

ORDINANCE NO. 1381

CITY OF LACEY

AN ORDINANCE RELATING TO SHORELINE ZONING, ADOPTING A NEW SECTION 16.19.015 AND AMENDING SECTIONS 16.19.010, 16.19.020, 16.19.030, 16.19.035 AND 16.19.040 ALL OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, the Council, by passage of Ordinance No. 1375, in part, enacted a new chapter for Shoreline Zoning and there is need for additions to said chapter and non-substantive amendments to the chapters existing sections, and

WHEREAS, the Planning Commission, after public hearing, has recommended passage of this ordinance,

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

Section 1. Section 16.19.010 of the Lacey Municipal Code is hereby amended to read as follows:

**16.19.010 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 area within shoreline jurisdiction;
- B. Provide ~~an overlay zone based upon the local Shoreline Master Program to apply its wherein~~ the designations and related development standards are applied to property under the jurisdiction of such program. ~~the underlying zone.~~
- C. Provide the integration of local GMA documents and plans with shoreline management under the local Shoreline Master Program.

Section 2. There is hereby added to the Lacey Municipal Code a new Section

16.19.015 to read as follows:

**16.129.015 Application.**

- A. This zone is intended to cover the shoreline water body and its 200 foot jurisdiction landward of the ordinary high water mark, and associated wetlands as provided in Subsection C of this section. The designation shown on the map is considered approximate, as the exact location of the ordinary high water mark requires identification at the site.
- B. The zone shall be delineated on the zoning map by a distinctive color with hatch patterns or other method to identify the particular Shoreline Master Program designation.
- C. Areas under shoreline jurisdiction classified as associated wetlands that lay greater than 200 feet landward from the ordinary high water mark, have been designated as Open Space Institutional (OSI) for sensitive area protection purposes. The Shoreline Zone shall have a hatch pattern over the OSI designation to integrate the two. In this designation, standards of the Open Space Institutional zone shall supplement the requirements of the Shoreline Master Program for environmental protection.
- D. All applicable requirements of the Shoreline Master Program shall apply to the use or activities taking place within this zone.

Section 3. Section 16.19.020 of the Lacey Municipal Code is hereby amended to read as follows:

**16.19.020 Permitted Uses.**

**1A. Consistent with Shoreline Designation:**

Only those uses/activity/development as identified in Table 3 of the Shoreline Master Program shall be permitted according to the specific shoreline designation.

**2B. Consistent with Functions and Values:**

An activity, use, or development must be compatible with the physical characteristics and identified functions and values of the subject reach in which it is proposed and shall be designed and located accordingly.

Section 4. Section 16.19.030 of the Lacey Municipal Code is hereby amended to read as follows:

**16.19.030 Prohibited Uses.**

**1A. Shoreline Master Program Table 3:**

Uses other than those identified in Table 3 of the Shoreline Master Program or permitted by conditional use permit are prohibited.

**~~2B.~~ Residential Development Over Water:**

Residential development designed for occupancy is prohibited over water.

Section 5. Section 16.19.035 of the Lacey Municipal Code is hereby amended to read as follows:

**16.19.035 Residential Density for Shoreline Designations:**

**1A. Shoreline Master Program Table 4:**

The overall density permitted for a parcel shall be no greater than that density identified for the specific shoreline environmental designation in Table 4 of Lacey's Shoreline Master Program, in addition to potential density credit that may be transferred to parcels outside shoreline jurisdiction as provided in Chapter 16.58.

**2B. Incentive Density Bonus:**

Density credit for property within the Shoreline Residential, Urban Conservancy and Natural designations may include a density bonus increase to exceed the underlying density cap pursuant to adoption of an incentive dedication development agreement as provided in Chapter 16.58.

Section 6. Section 16.19.040 of the Lacey Municipal Code is hereby amended to read as follows:

**16.19.040 Residential Form Permitted:**

**1A. Land Form Generally:**

Within the 200 foot shoreline jurisdiction, the form of urban residential development shall be designed to be ~~compatibility~~ compatible with the shoreline environment. The shoreline Master Program, section 17.63 provides residential requirements for development within the Shoreline Zone.

**2B. Innovative Concepts Encouraged:**

Concepts that use unique or innovative designs to achieve the goals of Lacey's Shoreline Master Program are encouraged and will be allowed flexibility in meeting design standards to achieve this objective.

**3C. Attached and Detached Housing Forms:**

A range of housing options will be permitted for projects that are compatible with shoreline resources, meet GMA goals ~~for density~~ and provide a quality residential environment. To achieve urban density and environmental compatibility, this may include attached and compact housing forms and clustering concepts. ~~if the administrator determines it is consistent with the intent of this SMP.~~

**4D. Compact Housing and Clustered Housing Forms Encouraged:**

Compact housing forms that consolidate large areas of open space by reducing individual lot size and clustering units is encouraged. This provides the opportunity for a design that can achieve a higher level of compatibility with the shoreline environment and provide open space concepts for public and private use.

**5E. Clustering Housing Forms Encouraged:**

Clustering of residential units ~~will~~ may use ~~require~~ an attached development concept or a compact detached form of housing~~concept~~. Housing forms that utilize compact low impact design to achieve the goals of Lacey's Shoreline Master Program for integration, compatibility with natural shoreline processes and environmental sensitivity are preferred. This can include condominium, townhome, courtyard, cottage designs and other innovative housing forms that accomplish the same objectives.

**6F. Design with Nature:**

Design shall incorporate natural physical topographic profiles to work with the site's natural components, without impact to functions and values identified in the inventory, analysis and classification of the subject reach.


**7G. Least Impact:**

For projects that include more than one residential unit, or a land division of property, design with least impact to the environment may require a clustering concept to minimize site disturbance and impervious area. This will include common facilities that provide use of shoreline resources for residents and also minimize impact and physical alteration of shoreline area.

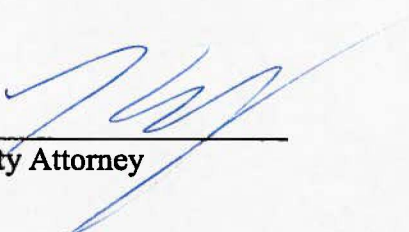
Section 7. The Summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,  
WASHINGTON, at a regularly-called meeting thereof, held this 12<sup>th</sup> day of  
January, 2011.


CITY COUNCIL

By:   
Mayor

Approved as to form:

  
City Attorney

Attest:

  
City Clerk

**SUMMARY FOR PUBLICATION**

**ORDINANCE NO. 1381**

**CITY OF LACEY**

**The City Council of the City of Lacey, Washington, passed on January 12, 2012, Ordinance No. 1381, entitled "AN ORDINANCE RELATING TO SHORELINE ZONING, ADOPTING A NEW SECTION 16.19.015 AND AMENDING SECTIONS 16.19.010, 16.19.020, 16.19.030, 16.19.035 AND 16.19.040 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 adopts a new section making clear the land area to which the Shoreline Master Program applies and the means of demonstrating such areas.**
- 2. 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: January 16, 2012.**