

ORDINANCE NO. 1431

CITY OF LACEY

AN ORDINANCE REMOVING CHAPTER 2 AND AMENDING CHAPTERS 3 – 8, ALL OF THE CITY'S DEVELOPMENT GUIDELINES AND PUBLIC WORKS STANDARDS, AMENDING SECTIONS 14.23.088 AND 15.12.120 OF THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION.

WHEREAS, proposed changes to the City of Lacey's Development Guidelines and Public Works Standards were reviewed by City staff and the City of Lacey Planning Commission, and

WHEREAS, the proposed changes involve relocating some provisions from the Development Guidelines and Public Works Standards to the Lacey Municipal Code, and

WHEREAS, after a public meeting was held for comment, the Planning Commission recommended the proposed changes be forwarded to the City Council for approval.

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

Section 1. Chapter 2 of the development guidelines and public works standards is hereby repealed.

Section 2. Chapters 3, 4, 5, 6, 7 & 8 of the development guidelines and public works standards are hereby amended as set forth in the attachment hereto.

Section 3. Section 14.23.088 of the Lacey Municipal Code is hereby amended to read as follows:

**14.23.088 Commercial-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 parks 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. (Ord. 1310 §14, 2008; Repealed Ord. 1310 §13, 2008; Ord. 1235 §1, 9, 2005).

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 is 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 useable 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.

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. A.—Pedestrian corridors with landscaping through parking lots.
- b. B.—Pedestrian plazas meeting the requirements of LMC 14.23.086(C)(2).
- c. C.—Landscaped outdoor seating areas for restaurants and cafes.
- d. D.—Pocket parks with public seating, art or fountains.
- e. E.—Drainage retention areas designed as an aesthetic view area with fountain, seating, trails and exceptional landscaping.
- f. F.—Additional landscaping areas not required by code.
- g. G.—Areas preserved in a pleasant, natural state with trees and shrubs.
- h. H.—Park areas with trees and landscaping designed for active or passive uses.
- i. 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. J.—Required landscape islands in a parking lot.

b. K.—Required yard areas or setback areas not readily available for use by pedestrians or with no special or significant amenities.

c. L.—Drainage retention areas with no special or significant amenities.

Section 4. Section 15.12.120 of the Lacey Municipal Code is hereby amended to read as follows:

**15.12.120 Open space/park.**

The minimum usable open space/park area for commercial/industrial land divisions of ten acres or more and all residential land divisions shall be ten percent of the total site. At least half of the open space within a residential development must be useable for active recreation. Open space shall meet the design criteria contained in LMC 14.23.088.

~~Such open space shall at a minimum meet the following criteria:~~

~~A.—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.~~

~~e.—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.~~

~~4.—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.~~

~~5.—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 ten percent 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~~

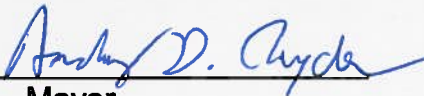
~~specific parks planning area. Acceptance of such donation will be at the discretion of the city and consistent with city policies for the provision of open space.~~

~~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.~~

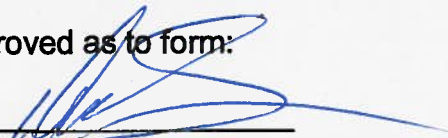
Section 5. The Summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, at a regularly-called meeting thereof, held this 27<sup>th</sup> day of March, 2014.

CITY COUNCIL

By:   
Mayor

Approved as to form:

  
City Attorney

Attest:

  
City Clerk

**SUMMARY FOR PUBLICATION  
ORDINANCE NO. 1431  
CITY OF LACEY**

The City Council of the City of Lacey, Washington, passed on March 27, 2014, Ordinance No. 1431, entitled "AN ORDINANCE REMOVING CHAPTER 2 AND AMENDING CHAPTERS 3 – 8, ALL OF THE CITY'S DEVELOPMENT GUIDELINES AND PUBLIC WORKS STANDARDS, AMENDING SECTIONS 14.23.088 AND 15.12.120 OF THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION."

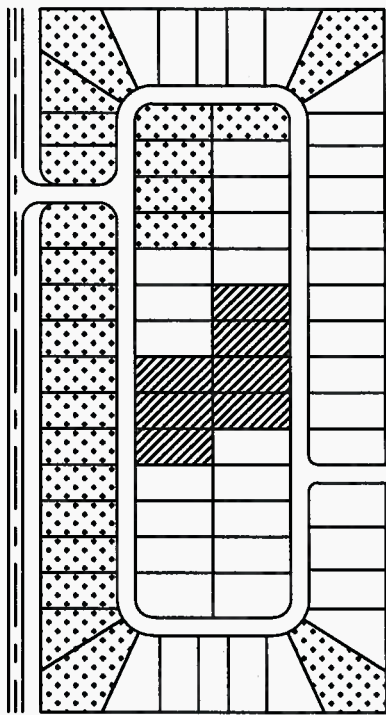
The main points of the Ordinance are described as follows:

1. The Ordinance updates Chapters 2, 3, 4, 5, 6, 7 & 8 of the City's Development Guidelines and Public Works Standards.
2. The Ordinance relocates some provisions from the Development Guidelines and Public Works Standards to the Lacey Municipal Code
3. The Ordinance approves this Summary for Publication.

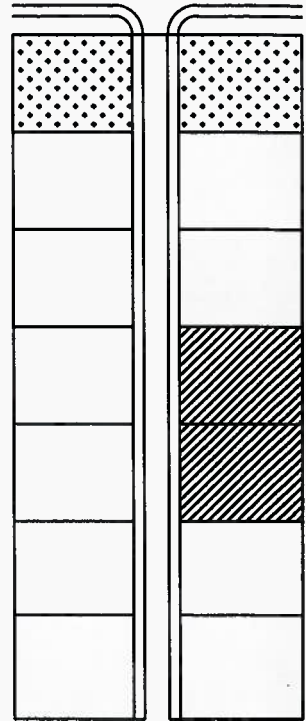
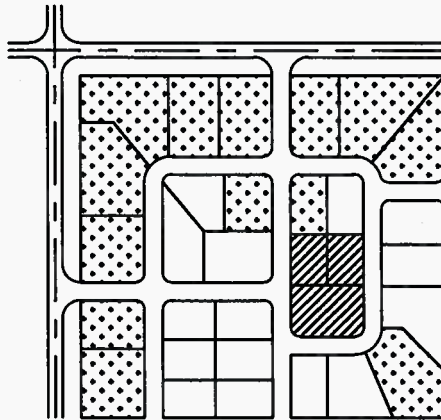
A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: March 31, 2014.





 NOT ALLOWED  
 ALLOWED



- NOTE:**
1. REFER TO LMC 14.23.088 FOR ADDITIONAL INFORMATION.
  2. OPEN SPACE SHALL NOT BE LOCATED BEHIND A STORMWATER RETENTION/DETENTION FACILITY.

<p><b>OPEN SPACE LOCATIONS</b></p>	<p><b>TABLE 14T-67</b></p>
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