

ORDINANCE NO. 1137

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATING TO ACCESSORY STRUCTURES, REGULATING THE HEIGHT AND DESIGN THEREOF, AMENDING SECTIONS 14.23.071, 16.12.020, 16.13.020, 16.14.020, 16.15.020, AND 16.18.020 OF THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION.

BE IT ORDAINED by the City Council of the City of Lacey, Washington as follows:

Section 1. Section 14.23.071 of the Lacey Municipal Code is hereby amended to read as follows.

14.23.071 Design criteria for accessory dwelling units. 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. 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. In order to assure that the development of all accessory dwelling units and those accessory structures to which this section is applicable are consistent with policies of the Comprehensive Land Use Plan, the following special design features shall be required:

- A. Maintain privacy of adjacent residences by using a combination of landscaping, screening, fencing, window and door placement to reduce the opportunity of accessory dwelling units having direct visibility into windows, porches and decks.
- B. The driveway to a separate, detached accessory unit shall be consolidated with the existing driveway area.
- C. For those accessory units that are detached, distance separation between the primary residence shall meet building code requirements.
- D. Ensure that accessory dwelling unit fits into the neighborhood and contributes to the livability of the neighborhood.
 1. Ensure that roof breaks and pitch closely relate to the primary residence. Window proportions shall complement the accessory unit as well
 2. Use similar exterior materials (roof, siding and trim) and a color that complements the primary residence.

3. 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

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

F. Accessory structures. To promote compatibility and consistency of design and neighborhood aesthetics, all accessory structures over 16 feet in height 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

Section 2. Section 16.12.020 of the Lacey Municipal Code is hereby amended to read as follows:

16.12.020 Permitted uses.

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

1. Single-family detached structures on individual lots up to four dwelling units per acre. For unplatted parcels of less than one acre, properties may be divided into the maximum number of lots the minimum lot size will permit pursuant to Section 16.12.035;
2. Planned residential developments as provided in Chapter 16.60;
3. Townhouse developments as provided in Chapter 16.61;
4. 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 or for the pursuit of avocational interests. All such buildings or structures over 16 feet in height shall comply with the design requirements of Section 14.23.071 of this Code,
2. Agricultural uses not involving retail sales on the premises,
3. Home occupations as provided in Chapter 16.69;
4. Accessory-dwelling as defined in Section 16.06.055;
5. special uses as provided in Chapter 16.66 of this title, subject to site plan review;
6. 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;

7. Family day care homes as provided in Chapter 16.65 (Ord. 1044 §5, 1996; Ord. 1024 §25, 1995; Ord. 931 §5, 1992; Ord. 927 §4, 1992; Ord. 691 §7, 1984; Ord. 583 §2.12(B)(1,2), 1980).

Section 3. Section 16.13.020 of the Lacey Municipal Code is hereby amended to read as follows:

16.13.020 Permitted uses.

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

1. Single-family structures on individual lots with a density of not less than three nor more than six units per acre. For unplatted parcels of less than one acre, properties may be divided into the maximum number of lots the minimum lot size will permit pursuant to Section 16 13.035;

2. Planned residential developments as provided in Chapter 16.60;

3. Townhouse developments as provided in Chapter 16.61;

4. A limited percentage (up to five percent of total lots) of two and three family units provided design requirements of Section 14.23 are satisfied. Duplex and triplex units should not be placed adjacent to one another, but scattered throughout the development;

5. Housing for people with functional disabilities

B. Other or related uses permitted:

1. Accessory buildings or structures clearly incidental to the residential use of the lot, such as buildings or structures for storage of personal property (including boats, recreational vehicles, etc.), or for the pursuit of avocational interests; or structures designed for and related to recreational needs of the residents of a residential complex. All such buildings or structures over 16 feet in height shall comply with the design requirements of Section 14.23.071 of this Code;

2. Agricultural uses not involving retail sales on the premises;

3. Home occupations as provided in Chapter 16.69 of this title;

4. Accessory dwelling as defined in Section 16.06.055;

5. Special uses as provided in Chapter 16.66 of this title, subject to site plan review;

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

7. Family day care homes as provided in Chapter 16.65. (Ord. 1044 §7, 1996; Ord. 1024 §28, 1995; Ord. 931 §6, 1992; Ord. 927 §5, 1992; Ord. 769 §1 (part), 1986).

Section 4. Section 16.14.020 of the Lacey Municipal Code is hereby amended to read as follows:

16.14.020 Permitted uses.

A. Single family detached structures on individual lots meeting design requirements of Chapter 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 16 feet in height shall comply with the design requirements of Section 14.23.071 of this Code.

;

2. Agricultural uses not involving retail sales on the premises,

3. Home occupation as provided in Chapter 16.69;

4. Accessory dwelling as defined in Section 16.06.055 and meeting design criteria of Chapter 14.23.071;

5. Special uses as provided in Chapter 16.66 of this title, subject to site plan review and design review;

6. 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;

7. Family day care homes as provided in Chapter 16.65. (Ord. 1080 §8, 1998).

Section 5. Section 16.15.020 of the Lacey Municipal Code is hereby amended to read as follows:

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 six but not greater than twelve units per acre and any additional bonus density that might be applicable; provided all multifamily uses and single family uses with lot sizes less than 4,000 square feet shall meet design review requirements; provided further that 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 single family use; detached, attached, townhouses or condominiums. The required mix should be integrated throughout the entire site as much as possible;

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 16 feet in height shall comply with the design requirements of Section 14.23.071 of this Code;

2. Home occupations as provided in Chapter 16.69 of this title;

3. Accessory dwelling as defined in Section 16.06.055;

4. Special uses as provided in Chapter 16.66 of this title, subject to site plan review;

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. Family day care homes as provided in Chapter 16.65. (Ord. 1024 §31, 1995; Ord. 931 §7, 1992; Ord. 927 §6, 1992; Ord. 691 §10, 1984; Ord. 583 §2.13(B)(1,2), 1980).

Section 6 Section 16.18.020 of the Lacey Municipal Code is hereby amended to read as follows:

16.18.020 Types of uses permitted.

A. Specific types permitted in the high-density residential district:

Any residential use with a density of at least six units per acre but not greater than twenty units per acre and any additional bonus density that might be applicable. Provided all residential uses shall meet design review requirements. Provided further that all parcels over ten acres in size shall provide a mix of housing types with no less than 25 percent of the units designated for single family use; detached, attached, townhouses or condominiums. The required mix should be integrated throughout the entire site as much as possible.

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 16 feet in height shall comply with the design requirements of Section 14.23.071 of this Code;

2. Home occupations as provided in Chapter 16.69 of this title;

3. Accessory dwelling as defined in Section 16.06.055,

4. Special uses as provided in Chapter 16.66 of this title, subject to site plan review;

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. Family day care homes as provided in Chapter 16.65. (Ord. 1024 §32, 1995; Ord. 931 §9, 1992; Ord. 927 §8, 1992; Ord. 691 §12, 1984; Ord. 583 §2.14(B), 1980).

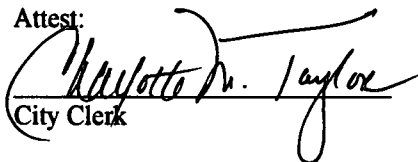
Section 7. The summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 28th day of September, 2000.

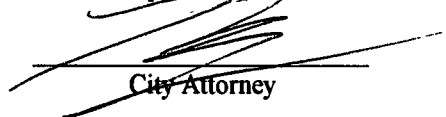
CITY COUNCIL

BY 
Mayor

Attest:


City Clerk

Approved as to form:


City Attorney

Published: October 2, 2000
Monday

SUMMARY FOR PUBLICATION

ORDINANCE 1137

CITY OF LACEY

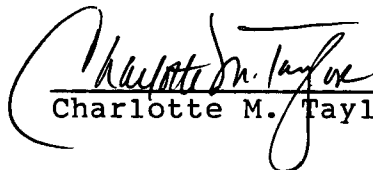
The City Council of the City of Lacey, Washington, passed on September 28, 2000, Ordinance No. 1137 entitled "AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATING TO ACCESSORY STRUCTURES, REGULATING THE HEIGHT AND DESIGN THEREOF, AMENDING SECTIONS 14.23.071, 16.12.020, 16.13.020, 16.14.020, 16.15.020, AND 16.18.020 OF THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION."

The main point of the Ordinance is as follows:

The Ordinance requires that all accessory structures over 16 feet in height which are proposed in the City's various residential zones be subject to a design review process in order to promote compatibility and consistency of design with the primary structures on the lot and on immediately adjacent lots in order to enhance the general character and appearance of the affected neighborhood and promote policies of the City's Comprehensive Land use Plan. Any such proposal will also need to be in compliance with any protective covenants or other restrictions which are applicable to the property.

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: October 2, 2000.


Charlotte M. Taylor, City Clerk