

CITY OF LACEY, WASHINGTON

ORDINANCE # 944

AN ORDINANCE RELATING TO DESIGN REVIEW FOR MULTIFAMILY DEVELOPMENTS; ADDING A NEW CHAPTER 14.23 TO THE LACEY MUNICIPAL CODE.

THE CITY COUNCIL OF THE CITY OF LACEY DOES ORDAIN as follows:

Section 1. The following Multifamily Design Review Ordinance is hereby adopted as a new Chapter 14.23 of the Lacey Municipal Code with each section of the ordinance to be numbered as set forth in accordance with the following:

14.23.010 Purpose

1. To promote the health, safety and welfare of the public;
2. To encourage the development of visually sensitive multifamily developments, particularly those which are located adjacent to or within existing or planned single family neighborhoods;
3. To encourage multifamily developments that will contribute to the stability and integrity of a safe and attractive neighborhood;

4. To recognize that aesthetic considerations along with environmental review contribute towards an enhanced environment;
5. To recognize that aesthetic considerations are appropriate in order to protect property values of adjacent properties and to ensure that multifamily developments contribute to desirable neighborhood character.

14.23.020 Definitions

1. "Architectural Features" means a prominent or significant part or element of a building, structure, or site.
2. "Buffer" means a land area used to visibly separate one use from another or to shield or block noise, lights, or other nuisances.
3. "Building Prominence" includes the size, scale and bulk of a building or similar features.
4. "City" means City of Lacey, Washington.
5. "Compatibility" means harmony in the appearance of two or more external design features in the same vicinity.

6. "Continuity" means unity of composition between design elements of a building or a group of buildings and the landscape development.
7. "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.
8. "Director of Community Development" means the Director of Community Development or designee.
9. "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.
10. "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.

11. "Harmony" means a quality that represents an appropriate and congruent arrangement of parts, as in an arrangement of varied architectural and landscape elements.
12. "Multifamily" means a dwelling containing two or more dwelling units.
13. "Natural Features" means vegetation indigenous to the site.
14. "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.
15. "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.
16. "Proportion" means balanced relationship of parts of a building, landscape, structures, or buildings to each other and the whole.

17. "Single-family" 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.
18. "Site Plan Review Committee" means the Director of Public Works, Director of Community Development, and the City Manager or designee.
19. "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.
20. "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.

21. "Visually Integrated" means the use of elements which connect a development to existing environments.
22. "Visual Linkage" means the usage of building and landscape elements which interconnect with existing single or multifamily developments."
23. "Visual Relief" is the act of providing building or landscaping variations that add interest to a site.

14.23.030 Applicability

All multifamily developments shall follow the described process as provided in Section 14.23.40.

14.23.040 Design Review Process

The design review process shall be conducted administratively by the Director of Community Development. Decisions will be determined pursuant to Section 14.23.080. The Director shall

implement design review concurrent with site plan review and environmental review. An example of concurrent review for design review and site plan review can occur as follows:

Presubmission Conference*

1. Land use meeting with SPR Committee.
2. Design review meeting with assigned staff member. Drawings can be conceptual.

* Items 1 and 2 feasibly can occur on the same day.

Site Plan Review Meeting*

1. Approval of project for land use and environmental review. Subject to completion of meetings for design review approval.
2. Second design review meeting to determine approval of formalized design plans.
(Another may be requested as necessary.)

* Items 1 and 2 feasibly can occur on the same day.

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

14.23.050 Length of Approval

Applications for a design review permit shall be submitted to the Department of Community Development. Design review approval shall be valid for eighteen months from the date of approval. All required items in Section 14.23.070 shall be submitted to the Department of Community Development prior to the eighteen month expiration. However, if design review approval is connected with PRD/subdivision approval, then the longest approval shall apply.

14.23.060 Extensions

An extension of an approval may be granted upon written request to the Department of Community Development for six months. Before an extension is granted, the Director of Community 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:

Plans

Four (4) 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:

- scale and north arrow;
- address of site;
- vicinity map showing location of site and surrounding landmarks;
- property dimensions and names of adjacent roads;
- existing and finished grades at two-foot contours;
- 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;
- location of all trees on-site;
- location, dimensions, and nature of any proposed easements or dedications;
- location, dimensions, and description of common open space and recreation areas.

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

- existing vegetation to be retained;
- proposed vegetative materials to be placed on-site. The type, size, number and spacing on plantings must be illustrated;
- 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:

- dimensioned elevations of building drawn at 1/8"=1' or a comparable scale. Elevations should show the type of exterior materials;
- color and exterior finishes for buildings and accessory structures;
- location and elevations of exterior lighting for buildings and parking areas;
- perspective drawings, photographs, color renderings or other graphics which accurately represent the proposed project.

4. Section Profiles. Two (2) section profiles through the site are required containing the following information:

- scale;
- building(s);
- landscaping against the building when installed;
- lighting fixtures and standards;
- signs

14.23.080 Design Criteria

Staff decisions on all multifamily projects shall be based on the following criteria:

A. Colors and Materials

1. Harmony and continuity of colors and materials shall be considered for multifamily developments, particularly for infill projects that require special sensitivity for preservation of existing neighborhood character.
2. The overall color scheme and materials used shall create the appearance of reducing building prominence and complementing the natural environment.

3. All colors and materials shall complement and act as an amenity to the neighborhood.
4. Innovative usage of colors and materials can be encouraged in areas devoid of any existing development.

B. Landscaping

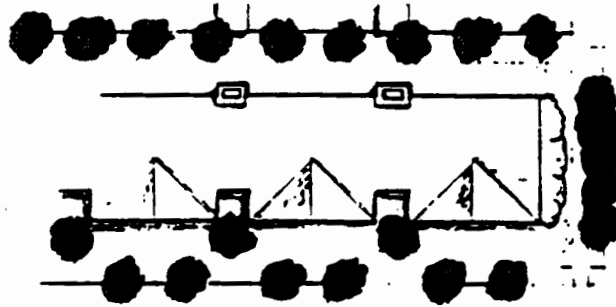
The purpose for this section is to provide for visual linkages between the proposed multifamily development and the existing neighborhood or natural environment.

1. Landscaping shall meet the requirements of the City Zoning Code Chapter 16.80 and the Department of Parks' Urban Beautification Plan.
2. Interior landscaping for the parking lot shall meet the requirements of Chapter 16.80.050.D. This will provide for visual relief and decrease the amount of impervious surface within the parking area.
3. The landscaping plan shall be submitted directly to the Director of Community Development for review and approval.

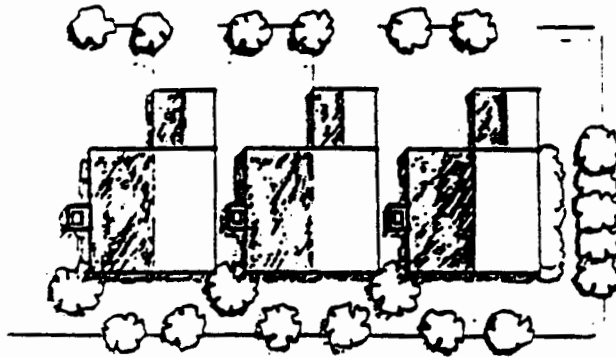
Preferred:

Create visual linkages to existing landscaping.

New



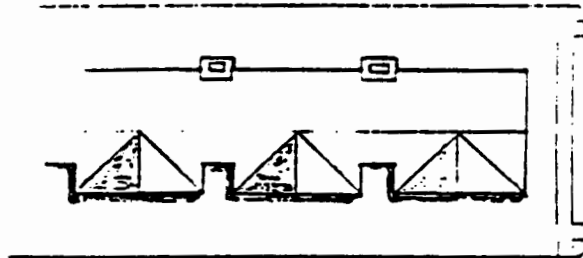
Existing



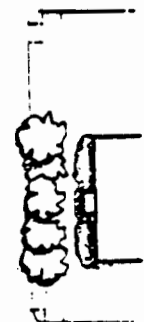
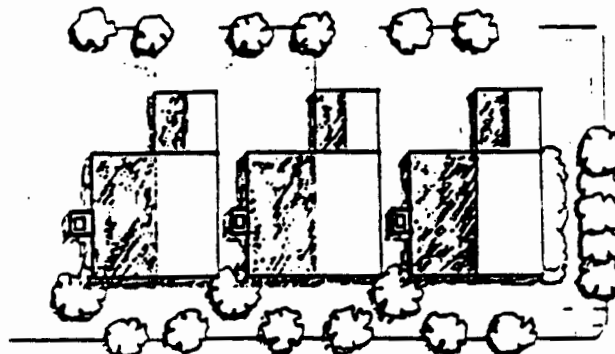
Avoid:

Developments that do not contain a visual linkage to existing landscaping.

New

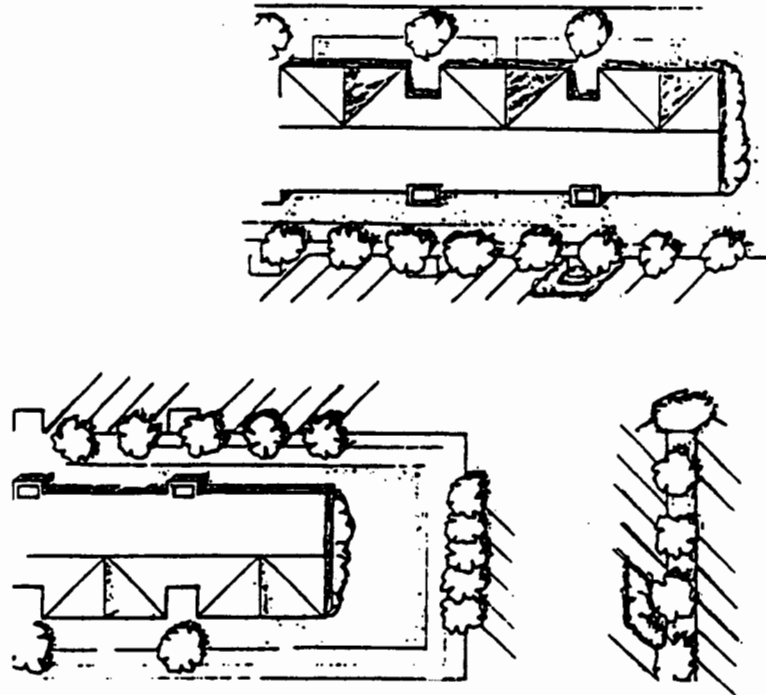


Existing



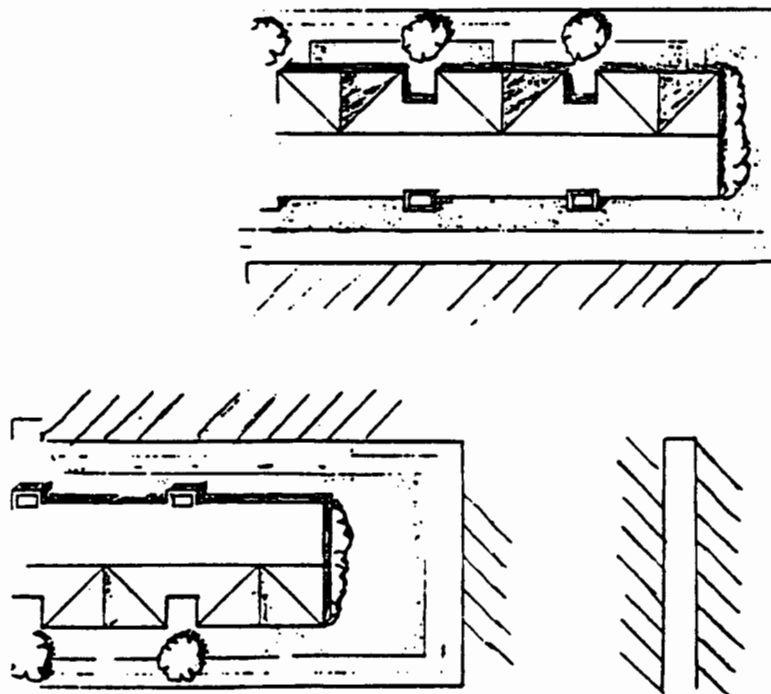
Preferred:

Interior landscaping and islands within the parking area.



Avoid:

Parking areas without adequate vegetation.



4. The City's Tree Protection Professional shall also review submitted landscaping plans for appropriateness of selected species.
5. Pursuant to Chapter 16.80.050.A, Type I landscaping shall be used between single family and multifamily uses. The use of fences and berms may also be required along with Type I landscaping.
6. If seasonal weather prohibits installation, a performance guarantee in the amount of 150 percent of the licensed landscape architect or nursery person's estimate shall be submitted to the Department of Community Development prior to Building Department issuance of any Certificate of Occupancy. After installation of the landscaping, the Department of Community Development will review and approve the installed vegetation. All funds will then be released after approval is granted.
7. A 20 percent maintenance bond shall be submitted to the Department of Community Development prior to Building Department issuance of any Certificate of Occupancy. This bond shall be used to guarantee replacement of any plant material that dies within one year. After one

year, the Department of Community Development will release all funds that have not been used to replace landscape materials.

C. Natural Features

The purpose for this section is to encourage the development of multifamily projects that respect the natural features of the land.

1. Trees shall be preserved in accordance with Chapter 14.32 (Tree Protection and Preservation Ordinance) of the Lacey Municipal Code.
2. Trees shall remain on-site pursuant to Chapter 14.32 with the exception of the building footprint, common open space facilities, driveways, parking lots, 10 feet outside the building footprint, and stormwater detention areas.
3. Clearing and grading applications for multifamily developments shall be reviewed by the Director of Community Development.
4. Existing topographic patterns shall be preserved and enhanced. This shall ensure that indiscriminate grading and vegetation removal does not occur.

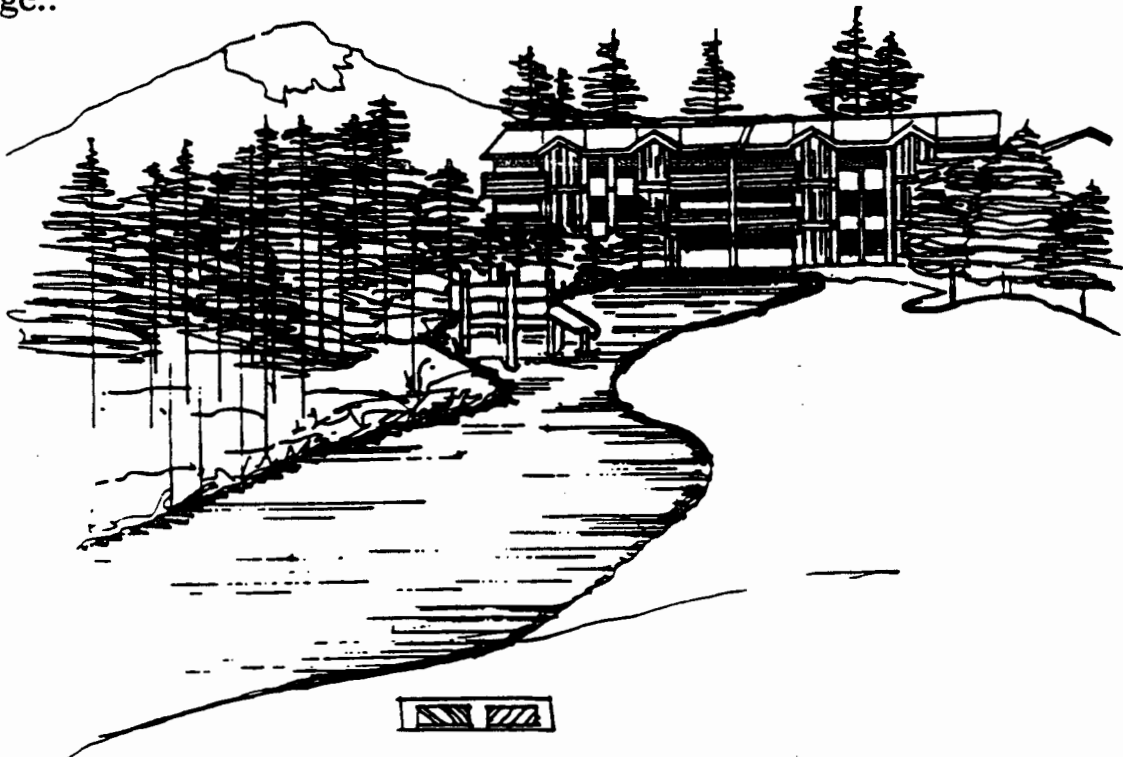
Preferred:

Drainage/retention areas that enhance the environment and open space usage.



Avoid:

Combinations of drainage/retention areas and open space where drainage/retention becomes a priority to the detriment of open space usage..



Preferred:

Preservation of topography and the majority of existing vegetation on site.



Avoid:

Indiscriminate cuts and landclearing.



5. Any wetlands and associated buffers shall be saved in accordance with the Wetland Protection Ordinance Chapter 14.28.
6. Storm drainage and erosion control for multi-family developments shall meet the requirements of the "Drainage Design and Erosion Control Manual for Thurston Region, Washington" included in Lacey's Development Guidelines.

D. Building Design

The proposal should be compatible and visually integrated within the existing development.

1. Extra attention shall be given to proposed multifamily developments that are located adjacent to existing single family developments. This consideration shall ensure that proposed developments minimize impacts onto adjacent, lower density uses. Submitted proposals may be reviewed for the following items:
 - a) Clustering
 - b) Height
 - c) Landscaping, berms and fences

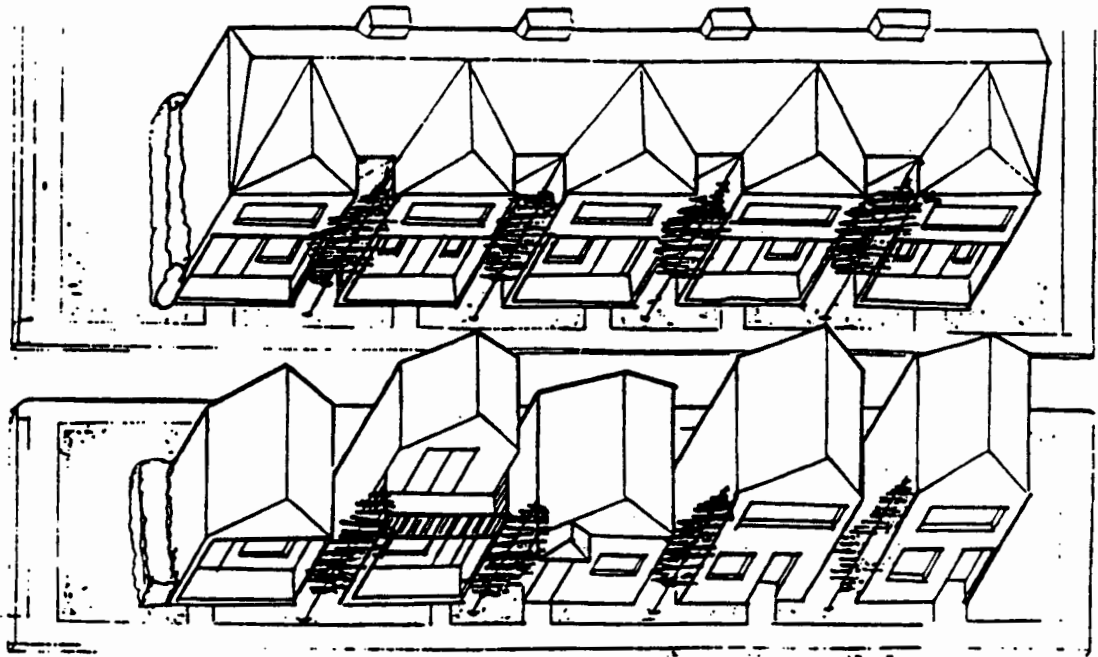
- d) Setbacks
- e) Number of units in a building
- f) Transition of units on proposed sites.

Multifamily projects adjacent to single family developments shall be reviewed concurrently with Chapter 16.20 for transition standards.

2. The proposed multifamily development shall be designed to complement or improve the aesthetic character of the neighborhood.
3. Sensitivity in regards to building setbacks, massing of structures, spacing between buildings, scale of buildings, facade proportions and building materials shall be observed when placing multifamily development adjacent to single family neighborhoods.
4. Multifamily developments shall provide diversity. This entails the following:
 - a) Variation in building design and siting to emphasize individual units to avoid a boxy appearance, for example, by varying roof pitches, offsetting building footprints while avoiding lineal arrangements.

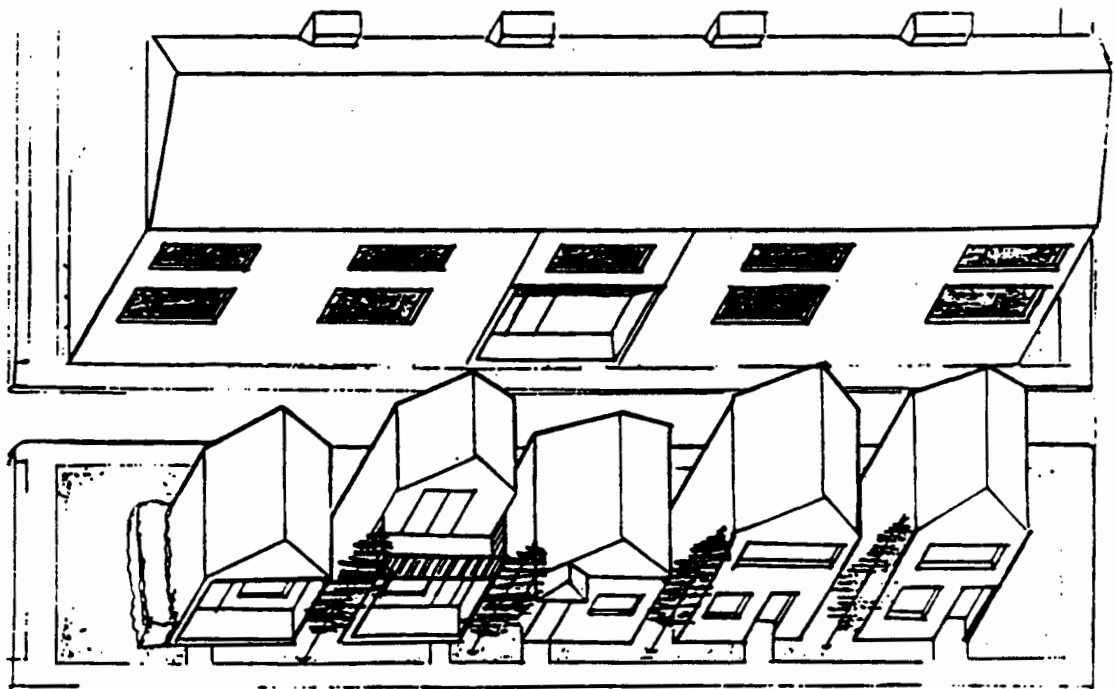
Preferred:

Units that reflect individuality for visual linkages with the existing single family neighborhood.



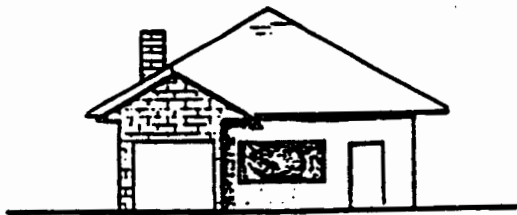
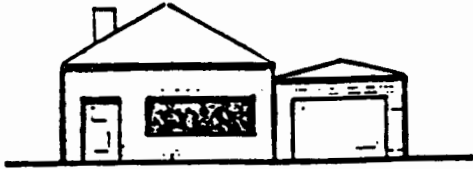
Avoid:

Monotonous appearance.



Preferred:

Visually integrate units in regard to building texture, height, and style for neighborhood sensitivity.

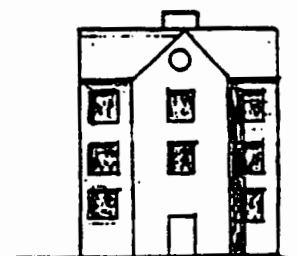
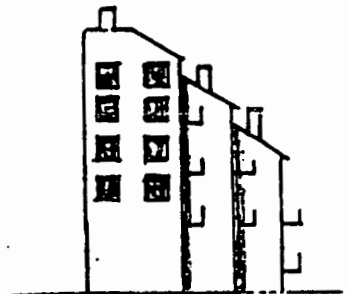
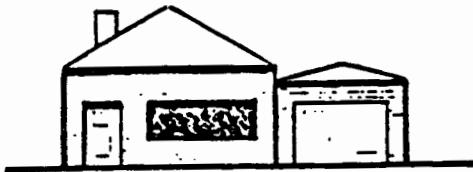


Single Family

Developments

Avoid:

Developments that are not sensitive to existing single family neighborhoods.



Single Family

Developments

- b) Provisions of architectural features such as focal entryways, porches, dormers, decks, railings, and stairs; or other design elements that accomplish this objective.
- c) Compatibility in scale of building components, such as windows, doors, eaves and parapets.

E. Vehicular and Pedestrian Access

The proposal should provide for visual continuity of the street, ease and safety of pedestrian movement, and relationship of vehicular and pedestrian access to the buildings on-site.

1. Vehicular Access:

- a) Minimize the number of vehicular access points by sharing driveways and linking parking lots between adjacent uses.
- b) Parking spaces (on-site) should be separated from major drives, and the circulation patterns of such drives should be clear.
- c) Coordinate circulation drives and staging areas to accommodate routes needed by fire, refuse collection, delivery vehicles, moving vans, etc.

- d) Consideration should be given to load/unload parking zones near the entry of the building. These spaces should be located in such a manner as to minimize interference with the entryway.

- e) 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 of Community Development may require additional bus shelter design features.

2. Pedestrian Access:

- a) Walkways shall be provided from the street and the main parking areas. Outlying parking lots should, at a minimum, provide walkways that connect to the main or central parking areas.

- b) Pedestrian walkways shall be defined by Type II or Type III landscaping for a combination of overstory and understory vegetation.

- c) Use materials, textures, patterns and colors to differentiate and emphasize pedestrian paths through parking areas to the main

buildings within developments. Selection of chosen materials must also meet access requirements for persons with disabilities.

- d) Provide signage to identify pedestrian/bicycle routes according to the Department of Public Works Development Guidelines.
- e) Minimize grades on-site to allow ease of access for pedestrians and persons with disabilities.

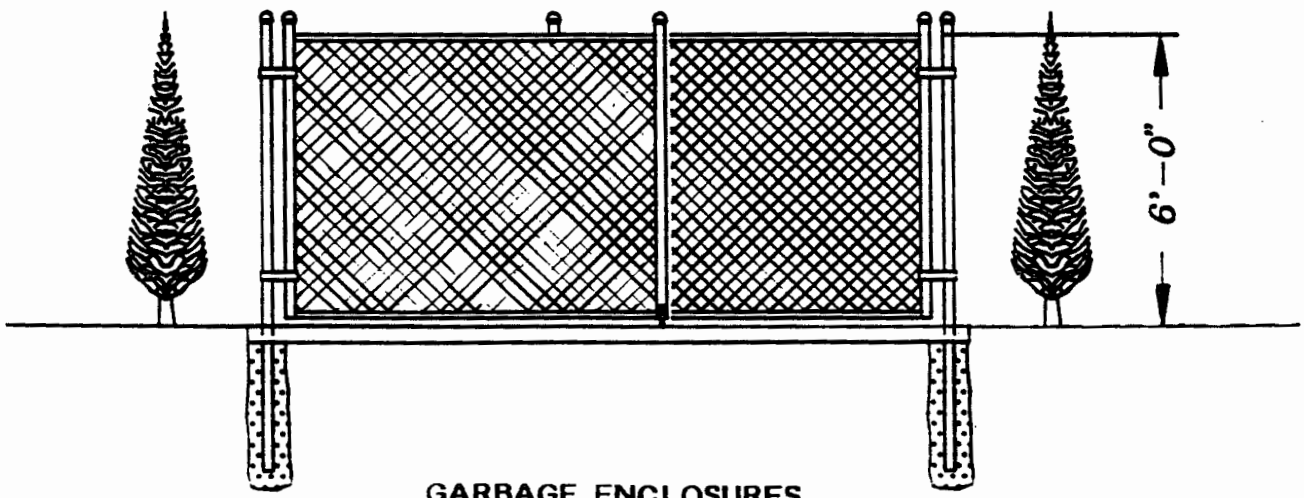
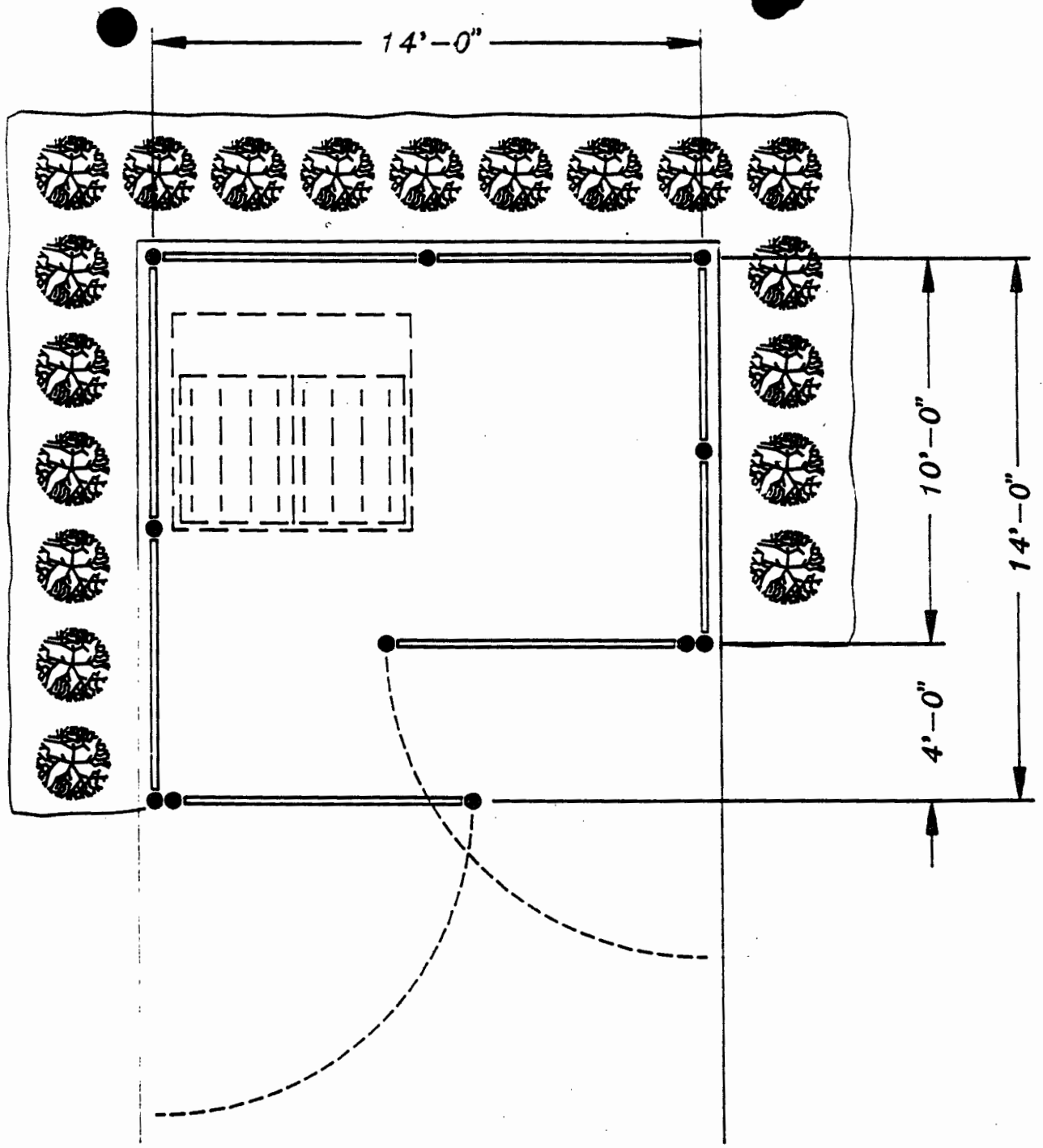
3. Entrance Identity:

- a) Emphasize the entrance of a building and make it more distinct by using pavement materials and landscaping to direct pedestrians to the entrance.
- b) Avoid locating parking spaces directly in front of the building entrance or in such a way as to interfere with visibility and access.

F. Outdoor Storage Facilities and Mechanical Equipment

Mechanical equipment and outdoor storage shall be incorporated harmoniously into the site.

1. Refuse receptacles shall be screened by a 6-foot fence that matches the architectural style of the buildings on site. If the fence is chain link, it must be constructed of galvanized 9-gauge core wire with 2-inch mesh. The 6-foot fence may also be constructed of concrete block or brick. Coordination with current franchise hauler is encouraged.
 - a) The sides and rear of the enclosure must be screened by Type I landscaping.
2. Bicycle racks shall be located near recreational facilities and apartment buildings. Bicycle racks shall be screened by a Type II landscaping for a combination of overstory and understory vegetation.
3. Locate service areas and equipment away from the residential uses on-site to reduce noise wherever possible.
4. Mechanical equipment or other utility hardware on roof, ground or buildings shall be screened from public view.
5. Consideration should be given for storage areas on-site for recreational items such as boats, RV's, etc. These items should be placed adjacent to the parking areas. If recreational storage is utilized, it shall be screened



GARBAGE ENCLOSURES

by a 6-foot fence that matches the architectural style of the buildings on site. If the fence is chain link, it must be constructed of galvanized 9-gauge core wire with 2-inch mesh. The 6-foot fence may also be constructed of concrete block or brick.

G. Site Lighting Standards

Lighting shall be integrated into the overall design of a multifamily project.

1. **Lighting shall be required for entryways, parking lots, carports, swimming pools, play areas, and along pedestrian pathways.**
2. **Lighting shall be activated by photo electric cells or timer.**
3. **Directional signage should be lit by either internal or external illumination.**
4. **Lighting fixtures shall complement project design and shall be oriented to avoid direct glare onto adjacent properties while providing adequate safety for pedestrians.**

H. Sign Guidelines

The proposal shall incorporate signs that are designed to complementary to the building design. All signs shall meet the requirements of Chapter 16.75 of the City Zoning Code.

1. **Style Elements:**

- a) Use sign shapes, lettering styles and materials that reflect architectural features of the multifamily 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 Chapter 16.75.180F.

14.23.090 Appeals

1. Any person or persons aggrieved by a decision from the Director of Community Development may file an appeal to the Site Plan Review Committee (SPRC) within 15 days after the decision is made. The decision of the SPRC is final unless appealed to the Hearings Examiner.

2. Any person or persons aggrieved by any decision of the SPRC may file an appeal with the Hearings Examiner in accordance with Chapter 2.40.010 of the Lacey Municipal Code within 20 days of the decision being made. The decision of the Hearings Examiner shall be final unless appealed to the City Council pursuant to section 2.30.160.

3. The filing of an appeal shall suspend the issuance of either a construction or land use permit related to the appeal until final action is taken on the appeal.

14.23.100 Enforcement

If any person violates or fails to comply with any of these provisions, Chapter 14.40 of the Lacey Municipal Code 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 City 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.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON this 23rd
day of July, 1992.

CITY COUNCIL

By: Gene Carque Liddell
Mayor

Attest:

Marjorie S. Taylor

Approved as to form:

[Signature]
City Attorney

Published Monday July 27, 1992

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SUMMARY FOR PUBLICATION
ORDINANCE 944

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on the 23rd day of July, 1992, Ordinance No. 944 entitled "AN ORDINANCE RELATING TO DESIGN REVIEW FOR MULTI-FAMILY DEVELOPMENTS; ADDING A NEW CHAPTER 14.23 TO THE LACEY MUNICIPAL CODE."

A section by section summary of this Ordinance is as follows:

Section 1. Adds a new Chapter, 14.23 to the Lacey Municipal Code relating to design review for multi-family developments. The specific sections of Chapter 14.23 are summarized as follows:

Section 14.23.010 details the purposes of the Ordinance.

Section 14.23.020 defines the specific terms used within the Chapter.

Section 14.23.030 requires that multi-family developments follow the design review process described in Section 14.23.040.

Section 14.23.040 describes the design review process as an administrative process conducted by the Director of Community Development and the steps entailed in such process.

Section 14.23.050 specifies that approval will be effective for eighteen (18) months unless the project is a planned residential development or subdivision with a longer approval.

Section 14.23.060 provides for the granting of an additional six (6) month extension.

Section 14.23.070 specifies the plans and documents which must be submitted to the City for the design review process.

Section 14.23.080 describes the design criteria that must be followed by City administrative officials in conducting the administrative review process.

Section 14.23.090 provides for an appeal from the decision of the Director of Community Development to the Site Plan Review Committee and further, an appeal from the Site Plan Review Committee to the Hearings Examiner and City Council.

Section 14.23.100 provides that the civil violation procedure of Chapter 14.40 of the Lacey Municipal Code shall apply to violations of this Chapter.

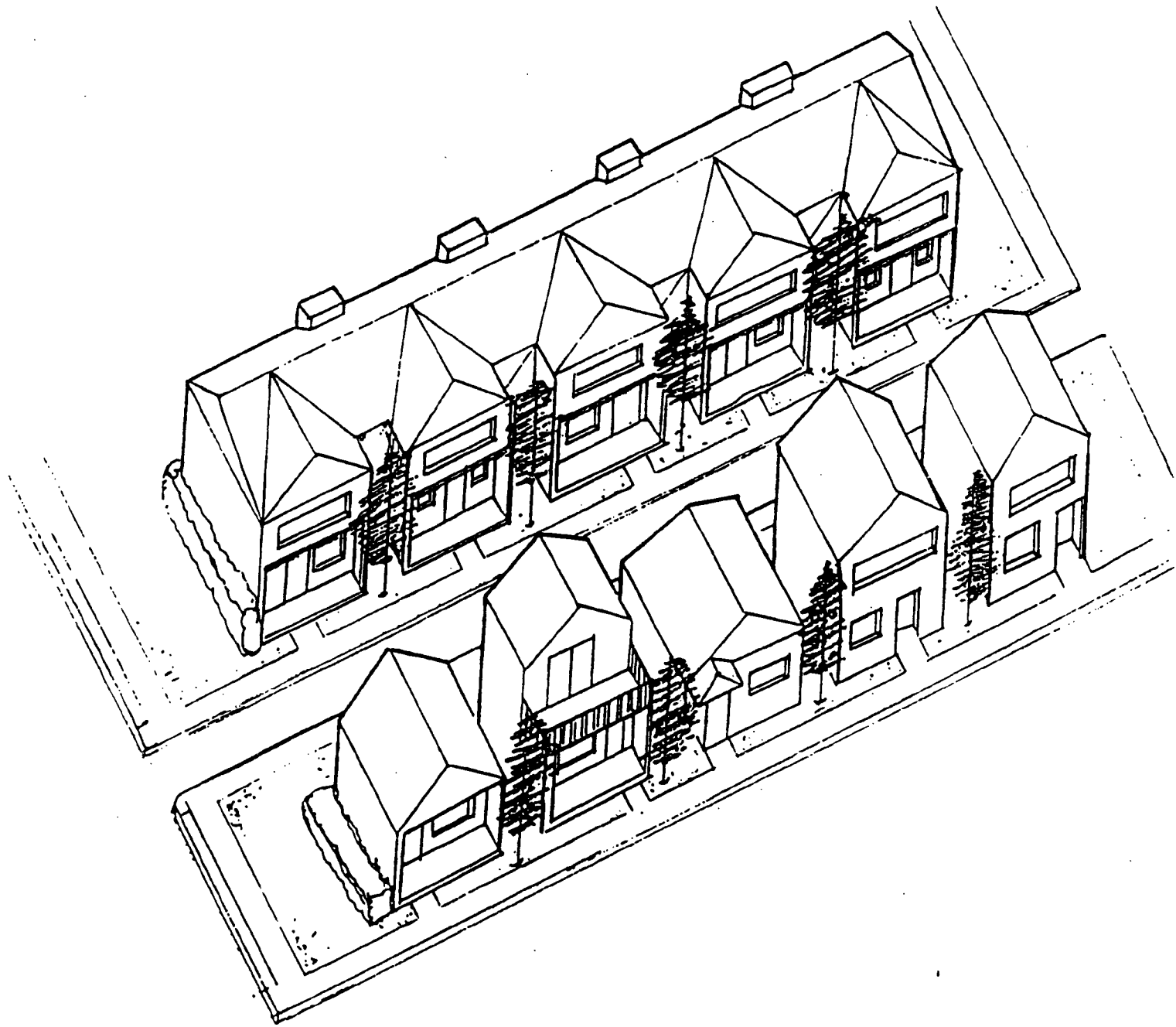
Section 14.23.110 specifies that in case of conflict between chapters of the Lacey Municipal Code that the most restrictive shall apply.

Section 14.23.120 provides that if any section of the Ordinance is declared invalid it shall not affect the validity of the remaining sections of the Ordinance.

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: Monday July 27, 1992.

MULTI-FAMILY DESIGN GUIDELINES



City of Lacey

THIS ORDINANCE WAS PREPARED BY:

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