

ORDINANCE 1054

CITY OF LACEY

AN ORDINANCE MODIFYING THE LAND USE REGULATIONS WITHIN THE HAWKS PRAIRIE BUSINESS DISTRICT BY REPEALING CHAPTER 16.37 OF THE LACEY MUNICIPAL CODE RELATING TO SUCH DISTRICT, ADOPTING A NEW CHAPTER 16.37 TO SAID CODE ENTITLED "HAWKS PRAIRIE BUSINESS DISTRICT" APPROVING A SUMMARY FOR PUBLICATION AND DECLARING AN EMERGENCY

WHEREAS, by passage of Ordinance 1039, the City Council enacted a moratorium on the acceptance for filing or processing of any land use development proposals of any kind or nature for those certain lands located within the area outlined on Exhibit "A" attached to said ordinance which area is located within the Hawks Prairie Business Zoning District for a period of six months following said passage of such ordinance and such six month period expires on March 6, 1997, and

WHEREAS, the City Planning Commission, after public hearing and consideration of recommendations from the planning staff and comments from owners of property within the Hawks Prairie Business District, have recommended a modification of the land use regulations applicable to such district, and

WHEREAS, it is necessary in order to protect the public health and safety, facilitate the efficient, effective, integrated and optimum development potential of the land contained within the Hawks Prairie Business District, properly locate and size the infrastructure and provide for the most cost effective expenditure of public dollars within such district and to provide for job creating and revenue producing businesses that such new regulations be in affect prior to the expiration of such moratorium, now,

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

Section 1. Chapter 16.37 of the Lacey Municipal Code is hereby repealed.

Section 2. There is hereby enacted a new chapter 16.37 of the Lacey Municipal Code to read as follows:

Chapter 16.37

Hawks Prairie Business District

Sections:

- 16.37.010 Intent
- 16.37.020 Permitted uses in the designated commercial area
- 16.37.030 Permitted uses in the business/retail area
- 16.37.040 Prohibited uses
- 16.37.050 Special uses
- 16.37.060 Site requirements
- 16.37.070 Design standards
- 16.37.080 Site plan requirements
- 16.37.090 Landscaping requirements
- 16.37.100 Stormwater runoff
- 16.37.110 Common open space
- 16.37.120 Environmental performance standards

16.37.010 Intent. It is the intent of this chapter to:

- A. Implement the goals and policies of the Northeast Area Element of the Comprehensive Plan as they relate to the area designated Hawks Prairie Business District.
- B. Encourage development of an integrated, planned community where people will want to live and work, by permitting residential and compatible business uses to develop in close proximity to each other, with strong functional and aesthetic links, through the implementation of strict performance standards.
- C. Assure that development is site sensitive, user efficient, and furthers the mixed-use policies of the Northeast Area Element of the Comprehensive Plan.
- D. Assure that early development does not unnecessarily foreclose options for later projects and that new uses can be added without jeopardizing uses already established or planned.
- E. Encourage originality, flexibility, and innovation in site planning and development, including architecture, landscaping, and graphic design, as well as circulation and infrastructure systems.
- F. Assure that the natural and environmental characteristics and attributes of the district are preserved and enhanced.
- G. Encourage and facilitate the use of mass transit and other forms of transportation alternatives to the single occupancy vehicle.
- H. Provide for development consistent with the vision represented on the conceptual Hawks Prairie Business District site plans. This vision is of an area with distinctive character which includes such things as focal points at intersections and special site planning and building design considerations. The conceptual Hawks Prairie Business District site plans, attached hereto as Exhibits "A" through "D", are

intended to serve as an interim guide to development until such time as design standards for the zone are adopted.

I. Preserve an adequate supply of commercial areas located to maximize future market potential and to ensure the City is able to provide services for the projected growth in the region.

16.37.020 Permitted Uses in the Designated Commercial area. The following uses are permitted in that portion of the Hawks Prairie Business District Designated as commercial area on Exhibit "A", attached hereto.

A. Commercial.

Apparel

Automotive supplies

Books and stationery

Convenience stores and service stations designed for fueling no more than eight automobiles simultaneously and subject to the provisions of Subsection 16.37.070 ~~2~~. H

Department stores

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Drug stores and pharmacies

Fabric stores

Florists

Food stores

General merchandise

Gifts/specialty

Hobby/ special interest

Home appliances/electronics

Home furnishings

Home improvement centers/garden supplies

Jewelry and cosmetics

Liquor

Personal services

Professional services when provided as an integral part of a commercial center.

Sporting goods and related stores.

B. Hotels and Motels.

C. Convention Centers and Conference Facilities.

D. Eating and Drinking Establishments. Restaurants with drive through windows shall meet the provisions of section 16.37.070.~~F~~

E. Cultural, Entertainment and Recreation.

Art galleries

Athletic facilities and health clubs

Bowling alleys

Cinemas

Libraries, and
Museums

F. Day Care Facilities when provided as an integral part of a commercial center and in support of the other uses therein.

G. Financial Institutions.

Banks

Brokerages

Finance companies

Insurance, and
Real estate offices.

Such uses shall be allowed only when provided as an integral part of a commercial center and in support of the other uses therein.

H. Other Similar and Related Uses consistent with the intent of the zone as determined by the Site Plan Review Committee.

16.37.030 Permitted Uses in the Business/Commercial Area.

The following uses are permitted in that portion of the Hawks Prairie Business District Designated as business/commercial area on Exhibit "A", attached hereto.

A. All uses listed under 16.37.020 above.

B. Public Services.

Higher education facilities

Vocational schools

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Local public services including charitable and service organizations, employment centers, fire stations, police stations and other local government offices

C. Mass Transit.

Bus transfer facilities

D. Offices and manufacturing.

Computer hardware and software development and assembly

Conference facilities

Corporate/regional/administrative offices

Daycare facilities

Electrical equipment research, development, and assembly

Financial institutions including banks, brokerages, finance companies, insurance and real estate offices.

High-tech industry

Medical offices and clinics

Offices and manufacturing

Photo and optical goods design and development

Professional and business offices

Scientific research and development

Scientific, analytic or control instrument research and development

E. Eating and Drinking Establishments. Restaurants with drive through windows shall be subject to section 16.37.070. ~~I.~~ *I. entayfor*

F. Warehouse and distribution activities, when developed in conjunction with a primary function such as business headquarters, research and design, marketing or retail sales and subject to the granting of a conditional use permit.

G. Medical Facilities.

H. Residential.

1. High density residential, 20 units per acre. All residential units must be located in mixed use buildings that have the first floor dedicated to offices or other non-residential uses.

2. No more than ten percent of a parcel shall be used to calculate the number of units permitted on that parcel.

I. Other Similar and Related Uses in accordance with the intent of this chapter as determined by the Site Plan Review Committee.

16.37.040 Prohibited Uses in all Hawks Prairie Business District areas. The following types of uses are prohibited in the Hawks Prairie Business District.

A. Uses with physical and operational requirements generating substantial:

Truck traffic

Dust

Glare

Heat or vibration

Noise

Odors

B. Uses of a character which are either not compatible with the high aesthetic standards of the area, will not enhance the marketability of the Hawks Prairie Business District, or will adversely impact the City's economic development strategies for this zone. These uses shall include, but are not limited to:

Activities entailing movement of heavy equipment on and off the site except during construction

Auto or truck storage or repair as a primary use

Cemeteries and crematoria

Machine shops

Motor freight terminals

Park & Ride lots

State, federal or public regional offices or facilities other than educational facilities as set forth in section 16.37.030,

Solid waste disposal facilities, including transfer stations, incinerators and sanitary landfills

Stand alone warehouse and distribution facilities

16.37.050 Special uses.

A. Special uses consistent with the intent of the Hawks Prairie Business District and its permitted uses may be permitted as provided for in Chapter 16.66.

16.37.060 Site Requirements.

A. Street Setbacks. 10 foot minimum setback for structures and parking lots in a development and any public street.

B. Minimum Lot Size. Lots must be of adequate size to accommodate the allowed uses within the zone and be consistent with the vision for the area. In no case shall new lots be created that are under three acres in size, unless divided simultaneously with a Site Plan Review approval for development on the new parcel(s) under three acres being divided.

C. Minimum Development Size. No parcel less than ten acres in size shall be developed with business/ commercial uses, except where contiguous to, or functionally part of, an already developed or planned business/commercial area.

16.37.070 Design Standards:

A. Relationship Between Buildings. Proposed buildings shall be related harmoniously to the terrain and to other buildings in the vicinity that have a visual relationship to the proposed buildings.

B. Interior Circulation. Development proposals shall include the following components:

1. Location and number of access points to the public streets.

2. Sidewalks that provide continuous pedestrian and bicycle access along public, state, or private access roads and to primary uses within the development.

3. General interior circulation.

4. Separation of pedestrian and vehicular traffic, via strategically located, clearly defined pedestrian corridors through parking lots and other means of clearly differentiating pedestrian areas from vehicle areas. The number and location of pedestrian corridors shall be determined by the City based on the size and scale of the development.

5. Arrangement of parking areas that are safe and convenient and do not detract from the design of proposed buildings and structures and the neighboring properties.

C. Access. Connection to arterials shall be made at City determined locations. Full access to arterials may be restricted

by the City where necessary to facilitate efficient traffic circulation.

D. Transit. Buildings shall be located so as to encourage and facilitate the use of transit and other forms of transportation alternatives to the single occupancy vehicle.

E. Signs. The size, location, design, color, texture, lighting and materials of all signs shall not detract from the design of proposed buildings and structures and shall comply with Chapters 16.75 and 16.78.

F. Parking. All parking areas and structures shall comply with the standards of Chapter 16.72.

G. Utilities. All permanent utility lines, pipes and conduits shall be located below ground, and all other utility facilities, except fire hydrants, shall be landscaped and screened with sight-obscuring vegetation.

H. Standards for Convenience Stores and Service Stations.

1. Must be sized and designed to be compatible with the Hawks Prairie Business District zone.

2. Convenience stores and service stations shall not be permitted on any parcel adjacent to an intersection.

3. Special attention must be given to assure compliance with the standards for the area. The Site Plan Review Committee may require revisions to the proposed layout in order to achieve such consistency.

4. Maximum front building setback shall be 15 feet.

5. On-premises signs must be consistent with the on-premises sign regulations contained in Chapter 16.80.

6. Buildings must be of an architectural style that is harmonious with and complementary to surrounding structures.

I. Standards for Restaurants with Drive through Windows.

1. Buildings must be of an architectural style that is harmonious with and complementary to surrounding structures.

2. Drive-through lanes and parking areas may not be located between the building and any public street.

3. Restaurants with drive through windows shall not be permitted on any parcel adjacent to an intersection.

J. Mixed Use Occupancies. Residential units and retail business or office uses shall be permitted within the same structure, subject to the following limitations:

1. The nonresidential uses must have vehicular access via a business street or arterial and shall front directly on an adjacent sidewalk or pedestrian walkway, or on a front or side yard from which vehicles are excluded.

2. Business/commercial uses shall occupy the floors below the residential uses to preserve a residential atmosphere for the residents above.

3. Business and residential portions of the building must be separated by a soundproofed concrete or wood floor, insulated or otherwise soundproofed with the intervening space unoccupied except for utility lines, heating and air conditioning ducts, and similar devices not producing noise or vibration or requiring regular access.

K. Design Review. All buildings in the Hawks Prairie Business District shall be consistent with the appropriate provisions of Chapter 14.23 of the Lacey Municipal Code.

16.37.080 Site Plan Requirements.

A. All developments in the Hawks Prairie Business District shall require site plan review and approval pursuant to Chapter 16.84,

B. Development proposals contiguous to undeveloped parcels shall show conceptually how the adjacent property may be developed in relationship to the lot or parcel proposed for development. The plan should generally indicate how open space, parking, driveways, walkways, etc. will relate or connect to adjacent parcels.

C. The Site Plan Review Committee may require changes in proposed development plans in order to insure consistency with the vision and intent of the Hawks Prairie Business District as set forth in this chapter and Exhibits "A" through "D" attached and incorporated herein.

16.37.090 Landscaping Requirements. All developments in the Hawks Prairie Business District shall be required to meet the requirements of Chapter 16.80.

16.37.100 Stormwater Runoff. All stormwater runoff shall be retained and disposed of in accordance with the Drainage Design and Erosion Control Manual for the Thurston Region as adopted by Lacey. It is the intent of this District to manage stormwater in regional or shared facilities wherever possible, provided topographic and geologic conditions allow. Such systems shall be centrally located and designed to function as an amenity to the area in a manner consistent with the conceptual development plans set forth on Exhibits "A" through "D" attached hereto. Systems designed for runoff retention and control shall be subject to review and approval by the city.

Stormwater generated on site shall not cause pollution to any surface or ground water so as to violate local, state or federal standards governing the quality of such waters.

16.37.110 Common Open Space.

A. There shall be set aside for common open space not less than ten percent of the total site acreage of each office, commercial or other such development. It is the intent of this District that open spaces shall be designed to be consolidated and contiguous in large commonly dedicated areas wherever possible. Open space shall be located and designed to be useable for the recreation and enjoyment of the patrons, employees, and residents of the Hawks Prairie Business District,

B. The common open space shall be planned as a contiguous area located for the maximum benefit of the area it was designed to serve, preserving and where possible enhancing natural features,

C. Acceptance of open space areas proposed to be dedicated to the City shall be at the City's discretion.

16.37.120 Environmental Performance Standards.

A. It shall be the responsibility of the operator and/or the proprietor of any permitted use to provide such reasonable evidence and technical data as the enforcing officer may require to demonstrate that the use or activity is or will be in compliance with the Environmental Performance Standards of Chapter 16.57.

B. Failure of the enforcing officer to require such information shall not be construed as relieving the operator and/or the proprietor from compliance with Chapter 16.57. Environmental Performance Standards.

Section 3. This ordinance is a public emergency ordinance necessary for the protection of the public health and safety and shall be effective upon its adoption.

Section 4. The summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 6th day of March, 1997.

CITY COUNCIL

By: Nancy Tolson
Mayor

Attest:

Approved as to form:

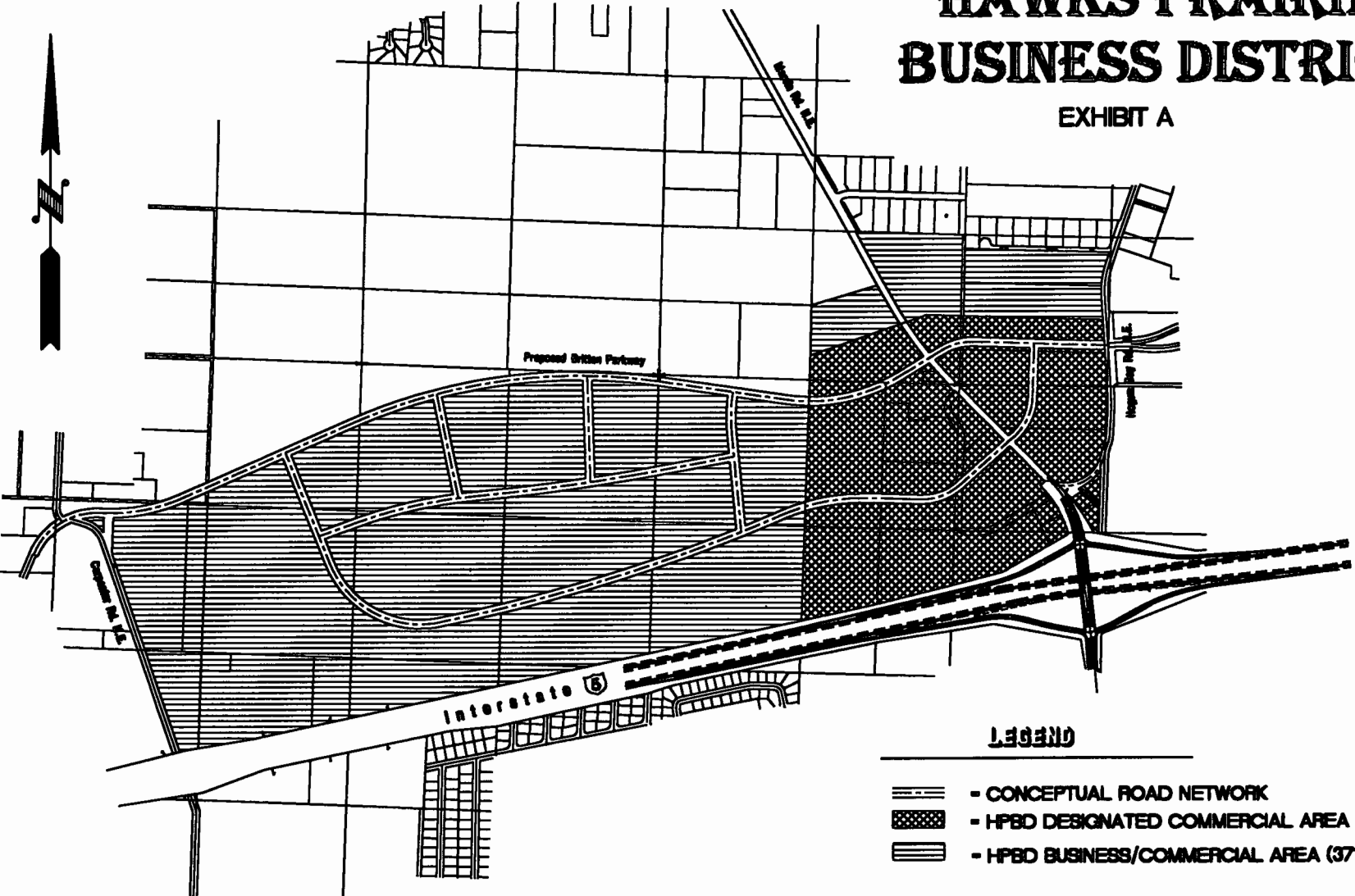
Charlotta Taylor
City Clerk

[Signature]
City Attorney

Published: March 10, 1997
Monday

HAWKS PRAIRIE BUSINESS DISTRICT

EXHIBIT A



LEGEND

- CONCEPTUAL ROAD NETWORK
- HPBD DESIGNATED COMMERCIAL AREA (135.9 ACRES)
- HPBD BUSINESS/COMMERCIAL AREA (371.6 ACRES)

HPBDEXHA.DWG

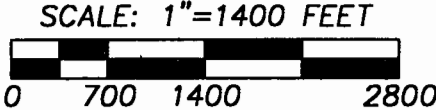


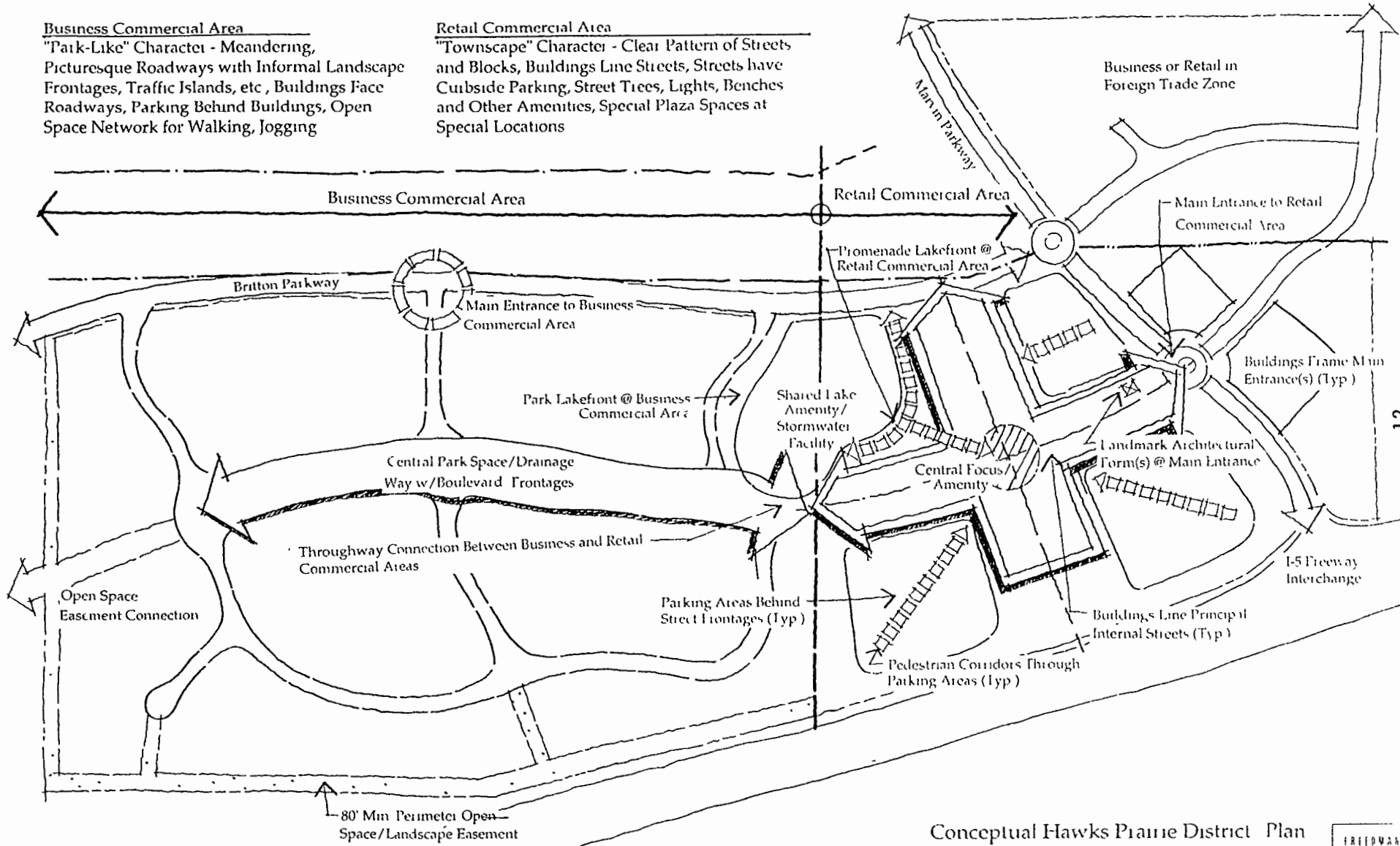
EXHIBIT "B"

Business Commercial Area

"Park-Like" Character - Meandering, Picturesque Roadways with Informal Landscape Frontages, Traffic Islands, etc., Buildings Face Roadways, Parking Behind Buildings, Open Space Network for Walking, Jogging

Retail Commercial Area

"Townscape" Character - Clear Pattern of Streets and Blocks, Buildings Line Streets, Streets have Curbside Parking, Street Trees, Lights, Benches and Other Amenities, Special Plaza Spaces at Special Locations



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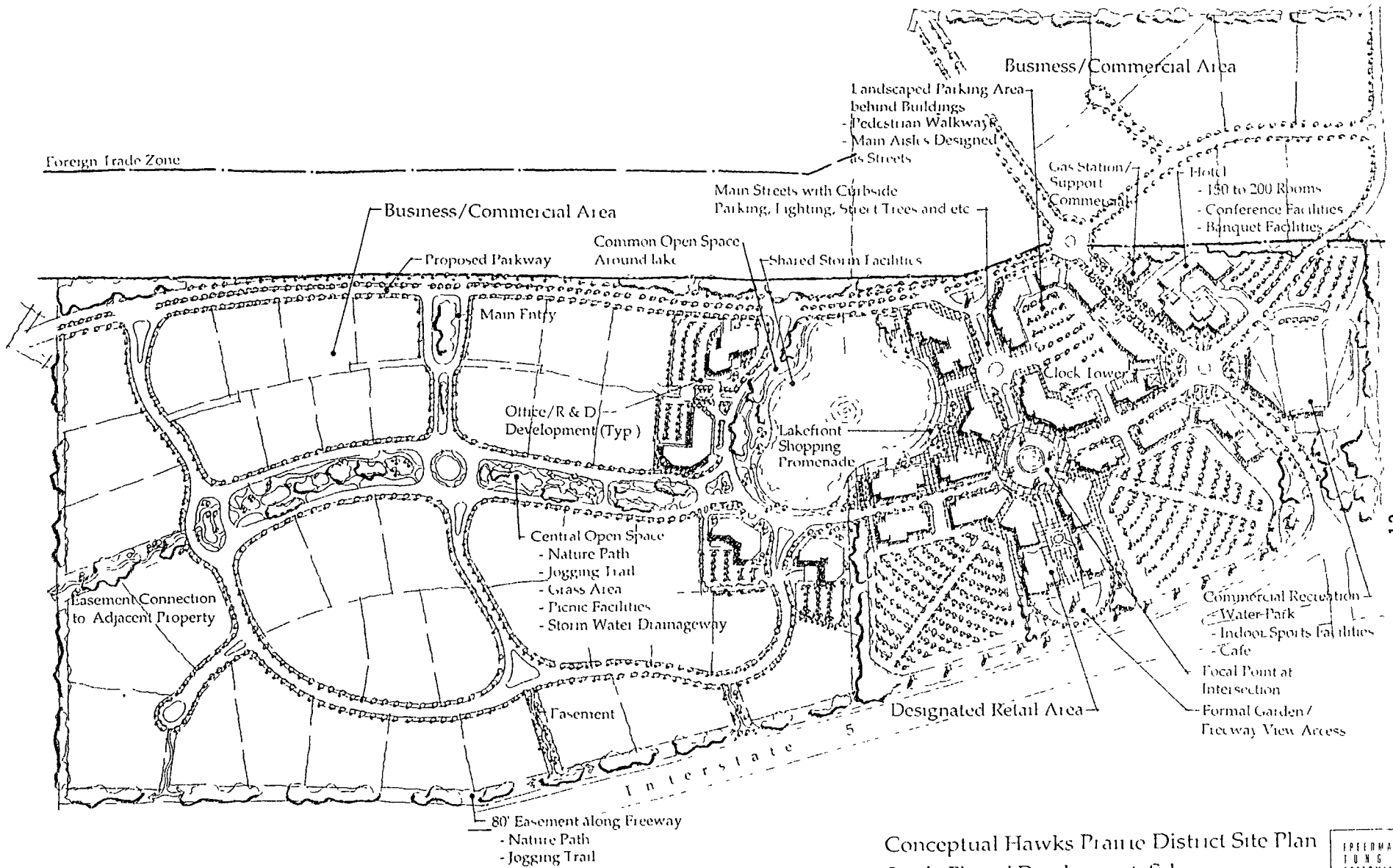
Conceptual Hawks Prairie District Plan
Urban Design & Development Concepts



City of Lacey

March 3, 1997

EXHIBIT "C"



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Conceptual Hawks Prairie District Site Plan
 Single-Phased Development Scheme
 City of Tacey
 S.D. 1-200

March 3, 1997

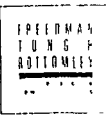
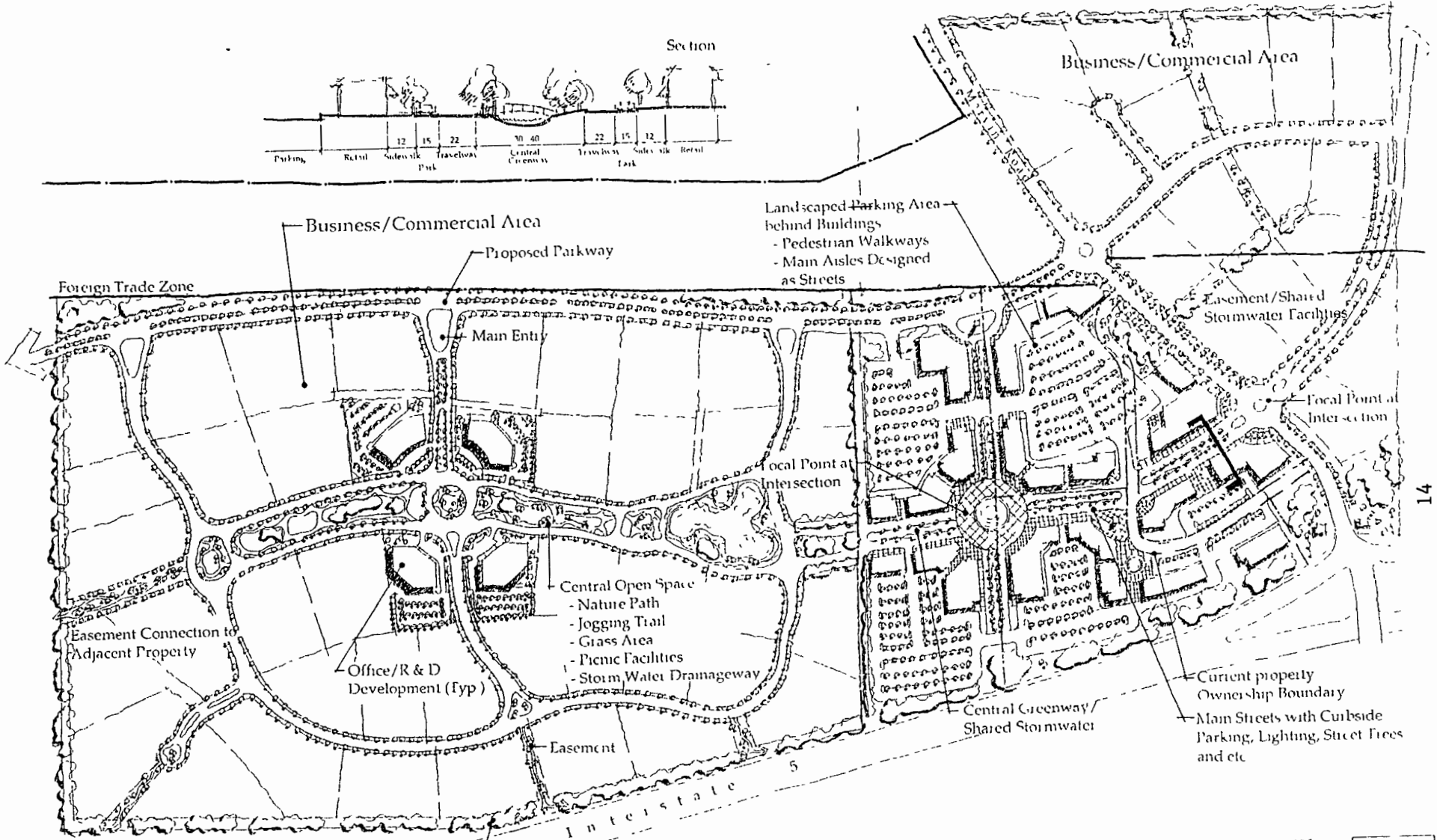
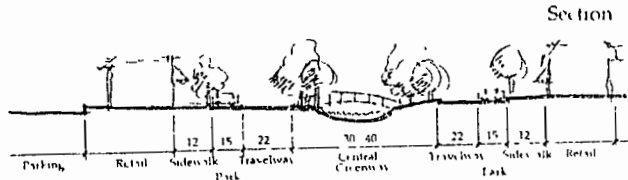


EXHIBIT "D"



Conceptual Hawks Prairie District Site Plan
 Phased Development Scheme
 City of Lacey
 Scale 1" = 200'

March 3, 1997



SUMMARY FOR PUBLICATION
ORDINANCE 1054

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on March 6, 1997, Ordinance No. 1054 entitled "AN ORDINANCE MODIFYING THE LAND USE REGULATIONS WITHIN THE HAWKS PRAIRIE BUSINESS DISTRICT BY REPEALING CHAPTER 16.37 OF THE LACEY MUNICIPAL CODE RELATING TO SUCH DISTRICT, ADOPTING A NEW CHAPTER 16.37 TO SAID CODE ENTITLED 'HAWKS PRAIRIE BUSINESS DISTRICT' APPROVING A SUMMARY FOR PUBLICATION AND DECLARING AN EMERGENCY"

The main points of the ordinance are described as follows:

The ordinance declares an intent to coordinate the land uses and development of the area within the Hawks Prairie Business District in order to assure that early development does not unnecessarily foreclose options for later development of additional portions of this district. The intent incorporates by reference four exhibits. These exhibits divide the district into a commercial area located on both sides of Marvin Road near the north side of the interstate 5 interchange and a business/commercial area for the rest of the land area within the district. Further, the exhibits suggest some conceptual design plans for development of the area in order to better demonstrate a vision and intent for the district and serve as an interim guide for development.

2. The ordinance sets forth uses which are permitted both within the commercial area of the district and the business/commercial area. The business/commercial area allows all uses which are allowed within the commercial area and in addition allows such uses as certain types of offices, research and development, manufacturing, medical facilities and high density residential.

3. Further provisions of the ordinance establish site requirements, design standards and open space requirements.

4. All proposed development within the district, will, in accordance with the ordinance require site plan review and approval pursuant to the city's site plan review ordinance.

5. Provisions are included within the ordinance which will require the management of stormwater to be through regional or shared facilities wherever possible.

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 10, 1997.
Monday