC 14.23.080. (See Tables 16T-80, 16T-81, and 16T-82.)

Table 16T-80

Example configurations of usable open space on small lots.

Table 16T-81

Minimum standards for front-loaded lots in the High Density Residential District.

Table 16T-82

Minimum standards for alley-loaded lots in the High Density Residential District.

2. Maximum building coverage, fifty percent. ~~Undeveloped lots vested prior to May 15, 2008, shall be exempted from this standard provided they meet minimum usable open space requirements herein.~~

3. Maximum development coverage, eighty-five percent. Side and rear yard patios are exempt from development coverage restrictions provided the paving material used is considered a pervious pavement by the city of Lacey's public works department.

4. Maximum height of buildings:

Eighty feet, provided the following apply where building height is greater than forty feet and within eighty feet of an existing single-family residence (measured from the foundation walls) and not separated by a street or alley:

a. A fifteen-foot buffer of Type 1 landscaping is required between the building wall and any abutting single-family residential property line and shall include a six-foot sight obscuring wall or fence.

b. Buildings over forty feet shall step back one foot for each one foot of additional building height above forty feet.

c. Upper-story balconies facing existing single-family residential uses on buildings exceeding forty feet shall be constructed with opaque sides a minimum of forty-two inches high.

Accessory structures over sixteen feet in height are subject to design review requirements. Design shall demonstrate a compatibility with the primary structure and shall not dominate the site visually.

5. Accessory buildings: All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than two hundred square feet, the following setbacks are permitted:

Front yard, ten feet.

Side yard, five feet.

Rear yard, three feet.

16.18.050

Off-street parking.

Off-street parking shall be provided in accordance with Chapter 16.72 LMC.

16.18.060

Repealed by Ord. 1310.

16.18.070

Landscaping.

All requirements of Chapter 16.80 LMC shall be satisfied. Multi-family unit projects shall also comply with the landscaping requirements of LMC 14.23.080.

16.18.080

Stormwater runoff.

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.

Exhibit I: 16.21

Chapter 16.21
URBAN AGRICULTURE

Sections:

16.21.005 Purpose

16.21.010 Intent

16.21.015 Urban agriculture activities

16.21.018 Repealed

16.21.020 Repealed

16.21.030 Repealed

16.21.040 Environmental performance standards

16.21.050 Lot area

16.21.005

Purpose.

The City of Lacey finds there is a need to accommodate farming activity commonly referred to as urban agriculture. This can include a range of activities, such as production of food on a single-family residential lot for a family's personal use, urban vegetable gardens on common property for community use, or a small commercial farm activity.

Urban agricultural activities managed in a responsible way, with sensitivity to urban density and land use compatibility issues, can benefit the individuals participating in the activity and the community at large by providing fresh produce, additional food choices, economic development opportunity, a more sustainable lifestyle and urban neighborhoods with more variety and interest.

16.21.010

Intent.

It is the intent of this chapter to:

A. Develop opportunities for a range of urban agricultural activities, at a level and intensity that is compatible with Lacey's urban environments.

B. Establish design standards to ensure urban agricultural activities do not compromise the livability of neighborhoods by introducing nuisances that could degrade the quality of life for surrounding residents. Nuisances include, but are not limited to, such things as:

1. Noise.

2. Odors from poor care and cleanup of animal waste.

3. Pest problems from improper feeding techniques.

4. Aesthetic impacts.

5. Other issues that are disruptive to the neighborhood or distract from the quality and enjoyment of the neighborhood environment.

C. Encourage and support personal urban agricultural opportunities for individuals and families, community groups, religious organizations, homeowner associations and food co-ops.

D. Encourage the preservation of good agricultural uses for their value as economic assets as well as their value as open space, contribution to sustainability and healthy lifestyle and food choices for the community;

E. Retain the Open Space Institutional designation to serve as a place holder with a viable use pending the need for transition to other urban uses. This is intended to facilitate the orderly transition of properties that are being used for agricultural production to more intensive uses, if and when such agricultural uses are no longer feasible for economic, cultural or technical reasons.

16.21.015

Urban agriculture activities.

A. Urban agriculture activities are described and permitted according to expected compatibility with other urban uses. It is expected that urban agricultural uses will be located on a single-family residential lot with space to adequately accommodate the use. However, a ~~multifamily lot~~ with five or more dwelling units may accommodate ~~an~~ urban agricultural activity if all of the following requirements are satisfied:

- The use is approved in writing by the owner of the building(s);
- Land area is assigned in writing by the owner of the building(s) to accommodate the planned agricultural activity;
- Area assigned to accommodate the urban agricultural activity meets applicable thresholds of this title to adequately accommodate the use;
- The intent of this section to provide an urban agricultural opportunity while adequately mitigating impacts to neighbors can be fully satisfied;
- The director of community and economic development or their designee determines the use is appropriate to the context of the ~~multifamily-unit~~ complex, given assigned area and design.

1. Urban Agricultural Uses Permitted on Residential Lots Less Than One Acre in Size. The following urban agricultural activity is permitted as an accessory use to a residence:

- a. All horticultural activity for personal use and incidental sales or distribution on site and off site at a farmers market or approved retail area; provided commercial sales may be accommodated subject to the FDA food code, Chapter 246-215 WAC, and requirements of a home occupation pursuant to Chapter 16.69 LMC.
- b. Limited animal husbandry of small farm animals for personal use; provided commercial sales may be accommodated subject to the FDA food code, Chapter 246-215 WAC, and requirements of a home occupation pursuant to Chapter 16.69 LMC. This activity shall be limited to the following:

(1) Domestic fowl and rabbits:

(a) The maximum number of all fowl permitted accessory to a single-family residential ~~home~~ building or use on an urban lot shall be one per one thousand square feet of lot area, up to a maximum of ten.

(b) Roosters, geese, turkeys, peacocks and exotic species are prohibited.

(c) Rabbits kept in accordance with recommendations of the American Rabbit Breeders Association (ARBA) and a minimum three and one-half square feet of hutch space per rabbit up to a maximum of two dozen rabbits.

(d) Structures housing domestic fowl or rabbits must be located and designed as follows:

- Located ten feet away from property lines provided no such structure shall be located closer to the front property line than a dwelling.

- Designed to prevent rodents by incorporation of one of the following:

- Raising the floor area eight to twelve inches above grade.

- Portable pens moved every few days with cleanup of ground.

- Other techniques that have similar results.

(2) Miniature goats commonly known as pygmy, dwarf and miniature goats provided:

(a) Male miniature goats are neutered.

(b) Lots accommodating miniature goats must be a minimum of seven thousand five hundred square feet and may be allowed at a ratio of four miniature goats per one acre of property.

(3) Beekeeping provided:

(a) Beekeeping may include honey bees, mason bees, cutter bees, cavity nesting bees or similar bees used for honey or pollination purposes.

(b) Honey bees must be registered with the State Department of Agriculture according to provisions of RCW 15.60.021 and meet the following restrictions:

- A maximum of four honey bee hives is permitted as a residential use; an accessory use to a single-family home;

- Honey bee hive shall not be located within twenty-five feet of any lot line, provided this distance may be reduced to ten feet if strategies are employed to require bees to gain elevation before crossing the property line. This may include elevation changes, solid fencing or other techniques that can achieve this objective.

(c) Area housing bee varieties other than honey bees must be a minimum of ten feet from adjacent properties and limited in size appropriate for pollination of the owner's lot.

(4) Other poultry and small animals not specified may be permitted or prohibited by the director of community and economic development or their designee, upon finding that the species can or cannot reasonably be accommodated without impacts to adjacent properties. Limitations shall be applied as considered appropriate to mitigate potential impacts. Approval under this provision shall be at the sole discretion of the director of community and economic development or their designee, based upon written findings articulating the intent of this chapter.

(5) Cows, horses, sheep and other similar large farm animals are not permitted as an accessory use on lots less than one acre in size.

2. Urban Agricultural Uses Permitted on Residential Lots Greater Than One Acre in Size. The following urban agricultural activity is permitted as an accessory use to a residence:

a. All uses permitted under subsection (A)(1) of this section according to ratios, conditions and restrictions therein.

b. On lots or parcels of one acre or more, livestock may be kept; provided, that the number of head of livestock shall not exceed one for each half acre of lot area; and further, that barns or other structures for the housing or sheltering thereof be set back not less than thirty-five feet from all property lines. In addition, urban agricultural uses shall employ best management practices, such as may be included in a farm plan developed by the Thurston Conservation District.

c. All uses permitted under subsection (A)(4) of this section (community urban agricultural use) according to the ratios, conditions and restrictions therein.

3. Urban agricultural activity on a nonresidential lot. As an accessory use or transitional use, the following urban agricultural activities may be permitted consistent with and as identified within other zoning designations:

a. All uses permitted under subsection (A)(1) of this section according to ratios, conditions and restrictions therein.

b. All uses permitted under subsection (A)(4) of this section (community urban agricultural use) according to the ratios, conditions and restrictions therein.

4. Community/communal urban agricultural activities. Permitted according to the following descriptions and restrictions in addition to those regulations identified within the containing zoning district:

a. Horticulture may include all horticultural activity organized in the form of communal farming arrangements on property used in common for these purposes or where small lots or back yards have raised beds or segregated plots for lease for gardening activity. This may include activities such as community pea patches, community garden plots, shared garden plots, publicly owned garden plots for community use, gardens owned and operated by nonprofit organizations, homeowners associations and religious organizations for use by members or community groups, yard area with segregated raised garden beds developed by an owner for lease and other similar activities. Said activity shall be subject to the following requirements:

(1) All horticultural activities taking place on a lot or portions of a lot that is less than two acres shall be reviewed by the community and economic development department as follows:

(a) Subject to limited administrative review under Chapter 11.04 LMC to document the proposal, discuss the level of activity and development of a project management plan necessary to ensure compatibility with adjacent neighbors.

(b) If considered necessary to ensure compatibility with adjacent land use, a formal site plan review (SPR) may be required, including preparation and approval of an urban agriculture impact mitigation plan. Such determination shall be at the sole discretion of the community and economic development director or their designee.

(2) All urban farming activities taking place on a lot or portions of a lot more than two acres in size shall require a site plan review approval.

(3) Produce in excess of member needs may be provided on or off site to individual community members in need, food banks, religious organizations and other nonprofits for distribution to the public.

(4) Incidental sales of produce in excess of member needs may occur on site, at local farmers markets or at approved commercial sites. On-site retail sales must not result in adverse impacts to the neighborhood area as a result of signage, traffic or other related activity. Determinations regarding impact of on-site retail activity and mitigation requirements will be up to the sole discretion and determination of the community and economic development director or their designee, and may be subject to the provisions of Chapter 16.70 LMC (street merchant ordinance).

(a) Animal husbandry is limited to those activities permitted with requirements as specified in subsection (A)(1)(b) of this section with the following additional considerations and requirements:

-Such activity must take place as a secondary and incidental use in conjunction with community urban farming horticultural activities.

-“Personal use” in the context of community urban agricultural use shall include all members of the group participating in the urban agricultural activity.

(5) Commercial urban farms: A commercial urban agricultural use or farm activity in Lacey and its growth area is a farming activity that existed at the time Lacey’s first GMA Plan was adopted. Most areas with small commercial farm activity are zoned Open Space Institutional to provide for the continuation

of these existing activities. Future provision may be made for small farms in other zoning designations under criteria necessary to ensure compatibility.

(6) All activities identified or allowed pursuant to this chapter shall comply with all other local, state, or federal regulations pertinent to the activity pursued, and the requirements or permission granted or implied by this chapter shall not be construed as an exemption from such regulations.

B. Permitted where: All zoning designations will reference the urban agriculture activities and appropriate provisions of this chapter applicable to the zone.

16.21.018

Repealed by Ord. 1695.

16.21.020

Repealed by Ord. 1695.

16.21.030

Repealed by Ord. 1695.

16.21.040

Environmental performance standards.

All uses in this district shall comply with the environmental performance standards of Chapter 16.57 LMC

16.21.050

Lot area.

A. Minimum lot area, five acres;

B. Setbacks for residential structures and all accessory buildings:

Minimum front yard, twenty-five feet,

Minimum side yards, eight feet,

Minimum rear yards, twenty-five feet;

C. Setbacks for structures or enclosures housing animals or poultry:

Minimum setback from front street line, one hundred feet,

Minimum setback from side and rear property lines or from a flanking street line, fifty feet;

D. Maximum building area and development coverage for a single use or occupancy is:

Maximum building coverage for five acres or more, fifteen percent,

Maximum development coverage for five acres or more, twenty-five percent;

E. Maximum height:

Residential building, thirty-five feet,

Accessory building, sixteen feet,

Barns, silos and the like, fifty feet.

Exhibit J: 16.36

[Chapter 16.36](#)

NEIGHBORHOOD COMMERCIAL DISTRICT

Sections:

16.36.010 Permitted uses

16.36.015 Prohibited uses

16.36.020 Environmental performance standards

16.36.030 Building scale

16.36.040 Public right-of-way, frontage

16.36.050 Parking

16.36.060 Landscaping

16.36.070 Architectural compatibility and site design

16.36.080 Stormwater runoff

16.36.010

Permitted uses.

A. The following uses are permitted in the Neighborhood Commercial zone provided the use meets the requirements of this chapter and the design review standards of Chapter 14.23 LMC:

1. Neighborhood Commercial zones within the designated McAllister Springs Geologically Sensitive Area shall be limited to those uses the Thurston County Health Department determines are appropriate to the sensitive area.

Residential Uses above ground floor commercial (consistent with LMC [14.23.080](#))

Ground Floor ~~Multifamily~~ Residential ~~Uses~~ Units (consistent with LMC [14.23.080](#)) are permitted within Neighborhood Commercial Districts with a minimum of 15,000 square feet of commercial space.

- 20% of all residential units are required to meet affordable housing definitions as identified within RCW [36.70A.030\(5\)](#).

- o Units must be maintained as affordable for at least 50 years and record a covenant or deed restriction that ensures continued affordability.

- All residential uses within these districts shall comply with LMC [14.23.086](#); any exemption listed in LMC [14.23.086](#) shall not apply.

- Required commercial space of a district containing ground floor residential uses shall be constructed within the initial phase of any proposed project.

Live/work, home occupations (the “work” component in live/work is limited to those uses permitted within this district). The commercial component of live/work units may account for up to one-third of required ground floor commercial minimums necessary for ground floor ~~multifamily~~ residential uses.

Medical and health services

Community and civic facilities

Commercial uses, professional services, offices

Brewpub and public house (consistent with RCW [66.24.580](#))

Drive-through as an accessory use to a pharmacy, bakery, café, or coffee shop with indoor seating (not permitted between the street and building, or in locations where vehicles would impede pedestrian access to storefront). These uses are exempt from LMC [14.23.082\(I\)\(4\)](#).

Eating and drinking establishment (non-drive-through)

Grocery stores and supermarkets
Retail (retail uses are required to primarily conduct in-person, direct customer sales along the designated pedestrian street storefront)
Services (all activities must occur within buildings)
Rooftop Community Solar (as accessory to permitted use)
Gasoline fueling stations existing or vested on the effective date of the ordinance codified in this section. These existing uses are exempt from Chapter 16.93 LMC.

B. Uses similar to those listed above may be approved by the site plan review committee upon finding the use is consistent with the remaining sections of this chapter and the design standards of LMC 14.23.080, 14.23.082, 14.23.084, and 14.23.086.

16.36.015

Prohibited uses.

Uses other than those identified or described in LMC 16.36.010 are prohibited.

Stacking lanes and truck loading zones adjacent to residential uses
Outdoor storage or repair
Warehousing and mini-storage
Gasoline fueling stations

16.36.020

Environmental performance standards.

A. Compliance. It shall be the responsibility of the operator and/or the proprietor of any permitted use to provide such reasonable evidence and technical data as the enforcing officer may require to demonstrate that the use or activity is or will be in compliance with the environmental performance standards of Chapter 16.57 LMC.

1. Failure of the enforcing officer to require such information shall not be construed as relieving the operator and/or the proprietor from compliance with the environmental performance standards of this title.

B. General Character. Developments in this district shall be characterized by small buildings that add visual interest and human scale through façade articulation, varied building materials, landscaping, covered walkways, art, and decorative elements. Additional defining characteristics include low traffic generation, considerable walk-in trade, moderate lighting, and quiet operations.

1. Operating hours for businesses shall be limited to the hours between 6:00 a.m. and 11:00 p.m. The site plan review committee has the ability to establish an expanded or reduced range of hours of operation for any activity based on potential impacts to the surrounding neighborhood.

C. Location. Neighborhood commercial districts shall generally not be located within less than a one-half mile radius from commercial districts providing similar services or facilities. (Ord. 1695 §11 (Exh. G), 2025; Ord. 1662 §2, 2024).

16.36.030

Building scale.

The size of buildings shall be as follows:

A. Maximum gross floor area of an individual building for single commercial use, six thousand square feet;

1. Full-service grocery stores have a maximum building coverage of thirty thousand square feet provided they remain consistent with all other elements of this chapter.

2. Preschools have a maximum gross floor area of ten thousand square feet provided they remain consistent with all other elements of this chapter.

B. Maximum gross floor area of individual buildings for multi-commercial, seventeen thousand square feet; maximum individual building coverage of eight thousand five hundred square feet.

C. Maximum gross floor area of individual buildings for multifamily residential uses, twenty-five thousand square feet; maximum individual building coverage of eight thousand five hundred square feet.

D. Maximum gross floor area of individual buildings for mixed-uses (commercial and residential), forty thousand square feet; maximum individual building coverage of ten thousand square feet.

1. For districts greater than five acres, maximum gross floor area of individual buildings for multi-commercial and multifamily residential, thirty thousand square feet; maximum individual building coverage of ten thousand square feet.

2. For districts greater than five acres, maximum gross floor area of individual buildings, for mixed-uses (commercial and residential), sixty thousand square feet; maximum individual building coverage of fifteen thousand square feet.

E. Maximum total building coverage, fifty percent;

1. Fifteen Percent Bonus. Projects providing a shared pedestrian-oriented plaza of at least one hundred fifty square feet along a pedestrian walkway, at an intersection, corner, bus stop, or other key pedestrian area approved by the site plan review committee.

a. Such areas shall contain seating for at least six people, a trash and recycling receptacle, drinking fountain, bike rack, pedestrian scale lights, pavers or textured walkways, trees, and landscaping.

2. Maximum total building coverage may be increased by up to twenty-five percent proportional to the amount of required parking located on street, within the building, or below grade at a ratio of 2:1 consistent with the following table:

Table 16T-87.

Street/Below Grade Parking as Percentage of Required Parking:	Building Coverage Bonus:
10%	5%
20%	10%
30%	15%
40%	20%
50%	25%

F. Maximum Development Coverage. Maximum coverage by impervious surfaces eighty percent, unless increased to a maximum of ninety percent consistent with the elements of subsection (E) of this section.

1. Note: Bonuses are to be added to the base allowable building coverage. The provisions of the Drainage Design and Erosion Control Manual, landscaping requirements and design review requirements may place further limitations on these allowances reducing the maximum development coverage possible on an individual site.

G. Maximum building height, three stories up to a maximum of forty feet;

1. Heights may be increased to a maximum of fifty-five feet, provided the total number of floors is limited to four stories and the top two floors are reserved for residential uses. Below-grade parking facilities are excluded from this calculation.
2. Elevations above thirty-five feet will be stepped back at a ratio of one and one-half feet of stepback for every one foot of elevation when located along a property line shared with a residential use.
3. Ground floor commercial and live/work uses must have a minimum height of fifteen feet to accommodate proposed and future commercial uses in the following instances:
 - a. All corner commercial building units.
 - b. For all district sizes: the first five thousand square feet of commercial space.
 - c. For districts greater than two acres: the first ten thousand square feet of commercial space.
 - d. For districts greater than four acres: the first fifteen thousand square feet of commercial space.
4. All rooftop patios and gathering spaces, utility boxes, antennas, and other rooftop fixtures shall be located away from the roofline in a way that reduces their visual impacts on adjacent residential uses.
5. Upper-story balconies facing existing single-family residential uses on buildings exceeding thirty-five feet shall be constructed with opaque sides a minimum of forty-two inches high.

H. Setbacks.

1. Front, maximum ten feet;
 - a. Setbacks may be increased to a maximum of fifteen feet to accommodate outdoor seating adjacent to eating establishments, a pedestrian-oriented plaza (subsection (E)(1) of this section), or for ground floor residential uses;

2. Rear, minimum fifteen feet;

3. Side, minimum ten feet.

a. Unless located on a corner lot with frontage on both adjoining streets, in which case, front yard setbacks and design standards shall apply.

16.36.040

Public right-of-way, frontage.

A. Relationship to Public Right-of-Way. Land classified in this district shall be located on an arterial or collector, preferably on a collector cross street.

B. Weather Protection. Located along commercial frontage and residential entrances.

1. Protected area: five feet minimum depth dimension.

2. Awnings on a given block shall be the same or similar height.

3. Canopies, awnings, marquees and arcades may project into the public right-of-way with approval of the site plan review committee.

C. Commercial Windows. Transparent ground floor windows must be provided between two feet and seven feet above the sidewalk along a minimum of sixty percent of the ground floor, total street-facing facade area.

1. Required window areas shall allow views between the building and the street.

2. Reflective, dark, highly tinted or textured glass (below seventy percent visible light transmission) is not permitted.

3. The site plan review committee has the ability to establish different window coverage requirements for full-service grocery stores.

D. Primary Commercial Entry Doors. Shall face street. At least one building entrance shall be directly connected to the primary or secondary street with sidewalks and walkways measuring a minimum of six feet wide.

E. Minimize the number of vehicular access points by sharing driveways and linking parking lots between adjacent uses.

F. Ground floor residential units must be oriented towards a primary street, be elevated a minimum of two feet above primary street grade to increase residential privacy, and allow for primary driveway or vehicle approaches from the side or rear of the site or structure unless determined infeasible based on site characteristics by the site plan review committee.

G. Coordinate circulation drives and staging areas to accommodate routes needed by fire, refuse collection, delivery vehicles, moving vans, etc.

H. Consideration shall be given to load/unload parking zones near the entry of the building. These spaces shall be located in such a manner as to minimize interferences with the entryway.

I. Ingress and Egress. Access to a site which is a corner lot shall be limited to one driveway on each of the intersecting streets. Access to a site which is an interior lot shall be limited to one driveway unless the site plan review committee approves two driveways. 2024).

16.36.050

Parking.

A. The number of parking spaces required shall be in accordance with Chapter 16.72 LMC and Table 16T-13 (Neighborhood commercial shopping area).

B. Parking allocations for affordable residential units shall be consistent with RCW 35.21.994--Minimum residential parking requirements.

C. On-street parking can be provided to serve customers of commercial uses to help satisfy parking requirements provided street widths provide adequate room pursuant to city standards for on-street parking.

1. In all instances of on-street parking, curb extensions/bulb outs shall be used to improve sightlines and reduce crossing distances for pedestrians.

D. Parking spaces may be used for loading zones in this district, provided loading operations shall not obstruct driveways, sightlines, or direct pedestrian access to storefronts.

E. Off-street parking shall be provided to the rear or side of the structure. No parking shall be permitted between the building and the right-of-way.

F. All required bicycle parking shall be covered or sited in a way that provides weather protection.

16.36.060

Landscaping.

A. Requirements of Chapters 14.32 and 16.80 LMC shall be satisfied.

B. A fifteen-foot buffer of Type 1 landscaping is required between the building wall and any abutting single-family residential property line and shall include a six-foot sight obscuring wall or fence.

C. Create common open spaces that are inviting to district patrons, residents, and the neighborhood in which it is located.

D. A plan of all proposed landscaping shall be submitted along with the site plan for review by the site plan review committee.

E. Minimum Tree Threshold. ~~Multifamily lot~~ Residential standards consistent with Table 14T-18 shall apply to all portions of the district.

1. When evaluating sites with existing trees, site and project design shall be consistent with LMC 16.80.040, Preservation of significant trees.

16.36.070

Architectural compatibility and site design.

A. All requirements of Chapter 14.23 LMC for mixed use zones shall be satisfied. Specific attention will be given to how proposed uses align with the design standards of LMC 14.23.080, 14.23.082, 14.23.084, and 14.23.086. In the event of a conflict between this chapter and any other provision of the Lacey Municipal Code, the most restrictive section consistent with LMC 16.36.020(B) shall guide site plan review.

B. Corner Buildings. Buildings located at street corners are encouraged to utilize prominent building elements to emphasize these highly visible locations. This could include a corner facing building entry, public spaces, changes in building materials, atrium, or special roofline features with approval of the site plan review committee.

C. Site Continuity. When ground floor residential uses are included within a district, visual and physical continuity will be maintained. Residential and commercial uses will be integrated within a district without hard separations of use, physical barriers, or fencing intended to isolate or segment uses from the rest of the district.

D. Where applicable, ground floor residential uses will be located away from primary district corners and as a buffer between adjacent residential properties and commercial uses located within the district.

E. Development proposals contiguous to undeveloped parcels shall show conceptually how the adjacent property may be developed in relationship to the lot or parcel proposed for development. The plan should generally indicate how open space, parking, driveways, walkways, etc., will relate or connect to adjacent parcels.

F. Light fixtures attached to the exterior of a building shall be architecturally compatible with the style, materials, colors, and details of the building and shall comply with local building codes. The type of light source used on the exterior of buildings, signs, pedestrian walkways, and other areas of a site shall provide adequate light quality, while minimizing adverse impacts, such as glare and overhead sky glow,

on adjacent properties and the public right-of-way. The site plan review committee may place additional requirements on outdoor lighting consistent with LMC 16.36.020(B)(1).

1. Light fixtures shall be of a pedestrian scale, provided lights within the interior of a parking lot may be at a greater height for security purposes. Facades shall be lit from the exterior, and, as a general rule, lights should be non-glaring and concealed through shielding, diffusion, or recessed behind architectural features.

16.36.080

Stormwater runoff.

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.

Exhibit K: 16.41

Chapter 16.41
COMMUNITY OFFICE DISTRICT

Sections:

16.41.010 Intent

16.41.020 Permitted uses

16.41.030 Prohibited uses

16.41.040 Environmental performance standards

16.41.050 Site requirements

16.41.060 Off-street parking and loading

16.41.070 Landscaping

16.41.080 Stormwater runoff

16.41.010

Intent.

It is the intent of this chapter to:

A. Provide an environment conducive to a broad range of office uses including administrative facilities, research institutions, professional offices, and medical offices;

B. Provide the opportunity for specialized manufacturing operations, subject to appropriate controls, to protect nearby land uses;

C. Allow for a broad range of complementary uses including ~~multifamily~~ residential, limited retail uses, and commercial recreation uses;

D. Retail uses in this zone shall be limited because of the community office district's proximity to zoning districts that provide retail services;

E. Provide development standards to enhance the compatibility of the district adjacent to commercial or residential areas.

16.41.020

Permitted uses.

A. Assembly, manufacture, packaging, compounding or treatment of articles or merchandise from the following previously prepared materials: cloth, glass, lacquer, leather, paper, plastics, precious or semi-precious metals or stones, wood (excluding sawmills, lumber mills and planing mills), paint, clay, sand, rubber;

B. Printing, publishing and book binding;

C. Manufacturing, processing and packaging of food, pharmaceuticals, toiletries, cosmetics, optical goods, scientific instruments and equipment, and precision instruments and equipment;

D. Scientific research, testing and experimental development laboratories;

E. Corporate headquarters, regional headquarters and administrative offices of commercial, industrial, financial, or charitable institutions;

F. Warehousing and distribution facilities and the storage of goods or products clearly subordinate to, and an integral part of, the primary permitted use. Such warehousing and distribution facilities shall meet the definition of accessory use in LMC 16.06.070;

G. Professional Services. The following professional service uses are allowed:

1. Offices and clinics for businesses such as medical, dental, chiropractic, optical, etc.;

2. Professional offices offering direct business or professional services to consumer/clients, including but not limited to: real estate and security agents and brokers, accountants, attorneys, engineers, planners, architects, financial planners, travel agencies, etc.;

H. Daycare centers;

I. Indoor commercial recreation facilities such as indoor soccer, ice skating, playgrounds, athletic clubs, and gymnasiums; provided, that any use exceeding ten thousand square feet requires approval of a conditional use permit as provided in Chapter 11.09 LMC;

J. Retail uses are permitted only on the ground floor of multistory buildings where the upper floors are used for office and/or residential uses;

K. Long-term residential care facilities for elderly individuals including assisted living facilities, memory care, continuing care retirement communities, and skilled nursing facilities;

L. ~~Residential~~ ~~Multifamily~~ Residential as a secondary use to other listed commercial uses within this chapter subject to the standards of Chapter 16.18 LMC, High Density Residential District, and generally located above ground floor commercial and/or away from primary frontage and activity corners of parcel;

M. Similar, related or compatible uses permitted, and criteria for determination of similarity, relatedness or compatibility, include:

1. Uses similar to, or related to, or compatible with those listed or described in this section are permitted upon a finding by the site plan review committee that a proposed use does not conflict with the intent of this chapter or the policies of the Lacey Comprehensive Plan;

2. The criteria for such finding of similarity, etc., shall include but not be limited to the following:

a. The proposed use is appropriate in this area,

b. The development standards for permitted uses can be met by the proposed use,

c. The public need is served by the proposed use;

N. Conditional uses may be permitted as provided for in Chapter 11.09 LMC.

The city may consider administrative offices of governmental institutions as a conditional use. However, before the city approves such use, it must be demonstrated the use is complementary to adjacent uses, enhances the marketability of the community office zone and will not adversely impact the city's economic development strategies for the zone.

16.41.030

Prohibited uses.

Uses other than those identified or described in LMC 16.41.020 are prohibited, including but not limited to:

A. All uses or activities which would require extraordinary equipment, devices or technology for the control of odors, dust, fumes, smoke, noise or other wastes and/or byproducts which, if uncontrolled, would contaminate the environment to a degree unacceptable by contemporary community standards; or which would exceed the acceptable limits established by competent and recognized public and quasi-public agencies for the protection of industrial and/or environmental health.

B. Examples of prohibited uses are:

1. Uses which would generate extensive heavy truck traffic;
2. Warehouse/distribution facilities meeting the definition of primary use under LMC 16.06.660;
3. Gasoline outlets.

16.41.040

Environmental performance standards.

It shall be the responsibility of the operator and/or the proprietor of any permitted use to make adequate provision for the transportation, use, storage, containment and disposal of all chemicals and

materials used on the site. A complete list of all chemicals to be used or stored on the property shall be provided at the time of application. All storage handling methods shall conform to the hazardous material laws administered by the Washington Department of Ecology. Consideration shall be given to protect surface and ground water quality.

The operator and/or proprietor shall provide such reasonable evidence and technical data as the enforcing officer or the site plan review committee may require to demonstrate that the use or activity is or will be in compliance with the environmental performance standards of Chapter 16.57 LMC.

All applications shall be submitted to and reviewed by the city for compliance with good sanitary practice, appropriate aquifer protection, and hazardous waste management planning.

Failure of the enforcing officer or site plan review committee to require such information shall not be construed as relieving the operator and/or proprietor from compliance with the environmental performance standards of this title.

16.41.050

Site requirements.

Minimum requirements shall be as follows:

A. Minimum Lot Size. The lot size shall be sufficient to accommodate the use(s) and requirements of the Public Works Standards;

B. Setbacks.

1. Front Yard. The front yard shall be a minimum of fifteen feet.

2. Yard Area on Flanking Street or Corner Lot. The yard area on a corner lot shall be the same as the front yard under subsection (B)(1) of this section.

3. Side Yards. The side yards shall be a minimum of fifteen feet.

4. Rear Yards. The rear yards shall be a minimum of fifteen feet.

5. Setbacks required by this section may be waived by the site plan review committee pursuant to the policies of this chapter.

C. Transitional Buffer. When adjacent to residential zones (LD, MD, or HD) and where parking areas, truck bay doors and or loading or unloading areas face the residential use, a yard of not less than fifty feet shall be provided. Where placement of a building without bay doors and/or loading or unloading areas faces the residential zone, standard yard requirements apply; provided, that the requirements of LMC 16.80.050(B) are met for Type I landscaping.

D. Height Limitation. Building heights are limited to sixty feet.

16.41.060

Off-street parking and loading.

Off-street parking shall be provided in accordance with Chapter 16.72 LMC.

16.41.070

Landscaping.

All requirements of Chapter 16.80 LMC shall be satisfied.

16.41.080

Stormwater runoff.

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

Exhibit L: 16.52

Chapter 16.52
Infill Residential Development

Sections:

16.52.010 Applicability

16.52.020 Density and Unit Allowance

16.52.030 Affordability Requirements

16.52.040 Development Standards

16.52.050 Middle Housing

16.52.060 Accessory Dwelling Units

16.52.010

Applicability

A. Purpose. This chapter establishes standards for infill residential development, including provisions for a range of residential dwelling unit types.

B. The provisions of this chapter shall apply to lots located within the following zoning districts:

1. Low-Density Residential District

2. Moderate-Density Residential District

3. Lacey Historical Neighborhood

C. Residential development framework. Residential development shall be regulated as follows:

1. Development under underlying zoning standards. Dwelling units may be developed in accordance with the permitted uses and density requirements of the applicable zoning district.

2. Development under Chapter 16.52 (Infill Residential Development). Where development utilizes the provisions of this chapter, all dwelling units on the lot shall comply with the standards of this chapter.

3. Accessory dwelling units. Accessory dwelling units shall be regulated in accordance with this chapter.

D. Relationship to underlying zoning. Except where modified by this chapter, infill residential development shall comply with all applicable standards of the underlying zoning district. Where standards conflict, the standards of this chapter shall apply.

E. Administrative review. Development regulated under this chapter shall be subject to limited administrative review in accordance with LMC 11.40.030.

16.52.020

Density and Unit Allowances

A. Infill density and unit standards. Infill residential development shall comply with the density and unit allowance standards set forth in Table 16.T-52.

Table 16.T-52: Infill residential standards

<u>Standard</u>	<u>Infill Residential Development</u>
<u>Maximum dwelling units per lot permitted</u>	<u>Up to four (4) dwelling units per lot, provided that when four units are proposed, the fourth unit shall comply with Section 16.52.030 (Affordability Requirements).</u> <u>Bonus: Up to six (6) units per lot may be permitted only when <i>all</i> dwelling units comply with Section 16.52.030 (Affordability Requirements)</u>
<u>Permitted housing types</u>	<u>Single-family detached dwellings; middle housing; accessory dwelling units</u>
<u>Unit Combinations</u>	<u>Any combination of permitted housing types, not to exceed the maximum units per lot</u>

B. Unit counting.

1. For the purposes of applying Table 16.T-52, each dwelling unit shall count as one (1) unit, regardless of housing type or configuration.

2. Dwelling units created through new construction, redevelopment, conversion, or addition shall be included in the total unit count per lot.

3. Existing dwelling units located on a lot shall also be included in the total unit count per lot.

16.52.030

Affordability Requirements

A. Affordability standard. Affordable dwelling units required under this chapter shall be affordable to households whose income does not exceed the applicable area median income (AMI), adjusted for household size, for the Olympia-Tumwater-Lacey Metropolitan Statistical Area, as published annually by the U.S. Department of Housing and Urban Development (HUD), as follows:

1. Rental dwelling units: Sixty percent (60%) of the AMI.

2. Owner-occupied dwelling units: Eighty percent (80%) of the AMI.

B. Duration. Affordable dwelling units shall remain subject to the affordability requirements of this chapter for a period of not less than fifty (50) years from the date certificate of occupancy is issued.

C. Affordable housing covenant. Prior to the issuance of a building permit for development subject to the affordability requirements of this chapter, the applicant shall record an affordable housing covenant or deed restriction against the property in a form approved by the City. The covenant shall, at a minimum:

1. Ensure continued compliance with the affordability requirements of this chapter for the required affordability term; and

2. Provide standards for maintaining the public benefit if an affordable dwelling unit is converted to another use.

16.52.040

Development Standards

A. Except where modified by this chapter, development shall comply with the following:

1. All applicable development standards of the underlying zoning district, including but not limited to building height, setbacks, and development coverage; and

2. All applicable residential design review standards in Chapter 14.23 LMC.

B. Access and driveways.

1. Access to the lot shall be limited to a single access point and provided in accordance with applicable City standards.

2. Where an existing driveway is present, access for additional dwelling units shall be consolidated.

3. Where alley access is available, driveway access from a public street is not permitted.

C. Pedestrian access. A pedestrian connection shall be provided from a public street or alley to the primary entrance of each dwelling unit. Pedestrian access may be shared among dwelling units or combined with a driveway.

D. Parking. Off-street parking shall be provided in accordance with Chapter 16.72 LMC.

16.52.050

Middle Housing

A. Middle housing types. Middle housing includes the following housing types as defined in Chapter 16.06 LMC:

1. Duplex

2. Triplex

3. Fourplex

4. Townhouse

5. Stacked flats

6. Cottage housing

B. Development standards. Middle housing development shall comply with the development standards in Section 16.52.040 of this chapter.

16.52.060

Accessory Dwelling Units

For the purposes of this title, an accessory dwelling unit is a distinct dwelling unit type and is not required to be located on a lot containing any other specific housing type.

A. Permitted forms. An accessory dwelling unit may be established in any of the following forms:

1. Located within or attached to another dwelling unit;

2. Detached in a separate structure; or

3. Located above a garage.

B. Size. The floor area of an accessory dwelling unit shall not exceed 1,000 square feet.

C. Conversion of existing structures.

1. An accessory dwelling unit may be established through the conversion of any existing legal structure or a portion thereof.

2. An accessory dwelling unit may be created within an existing legal nonconforming structure, provided that conversion does not increase the degree of nonconformity, in accordance with Chapter 16.93 LMC.

D. Detached accessory dwelling units abutting alleys. A structure may be located with a zero-foot setback along a lot line that abuts a public alley, unless the Public Works Department has identified the alley as part of the City's routine snow plow network.

E. Ownership and conveyance. An accessory dwelling unit may be sold or otherwise conveyed independently, subject to applicable state law and local land division regulations. The independent conveyance of such units shall not be conditions on the fact that the unit was created as an accessory dwelling unit.

F. Development standards. Accessory dwelling units shall comply with the development standards in Section 16.52.040 of this chapter.

Exhibit M: 16.61

Chapter 16.61
TOWNHOUSE DEVELOPMENT

Sections:

16.61.010 Intent

~~**16.61.020 Definitions**~~

16.61.030 ~~**20**~~ Where permitted

16.61.040 ~~**30**~~ Development standards

16.61.050 ~~**40**~~ Review and approval procedure

16.61.010

Intent.

It is the intent of this chapter to:

- A. Encourage infilling of skipped-over parcels in developed areas of the city;
- B. Provide for the development of townhouses within residential neighborhoods which may be conveyed as individually owned, separately platted lots;
- C. Encourage within low, moderate and high density residential districts the development of townhouse structures built to standards designed to include amenities usually associated with conventional single-family detached housing, and to ensure their compatibility with the surrounding neighborhood;
- D. Provide for favorable housing, efficient use of land and energy, and the availability of a variety of housing types in a variety of locations to serve a wide range of individual homeowner requirements;
- E. Provide a guide for developers and city officials in meeting the purpose and provisions of this chapter.

~~16.61.020~~

~~Definitions.~~

~~These definitions shall be in addition to the definitions set forth in Chapter 16.06 LMC and shall apply solely to townhouse developments.~~

~~A. "Townhouse" means a one-family dwelling unit which is part of a group of two or more such units separated by a common party wall having no doors, windows or other provisions for human passage or visibility. Each one dwelling unit shall be attached by not more than two party walls.~~

~~B. "Townhouse group" means a cluster or grouping of townhouse units containing not less than two nor more than six individual townhouse dwelling units contiguous to one another.~~

16.61.0320

Where permitted.

A. Townhouse developments may be permitted in the following land use districts, consistent with the development standards in this chapter:

A1. Low Density Residential District;

B2. Moderate Density Residential District;

C3. High Density Residential District.

16.61.0430

Development standards.

A. Density. The density of the underlying zone governs unless a density increase is granted as provided in this chapter.

B. Density Increase. The city may approve an increase in the dwelling unit density of up to fifteen percent in the Low Density District, twenty percent in the Moderate Density District and twenty-five percent in the High Density District, rounded up to the nearest whole number; provided, the applicant demonstrates compliance with at least four of the following amenities: that four of the five following environmental and recreational amenities are implemented:

1. Recreational Amenities. Develop and equip significant recreational areas within the cCommon open space includes developed recreational amenities such as active or passive recreation areas, which may include but are not limited to facilities such as play areas, sports and tennis courts, swimming pools, or with such features as, but not limited to, swimming pools, tennis courts, bike or pedestrian path systems, children's play areas.

2. Vegetation Retention. Substantial retention of natural ground cover, bushes and trees. Existing trees and native vegetation are retained to the extent practicable and incorporated into the site design.

3. Low Impact Development (LID) Integration. Vegetated low impact development LID facilities are incorporated into the site design and integrated with landscaped areas or open space. included in the design and serve as a visual amenity.

4. Water Access. The development provides physical or visual access. Provide significant access to a lake, river, stream or other natural water body where such features are located on or adjacent to the site.

5. Landscaping Enhancements. Landscaping exceeds minimum code requirements through additional plantings, preservation of existing vegetation, or enhanced site design. Provide substantial and exceptional landscaping treatment either as an adjunct to or in natural landscaping beyond the minimum required.

C. Lot Area and Width of Each Townhouse Unit. Townhouse units may either be condominiumized, provided the city has adopted an ordinance providing this option, or subdivided into individual lots. Lot configurations shall be governed by density, setbacks, open space, and other requirements and guidelines herein.

D. Height. The maximum height of any townhouse shall not exceed that allowed in the district in which the development is located.

E. Right-of-Way Setback. Right-of-way setbacks shall be the same as those specified in the applicable zoning district.

F. Rear Yard Requirements. For front loaded units, the minimum rear yard requirement shall be fifteen feet to the rear property line. Townhouses with a rear load may have garages within three feet of the rear lot line or paved alley.

G. Private Yard Area. Every lot containing a townhouse must provide a private yard of at least three hundred square feet. Acceptable private yard space may include landscaped front or rear yards, porches, balconies, and rooftop decks (where designed to accommodate outdoor pedestrian uses). Up to fifty percent of the required private yard area can be included as additional common open space provided for the applicable townhouse group. Such common open space must be above and beyond minimum open space requirements of LMC 15.12.120.

H. Side Yard Requirements. The minimum side yard requirement shall be the same as the underlying zone.

I. Maximum number of townhouses in one building: Six.

J. Minimum Distances Between Townhouse Groups. No portion of a townhouse, accessory structure or other building type in or related to one group or cluster of contiguous townhouses shall be nearer than twenty feet to any portion of a townhouse or accessory structure of another townhouse building or cluster.

K. Access. When the only driveway is from the street, each pair of units must share a common curb cut. Alternative configurations may be considered through the design review process, provided they mitigate negative safety, visual, and compatibility impacts.

L. Design. Townhouses are subject to design criteria established in LMC 14.23.080.

M. Conversion. Conversion of existing structures to a townhouse project will be permitted provided all townhouse development standards as outlined in this section can be satisfied.

Review and approval procedure.

Townhouse developments shall be approved pursuant to the regulations and procedures established in the platting and subdivision ordinance, as modified below, and the standards of this chapter.

A. Review. The site plan review committee shall review and approve the creation of nine or fewer townhouse lots. The site plan review committee approval does not involve a public hearing, but will be subject to notification of adjacent property owners. The decision of the site plan review committee is subject to the appeal process as identified in Chapter 11.05 LMC.

The hearings examiner will review the creation of ten or more lots as provided for through the subdivision process.

B. Platting. A subdivision plat or short plat shall be required for all townhouse developments so that individual dwelling units are divided into lots with common walls located on lot lines. Exception: A townhouse development may be done through condominium provided the city has adopted an ordinance providing this option.

When a townhouse development is platted, construction of townhouse dwellings may commence prior to final plat or final short subdivision approval, provided:

1. The proposed subdivision has received preliminary approval or the short subdivision has.
2. Partial or complete construction of structures shall not relieve the subdivider from, nor impair city enforcement of conditions of subdivision approval.

C. Site Plans. An application for a townhouse development shall include the following:

A site plan drawing or drawings at a scale not smaller than one hundred feet to the inch, showing all the information required for a preliminary plat plus the following:

1. Site boundaries;

2. Streets bounding or abutting the site;
3. Proposed building including dimensions, setbacks, identification of types and the number of dwelling units in each residential type;
4. Location and dimensions of open spaces;
5. Location and dimensions of garbage disposal areas;
6. The location and design of off-street parking facilities, showing their size;
7. Circulation plan, vehicular and pedestrian, and points of ingress and egress from the site, and their relationship to ingress and egress of neighborhood properties;
8. Existing buildings and indication of future use or disposition;
9. Landscaping plan;
10. Typical front and side elevations and exterior architectural treatment of the proposed units;
11. Three-dimensional illustrations to help show exterior architectural treatment from the street and/or other commonly viewed vantage points;
12. The existing and proposed contours at two foot intervals and which locates existing streams, lakes, marshes and other natural features.

D. Townhouse developments are subject to design review requirements of Chapter 14.23 LMC.

Exhibit N: 16.62

Chapter 16.62
COTTAGE HOUSING

Sections:

16.62.010 Intent

16.62.020 Where permitted

16.62.030 Development standards

16.62.010

Intent.

It is the intent of this chapter to:

- A. Provide an opportunity for small, detached housing types, clustered around an open space.
- B. Provide traditional cottage amenities and proportions to ensure that cottage housing developments contribute to the overall community character.
- C. Provide centrally located and functional common open space that fosters a sense of community.
- D. Provide semi-private area around the individual dwellings to enable diversity in landscape design and foster a sense of ownership.
- E. Ensure minimal visual impact from vehicular use and storage areas for residents of the cottage housing development as well as adjacent properties, and to maintain a single-family character along public streets.
- F. Take advantage of existing natural features on the site including topography and vegetation, where desirable.

G. Provide the opportunity for more affordable housing units.

H. Promote conservation of natural resources by clustering smaller dwelling units on lots.

16.62.020

Where permitted.

A. Cottage housing development shall be permitted in the following land use districts, consistent with the development standards in this chapter:

A1. Low Density Residential District.

B2. Moderate Density Residential District.

C3. High Density Residential District.

D.B. Cottage housing developments are intended to be integrated with other housing types. Specifically, no more than five clusters of cottages are permitted in any individual development, except for large developments where cottages represent less than twenty-five percent of the total number of dwelling units.

16.62.030

Development standards.

A. Density. The density of the underlying zone governs unless a density increase is granted as provided in this chapter.

B. Density Increase in the Low Density Residential and Moderate Density Residential Districts. The city may allow two cottage units for each regular dwelling unit allowed under existing standards in the Low Density Residential and Moderate Density Residential Districts.

C. Maximum Gross Floor Area. The maximum allowed gross floor area is one thousand two hundred square feet per dwelling. The maximum gross floor area for the ground floor or main floor is eight hundred square feet per dwelling.

D. Platting. A cottage development may be completed through a subdivision plat, short plat, or condominium provided the city has adopted an ordinance providing this option.

E. Design. Cottages are subject to the design criteria in LMC 14.23.072. Where there are conflicts between LMC 14.23.072 and the standards in this chapter, the standards herein shall apply.

F. Minimum Common Space. The minimum common space required is three hundred square feet per dwelling. The common open space shall be configured so that at a minimum:

1. The common open space abuts fifty percent of the cottages in a cottage housing development.
2. Cottages are oriented around at least two sides of the common open space.
3. Cottages are oriented around the open space with an entry facing the common open space.
4. Cottages should be within sixty feet walking distance of the common open space.
5. Area required to meet minimum private open space, setback, and parking requirements may not be used in the calculations for common open space.
6. Common open space shall be accessible to all cottage residents in the applicable cluster and maintained by the development's homeowners association.

G. Minimum Private Open Space. The minimum private open space required is two hundred square feet per dwelling. Required open space shall be adjacent to each dwelling unit and for the exclusive use of the cottage resident(s). The private space shall be:

1. Usable (not on a steep slope).

2. Oriented toward the common open space as much as possible.

3. No less than eight feet in dimension on any side. A desirable configuration for this private open space is an area between the dwelling unit and the common open space, similar to what's shown in the examples in Table 16T-85.

H. Facades and Porches.

1. Cottages facing the common open space or common pathway must feature a roofed porch at least eighty square feet in size with a minimum dimension of eight feet on any side.

2. Cottages fronting on a street shall provide a covered entry feature with a minimum dimension of six feet by six feet facing the street. This is in addition to the porch requirement, where the cottage is adjacent to a common open space or pathway.

3. All facades facing common open space, pathways, and streets shall comply with architectural details and windows and transparency design criteria specified in LMC 14.23.072(C) and (I), respectively.

I. Maximum Height for Cottages.

1. The maximum height for cottages with a minimum roof slope of six feet vertical to twelve feet horizontal is twenty-five feet. All parts of the roof above eighteen feet shall be pitched.

2. The maximum height for cottages with a roof slope less than six feet vertical to twelve feet horizontal is eighteen feet.

3. The maximum height for all accessory structures is eighteen feet.

J. Setbacks. The setback requirements are the same as the other residential uses in the underlying zone.

K. Minimum Distance Separating Structures. The minimum required distance separating structures (including accessory structures) is ten feet.

L. Parking Requirements.

1. The required number of parking spaces is an optional minimum of one space and a maximum of one and one-half spaces per dwelling.

2. Parking shall be located on the same property as the cottage development.

3. Parking and vehicular areas shall be screened from public streets and adjacent residential uses by landscaping or architectural screens. The illustration in Table 16T-85 provides a good example of screening with columnar trees separating the driveway from the adjacent property.

4. Parking shall be located in clusters of not more than five adjoining uncovered spaces (except where parking areas are adjacent to an alley or vegetated LID facilities).

5. Parking is prohibited in front and interior yard setback areas. The top illustration and photo in Table 16T-85 provide good examples of parking location.

6. All detached parking structures shall have a pitched roof design.

7. Garages may be attached to individual cottages provided all other design standards have been met and the footprint of the ground floor, including the garage, does not exceed one thousand square feet. Such garages shall be located away from common open spaces to the extent possible.

8. At least fifty percent of the required parking spaces shall be enclosed. Such structures shall be designed consistent with the cottage architecture. This includes similar building materials, rooflines, and detailing.

M. Utility Elements. Utility meters and heating/cooling/ventilation equipment shall be located/designed to minimize visual impacts from the street and common areas.

N. Existing Nonconforming Structure and Accessory Dwelling Units.

1. On a lot to be used for a cottage housing development, an existing detached single-family residential structure, which may be nonconforming with respect to the standards of this chapter, shall be permitted to remain, provided the house and any accessory structures are not enlarged and the development meets the standards herein. The existing dwelling shall be included in determining the allowable density for the site.

2. For any cottage development containing an existing house and an accessory dwelling unit, the accessory dwelling unit shall be counted as a cottage for the purposes of determining allowable density for the site.

O. Clustering Groups. Developments shall contain a minimum of four and a maximum of twelve dwellings located in a cluster group to encourage a sense of community among the residents. A development site may contain more than one cluster.

P. Cottage housing developments are subject to design review requirements of Chapter 14.23 LMC.

Q. The city desires to form partnerships with nonprofit housing authorities and the private development community in promoting infill, providing affordable housing and achieving GMA smart growth and livable city objectives. To provide for innovation and creativity in achieving housing and livable city objectives of the Plan, flexibility may be permitted where a specific cottage project furthers the Plan's objectives, but zoning code requirements would prevent the project, make it less effective in implementing the Plan's intent, or act as a barrier to implementation of the Plan's vision. The city may waive said code provisions under the following conditions:

1. The city and the private/public partners believe the subject project meets community objectives of smart growth, livable city and sustainability as identified in the city Comprehensive Land Use Plan;

2. Design of the project gives significant attention to place making and functionality that will enhance the livability of the neighborhood in which it is located, as identified in the Comprehensive Land Use Plan and/or the applicable neighborhood plan;

3. Design includes energy conservation features that promote sustainability goals as identified in the Comprehensive Land Use Plan and/or other plans developed to promote energy conservation and sustainability;

4. The project addresses target demographics or specific community housing need as identified in the Comprehensive Land Use Plan's Housing Element and/or the applicable neighborhood plan;

5. Based upon a determination by the director or their designee, the proposed project design will better implement objectives of the Comprehensive Land Use Plan.

Exhibit O: 16.65

Chapter 16.65
DAY CARE FACILITIES

Sections:

16.65.010 Definitions

16.65.020 Family home ~~child care~~ provider

16.65.030 Child day care centers

16.65.040 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:

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 a ~~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 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 Landscaping Requirements.

Exhibit P: 16.70

Chapter 16.70
STREET MERCHANTS

Sections:

16.70.010 Intent

16.70.020 Definitions

16.70.030 Licensing, review, and approval of street merchant application required

16.70.040 Design and development standards for retail stands

16.70.045 Approved retail stand merchandise

16.70.050 General location standards

16.70.060 Specific location standards

16.70.065 Location and leasing of city property for retail stand activities

16.70.070 Insurance

16.70.080 Permit limitations

16.70.090 Permit revocation

16.70.110 Appeals

16.70.010

Intent.

It is the intent of this chapter to:

- A. Provide an opportunity for street merchants in zones where the use would enhance the pedestrian experience and be supportive of the intent and vision of the commercial zone in which it is located.
- B. Provide regulations for the appropriate siting and design of street merchant activities to provide for the compatibility of such use with adjacent retail activities.
- C. Provide standards that protect the public's health, safety and welfare with operation of these activities.

16.70.020

Definitions.

A. "Approving authority" means the site plan review committee or the director or their designee, according to the provisions of LMC 16.70.030(B) (process for approval).

~~B. "Director" shall refer to the director of the community and economic development department, or his or her designee, that is responsible for administration of limited administrative review pursuant to Section 1C of the Development Guidelines and Public Works Standards.~~

~~C.~~ "Designated food vehicle zone" is an area within a street designated for location of a food vehicles(s) by the director of public works.

~~D.~~ "Food vehicle" means a licensed and operable motor vehicle or trailer used to serve, vend, or provide food or nonalcoholic beverages for human consumption from a fixed location or along a route in a public place.

~~E.~~ "Handcrafted goods" means goods produced or created by the vendor from raw or basic materials.

~~F.~~ "Original art" means art crafted by the vendor or by artists the vendor acts as agent to on consignment of the art work.

~~G.~~ "Outdoor shopping center activities and events" means activities normally taking place in parking lots of shopping centers from time to time on a temporary basis. Activities include, but are not limited to, promotions or special showings and sale of boats and recreation vehicles or miscellaneous activities such as pony rides and carnival activities. Such activities attract consumers to the shopping center, both the traveling public and pedestrians in the area, and add flavor to the shopping experience. Activities do not significantly impede parking or circulation at the site or adversely affect permanent businesses in the area.

~~H.~~ "Outdoor food court" means one location (parking lot, plaza, or lot) where more than four street merchants selling food have located offering a choice of foods and vendors.

~~H~~. “Public place” means public right-of-way and the space above or beneath its surface, whether or not opened or improved, including streets, avenues, ways, boulevards, drives, places, alleys, sidewalks, planting strips, squares, triangles, and plazas that are not privately owned.

~~J~~. “Retail stand” means a vending cart, street merchant structure, food vehicle or temporary seasonal structure used for retail sale of approved street merchant merchandise. The retail stand is operated from a fixed location within a parking lot, pedestrian plaza, public property, or right-of-way and designed and sized to be readily moved.

~~K~~. “Street fair, outdoor food court or market” means a location where multiple street merchants and activities are organized as one function, including but not limited to one site, lot or parking lot designed or converted to accommodate multiple street vendors on a permanent or seasonal basis, the Lacey Fun Fair or a seasonal farmers’ market.

~~K~~. “Street merchant” means a merchant selling goods from a fixed location within a parking lot, pedestrian plaza, public property or right-of-way using a vending cart, food vehicle, street merchant structure or temporary seasonal structure.

~~M~~. “Street merchant structure” means a structure typically larger than a vending cart that is not intended to be moved by one vendor. Such structure is intended to be set up and stationary in one location, is less than two hundred square feet and is not permanently affixed to its location by a permanent foundation. Examples include an espresso stand, year-round fruit and vegetable stand, or other similar building intended to be used for street merchant activity as defined in this chapter.

~~N~~. “Temporary/seasonal retail stand” means a stand to sell seasonal retail items on a temporary basis. These include fireworks stands, if allowed, Christmas tree stands and local agricultural fruit stands.

~~N~~. “Vending cart” means a movable cart that is used to serve, vend, or provide food, nonalcoholic beverages, or flowers.

16.70.030

Licensing, review, and approval of street merchant application required.

A. All business activities shall meet requirements of Chapter 5.12 LMC for city business licensing.

B. No “street merchant,” “street fair,” “food court,” “market,” “temporary/seasonal retail stand” or “outdoor shopping center activities and events” shall be permitted to operate within the city of Lacey without first obtaining the appropriate planning approval as follows:

1. Limited Administrative Review. Limited administrative review shall generally be required for street merchant activities that are minor in scope and involve use of a vending cart or food vehicle located on private property or a designated pedestrian plaza. A street merchant operating from a street merchant structure located in a parking lot may also qualify for this abbreviated review depending on the size of the area to be used and the scope of activity expected. These applications shall be processed pursuant to the requirements of Section 1C.030 of the City of Lacey Development Guidelines and Public Works Standards.

2. Site Plan Review. Site plan review shall generally be required for street merchant activities that are larger in scope and activity than a single merchant operating from a vending cart including:

a. Outdoor food courts, shopping center activities, and street fairs and markets that involve multiple (more than three) street merchants.

b. Applications that are in public right-of-way that require location in a designated food vehicle zone.

c. Applications that require special consideration because of location circumstances, size of street merchant structure or area, scope of activity, or potential impacts.

These applications shall be processed pursuant to the requirements of Chapter 11.07 LMC (Site Plan Review).

3. Determining Process. Based upon the individual characteristics of an application, considering location, size, and scope of use and potential impacts, the director or their designee may determine that a street merchant application shall be processed either as a limited administrative review, or as a full site plan review. This determination shall be based upon which process best matches the need for review of a project, considering its individual and unique circumstances, and shall be based upon the sole discretion of the director or their designee.

C. Complete Application and Content. Street merchant applications shall include the following information:

1. Detailed scale drawings of the location of the stand.
2. The device to be used, materials specifications with drawings showing all four sides of the vending device, color schemes and any logos, printing or signs which will be incorporated. For existing vending devices, color photographs may be substituted for drawings.
3. The application shall contain a plan for scheduled hours of operation for the season that includes time of day, days of week, months of the year, and scheduled closings.
4. Written approval of the landowner shall also be submitted at the time of application.

D. Permitted Street Merchant Activities. The approving authority may approve street merchant activities meeting the definition of retail stands and temporary/seasonal retail stands. Provided, the approving authority may approve street fairs, outdoor food courts or markets, or outdoor shopping center activities and events based upon findings consistent with the intent of this chapter and the approval process as outlined in subsection B of this section.

E. Approving Authority Consideration and Decision. The approving authority, as described in subsection B of this section, shall ensure the following items are satisfied when acting upon an application:

1. The proposal is consistent with the standards and intent of this chapter.
2. The proposal will enhance the attractiveness of the pedestrian environment in which it is located.
3. The proposed street merchant activities are designed, oriented and operated to serve pedestrians with the exception of a street merchant structure or temporary/seasonal retail stand located in a parking lot.

F. Based upon consideration of the application and its consistency with the intent and standards of this chapter, the approving authority may approve or deny an application. In approving an application, the

approving authority may require any conditions on operation, location or design it deems necessary to ensure compliance with this chapter.

G. The approving authority may administratively approve any variances from the standards section of this chapter it deems necessary to fully satisfy the intent of this chapter to provide an exceptional pedestrian experience at strategic locations within the city.

H. When authorizing variances to retail stand criteria, the applicant should demonstrate to the approving authority's satisfaction the approved design will be compatible with surrounding architecture, will add to the pedestrian desirability of the area, and will be a benefit to the neighborhood and zone in which it is located.

16.70.040

Design and development standards for retail stands.

Retail stands shall generally comply with the following requirements:

A. Vending carts will normally not be more than sixty square feet provided the approving authority may approve any size of vending cart it determines meets the spirit and intent of this chapter.

B. A street merchant structure shall not be more than two hundred square feet in size.

C. A canopy or umbrella may be included with a retail stand. The canopy or umbrella shall be of vinyl, canvas, or similar durable material. All parts of such umbrella or canopy must have a minimum of seven feet of vertical clearance to the ground.

D. Retail stand materials shall be low maintenance and cleanable, preferably painted and of noncorrosive metal.

E. Temporary/seasonal retail stands may be of the size necessary to carry out their temporary operations as approved by the approving authority.

F. Each retail stand shall be a self-contained unit; provided, however, that self-contained electrical power generators are not permitted unless the approving authority determines noise impacts can be mitigated. Utility service connections may be permitted at permanent street merchant pads at the discretion of the city. Electrical service connections may be permitted by a property owner leasing space to a street merchant or by the adjacent property owner and when the following requirements are met:

1. Electrical lines are not allowed overhead or lying on the sidewalk.
2. The outlet location must be placed outside the walkways which are accessible to public and private use.
3. Length of electrical hookup must be within fifteen feet of the stand.
4. No extension cords will be allowed.
5. Hookup must be permanently wired to the retail stand and meet National Electrical Code requirements as to type, size and grounding, terminating in an approved outside weatherproof-type receptacle.
6. Each retail stand shall require an electrical permit unless previously approved, and will require inspection prior to operation of the stand.

G. Advertising signs may only be placed on the cart. Provided, street merchants selling food or nonalcoholic beverages within pedestrian plazas may have one sandwich board sign which would be limited to two feet wide and four feet high. Such sandwich board sign must be located within the pedestrian plaza and oriented to pedestrians at the site.

H. All required licenses and permits issued by the city of Lacey must be displayed in a prominent, visible manner.

I. It is the responsibility of the applicant to obtain necessary health department licenses and to adhere to best practices for food handling when undertaking street merchant activities involving the preparation and serving of food.

J. All persons conducting a retail stand business within the city must keep the site clean and orderly at all times and pick up any refuse or debris and clean up liquid spillage deposited by any person using the business location. Additionally, all such persons shall provide a refuse container for litter. This container shall be of a design approved by the city and must be emptied on a regular basis.

K. Support equipment and accessories shall generally be self-contained within the retail stand. Support equipment and accessories must not be placed so as to impede pedestrian or vehicular traffic or distract from the pedestrian experience.

L. Retail stands selling food within a pedestrian plaza may have accessory seating and tables. Retail stands selling art and crafts may have merchandise displays set up adjacent to the retail stand for pedestrian view only. The location of art and craft displays shall be approved by the approving authority only when it determines such accessories will enhance the pedestrian experience at the site and be compatible with the intent of the zone and neighborhood in which it is located.

M. All persons conducting a retail stand business shall obey any order of a police officer to temporarily move such retail stand to avoid congestion or obstruction of the surrounding area for pedestrian and/or vehicular traffic.

N. All retail stands shall have fire extinguisher(s) available according to currently adopted fire code requirements.

O. Sustainable and creative designs are encouraged.

P. Street merchant designs that are fun and add interest to the street are encouraged.

16.70.045

Approved retail stand merchandise.

The following merchandise may be sold from retail stands:

A. Food.

B. Nonalcoholic beverages.

C. Newspapers and magazines.

D. Original art and handcrafted goods.

E. Other items the approving authority determines are appropriate to pedestrian areas that will enhance the pedestrian experience.

16.70.050

General location standards.

A. Retail stands may only be located in the following zones:

1. All commercial zones.

2. All light industrial zones.

3. Community office zone.

4. Mixed high density corridor and mixed moderate density corridor.

5. Along arterials and collectors at key multimodal intersections in pocket parks or pedestrian plazas as approved by the approving authority based upon findings that it will enhance the local pedestrian experience.

6. Open space institutional zones.

B. Retail stand locations shall be compatible with the pedestrian and the vehicular nature of the zone, the use of the right-of-way as a public thoroughfare, the use of parking lots as public parking areas,

and/or the use of an open air plaza. The site shall be located to enhance the pedestrian nature of the zone and shall not be located so as to attract or serve vehicular traffic.

C. Temporary/seasonal retail stands may be located to attract and serve vehicle traffic.

D. In determining whether or not the proposed location would be permitted, the following criteria shall be considered:

1. The type and intensity of the proposed use and the type and intensity of existing uses;
 2. The width of the sidewalk, pedestrian plaza or parking lot in which it is to be located;
 3. The proximity and location of existing street furniture, including but not limited to signposts, lampposts, bus shelters, benches, phone booths, trees, newsstands, as well as the presence of bus stops and truck loading areas;
 4. Established or proposed pedestrian and vehicular traffic patterns;
 5. The number of available retail stand sites in a given area or zone of the city and the number of existing retail stands in such area;
 6. Other factors deemed relevant by the approving authority, consistent with the purpose of this chapter and intent of the zone proposed for the use.
- E. The retail stand and location shall promote the diversity of retail stand activity.
- F. The site and retail stand together shall not create a pedestrian or vehicular traffic hazard.
- G. The retail stand shall be compatible with uses in the general vicinity and adjacent properties.

H. The retail stand location shall promote the pedestrian nature of the general area in which it is located.

I. The retail stand location shall be compatible with the public interest in the use of the sidewalk as a public right-of-way and the use of a public or private parking lot for the primary intended use of vehicular parking and, as such, shall not endanger the public health, safety and welfare.

16.70.060

Specific location standards.

A. No retail stand shall be placed within one hundred feet or fronting a property of a business which specializes in an item that the retail stand offers for sale unless the applicant owns the establishment or has written consent from the proprietor of the establishment, e.g., a retail stand selling ice cream may not be located within one hundred feet of an established ice cream parlor. This one-hundred-foot distance restriction shall be measured using the distance of the route of access between the two uses (the route someone would walk or drive).

B. The distance requirement of subsection A of this section may be reduced or waived if the street merchant is locating adjacent to a key pedestrian intersection and in a designated pedestrian plaza designed to accommodate a street merchant, or other circumstance related to the context of the application that make a lesser buffer appropriate to meet the intent of this chapter.

C. Each retail stand shall be placed so it does not obstruct or impede pedestrian or vehicular traffic.

D. Each retail stand shall be limited to its approved locations.

E. Only one retail stand site shall be approved for each pedestrian plaza or pocket park or parking lot unless the approving authority finds that additional stand(s) would be consistent with the intent of this chapter to promote the pedestrian experience and will not adversely impact pedestrian or vehicular circulation or be detrimental to the intent and vision for the surrounding zone.

F. Any retail stand located in a parking lot shall comply with the following minimum standards:

1. The retail stand shall not block entrances and exits to the parking lot or fire exit doors of any buildings;
 2. Retail stands should normally not occur in parking spaces directly in front of entrances or windows of the building;
 3. The retail stand shall comply with all other applicable city ordinances.
- G. No retail stand shall be located within eight feet of an abutting property.

16.70.065

Location and leasing of city property for retail stand activities.

The approving authority may designate approved retail stand sites in any zone approved for such use on publicly owned parks, pedestrian plazas or city right-of-way on a sidewalk or street side in a designated food vehicle zone. In doing so, the number of approved sites shall be limited to what the approving authority determines is appropriate to the pedestrian experience of the site and consistent with the intent and vision of the zone in which it is located. The approving authority must also find that the location of such retail stand space will not adversely affect pedestrian or vehicular traffic flow or create any undue hazard and will generally meet location criteria of LMC 16.70.050 and 16.70.060. In such cases, the city may competitively lease such spaces to street vendors consistent with policy for leasing of vending spaces to private entrepreneurs in city parks.

16.70.070

Insurance.

If an area to be approved for a retail stand is City-owned, such as a sidewalk or street right-of-way, the applicant must obtain and retain public liability and property damage insurance coverage, naming the City as a co-insured, and must sign an agreement to indemnify and hold the City harmless. The amount of coverage shall be determined by the City.

16.70.080

Permit limitations.

A. A retail stand review approval may not be transferred to another person or to a location other than that stated on the permit.

B. Retail stands issued for public right-of-way or public property shall normally be reviewed once every year and may be extended each year for additional one-year increments if the approving authority finds that the retail stand has been operated in a way to enhance the pedestrian experience and is still a benefit to the zone in which it is located. When granting extensions, the approving authority may attach additional conditions to an approval it deems necessary to comply with this chapter or new city regulations. This shall not prohibit the city from entering into multiple-year contracts if such are considered appropriate for the site and consistent with city policy.

C. Any permit or approval issued by the city for a retail stand on private property does not affect the permittee's responsibility to secure and maintain a contract or written approval from the property owner.

16.70.090

Permit revocation.

The approving authority may immediately revoke or suspend a permit or deny either the issuance or renewal thereof if the committee finds that:

A. The applicant or permittee has violated or failed to meet any of the provisions of this chapter or conditions of the permit;

B. The retail stand or operation is detrimental to the surrounding businesses or to the public due to either appearance or condition of the stand;

C. Any required licenses have been suspended, revoked or cancelled;

D. The applicant or permittee does not have a current, effective insurance policy in the minimum amount provided in this chapter;

E. The scheduled hours of operation are not followed; or

F. The property owner has withdrawn approval or revoked the contract allowing the use on his/her property.

Upon denial, suspension or revocation, the approving authority shall notify the applicant or permittee in writing of the action the approving authority has taken and the reasons therefor. After giving such notice by mail or in person, if the retail stand has not been removed within fifteen days, the city may cause a removal of any retail stand found in violation of this chapter, and is authorized to store such stand until the owner thereof shall redeem it by paying the removal and storage charges.

16.70.110

Appeals.

Any decision of the city of Lacey, in the administration of this chapter, may be appealed in accordance with Chapter 1D of the City of Lacey Development Guidelines and Public Works Standards.

Exhibit Q: 16.72

Chapter 16.72 OFF-STREET PARKING AND LOADING

Sections:

~~16.72.010 Intent~~

16.72.~~020-010~~ General requirements

16.72.~~025-020~~ 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~~ arrangements shall be established 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~~ <u>2</u>	5	1 per ~~20~~ <u>15</u> auto stalls. Minimum of ~~46~~ <u>4</u> .
Daycare, preschools, nursery schools	Per teacher plus 1 drop-off loading area per ~~7~~ <u>6</u> students	~~0.5~~	1	1 per ~~25 auto stalls~~ <u>5 students</u> . Minimum of ~~18~~ <u>5</u> .
Hotels, motels	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~~ <u>28</u> .
	• With on-site customer service	2	4	
	• Without on-site customer service	1.5	3	
~~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	~~32~~	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~~ <u>stored or operated on site.</u>	0.5	1	See offices
Warehouse	Per 1,000 square feet of GFA ~~plus~~	1		~~Minimum of 10.~~ <u>None</u>
	Per ~~400-500~~ square feet of GFA used for office or display area	1		
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. <u>Minimum of 10.</u>
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				

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 ~~6.7~~				
<u>Accessory dwelling</u> unit	Per <u>dwelling unit</u>	1		None
Single- <u>family</u>	Per <u>dwelling unit</u>	~~2~~ ⁶ <u>1</u>		None
<u>Duplexes</u>	<u>Per dwelling unit</u>	~~2~~		~~None~~
<u>Middle Housing Types as defined within LMC Title 16.</u>	<u>Per dwelling unit</u>	<u>1</u>		<u>None</u>
<u>Multifamily structures</u> <u>Structures of 5+ Units</u>	~~Per each studio unit~~ <u>dwelling unit</u>	~~10.5~~		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>apartment</u> <u>housing development</u>	Per 3 <u>dwelling units</u>	~~1~~	2	See ~~multifamily~~ <u>Structures of 5+ Units</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.

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 8 feet by 20 feet, except for required parking for people with disabilities;
- c) Consistent with Chapter 11.08 Variances, an applicant may apply for a reduction in minimum parking requirements if it can be clearly demonstrated that meeting applicable minimum off-street parking and tree retention standards makes a proposed residential development infeasible.
- 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.
- 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, and adjacent, accessible, on-street parking options are sufficient to meet the needs of 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~~multi-tenant commercial 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.
- 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 (except as listed under Table 16T-13 7(b)).
4. Surfacing. All parking areas for more than four 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.

Exhibit R: 16.75

Chapter 16.75
SIGN REGULATIONS

Sections:

16.75.010 Intent

16.75.020 Definitions and abbreviations

16.75.030 Applicability

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16.75.050 Prohibited signs

16.75.060 General sign provisions

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16.75.090 Residential district sign standards

16.75.100 Temporary signs

16.75.110 Legal nonconforming signs

16.75.120 Enforcement and sign removal

16.75.130 Severability

16.75.010

Intent.

The intent of this chapter is to promote public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements, including the following purposes:

- A. Promote the goals and policies of the Comprehensive Plan;
- B. Promote economic vitality of the city's business districts and corridors;

- C. Ensure that signs are compatible with the desired character and identity of Lacey and its various districts and corridors;
- D. To recognize free speech rights by regulating signs in a content-neutral manner;
- E. To promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting, and/or illegible signage;
- F. To prevent property damage, personal injury, and litter from signs which are improperly constructed, poorly maintained, or of flimsy materials;
- G. To protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape;
- H. To provide consistent sign design standards;
- I. To promote signs that are designed appropriate to the site's existing and planned context, including the size and characteristics of the site, the speed limit of the fronting street, and the envisioned character of the applicable area per adopted plans;
- J. To provide an improved visual environment for the citizens of and visitors to the city and to protect prominent viewsheds within the community; and
- K. To enable the fair and consistent enforcement of these sign regulations.

16.75.020

Definitions and abbreviations.

For the purpose of this chapter, definitions as defined in Chapter 16.06 LMC and certain abbreviations, terms, phrases, words and their derivatives shall be construed as specified in this section.

- A. "Awning" is a temporary shelter supported entirely from the exterior wall of a building.
- B. "Banner" is a flexible substrate on which copy or graphics may be displayed. For the definition of a projecting banner, see subsection FF of this section.
- C. "Billboard" is a sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.
- D. "Bulletin board" means a sign so designed that the message may be changed by removal or addition of specially designed letters that attach to the face of the sign.
- E. "Business sales event" means a special sales event put on by a private business. Examples could include a special seasonal or holiday-oriented sales event or a once-a-year sales event. See LMC 16.75.100(C)(2) for signage associated with business sales events.
- F. "Canopy" means an overhead structure attached to a building that provides weather protection for pedestrians. Awnings and marquees (defined herein) are different types of canopies.
- G. "Construction sign" means any sign used to identify the architects, engineers, contractors or other individuals or firms involved with the construction of a building and announce the character of the building or the purpose for which the building is intended.
- H. "Copy" means the graphic content or message of a sign.
- I. "Departure" means a city approved alternative way to meet specific design standards set forth in this chapter. See LMC 16.75.040(C) for general information and procedures associated with departures.
- J. "Digital sign" means a changeable copy sign that uses a matrix of illumination elements, such as light emitting diodes (LED), liquid crystal display (LCD), plasma display, individual light bulbs, or other digital or analog electronic media to display or project copy which can be modified by electronic processes.

K. "Directional sign" means signs erected by the city on arterial streets directing the public to public, civic or nonprofit facilities.

L. "Dwell time" means the amount of time a particular image is on display.

M. "Fade" means a mode of message transition on a digital sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

N. "Flashing sign" means any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source. Excluded from the definition are public service signs.

O. "Feather sign" means a vertical portable sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand.

P. "Freestanding sign" means any sign which is supported by one or more uprights or braces in or upon the ground.

Q. "Garage sale signs," i.e., yard sales, moving sales, patio sales, means temporary signs used to announce a sale of used items at a residence.

R. "Grade" means the elevation or level of the street closest to the sign to which reference is made, as measured at the street's centerline, or the relative ground level in the immediate vicinity of the sign.

S. "Grand opening displays" means temporary signs, posters, banners, strings of lights, clusters of flags, balloons and searchlights used to announce the opening of a completely new enterprise or the opening of an enterprise under new management.

T. "Height" or "height of sign" means the vertical distance from the grade to the highest point of a sign or any vertical projection thereof, including its supporting columns.

U. "Internal wayfinding sign" means a sign used to aid customers in circulation within parking lots of commercial uses.

V. "Legal nonconforming sign" means a sign which on the effective date of the ordinance codified in this chapter was lawfully maintained and had been lawfully erected in accordance with the provisions of any prior sign ordinance or code but which sign does not conform to the applicable limitations established by this chapter; or on or after the effective date of the ordinance codified in this chapter was lawfully maintained and erected in accordance with the provisions of this chapter but which sign, by reason of amendment of the ordinance codified in this chapter after the effective date thereof, does not conform to the applicable limitations established by the amendment of this chapter.

W. "Marquee" is a permanent roofed structure attached and supported by the building.

X. "Mobile sign" means a sign made of any material which by its design is readily movable and is equipped with wheels, casters or rollers or which is not permanently affixed to the ground, structure or building. (Also includes signs mounted upon the tops of vehicles.)

Y. "Monument sign" is a ground-mounted sign which is higher than three feet above the average ground elevation and which is attached to the ground by means of a wide base of solid appearance.

Z. "Multiple building complex" means a group of structures housing at least one retail business, office, commercial venture or independent or separate part of a business which shares the same lot, access and/or parking facilities.

AA. "Multiple occupancy building" means a single structure housing more than one retail business, office or commercial venture.

BB. "Nit" means a photometric unit of measurement referring to luminance. One nit is equal to one cd/m².

CC. "Off-premises sign" means a permanent sign not located on the premises of the use or activity to which the sign pertains.

DD. "Political sign" means a sign advertising a candidate or candidates for public elective office, or a political party, or sign urging a particular vote on a public issue decided by ballot.

EE. "Projecting sign" means a sign attached to a building or other structure and projecting away from the structure more than twelve inches.

FF. "Projecting banner sign" means a banner as defined in subsection B of this section that is supported by poles or brackets which project away from a structure more than twelve inches.

GG. "Public service signs" means an electronically or electrically controlled public service sign or portion of a larger sign which conveys only information such as activities, events, time, date, temperature, atmospheric condition or news of interest to the general public where different alternating copy changes are shown on the same lamp bank matrix.

HH. "Real estate or property for sale, rental or lease sign" means any sign pertaining to the sale, lease or rental of land or buildings.

II. "Sandwich board sign" means a temporary sign made of metal, wood, chalkboard, or white board that is not permanently attached to the ground and generally oriented to pedestrians.

JJ. "Searchlight" means an apparatus containing an electric light and reflector on a swivel for projecting a far-reaching beam in any desired direction.

KK. "Sign" means any commercial communication device, structure or fixture that is intended to aid an establishment in identification and to advertise and/or promote a business, service, activity or interest. For the purpose of this chapter, a sign shall not be considered to be building or structural design, but shall be restricted solely to graphics, symbols or written copy that is meant to be used in the aforementioned way.

LL. "Sign area" means the entire area of a sign on which copy is to be placed, as set forth in LMC 16.75.060(B).

MM. "Special event signs" means temporary signs used to announce a public special event, such as a circus, a carnival, or festival, or a business sales event. See LMC 16.75.100(C) for applicable standards.

NN. "Temporary sign" means any sign, banner, pennant, valance, flags (not intended to include flags of any nation, state, city or other governmental agency or nonprofit organization), searchlights, balloons or other air-filled or gas-filled figures or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frame, intended to be displayed for a limited period of time only. Different types of temporary signs and banners included in this category are: construction, grand opening displays, real estate, special event, political, sandwich board, and garage sale.

OO. "Wall" means any member or group of members which defines the exterior boundaries of a building and which has a slope of sixty degrees or greater with the horizontal plane. The height of a wall shall be measured as the two-dimensional height from the average finish grade of the particular architectural building elevation adjacent to the wall to the finish roof plane.

PP. "Wall sign" means any sign attached to or painted directly on the wall, or erected against the wall of a building being parallel or approximately parallel to said wall; and does not exceed a distance of twelve¹ inches from said wall.

1 Code reviser's note: Ord. 1454 sets this distance from the wall at fifteen inches. This distance has been changed to twelve inches to reflect the intent of the city.

16.75.030

Applicability.

A. Applicability. This chapter applies to all signs, of whatever nature and wherever located, within the city.

B. Interpretation. This chapter is not intended to and does not restrict speech on the basis of its content, viewpoint, or message. Any classification of signs in this chapter that permits speech by reason of the type of sign, identity of the sign user, or otherwise, shall also be interpreted to allow noncommercial speech on the sign. No part of this chapter shall be construed to favor commercial speech over noncommercial speech. To the extent any provision of this chapter is ambiguous, the term shall be interpreted not to regulate on the basis of the content of the message.

C. Exemptions. The following signs do not require a sign permit (unless noted), nor shall the area and number of such signs be included in the area and number of signs permitted for any site or use. This shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance and its compliance with the provisions of this chapter or any other law or ordinance:

1. The flag, emblem or insignia of a nation or other governmental unit or nonprofit organization subject to the guidelines concerning their use set forth by the government or organization which they represent. Flag poles require a building permit for structural review and are limited to the maximum height restrictions of the underlying zoning district.
2. Memorial signs or tablets, names of buildings, stained glass windows and dates of erection when cut into the surface or the facade of the building or when projecting not more than two inches.
3. Traffic or other municipal signs, signs required by law or emergency, railroad crossing signs, legal notices, and any temporary or non-advertising signs as are authorized under policy approved by the city council.
4. Signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities or of public telephones.
5. Flush mounted wall signs, used to identify the name and address of the occupant for each dwelling provided the sign does not exceed two square feet in sign area.
6. Signs located in the interior of any building or within an enclosed lobby or court of any building or group of buildings, which signs are designed and located to be viewed exclusively by patrons of such use or uses.
7. Decorations or such signs in the nature of a decoration, clearly incidental and customary and commonly associated with any national, local or religious holiday.
8. Painting, repainting or cleaning of an advertising structure or the changing of the advertising copy of message thereon shall not be considered an erection or alteration which requires a sign permit unless a structural change is made.

9. Sculptures, fountains, mosaics and design features which do not incorporate advertising or identification.

10. "No trespassing," "no dumping," "no parking," "private," signs identifying essential public needs (i.e., restrooms, entrance, exit, telephone, etc.) and other informational warning signs, which shall not exceed three square feet in surface area.

11. Directional signs erected by the city on arterial streets directing the public to public, civic, or nonprofit facilities. Such signs shall be erected at the discretion of the director of public works and shall be subject to city design guidelines. In addition, the city may allow the erection of directional signs as are necessary to designate commercial areas or significant tourist sites within the city, consistent with the city's wayfinding program.

12. Kiosks and other related informational signs that are placed along internal walkways that are designed specifically to be viewed by pedestrians and not intended to function as advertising to motorists on nearby public streets.

16.75.040

Administration.

A. Permits and Fees Required.

1. Subject to the exemptions set forth in LMC 16.75.030(C), no sign governed by the provisions of this code shall be erected, altered or relocated by any person, firm or corporation without a permit issued by the city.

2. Fees for sign permits shall be established by resolution of the city council.

3. Sign permits are subject to limited administrative review pursuant to LMC 11.04.030. Exception: For applications that include a departure, see subsection C of this section.

B. Permit Applications. Applications for permits shall contain the name and address of the owner and user of the sign, the name and address of the owner of the property on which the sign is to be located, the location of the sign structure, drawings or photographs showing the design and dimensions of the

sign and details of its proposed placement and such other pertinent information as the administrator of this code may require to ensure compliance with this code and other applicable ordinances. Permit applications shall be available for inspection by the public upon request. Upon completion of a permit application, the application should be acted on within two weeks unless there is a requirement for further time associated with an underlying land use application.

C. Departures. This chapter provides for a number of specific departure opportunities to sign design standards. The purpose is to provide applicants with the option of proposing alternative design treatments provided such departures meet the applicable departure criteria set forth for the applicable particular departure opportunity. Specifically:

1. Departures are voluntary. This provision allows the flexibility for applicants to propose alternative designs on a voluntary basis.
2. Applicability. Departure opportunities are available only to specific standards that allow for departures.
3. Procedures. Permit applications that include departure requests are subject to limited administrative review pursuant to LMC 11.04.030. Departure requests, at the discretion of the administrator, may be referred to the hearing examiner.
4. Approval Criteria. Project applicants must successfully demonstrate to the administrator how the proposed departure meets the applicable criteria that apply to the specific standard.
5. Documentation. The administrator shall issue a written decision including findings documenting how the departure meets or exceeds the applicable criteria.

D. Administrator.

1. Appointment--Powers and Duties Generally. The administrator of this code shall be the director of community and economic development or their designee. The administrator is authorized and directed to enforce and carry out all provisions of this code, both in letter and spirit, with vigilance and with all due speed. To that end, the administrator is authorized to formulate procedures consistent with the purposes of this code. The administrator is further empowered to delegate the duties and powers granted to and imposed upon the director of community and economic development or their designee

under this code. As used in this code, “administrator of this code” or “administrator” shall include the director of community and economic development’s authorized representative.

2. Inspection Authority. The administrator is empowered to enter or inspect any building, structure or premises in the city upon which, or in connection with which, a sign, as defined by this code, is located, for the purpose of inspection of the sign, its structural and electrical connections and to ensure compliance with the provisions of this code. Such inspections shall be carried out during business hours, unless an emergency exists.

16.75.050

Prohibited signs.

A. Sign Location Restrictions. Except where specifically authorized by this chapter, signs are prohibited in the locations set forth below. Prohibited signs are subject to removal (except legal nonconforming signs as defined by this chapter) by the city at the owner’s or user’s expense.

1. Any temporary or permanent freestanding sign located within or projecting over a city right-of-way or within five feet of a city right-of-way. Sandwich board signs and feather signs meeting the provisions of LMC 16.75.100(H) and (I) are an exception;

2. Any sign attached to any public utility pole, structure or street light, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, statue, memorial, or other location on public property, except those signs approved as part of a special event permit on city property or banner signs permitted by the city on light poles in certain zones within the city. Nothing in this section shall be construed to prohibit a person from holding a sign while located on city property so long as the person holding the sign is located on public property determined to be a traditional public forum and does not block ingress and egress from buildings or create a safety hazard by impeding travel on sidewalks, bike and vehicle lanes, and trails;

3. Any sign which, by reason of its location, will obstruct the view of any authorized traffic sign, signal, or other traffic control device or which by reason of shape, color, or position interferes with or could be confused with any authorized traffic signal or device;

4. Any sign that interferes with safe sight distance at an intersection;

5. Any sign which is placed so as to prevent or inhibit free ingress to or egress from any door, window, or any exit way required by the building and/or fire code currently in effect;

6. Any commercial, advertising, or business sign that is not located on the premises of the business to which it refers.

7. Signs located on roofs, except that departures per LMC 16.75.040(C) will be considered where signs are placed in an architectural space that is specifically incorporated into the roof design and does not project higher than the peak of the roof; and

8. Any sign mounted, attached, or painted on a trailer, boat, or motor vehicle when parked, stored, or displayed conspicuously on private premises in a manner intended to attract attention of the public for the purpose of advertising or identifying the business premises. This provision excludes signs indicating the name of the owner or business that are permanently painted or wrapped on the surface of the vehicle, adhesive vinyl film affixed to the interior or exterior surface of a vehicle window, or signs magnetically attached to motor vehicles or rolling stock that are actively used in the daily conduct of the business. Such vehicles shall be operable and parked in a lawful or authorized manner.

B. Sign Display Restrictions.

1. Purpose. The purpose of this subsection is to regulate the manner in which signs convey their messages by specifying prohibited display features that create distractions to the traveling public and create visual clutter that mars the natural and architectural aesthetics of the city.

2. Applicability. The display features set forth below are prohibited. Prohibited signs are subject to removal (except legal nonconforming signs as defined by this chapter) by the city at the owner's or user's expense.

a. Any digital sign except for those associated with freestanding signs per LMC 16.75.080(A)(7);

b. Any sign or lighting device, whether on the exterior of a building or on the inside of a window, which is visible beyond the boundaries of the lot or parcel, or from any public right-of-way, with intermittent, flashing, rotating, blinking or strobe light illumination;

- c. Any sign with an exposed light source, except for neon incorporated into the design of the sign;
- d. Any sign which emits sound, odor, smoke, laser or hologram lights, or other visible matter, including any sign that uses motion picture projection;
- e. Any sign animated by any means, including fixed aerial displays, balloons, pennants, spinners, including strings of flags, streamers, tubes, or other devices affected by the movement of the air or other atmospheric or mechanical means, except when used for a grand opening display or special event signage per LMC 16.75.100(B) or (C);
- f. Any sign in which the sign body or any portion of the sign rotates, moves up and down, or any other type of action involving a change in position of the sign body or any portion of the sign, whether by mechanical or any other means, except when used for a grand opening display or special event signage per LMC 16.75.100(B) or (C);
- g. Changeable copy signs, except as provided for in LMC 16.75.030(C) for exempt signs and 16.75.080(A)(7) for freestanding signs; and
- h. Mannequins holding a sign or displaying advertising, whether stationary or animated.

C. Other Prohibited Signs. Prohibited signs are subject to removal (except legal nonconforming signs as defined by this chapter) by the city at the owner's or user's expense. The following signs or displays are prohibited:

1. Mobile signs;
2. Strings of banners, pennants, and other graffiti-like material;
3. Freestanding signs except where permitted in LMC 16.75.080(A), 16.75.090, or 16.75.100; and
4. Billboards.

16.75.060

General sign provisions.

A. Sign Message. Any permitted sign may contain, in lieu of any other message or copy, any lawful noncommercial message, so long as the sign complies with the size, height, area, location, and other requirements of this division.

B. Sign Area. Sign area for all sign types is measured as follows:

1. The area of painted signs, individual letter signs, and other indirectly illuminated signs shall be calculated on the basis of the smallest rectangle, circle or spherical figure that will enclose the entire copy area of the sign. Any such calculation shall include the areas between letters and lines, as well as the areas of any devices, illuminated or nonilluminated, which are intended to attract attention.
2. Only one side of a double-faced or three-faced sign shall be included;
3. Four or more faced signs, spherical, free-form, sculptural or other nonplanar sign area is measured as fifty percent of the sum of the areas using only the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure, as shown in Figure 16.75.060(B). Signs with greater than four polyhedron faces are prohibited.

Figure 16.75.060(B). Clarifying sign area measurement

C. Sign Illumination. Illumination from or upon any sign shall be shaded, shielded, directed or reduced so as to avoid undue brightness, glare or reflection of light on private or public property in the surrounding area, and so as to avoid unreasonably distracting pedestrians or motorists. "Undue brightness" is illumination in excess of that which is reasonably necessary to make the sign reasonably visible to the average person on an adjacent street. Illumination, if used, shall be what is known as white or yellow and shall not be blinking, fluctuating or moving. Light rays shall shine only upon the sign or upon the property within the premises and shall not spill over the property lines, in any direction, except by indirect reflection.

D. Sign Structure and Installation.

1. Structural Requirements. The structure and erection of signs or flag poles within the city shall be governed by the city's adopted building code. Compliance with the building code shall be a prerequisite to issuance of a sign permit under this code.

2. Electrical Requirements. Electrical requirements for signs within the city shall be governed by the National Electrical Code. Compliance with the National Electrical Code shall be required by every sign utilizing electrical energy as a prerequisite to issuance of a sign permit under this code.

E. Sign Maintenance and Inspection.

1. Maintenance. All signs, including signs heretofore installed, shall be constantly maintained in a state of security, safety, appearance and repair. If any sign is found not to be so maintained or is insecurely fastened or otherwise dangerous, it shall be the duty of the owner and/or occupant of the premises on which the sign is fastened to repair or remove the sign within five days after receiving notice from the administrator. Where a sign is determined to be an immediate hazard by the administrator, the sign is subject to immediate repair or removal. The premises surrounding a freestanding sign shall be free and clear of rubbish and landscaping area maintained in a tidy manner.

2. Inspection. All sign users shall permit the periodic inspection of their signs by the city upon city request.

16.75.070

Permitted signs.

This section identifies the permitted types of signs by use and/or district.

A. Permitted Types of Signs by Use and/or District. Permitted types of signs by use and/or district. An "X" in the table indicates that the particular type of sign is allowed for the applicable land use and/or zone. See applicable sign type provisions in LMC 16.75.080 for possible exceptions to the provisions below.

Table 16.75.070

	SIGN TYPE					
Land Use and/or Zone	Freestanding LMC 16.75.080(A)	Wall Sign LMC 16.75.080(B)	Marquee/ Awning LMC 16.75.080(C)	Projecting Sign LMC 16.75.080(D)	Under-Canopy LMC 16.75.080(E)	Internal Wayfinding LMC 16.75.080(F)
Nonresidential Uses						
Any nonresidential use	X	X	X	X	X	X
Multi-occupancy building	X	X	X	X	X	X
Multi-building complex	X	X	X	X	X	X
Large shopping center	X	X	X	X	X	X
Freeway-oriented business	X	X	X	X	X	X
Residential Uses						
Single-family subdivision	X*					

	SIGN TYPE					
Land Use and/or Zone	Freestanding LMC 16.75.080(A)	Wall Sign LMC 16.75.080(B)	Marquee/ Awning LMC 16.75.080(C)	Projecting Sign LMC 16.75.080(D)	Under-Canopy LMC 16.75.080(E)	Internal Wayfinding LMC 16.75.080(F)
Mixed residential or ~~multifamily~~ residential complex	X	X				X
Home occupation		X*				
Manufactured home subdivisions and parks	X*	X*				

*Subject to the standards contained in LMC 16.75.090.

B. One bulletin board limited to fifty square feet in area is allowed for each public, charitable or religious institution where the same is located on the premises of said institution. A sign permit is required.

16.75.080

Sign type standards.

A. Freestanding Signs.

1. Visualization Required. All applicants for freestanding signs associated with multi-tenant commercial centers and individual nonresidential uses over five thousand square feet shall include a photo simulation of the proposed sign from at least two prominent public viewpoints. Applicants may use photographs or Google Earth or other clearly legible online street view resource to superimpose their proposed sign. See Figure 16.75.080(A)(1) below for an example.

16.75.080(A)(1)

Examples of the types of sign visualizations that are useful to determine compliance with the standards herein. The upper image uses Google Earth as a base to which to illustrate the proposed sign. The lower image uses an actual photograph and superimposes the proposed sign.

2. Sign Form. Freestanding signs shall be designed so they appear firmly anchored to the ground. This includes:

a. Monument signs, as defined in LMC 16.75.020(Y).

b. Signs where the base (where the sign structure meets the ground plane) is at least forty percent of the width of the total sign width. Departures per LMC 16.75.040(C) will be considered provided the sign includes design features that visually anchor it to the ground and the design of the sign meets other applicable standards.

Figure 16.75.080(A)(2).

Minimum ground anchoring provisions for freestanding signs.

3. Permitted Number of Signs. One sign is permitted per frontage, per property. Additional freestanding signs shall be permitted per Table 16.75.080(A)(3) below.

Table 16.75.080(A)(3).

For properties with more than five hundred feet of frontage, additional freestanding signs are permitted per the separation standards below.

Applicable Speed Limit	Minimum Separation
Less than 35 mph	150'
35--45 mph	200'

Figure 16.75.080(A)(3).

An example of a shopping center with a large frontage where multiple freestanding signs are allowed. The fronting street has a posted speed limit of thirty-five miles per hour, which requires a minimum sign separation of two hundred feet.

4. Materials and Design. Freestanding signs shall be designed as an integrated architectural feature of the site. Specifically:

a. Framing. Freestanding signs must include design elements that effectively frame the sign on both sides (see Figures 16.75.080(A)(4)(c-1) and (c-2) for acceptable examples). Alternatively, signs that have a substantial framing element on one side, as illustrated in the examples in Figure 16.75.080(A)(4)(c-3), will meet this provision. Departures per LMC 16.75.040(C) will be considered provided the design meets other provisions herein and integrates a distinctive, one-of-a-kind design that contributes to the visual character of the area.

b. Materials and Design. Freestanding signs shall include durable high quality materials and a design that relates to and/or complements the design of on-site buildings and/or is coordinated with other site design elements (such as distinctive lighting, monuments, wayfinding signs). Figures 16.75.080(A)(4)(c-1) through (c-3) below all meet this requirement.

c. Top/Middle/Bottom. Freestanding signs shall integrate a top, middle, and bottom element. The top could include a distinctive sign cap and/or include the name of a multi-tenant center. The middle can include a consistent framing technique for an individual sign or multiple signs in a multi-tenant center. The bottom could include a distinctive base design with special materials and/or design. See the figures below for examples that meet this requirement. These components are less critical for signs less than six feet tall, and thus exempt from this provision.

Figure 16.75.080(A)(4)(c-1).

Illustrating acceptable and unacceptable freestanding sign examples. The left image utilizes clearly identifiable top, middle, and bottom elements and meets the framing provision. The middle image includes a base, but insufficient top or framing element. The shorter sign to the right includes framing but is exempt from the top, middle, and bottom elements.

16.75.080(A)(4)(c-2)

Each of these three signs includes a frame and top/middle/bottom components, and features high quality materials that relate to and/or complement the design of on-site buildings and/or is coordinated with other site design elements.

Figure 16.75.080(A)(4)(c-3).

These signs feature substantial framing elements on one side, and thus meet the design provisions herein.

Figure 16.75.080(A)(4)(c-4).

Unacceptable signs. The far left sign includes a base and a frame, but no identifiable top. The middle and right signs fail to meet any of the design provisions above.

5. Location and Landscaping.

a. Setback. All freestanding signs shall be located at least five feet from a public ROW unless a greater setback is specified herein.

b. Landscaping. All signs shall include landscaping around the base of freestanding signs to enhance the character of street frontages. Specifically, at least one square foot of landscaped area shall be provided per one square foot of sign area. Utilize plants and a maintenance program to minimize conflicts with the sign.

c. Base Height Provision. The copy of all signage shall be at least one foot above grade. The purpose is to allow vertical space for the required landscape elements and enhance the visibility of sign copy. See Figure 16.75.080(A)(5).

Figure 16.75.080(A)(5).

Minimum base height for sign copy.

6. Maximum Size and Height. Table 16.75.080(A)(6) illustrates the maximum allowable sign area and height for all freestanding signs, except such signs for freeway-oriented businesses, as set forth in subsection (A)(10) of this section.

Table 16.75.080(A)(6). Maximum freestanding sign height and area

Total ROW Frontage of Parcel (on each street)	Allowable Sign Area (white/very light background)	Allowable Sign Area (shaded or dark background)	Maximum Height (white/very light background)	Maximum Height (shaded or dark background)
< 200 Feet	24 sq. ft.	40 sq. ft.	6 feet	7 feet
200--399 Feet	36 sq. ft.	54 sq. ft.	7 feet	8 feet
400--599 Feet	50 sq. ft.	70 sq. ft.	8 feet	9 feet
600--799 Feet	60 sq. ft.	80 sq. ft.	8 feet	10 feet
800--999 Feet	66 sq. ft.	88 sq. ft.	9 feet	12 feet
1,000 Feet and >	72 sq. ft.	96 sq. ft.	9 feet	15 feet

Supplemental freestanding sign provisions:

a. Signs that employ shaded, opaque or dark background and light-colored lettering for at least fifty percent of the sign copy are allowed larger sign areas, as they are found to be less visually intrusive than signs incorporating white or very light-colored background. Using a CMYK color chart, signs that employ color numbers that add up to at least twenty (collectively) shall be considered as “shaded.” For example:

C=0, M=0, Y=0, K=20 = Shaded

C=10, M=0, Y=0, K=10 = Shaded

C=10, M=0, Y=0, K=0 = Not considered to be shaded

See Figure 16.75.080(A)(6)(a) below for examples.

Figure 16.75.080(A)(6)(a).

The black, dark, and shaded signs above qualify for the extra sign area and height specified in the shaded columns of Table 16.75.080(A)(6). The sign on the right with the white background is allowed (but doesn’t qualify for the “bonus” sign area and height) and subject to the sign area/height in the unshaded columns above in Table 16.75.080(A)(6).

b. Departures. Applicants seeking a larger and/or taller sign may apply for a departure per LMC 16.75.040(C) to allow for sign height and area up to fifty percent greater than specified above. In order to qualify for a departure, signs shall include a distinctive one-of-a-kind design that includes a high quality mixture of materials.

Figure 16.75.080(A)(6)(b).

The sign on the left is an example of a sign that meets basic standards, whereas the sign on the right uses a distinctive one-of-a-kind design and would qualify for a departure.

c. Center names for multi-tenant commercial centers (centers that include two or more tenants) are exempt from allowable sign area calculations specified above, provided the center name is distinct from the names of any tenants (for example, Joe's Center would be too closely related to a tenant named Joe's Books). Freestanding signs incorporating center names are allowed fifteen percent greater sign height than specified above.

Figure 16.75.080(A)(6)(c).

Examples of sign integrating center names (exempt from sign area calculations).

d. For those properties where more than one freestanding sign is allowed on a particular frontage per subsection (A)(3) of this section, one sign may be installed per standards specified per the total ROW frontage of the parcel. The size and height of additional signs are based on the separation from the larger primary sign or other supplemental sign. For example, if a second sign is six hundred fifty feet from the larger primary sign, then it shall meet the standards for a sign that includes six hundred through seven hundred ninety-nine feet of total ROW frontage of parcel as set forth in the table above.

e. Large commercial shopping center signs and freeway-oriented signs (see subsections (A)(9) and (A)(10) of this section) are exempt from the standards above.

7. Digital Signage Integration. Digital signage elements may be integrated into any freestanding sign permitted in this subsection, subject to the following provisions:

a. Up to fifty percent of allowed sign copy area may be used for digital directory purposes. This would allow a multi-tenant center to rotate the names of businesses used in the freestanding signs, allowing greater visibility opportunities for individual businesses in the center.

b. Up to thirty-three percent of allowed sign copy area may be used for changing message purposes. For single tenant signs, up to fifty percent of the allowed sign copy area may be used for changing message purposes.

c. Where both a digital directory and changing message signage is included on one freestanding sign, such elements may collectively be used for up to sixty-seven percent of the total allowed sign copy area.

Figure 16.75.080(A)(7).

The sign above features digital directory signage (Tahitian Pearls, which occupies thirty-three percent of the sign copy) and digital signage that features changeable messages (bottom thirty-three percent of sign copy). The combined digital signage represents the maximum sixty-seven percent of the total sign copy area.

d. Any form of technology may be used for the sign elements described herein, provided they meet the following provisions:

(1) Maintain a ten-second minimum dwell time for the directory and any images. Changes in directory and images shall be a simple fade with a maximum transition time of two seconds. Animation, movement or video imaging is prohibited.

(2) Brightness Limits.

(a) Integrate automatic dimming capability that adjusts to the brightness of ambient light at all times of the day and night;

(b) Daytime, based on the time from sunrise to sunset as calculated for Lacey, WA: five thousand maximum nits (a measure of luminance that will keep signage balanced with surrounding landscape); and

(c) Nighttime, based on the time from sunset to sunrise as calculated for Lacey, WA: one hundred fifty maximum nits (a measure of luminance comparable to typical nighttime signage and in line with the Illuminating Engineering Society of North America (IESNA)).

(3) Light Trespass Standards. Adopt a trespass limit of one-tenth foot-candle at the property line of any park or residential property.

(4) Digital imagery may be used provided it meets the provisions of subsection (A)(7)(d)(1) of this section.

e. Program Required. Applicants proposing any forms of signage described above shall submit a program of their sign proposal describing how it will meet the applicable standards.

8. Clutter Management Standards.

a. Purpose. To reduce visual clutter along commercial corridors and improve sign legibility.

b. Applicability. The following standards apply to nondigital signage. The provisions shall serve as recommendations to be encouraged (not required) for digital signage copy to enhance legibility and minimize visual clutter.

c. Sign Information Allowances. The provisions herein use the street graphics approach to place limits on the amount of information used on signs based on applicable speed limit of the fronting street. Table 16.75.080(A)(8)(b) below identifies the permitted items of information that are allowed on a sign. Each word or graphic is considered an item of information. Each grouping of numbers is considered an item of information (for example, 867-5309 is considered two items of information). Shopping center names not related to an individual business are exempt from the information limit provisions herein.

Table 16.75.080(A)(8)(b). Sign information allowance table

	Items of Information				
	Sign Area				
Speed Limit	Up to 24 sf	24--35.9 sf	36--49.9 sf	50--80 sf	80 sf +
25 mph	18	20	22	26	30
30 mph	14	16	20	22	25

	Items of Information				
	Sign Area				
Speed Limit	Up to 24 sf	24--35.9 sf	36--49.9 sf	50--80 sf	80 sf +
35 mph	12	14	16	18	20
40 mph	10	11	12	14	15
Freeway	10	10	10	10	10

Departures per LMC 16.75.040(C) will be considered allowing up to thirty-three percent more pieces of information on a sign provided the applicant demonstrates that the design of the sign in its context is legible and successfully employs techniques to minimize visual clutter.

Figure 16.75.080(A)(8)(b-1).

Illustrating signs that conform to the sign information allowance provisions.

Figure 16.75.080(A)(8)(b-2).

An example of a twenty-four-square-foot sign in a thirty-five-mile-per-hour zone meeting the maximum twelve pieces of information requirement. Note that the center name “Lacey Place” does not count as an item of information.

9. Freestanding Signs for Large Shopping Centers. A shopping center or other large commercial complex constituting a commercial subdivision or subject to a binding site plan and being more than thirty acres in size and more than three hundred fifty thousand square feet in gross floor area of buildings is permitted one shopping center or commercial complex sign not exceeding thirty feet in height and three hundred square feet in sign area. If the site has a sign for a freeway-oriented business as permitted in subsection (A)(10) of this section that can be seen and provides reasonable identification from all

arterial frontages adjacent to the site, that sign shall count as the shopping center or commercial complex sign and no such additional signs shall be permitted. Provided, however, if the administrator determines that the freeway-oriented sign does not provide reasonable identification from other arterial streets, both a shopping center or commercial complex sign and a freeway-oriented sign may be permitted. Signs under this provision will have a monument style. Provided, the community and economic development director shall have the authority to approve a modified sign design if, due to height or other design considerations, such a monument sign would be impractical or inappropriate. All such signs must be located at least twenty feet from all property lines and rights-of-way and subject to other applicable freestanding sign provisions above.

10. Freestanding Signs for Freeway-Oriented Businesses. Shopping centers and commercial complexes with significant freeway frontage are permitted freeway-oriented signs under the following criteria:

a. Such shopping centers or other commercial complexes must have a minimum of one thousand one hundred feet of frontage along a freeway. A frontage road or other right-of-way between the site and the freeway does not disqualify the site. Further, such shopping center or commercial complex must constitute a commercial subdivision or be subject to a binding site plan and must also be more than thirty acres in size and have more than three hundred fifty thousand square feet of gross floor area of buildings.

b. Such shopping centers may place one sign on the property for every one thousand one hundred feet of freeway frontage not to exceed three total signs for the individual shopping center.

c. A freeway-oriented sign shall not exceed thirty feet in height from the roadway curb elevation or development natural grade, whichever is higher. A freeway-oriented sign shall not exceed three hundred square feet in sign area. Such sign must be located at least twenty feet from all property lines and rights-of-way.

Departures per LMC 16.75.040(C) to the size and height of such freeway-oriented signs will be considered provided they meet the following criteria:

(1) Sign incorporates a distinctive one-of-a-kind design that complements the architectural design of the center building(s).

(2) Sign employs opaque or dark sign background with light-colored lettering.

(3) Sign is generally no taller than is physically necessary to be clearly visible from Interstate 5 traffic given the context of the site utilizing view corridors and gaps in the tree canopy to blend in with the natural and built environment.

d. Signs qualifying as freeway-oriented signs may be in addition to non-freeway-oriented signs identifying businesses.

e. Signs shall be fully enclosed with no exposed conduits or switchgear and any transformers associated with the sign shall be landscaped from view by the public.

11. Address Numbers. Legible address numbers are required on all freestanding signs. Such address numbers are exempt from sign area standards.

B. Wall Signs.

1. Permitted Number of Signs.

a. Tenants are allowed a maximum of one wall sign per facade that is visible from a street or customer parking lot.

b. Businesses may include additional smaller signs describing the types of products and/or services that the business offers, provided the sign areas collectively comply with maximum size requirements.

c. Commercial tenants on upper levels may include a wall sign placed on facade above the business provided the permitted sign area shall be shared with tenant below and the location/design meets the applicable standards in this subsection.

2. Location and Design.

a. Wall signs shall be centered, proportional, and shaped to the architectural features of the buildings. Signage shall not exceed two-thirds of the width of the articulation interval (i.e., space between columns) or of the individual storefront. This standard also applies to upper level businesses.

b. Wall signs shall not cover windows, building trim, an existing building name sign, or special ornamentation features. Preferred areas for installation of wall signs include blank areas above canopies, areas between vertical piers or columns, blank areas on a gabled roof, or upper reaches of a false-fronted building.

c. Stacked words on wall signs are permitted. Generally, the primary business name should be provided on one line (though exceptions are permitted if they meet other applicable standards herein), with additional text on rows above and/or below providing supporting information about the business in smaller fonts.

Figure 16.75.080(B)(2). Wall sign standards

3. Maximum Size--Individual Retailers--Sign Area. Table 16.75.080(B)(3) provides standards for the maximum amount of wall, canopy, or awning signage on each building elevation. For building elevations that include signage for upper level businesses, the standards shall apply to the entire building elevation.

Table 16.75.080(B)(3). Sign area standards for wall, canopy, or awning signs for each building elevation

Architectural building elevation wall area	Maximum sign surface area (for that wall area)
Below 200 sf	25% of the facade
200--349 sf	22.5% of the facade
350--499 sf	20% of the facade
500--999 sf	17.5% of the facade
999--1,499 sf	15% of the facade

Architectural building elevation wall area	Maximum sign surface area (for that wall area)
1,500--1,999 sf	12.5% of the facade
Over 2,000 sf	10% of the facade

Departures per LMC 16.75.040(C) for larger signs will be considered provided the sign does not feature internal lighting and meets other applicable standards herein.

Figure 16.75.080(B)(3-1). Acceptable wall sign examples.

Note the different styles of signs and use of stacked (both left images) and supplemental text (lower left).

Figure 16.75.080(B)(3-2). More acceptable wall sign examples

In the right image, the signs are centered on the articulation elements of the facade.

Figure 16.75.080(B)(3-3). Unacceptable wall sign example

Most or all of these signs clearly exceed two-thirds of the width of their respective individual storefronts.

4. Maximum Height. Wall signs may not extend above the building parapet, soffit, the eave line or the roof of the building.

5. Mounting.

- a. Building signs should be mounted plumb with the building, with a maximum protrusion of one foot unless the sign incorporates sculptural elements or architectural devices.
 - b. The sign frame shall be concealed or integrated into the building's architectural character in terms of form, color, and materials.
6. Building Name Signs. Signs that advertise the name of the building and not associated with the name of any individual business are exempt from the sign area standards set forth in Table 16.75.080(B)(3) above.

Standards. Signs shall be placed near the top of the facade and generally centered on the architectural features of the building. Departures per LMC 16.75.040(C) will be considered provided the sign is located in a place that is independent from individual businesses on the building and helps to provide identity for the particular building.

Figure 16.75.080(B)(6). Building name signs

The left image is a good example. The image on the right shows an unacceptable example where new signage blocks the original building name sign (circled on top).

C. Marquee and Awning Signs. Marquee or awning signs may be used in place of permitted wall signs (except where otherwise specified herein), provided they meet the following conditions:

1. Permitted Number of Signs. Tenants are allowed a maximum of one marquee or awning sign per facade that is visible from a street or customer parking lot. Exception: Where an individual business uses multiple awnings or marquees, additional signs may be included on these provided they meet other applicable standards herein.
2. Sign Area. See Table 16.75.080(B)(3) above for maximum sign area.
3. Sign Width. Signage shall not exceed two-thirds of individual awning or marquee width.

4. Letter Height. The lettering height shall be proportional to the architectural features of the building. For example, it shall not be so large that it blocks windows or other significant architectural features of the building.

5. Vertical Clearance. Signs shall be placed a minimum of eight feet above the sidewalk or walkway.

6. Location. Marquee signs may be placed on the front, above, or below the marquee.

7. Content. For individual storefronts that include multiple awnings or marquees, secondary business signage may be included on the additional signs. For example, where the primary sign might advertise the name of a bakery, the secondary signs could advertise coffee, ice cream or other types of products sold by the business, provided they are sized smaller than the primary business sign and meet other standards herein.

Figure 16.75.080(C)(6-1). Marquee and awning sign examples and standards

Figure 16.75.080(C)(6-2). Marquee and awning sign example

D. Projecting Signs. Projecting signs meeting the following conditions are allowed for commercial uses adjacent to and facing a street. They may be used in addition to wall, marquee, and/or awning signs provided they meet the applicable standards below.

1. Permitted Number of Signs.

a. Projecting Signs. Tenants are allowed a maximum of one projecting sign per facade that is visible from a street or customer parking lot. Departures per LMC 16.75.040(C) for additional projecting signs may be permitted along a building elevation provided:

(1) They are separated enough to avoid visual clutter, and do not conflict with wall, marquee, and/or awning signs or other significant architectural features of the building.

(2) Additional sign(s) are noticeably smaller in size than the primary business identification projecting sign.

(3) Additional sign(s) advertise other products or aspects of the business and are not merely a second business sign.

b. Projecting Banner Signs. Multiple projecting banner signs may be integrated on the building provided they are aligned with facade articulation elements (such as vertical columns or piers). See Figure 16.75.080(D-4) for an example.

2. Sign Area. Projecting signs are not based on sign area standards, but on the dimensional standards below. Projecting signs may be either vertically or horizontally oriented. Projecting banner signs must all be vertically oriented.

a. Projection.

(1) Horizontally oriented signs: no more than eight feet;

(2) Vertically oriented signs: no more than forty-two inches for single-story buildings; no more than five feet for multi-story buildings;

(3) Signs may project into public rights-of-way for storefront buildings, but shall not extend over the curb into the travel lane.

b. Height.

(1) Horizontally oriented signs: no more than three feet;

(2) Vertically oriented signs: shall not extend above the building parapet, soffit, the eave line or the roof of the building, except for theaters, hotels, large-scale retail uses (over fifty thousand square feet floor area), place names for large retail centers (over seventy-five thousand square feet floor area), or places of public assembly.

c. Departures per LMC 16.75.040(C) to the provisions in subsections (D)(2)(a) and (b) of this section will be considered provided the sign design is compatible with the design of the building in terms of location,

scale, and design elements, does not create a public safety hazard, and provides a positive contribution to the streetscape.

3. Vertical Clearance. Signs shall be placed a minimum of eight feet above the sidewalk or walkway.

4. Location. Projecting signs shall not be located directly over windows or in conflict with other signs or architectural features of the building.

Figure 16.75.080(D-1). Standards for vertically (left) and horizontally oriented (right) projecting signs

Figure 16.75.080(D-2). Projecting sign examples

The example on right includes two complementary projecting signs that are separated enough that they don't conflict or cause visual clutter. The second sign is smaller and advertises the lounge that is within the restaurant.

Figure 16.75.080(D-3). Unacceptable projecting signs

Examples both include signs that project over the roofline. In the right example there are far too many signs. The extra signs also conflict visually and create unwanted sign clutter.

Figure 16.75.080(D-4). Projecting banner sign examples

Note how the signs are aligned with the vertical piers of each building and feature consistent bracket design.

E. Under-Canopy Signs. Under-canopy signs are placed under awnings, marquees or canopies and placed perpendicular to the storefronts and thus oriented to pedestrians on the sidewalk or an internal walkway. Applicable standards:

1. Permitted Number of Signs. Tenants are allowed a maximum of one under-canopy sign per facade that is visible from a street or customer parking lot. Exception: For businesses with multiple entries onto a sidewalk or walkway, one under-canopy sign shall be permitted for each entrance.

2. Sign Width. Under-canopy signs shall have one foot minimum between the sign and the outer edge of the marquee, awning, or canopy and between the sign and the building facade.

3. Sign Height. Under-canopy signs shall not exceed two feet in height.

4. Vertical Clearance. Signs shall be placed a minimum of eight feet above the sidewalk or walkway.

16.75.080(E) Under-canopy standards and example

F. Internal Wayfinding Signs.

1. Purpose. To aid visitors in finding the location of a business, use or building.

2. Sign Content. Signs may include only the name of the business, use, or building together with the directional guidance information.

3. Location. Signs may be located on internal walkways or landscape islands provided they do not inhibit pedestrian movement along the pathway.

4. Size. Signs may be up to five feet in height and contain no more than fifteen square feet in sign area.

5. Design. Signs shall be designed in a uniform manner (within individual subdivision or center) using consistent background color typeface colors. Dark background colors with light colored text are preferred. See Figure 16.75.080(F) for an example.

16.75.080(F) Internal circulation sign examples

Note the consistent design themes using dark backgrounds with light-colored text.

16.75.090

Residential district sign standards.

A. Nonresidential Uses within Residential Districts. Each use is permitted one monument sign as described in Table 16.75.080(A)(6). Internally lit signs in residential districts are prohibited.

B. Home Occupations. Home occupation signs relate to home occupation as defined in the zoning ordinance. The sign shall be flush-mounted and shall not exceed two square feet in area, and cannot be internally illuminated, but may be indirectly illuminated.

C. Single-Family Subdivisions and Manufactured Home Parks or Subdivisions. Two signs may be permitted per entrance from an access street, provided said signs do not exceed eighteen square feet in sign area each and five feet in height. Such signs can be low profile monument or fence-mounted, and can be placed anywhere on the property along access streets, not necessarily at entrances.

D. ~~Multifamily Residential~~ Complex. ~~Multifamily Residential~~ complexes shall be permitted freestanding, wall, and internal wayfinding signage in accordance with LMC 16.75.080.

16.75.100

Temporary signs.

The following signs are classified as temporary (nonpermanent). Temporary signs are permitted subject to the applicable limitations:

A. Construction Signs. A sign permit is required. Such signs may be displayed only after a building permit is obtained and during the period of construction on the construction site. Only one such sign is permitted per construction project for each public street upon which the project fronts. The applicable limits are as follows:

1. In all zones other than single-family residential zones, no construction sign shall exceed thirty-two square feet in sign area (printed copy on one side only) or ten feet in height, nor be located closer than ten feet from the property line or closer than thirty feet from the property line of the abutting owner.

2. In single-family residential zones, no construction sign shall exceed thirty-two square feet in sign area (printed copy on one side only) or ten feet in height, nor be located closer than ten feet from the property line of the abutting owner.

B. Grand Opening Displays. No sign permit is required. Such temporary signs, posters, banners, strings of lights, clusters of flags, balloons or other air- or gas-filled figures, and searchlights are permitted for a period of seven days only to announce the opening of a completely new enterprise or the opening of an enterprise under new management. All such materials shall be removed immediately upon the expiration of seven days. Such displays are permitted only in districts where the enterprise so advertised is allowed under district zoning regulations. Searchlights may be permitted by any business or enterprise provided the beam of light does not flash against any building or does not sweep an arc of forty-five degrees from vertical.

C. Special Event Signs.

1. Public Special Event.

a. Special event signage as defined in LMC 16.75.020(MM) is allowed subject to the standards contained in this chapter.

b. No sign permit is required.

c. Period of Display. Such signs may be displayed thirty days prior to an event and must be removed within seven days after the event's conclusion.

d. Standards. Such temporary signs shall not be larger than four square feet. Said signs shall not be located in the right-of-way, posted or attached to telephone poles, power poles or other public utility facilities. The event committee for which the sign is displayed shall be responsible for its removal and subject to the penalties as provided in this code. Searchlights may be permitted by any business or

enterprise provided the beam of light does not flash against any building or does not sweep an arc of forty-five degrees from vertical.

2. Business Sales Event.

a. A sign permit is required, specifying event periods and other information ensuring conformance with the standards herein.

b. Period of Display. No more than thirty days in a calendar year. This may include up to four events in a calendar year provided the total number of days the sales event signage is displayed for does not exceed thirty.

c. Standards. Sales event signage may include posters, banners, strings of lights, clusters of flags, balloons or other air- or gas-filled figures. Such displays are permitted only in districts where the enterprise so advertised is allowed under district zoning regulations.

D. Real Estate Signs. No sign permit is required. All exterior real estate signs must be of wood or plastic or other durable material. The permitted signs, with applicable limits, are as follows:

1. Residential "For Sale" and "Sold" Signs. Such signs shall be limited to one sign per street frontage not to exceed five square feet in sign area, placed wholly on the property for sale, and not to exceed a height of seven feet.

2. Residential Directional "Open House" Signs. Such signs shall be limited to one sign per street frontage on the premises for sale and three off-premises signs. However, if a real estate broker has more than one house open for inspection in a single development or subdivision, he/she is limited to four off-premises "open house" signs in the entire development or subdivision. Such signs are permitted only during daylight hours and when the real estate broker is in attendance at the property for sale. No such sign shall exceed five square feet in sign area.

3. Undeveloped Commercial and Industrial Property "For Sale or Rent" Signs. One sign per street frontage advertising undeveloped commercial and industrial property for sale or rent. The sign shall not exceed thirty-two square feet in sign area and seven feet in height.

4. Developed Commercial and Industrial Property “For Sale or Rent” Signs. One sign per street frontage advertising a commercial or industrial building for rent or sale is permitted while the building is actually for rent or sale. If one face of the building is less than ten feet from the building line, the sign shall be placed on the building or in a window. The sign shall not exceed seven feet in height and, if freestanding, shall be located more than fifteen feet from any abutting property line or a public right-of-way line. Said sign shall not exceed thirty-two square feet in sign area.

5. Undeveloped Residential Property “For Sale” Signs. One sign per street frontage advertising undeveloped residential property for sale is permitted not exceeding thirty-two square feet in sign area. Said sign must be placed more than thirty feet from the abutting owner’s property line and may not exceed a height of seven feet.

6. Subdivisions approved after the effective date of the ordinance codified in this chapter are permitted one cluster of flagpoles (not to exceed five flagpoles) in front of sales offices to advertise the new development.

E. Political Signs. No sign permit is required. Political signs or posters may be placed upon private property or within the portion of the right-of-way adjacent to private property between the street and sidewalk (or in the unpaved section of the right-of-way where there is no sidewalk), commonly referred to as the “parking strip” or “planter strip,” and determined to be a traditional public forum. Political signs shall not be larger than ten square feet of sign area and shall not be posted or attached to telephone poles, power poles or other public utility facilities. Such signs must be removed seven days after the election in which the candidate or issue advertised on a sign has been determined. For a successful candidate in a primary election the sign may remain until the final election, but shall be removed within seven days after the election. The candidate or committee for which the sign is displayed shall be responsible for its removal and/or is subject to the penalties as provided in this code.

F. Community Banners or Cloth Signs. Such signs may be permitted and extend across a public street by permission of the city manager or appointed representative. Such signs may only be placed at city-designated locations and erected by city personnel.

G. Banners. Such signs may be permitted on private property. Banners may be used to advertise a sale, other special events, or for new businesses waiting for a permanent sign. Notification to the city is required prior to hanging the banner. This notification shall include acknowledgement of the banner requirements, the dates the banner will be used and location of the banner. Businesses are only allowed one banner per wall with a maximum of two banners per business at any one time. All banners must comply with the following:

1. Maintenance Standards. All banners must be legible, made of durable materials, and must be well maintained.

2. Time Limitation. Banners are limited to two thirty-day placements per calendar year.

3. Location on Property. Banners must be located completely on a wall, and tacked down on four corners. Banner size shall be regulated to a maximum of ten percent of the architectural elevation per wall.

H. Sandwich Board Signs. Only businesses that cater to pedestrians such as: restaurants, retail businesses that sell clothing, gifts, accessories, small markets, or other similar uses as determined by the director of community and economic development or their designee, shall be allowed to have sandwich board signs. Such signs shall only be pedestrian-oriented in nature and businesses will only be allowed a maximum of one sandwich board sign. These signs are subject to the following conditions:

1. Notification. Notification to the city is required prior to displaying a sandwich board sign. This notification shall include acknowledgement of the sandwich board sign requirements, list of materials used, and rendering of the sign, including the dimensions. Liability for all sandwich board signs placed in the right-of-way is that of the business placing the sign.

2. Size. The area of the sign shall not exceed nine square feet per side in size and shall not be wider than three feet.

3. Maintenance Standards. Signs shall be constructed out of materials able to withstand typical Northwest weather. Such materials may be metal, finished wood, chalkboard, white board or plastic; signs and copy shall be of professional quality. Owners of sandwich board signs shall be required to keep their signs in a legible, intact, and well maintained manner.

4. Display Time. Signs may only be displayed during business hours. If business hours continue past daylight hours, precautions should be taken to place the sign in a location where it is readily visible after dark. This shall not be construed to allow the wiring of a sign for lighting.

5. Location. Signs may be located no further than twelve feet from the entrance to the business. Such signs shall not be placed in a location which is within the vision triangle or any location which will impede vehicular traffic. Further, such signs shall not be placed in a manner which will block or

otherwise obstruct the safe use of sidewalks, building entrances or stairs by pedestrians, including pedestrians who are visually impaired or otherwise handicapped.

Figure 16.75.100(H-1). Sandwich board sign standards

Exception. For multi-tenant centers where most businesses are located more than twelve feet from the public ROW, center owners or their representatives may apply for a permit to depart from this standard, provided the following provisions are met:

- a. A maximum of one sign per one hundred feet of ROW frontage;
- b. Signs may be placed in the public ROW on one side of sidewalk in a manner that allows a minimum of five feet of horizontal clearance for pedestrians.

Figure 16.75.100(H-2). Illustrating sandwich board sign provisions

The first two signs on the left are more than twelve feet from their respective business entries, but allowed per the exception provision above. The cluster of sandwich board signs in the distance to the right are all within twelve feet of their respective business entries.

I. Feather Signs. Feather signs are prohibited except where used for a grand opening event and/or business sales event (subsections B and (C)(2) of this section) or by permit for multi-tenant centers meeting the criteria below:

1. Applicants: multi-tenant center owners or their representatives. Number of signs permitted: a maximum of one sign per one hundred feet of ROW frontage;
2. Location of Signs. Signs may be placed outside the public ROW on the back side of the sidewalk, as shown in Figure 16.75.100(I).
3. Maximum height of signs: thirteen feet.

4. The use of consistent size and shape of feather signs is encouraged where more than one sign is permitted.

Figure 16.75.100(I).

Where permitted for multi-tenant centers, feather signs shall be placed at intervals of no more than one sign per one hundred lineal feet of frontage and located behind the sidewalk.

J. Garage Sale (Yard Sales, Moving Sales, Patio Sales). No sign permit is required. Such sign shall be limited to one sign on the premises and three off-premises signs. No such sign shall exceed four square feet in sign area. The sign or signs may be displayed only during the sale and must be removed the day the sale ends. The person or persons for which the sign or signs are displayed shall be responsible for its removal and/or are subject to the penalties as provided in this code.

K. Seasonal Sales. No sign permit is required. Vendors who receive a temporary business license as defined in LMC 5.12.015 for seasonal or temporary sales activities (e.g., Christmas trees) are permitted one sign not to exceed twenty square feet in sign area. This sign shall be mounted to the booth or trailer used for temporary sales.

16.75.110

Legal nonconforming signs.

Legal nonconforming signs may remain in use only under the following conditions:

A. No such sign shall be changed in any manner that increases the noncompliance of such sign with the provisions of the ordinance codified in this chapter established for signs in the district in which the sign is located.

B. The burden of establishing a sign to be legally nonconforming under this section rests upon the person or persons, firm or corporation claiming legal status for a sign.

C. When a sign is structurally altered, it ceases to be a legal nonconforming sign and must conform with the provisions of this chapter. "Structural alteration" means any action that changes the height, size, or shape of the sign or any action that affects the base or support(s) of the sign.

D. When a business or activity containing a legal nonconforming sign is enlarged or remodeled to a value of fifty percent or more of existing value of real property improvements, then such sign must be brought into conformity with this chapter.

E. When a business or activity containing a legal nonconforming sign changes the type of the business, then such sign must be brought into conformance with this chapter.

F. Violations. Any violation of this chapter shall immediately terminate the right to maintain a nonconforming sign.

16.75.120

Enforcement and sign removal.

A. Termination of Illegal Signs. The right to maintain any sign shall terminate and shall cease to exist whenever the sign is:

1. Abandoned. No persons shall maintain or permit to be maintained on any premises owned or controlled by such persons any sign which has been abandoned.
2. Damaged or destroyed beyond fifty percent. The determination whether a sign is damaged or destroyed beyond fifty percent shall rest with the code administrator and shall be based upon the actual cost of replacing said sign; and/or
3. Structurally substandard under any applicable ordinance of the city to the extent that the sign becomes a hazard or a danger.

B. Removal of Unlawful Signs.

1. Any unlawful permanent type sign which has not been removed within thirty days after conviction of violation or imposition of civil penalty may be removed by the city and the costs charged to the violator. If removal costs have not been paid and the sign reclaimed within thirty days of its removal by the city,

the city may sell or otherwise dispose of the sign and apply the proceeds toward costs of removal. Any proceeds in excess of costs of removal shall be paid to the owner of the sign.

2. Signs which the city finds upon public streets, sidewalks, right-of-way or other public property or which wherever located present an immediate and serious danger to the public because of their unsafe condition may be immediately removed without prior notice.

3. Any unlawful temporary or portable type sign located on private property which has not been removed after twenty-four hours from notification may be removed by the city. The sign may be reclaimed by the owner after a civil penalty of \$100.00 has been paid. If the sign has not been reclaimed within thirty days of its removal by the city, the city may sell or otherwise dispose of the sign and apply the proceeds toward costs of the removal. Any proceeds in excess of costs of the removal shall be paid to the owner of the sign.

4. Neither the city nor any of its agents shall be liable for any damage to the sign when removed under this section.

C. Violation--Penalty.

1. Violation of the provisions of this code or failure to comply with any of its requirements shall constitute a misdemeanor and such violation shall be punished as provided by the statutes of the state of Washington for the commission of a misdemeanor. Each day such violation continues shall be considered a separate offense.

2. The erector, owner or user of an unlawful sign or the owner of the property on which an unlawful sign is located and who maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

16.75.130

Severability.

A. If any section, sentence, clause, phrase, word, portion, or provision of this chapter is held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this chapter which can be given effect without the invalid provision.

B. The invalidation of the application of any section, sentence, clause, phrase, word, portion, or provision of this chapter to a particular property or structure, or any particular properties or structures, by any court of competent jurisdiction shall not affect the application of such section, sentence, clause, phrase, word, portion or provision to any other property or structure not specifically included in said invalidation.

Exhibit S: 16.80

Chapter 16.80
LANDSCAPING REQUIREMENTS

Sections:

16.80.010 Statement of intent

16.80.020 General requirements

16.80.030 Special requirements

16.80.040 Preservation of significant trees

16.80.050 Types of landscaping

16.80.060 Alternative landscaping option

16.80.070 Species choice

16.80.080 Maintenance of plant materials

16.80.090 Performance assurance

16.80.100 Landscape features

16.80.110 Repealed

16.80.010

Statement of intent.

The purpose of this chapter is to establish minimum requirements and standards for landscaping and screening where needed to promote safety, to provide screening between incompatible land uses, to safeguard privacy and to protect the aesthetic assets of the city.

16.80.020

General requirements.

A. A plot plan of the proposed landscaping and screening shall be prepared by a licensed landscape architect, Washington-certified nurseryman, or Washington-certified landscaper and incorporated into plans submitted for preliminary plat, site plan review, administrative design review or building permit review. For individual home owners, upon request the city will provide template landscape plans with approved tree species to fulfill this requirement.

B. Landscaping Plans. The landscaping plan shall contain the following information (one inch equals twenty feet or larger):

1. Existing plant material and soil to be retained;
2. Proposed plant material to be placed on site. The type, size, number and spacing on plantings must be illustrated (refer to LMC 16.24.040, General standards required for all development);
3. Surface parking location and design (refer to Chapter 16.72 LMC);
4. Bicycle parking location and design (refer to Chapter 16.72 LMC);
5. Loading and service areas location and design (refer to Chapters 16.72 and 16.80LMC);
6. Screening and buffering: general; perimeter fencing and walls; parking structures; and surface parking lots (refer to Chapter 16.80 LMC);
7. All areas where soils are to be amended (refer to the current City of Lacey Stormwater Design Manual);
8. Locations where plant and soil materials will be stored during construction;
9. Timeline for site preparation and installation of plant materials.

The applicant shall utilize tree protection techniques approved by the enforcing officer, site plan review committee and/or hearings examiner in order to provide for the continued healthy life of retained significant trees including during land alteration and construction.

16.80.030

Special requirements.

A. The following uses require Type I landscaping on all sides when located above ground and not housed within a building or accessory to another use, and if located outside a public right-of-way:

1. Utility substation
2. Sewage pumping station
3. Water distribution facility
4. Communication relay station.

B. Whenever a non-residential activity is proposed adjacent to a residential zone or use a minimum fifteen-foot buffer area of Type I landscaping shall be provided along the property boundary between the uses. Alternative configurations may be considered through the design review process, provided the proposed treatment minimizes negative visual and compatibility impacts.

C. The following uses require Type III landscaping along the street frontage and throughout the required front yard area and Type II landscaping between the required front yard area and improvements on the property and along interior property lines unless a more stringent requirement is specifically identified in a land use district:

1. Church.
2. Commercial or public parking lot or structure not serving a primary use.
3. Government service building.
4. Community club.
5. School.

6. Hospital.

D. An area around the base of each utility pole, ground mounted sign or similar fixtures must be landscaped to improve the overall appearance of the area. This landscaping must include vegetation and may include other materials and components such as brick or concrete bases, planter boxes, or decorative framing. All refuse storage container areas shall be constructed and landscaped in accordance with Tables 16T-24 and 16T-25.

E. In front yard areas required to be landscaped under city requirements, a minimum of sixty percent of the required area shall be landscaped with natural plant materials. This may include grass or other ground cover, trees, shrubs, and other permitted plant materials. Planting areas shall be designed and constructed in a manner that will make possible normal maintenance such as mowing and watering.

16.80.040

Preservation of significant trees.

A. In required landscaping areas, the applicant shall retain significant trees which will not constitute a safety hazard. Areas devoted to access and sight areas as defined in this code, and areas to be cleared for required roads, utilities, sidewalks, trails or storm drainage improvements are exempt from this requirement, provided modifications to design can be required by the city to save vegetation pursuant to the city tree and vegetation protection and preservation ordinance, Chapter 14.32 LMC.

B. Outside of the required landscape areas, the applicant shall be required to retain significant trees pursuant to Chapter 14.32 LMC. Special attention shall be given to the preservation of the following:

1. The preservation of healthy significant trees over sixty feet in height and sixteen inches in diameter measured twenty-four inches above grade;
2. The preservation of significant trees that form a continuous canopy;
3. The preservation of significant trees that contribute to the character of the environment, and do not constitute a safety hazard.

4. To protect against blowdowns, the city encourages that areas of tall, older tree stands to be retained be at least fifty feet in width.

16.80.050

Types of landscaping.

A. All residential and nonresidential projects shall be required to provide landscaping that satisfies the functions and specific requirements of this section.

B. Type I.

1. Purpose. Type I landscaping is intended to provide a very dense sight barrier and physical buffer to significantly separate conflicting uses and land use districts and to enhance the visual character of the city.

2. Description.

a. All plant materials and living ground cover must be selected and maintained so that the entire landscape area will be covered within three years.

b. Provide a minimum of one conifer at least seven feet tall for every one hundred fifty square feet arranged in a manner to obstruct views into the property. Permitted conifer species are those with the ability to develop a minimum branching width of eight feet within five years. Sufficient soil must be provided to enable growth of trees to maturity. Structural solutions may be required when necessary to support trees with limited soil availability.

c. Provide shrubs at a rate of one shrub per twenty square feet of landscaped area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet.

d. Ground cover shall cover the remainder of the landscape strip within three years.

e. A minimum of fifteen feet of width shall be required when Type I landscaping design is utilized.

f. Fences, walls, and/or earthen berms may supplement landscape materials, except where they are inconsistent with other community design goals, policies, and standards in the Lacey Comprehensive Plan or Municipal Code.

g. Any other alternative mix of plantings can be considered provided the intent of the Type I landscaping type is satisfied.

h. Vegetated LID facilities that satisfy the intent of Type I landscaping are allowed to count towards landscaping requirements.

i. Landscaping shall be native and drought tolerant with exception of trees on the city's street tree list.

C. Type II.

1. Purpose. Type II landscaping is intended to provide visual separation of uses from streets, and visual separation of compatible uses so as to soften the appearance of streets, parking areas and building elevation. This landscaping is used around the perimeter of a site and adjacent to buildings and may be mixed with a Type III landscaping to provide interest along parking lot pedestrian corridors.

2. Description.

a. All plant materials and living ground cover must be selected and maintained so that the entire landscape area will be covered within three years.

b. Provide at least one tree per three hundred square feet of landscaped area. At least fifty percent of the trees must be conifers. Trees may be clustered to avoid blocking views between windows and public spaces and/or private yard areas where desirable. Permitted tree species are those with the ability to develop a minimum branching width of eight feet within five years.

c. Provide shrubs at a rate of one shrub per twenty square feet of landscaped area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet.

d. Trees shall be a minimum of two inches in caliper measured six inches above the base at planting and shrubs must be capable of growing to a minimum of four feet in height, within five years. Sufficient soil must be provided to enable growth of trees to maturity. Structural solutions may be required when necessary to support trees with limited soil availability.

e. Provide ground cover to cover the remainder of the planting strip within three years.

f. Any other alternative mix of plantings can be considered provided the intent of the Type II landscaping type is satisfied.

g. When Type II landscaping is used to provide partial screening between uses, a minimum planting area of eight feet in width shall be provided. When Type II landscaping is used adjacent to a building, a minimum five-foot planting area shall be provided.

h. Vegetated LID facilities that satisfy the intent of Type II landscaping are allowed to count towards landscaping requirements.

i. Landscaping shall be native and drought tolerant with exception of trees on the city's street tree list.

D. Type III.

1. Purpose. Type III landscaping is intended to provide visual relief where clear sight is desired. This landscaping type is utilized along pedestrian corridors and walks for separation of pedestrians from streets and parking areas while providing an attractive setting and overstory canopy.

2. Description.

a. This type of landscaping consists of street trees for a large overstory canopy along streets and pedestrian corridors and grass or other approved vegetation for ground cover.

b. Ground cover or low shrubs developed for conditions of the Northwest shall be planted. Turf grass is desirable in planting strips where on-street parking is present. Low shrubs are desirable in areas without

on-street parking to provide both visual and physical separation between moving traffic and pedestrians.

c. Place trees to create a canopy in desired locations without obstructing necessary view corridors.

d. Street trees along arterials and collectors shall be those species described in the city's urban beautification program. Trees used along local access streets or pedestrian walks through parking lots shall be a species approved by the community and economic development department and shall be chosen for attractiveness, rooting habits, disease and pest resistance, and habitat value. All trees shall be a minimum of two inches in caliper measured six inches above the base at planting. Decorative protection may be placed around trees. Sufficient soil must be provided to enable growth of trees to maturity. Structural solutions may be required when necessary to support trees with limited soil availability.

e. Provide ground cover to cover the remainder of the planting strip within three years.

f. Earthen berms with grass or other vegetative ground cover and other design features may be worked into landscaping, provided the resultant effect of providing a pedestrian-friendly environment and visual relief where clear sight is required can be achieved.

g. The minimum width for Type III landscaping shall be six feet to provide adequate rooting area for large street trees and to provide adequate streetscape. A four-foot width may be used through parking area pedestrian walks where accent trees are used and less width is required.

h. Vegetated LID facilities that satisfy the intent of Type II landscaping are allowed to count towards landscaping requirements.

i. Landscaping shall be native and drought tolerant with exception of trees on the city's street tree list.

E. Type IV.

1. Purpose. To provide visual relief and shade in parking areas.

2. Description.

a. Required Amount.

(1) If the parking area contains no more than twenty-five parking spaces, at least thirty-five square feet of landscape development must be provided for each parking stall proposed.

(2) If the parking area contains more than twenty-five spaces, at least fifty square feet of landscape development must be provided for each parking stall proposed.

b. Design.

(1) The minimum width for Type IV landscaping shall be six feet to provide adequate rooting area for large street trees and to provide adequate streetscape. A four-foot width may be used through parking area pedestrian walks where accent trees are used and less width is required.

(2) Each planting area should contain at least one tree. Planting areas shall be provided with the maximum number of trees possible given recommended spacing for species type. Deciduous trees shall have a minimum size of two inches in caliper measured six inches above the base and shall have the ability to reach a mature height of at least thirty-five feet. Conifers shall have a minimum height of seven feet at planting. Up to one hundred percent of the trees proposed for the parking area may be deciduous. A minimum of seventy percent must be deciduous. Sufficient soil must be provided to enable growth of trees to maturity. Structural solutions may be required when necessary to support trees with limited soil availability. No parking stall shall be located more than fifty feet from a tree.

(3) Provide shrubs at a rate of one shrub per twenty square feet of landscaped area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet. Up to fifty percent of shrubs may be deciduous.

(4) Provide ground cover to cover the remainder of the planting strip within three years.

(5) A landscaped area must be placed at the interior end of each parking row in a multiple-lane parking area. This area must be at least eight feet wide and must extend the length of the adjacent parking stall.

(6) Landscaping islands must be placed in every parking row with a maximum spacing of at least one island every seven parking spaces. Said islands shall be a minimum of eight feet in width and shall extend a minimum length of ten feet. Provided, that the site plan review committee may approve of a different configuration in order to provide a more attractive and functional design consistent with the intent of this chapter to promote aesthetic values and a pedestrian-friendly parking lot.

(7) Up to one hundred percent of the trees proposed for the parking area may be deciduous. A minimum of seventy percent must be deciduous.

(8) Landscaping islands and landscape portions of pedestrian corridors may be used for drainage treatment and given credit on drainage calculations under Chapter 5 of the Development Guidelines. However, the primary purpose shall remain landscaping and health of trees and ground cover and aesthetic character shall not be compromised. Additionally in no case shall the grade between the parking lot surface edge and the landscape island or pedestrian corridor surfaces be greater than six inches when a swale concept is utilized and it is intended to meet minimum landscaping space requirements.

(9) Vegetated LID facilities that satisfy the intent of Type IV landscaping are allowed to count towards landscaping requirements.

(10) Landscaping shall be native and drought tolerant with exception of trees on the city's street tree list.

F. Single-Family Residential. Landscaping is required for the purpose of minimizing surface water runoff and diversion, preventing soil erosion, and promoting the aesthetic character of the community. Native vegetation, ground cover, stands of trees or shrubs existing prior to development of the site may be acceptable to meet the landscaping requirement. All areas subject to clearing and grading that have not been covered by impervious surface, incorporated into a drainage facility or engineered as structural fill or slope shall be amended in accordance with the current City of Lacey Stormwater Design Manual and then landscaped with trees, native and drought-tolerant shrubs and suitable native and drought-tolerant ground cover. Suitable materials for ground cover are those which permit rain water infiltration of the soil and may include sod, shrubs, trees, and/or other native planting materials. Amended soils shall comply with the current City of Lacey Stormwater Design Manual. Single-family residential shall also comply with the provisions of LMC 14.32.066.

16.80.060

Alternative landscaping option.

A. The applicant may request a modification of the landscaping requirements set forth in LMC 16.80.030 and 16.80.040.

B. The enforcing officer, site plan review committee and/or hearings examiner may approve a modification of the landscaping requirements of this chapter only if:

1. The proposed landscaping implements portions of an urban forestry program or plan duly adopted by the city council;

2. The proposed landscaping represents an equal result that could not have been achieved by strictly following the requirements of this chapter; and

3. The proposed landscaping complies with the stated purpose of this chapter.

C. Natural vegetation or stands of trees existing prior to development of the site may be acceptable to meet all or part of the landscaping requirements.

16.80.070

Species choice.

The applicant shall utilize native regional plant materials or plant materials that complement the natural character of the Pacific Northwest.

16.80.080

Maintenance of plant materials.

A. It shall be the responsibility of the property owner/developer to ensure the provision of healthy, growing landscaping. The property owner shall replace any unhealthy or dead plant materials in conformance with the approved landscape development proposal and shall maintain all landscape material.

B. Unless entirely landscaped with significant trees preserved under LMC 16.80.040, all areas where new landscaping is being required, excepting new single-family lots, shall be provided with irrigation systems designed by a licensed landscape architect, Washington-certified nurseryperson, Washington-certified landscaper or professional engineer. Said irrigation systems shall be designed, installed and operated to maintain the plant materials to the standards detailed in subsection A of this section. The city may waive landscape irrigation provided an alternative method to irrigate the plantings for three years is approved by the city and a maintenance assurance device in the amount of one hundred percent of the replacement cost of the landscape materials is provided.

C. The city shall require a maintenance assurance device to insure compliance with the requirements of this chapter. The value of a maintenance assurance device must equal at least twenty percent of the replacement cost of the landscape materials, and shall be utilized by the city to perform any necessary maintenance, and to reimburse the city for documented administrative costs associated with action on the device. The maintenance assurance shall be for a minimum period of two years from the completion of planting; however, for Type I landscaping, the period shall be three years. The community and economic development director **or their designee** may adjust the period of maintenance assurances on a case-by-case basis. A separate financial guarantee for maintenance associated with landscaping in the right-of-way and stormwater facilities shall be submitted to the public works department in accordance with Section 3.090 of the Public Works Standards.

D. The city may accept, as an alternative to a maintenance assurance device, a contractual agreement or bond between the owner/developer and a licensed landscape architect, Washington-certified nurseryperson, or Washington-certified landscaper, along with a rider or endorsement specifically identifying the city as a party to the agreement for purposes of enforcement. Nothing in this alternative shall be interpreted to in any way modify the conditions of subsection B of this section.

E. If a maintenance assurance device or evidence of a similar device is required under subsections B and C of this section, the property owner shall provide the city with an irrevocable notarized agreement granting the city and its agents the right to enter the property and perform any necessary work.

F. Upon completion of the two-year maintenance period (three years for Type I landscaping), and if maintenance is not required, the city shall promptly release the maintenance assurance device or evidence thereof.

G. All trees, plant materials and landscaped areas shall receive sufficient water to be kept in a healthy and growing manner.

16.80.090

Performance assurance.

A. The city may accept, as an alternative to a performance assurance device, a contractual agreement or bond between the owner/developer and a licensed landscape architect, Washington-certified nurseryperson, or Washington-certified landscaper, along with a rider or endorsement specifically identifying the city as a party to the agreement for purposes of enforcement. Nothing in this alternative shall be interpreted to in any way modify the conditions of this subsection A.

B. If a performance assurance device or evidence of a similar device is required under subsection A of this section, the enforcing officer shall determine the specific type of assurance device required in order to insure completion of the required landscaping in accordance with the approved landscaping plan. The value of this device must equal one hundred fifty percent of the estimated cost of the landscaping to be performed, and shall be utilized by the city to perform any necessary work, and to reimburse the city for documented administrative costs associated with action on the device. If costs incurred by the city exceed the amount provided by the assurance device, the property owner shall reimburse the city in full, or the city may file a lien against the subject property for the amount of any deficit.

C. The performance assurance shall be held for a maximum period of one year from the date of acceptance by the city until the landscaping has been installed to the satisfaction of the community and economic development director or their designee. Any landscaping not installed after the period of one year shall be grounds for the city to utilize the device to install the necessary landscaping.

D. If a performance assurance device or evidence of a similar device is required under subsection A of this section, the property owner shall provide the city with an irrevocable notarized agreement granting the city and its agents the right to enter the property and perform any required work remaining undone at the expiration of the assurance device.

E. Upon completion of the required landscaping by the property owner, at or prior to expiration of the assurance device, the city shall promptly release the performance assurance device or evidence thereof.

16.80.100

Landscape features.

Landscape features such as decorative paving, sculptures or fountains are permitted in the required landscaping area, except where they conflict with the purpose of this chapter. The area devoted to such a feature may not exceed twenty-five percent of the required area.

16.80.110

Repealed

Repealed by Ord. 1480