

ORDINANCE NO. 1568

CITY OF LACEY

AN ORDINANCE RELATED TO SETBACK REQUIREMENTS FOR ACCESSORY DWELLING UNITS, AMENDING SECTIONS 16.12.050 AND 16.13.050 OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, the City of Lacey's Affordable Housing Strategy identifies reduction in lot sizes and widths in the existing Low Density zones as a high-priority action item; and

WHEREAS, the Planning Commission conducted a nine-month process to evaluate and involve the public in proposed amendments to the Low Density Zones; and

WHEREAS, the Planning Commission conducted a public hearing on October 15, 2019, and received no comments in opposition to the proposed amendments; and

WHEREAS, the Planning Commission voted on December 17, 2019 to recommend approval of Low Density zone consolidation and associated amendments to the City Council; and

WHEREAS, Because of the timing related to the COVID-19 pandemic the amendment to consolidate the Low Density zones has been put on hold; and

WHEREAS, the City Council has reviewed the proposed amendments related to setback requirements for accessory dwelling units and finds the proposed amendments to be in the public interest.

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

Section 1. Section 16.12.050 of the Lacey Municipal Code is hereby amended as follows:

16.12.050 Lot area.

The size and shape of lots shall be as follows, provided they adhere to the density requirements:

- A. Minimum lot area, six thousand five hundred square feet where alleys are utilized and seven thousand five hundred square feet where alleys are not provided.

B. Minimum lot width, sixty feet where alleys are utilized, seventy 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.

C. Minimum front yard:

Sixteen feet.

Garages facing the street, twenty feet.

On front yard flanking streets, ten feet.

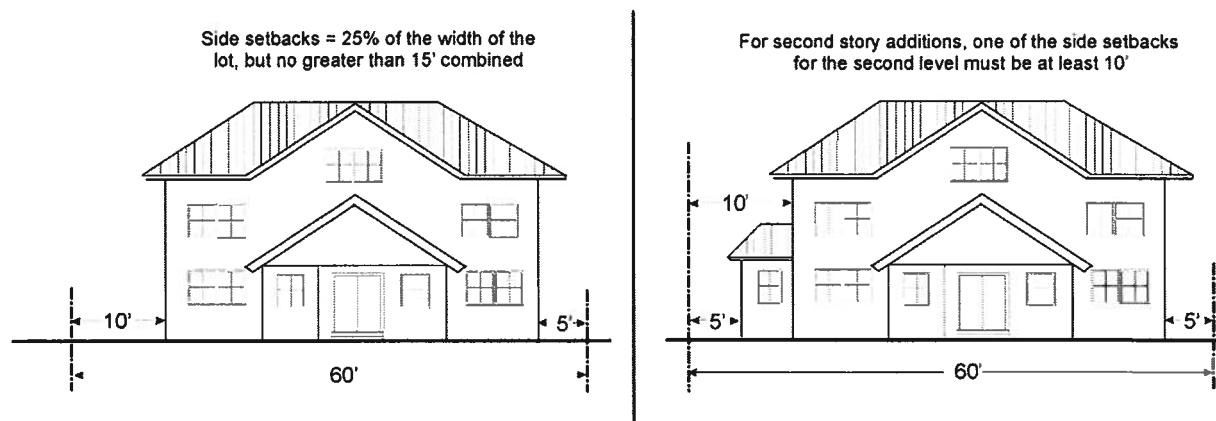
Unenclosed porches may project up to six feet into the front yard, provided the porches are at least forty-eight square feet in area with no dimension less than six feet.

D. Minimum side yards:

Minimum on one side, five feet.

Minimum total both sides, ten feet for single-story structures; fifteen feet or no greater than twenty-five percent of the lot width (as measured along the front lot line) for two-story structures. (See Table 16T-72.)

Table 16T-72



Minimum side yards for two-story homes in the Low Density Residential (0-4) District.

E. Minimum rear yard, twenty feet, provided garages may be within three feet of the rear yard line alley easement or paved surface when adjacent to an alley.

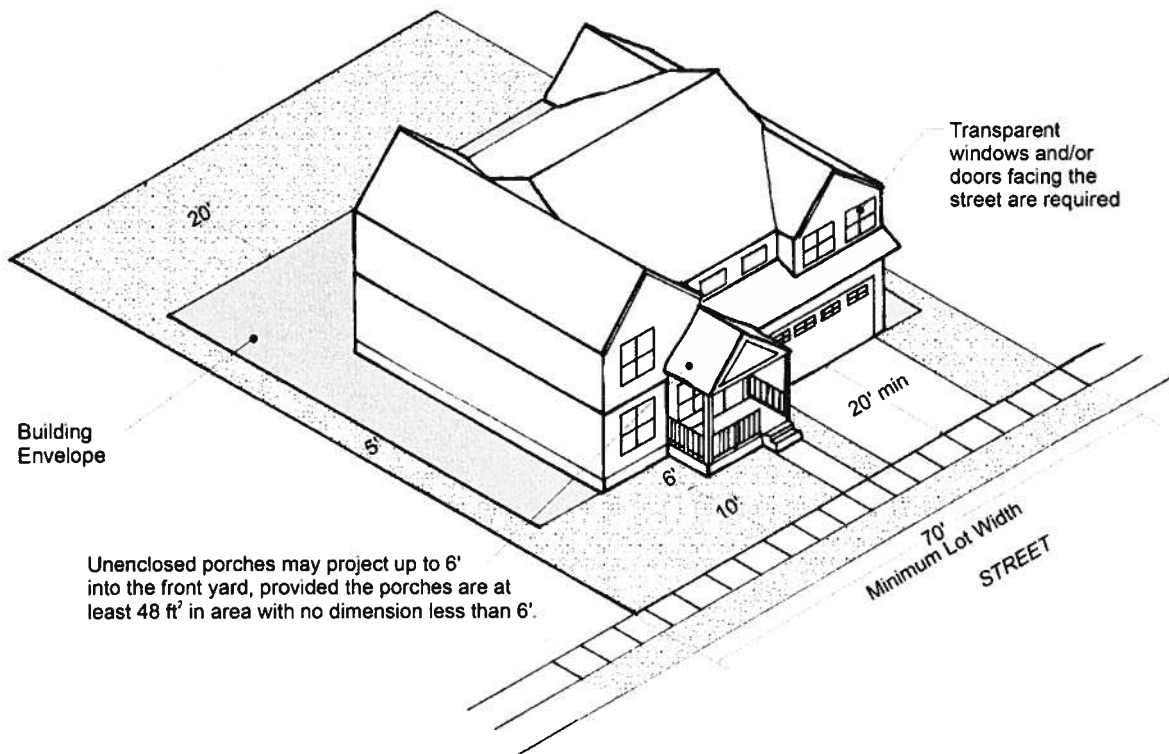
F. Minimum usable open space:

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 twenty feet on all sides. For example, a sixty-five-hundred-square-foot lot would require a contiguous open space of at least six hundred fifty square feet, or approximately twenty by thirty-three feet in area.

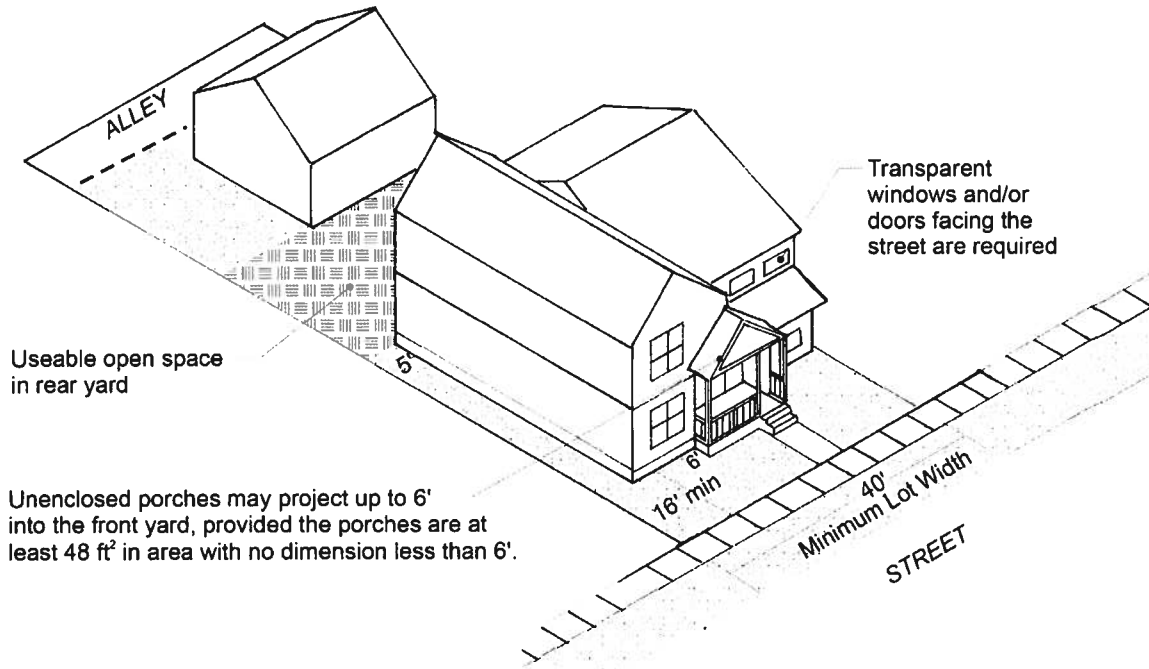
Such open space shall not be located within the front yard. (See Tables 16T-73 and 16T-74.)

Table 16T-73



Minimum standards for front-loaded lots in the Low Density Residential (0-4) District.

Table 16T-74



Minimum standards for alley-loaded lots in the Low Density Residential (0-4) District.

G. Maximum building coverage, forty percent. Undeveloped lots vested prior to May 15, 2008, shall be exempted from this standard provided they meet minimum usable open space requirements herein.

H. Maximum development coverage, fifty-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.

I. Maximum height of buildings:

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.

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.

J. 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, twenty feet.

Side yard, five feet.

Rear yard, three feet.

K. 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.

Section 2. Section 16.13.050 of the Lacey Municipal Code is hereby amended as follows:

16.13.050 Lot area.

A. The size and shape of single-family detached 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 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, twenty 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:

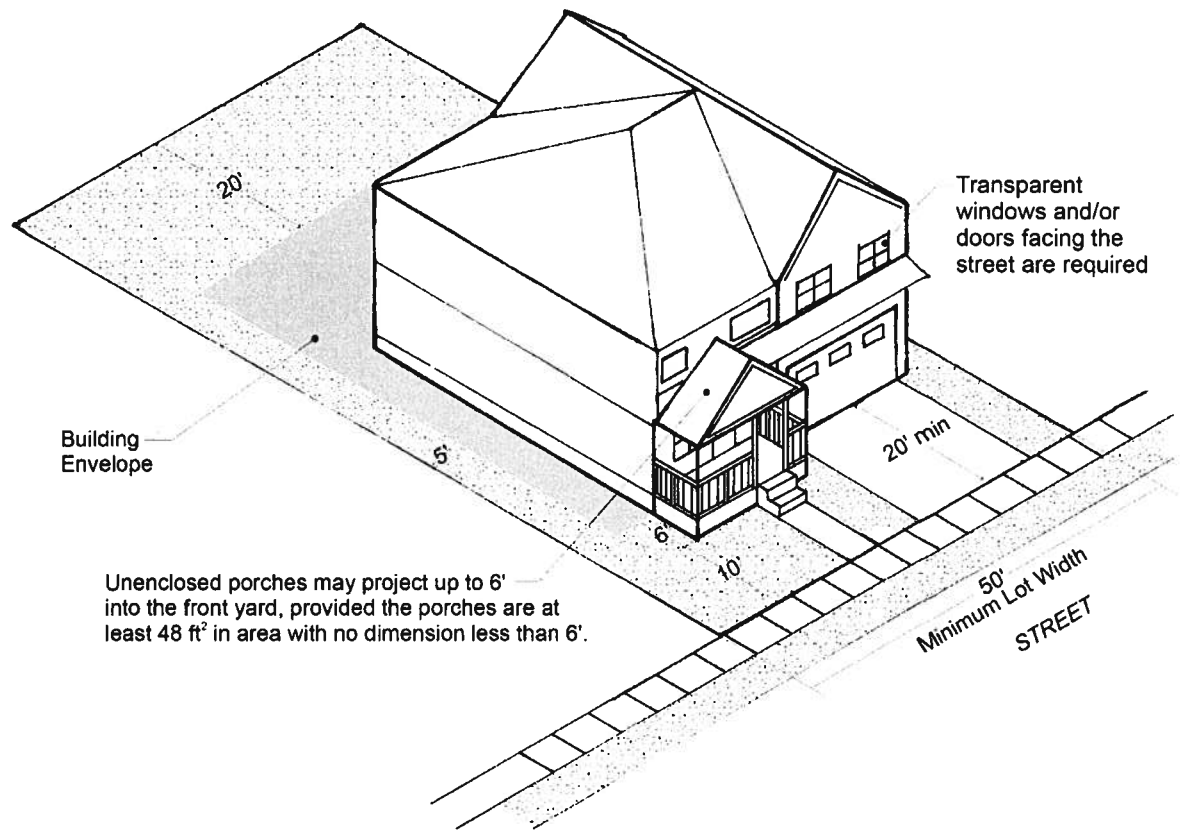
- a. A pergola or other architectural feature with landscaping;
- b. An improved patio area with features for associated use such as sitting or barbeque;
- c. Other design features and improvements that add to the usability, privacy and desirability of the private space.

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.

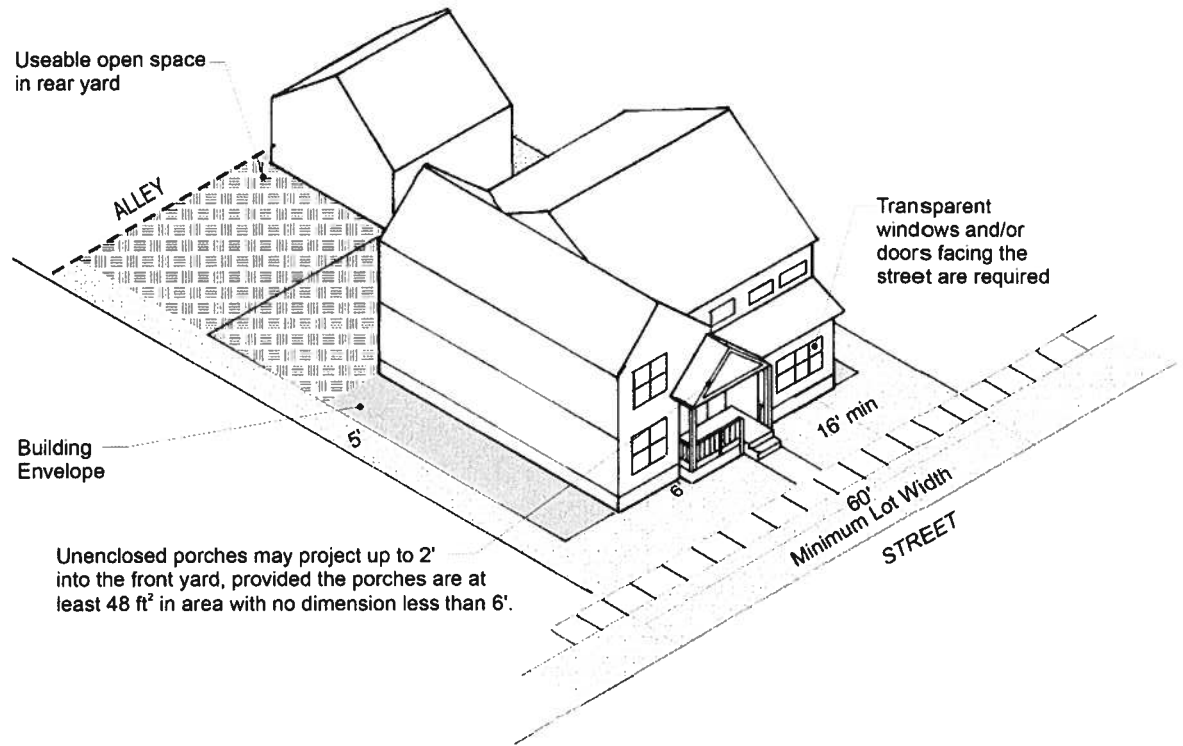
For duplexes and triplexes, each dwelling unit must have direct access to its own usable open space. (See Tables 16T-75 and 16T-76.)

Table 16T-75



Minimum standards for front-loaded lots in the Low Density Residential (3-6) District.

Table 16T-76



Minimum standards for alley-loaded lots in the Low Density Residential (3-6) 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, 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. 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, fifteen 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.

Section 3. 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 4. 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 5. 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 9th day of July, 2020.

CITY COUNCIL

By: Andy D. Boyd
Mayor

Approved as to form:

[Signature]
City Attorney

Attest:

[Signature]
City Clerk

SUMMARY FOR PUBLICATION
ORDINANCE NO 1568
CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on July 9, 2020, “AN ORDINANCE RELATED TO SETBACK REQUIREMENTS FOR ACCESSORY DWELLING UNITS, AMENDING SECTIONS 16.12.050 AND 16.13.050 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 section 16.12.050 of the Lacey Municipal Code related to setback requirements for detached accessory dwelling units.
2. The Ordinance amends section 16.13.050 of the Lacey Municipal Code related to setback requirements for detached accessory dwelling units.
3. 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: July 13, 2020