

ORDINANCE NO. 1340

CITY OF LACEY

AN ORDINANCE RELATING TO THE PLACEMENT OF SELF STORAGE OR MINI WAREHOUSE FACILITIES IN THE COMMUNITY COMMERCIAL DISTRICTS OF THE CITY, AMENDING SECTION 16.34.020 OF THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY,

WASHINGTON, as follows:

Section 1. Section 16.34.020 of the Lacey Municipal Code is hereby amended to

read as follows:

16.34.020 Permitted uses.

A. The following uses are permitted provided they meet all design review criteria for commercial and mixed use zones of Chapter 14.23 of the Lacey Municipal Code:

Answering service

Antique store

Bakery

Banks and other financial services

Bar and cocktail lounge (c)

Barber shop

Beauty salon

Book store

Business and professional offices

Business support services

Cafes

Cafeterias

Camera store

Clothing store

Coffee shop

Colleges and trade schools

Confection stores

Cultural facilities

Day care
Deli
Drugstore
Dry cleaner
Fabric and dry goods store
Florist
Food and liquor store
Gallery
Gas station
Gift store
Graphics arts and printing services
Grocery and produce
Hardware store and garden supply
Health club, gym
Home furnishings
Instruction studio
Jewelry
Laundromat
Meat and fish shops
Medical and dental services
Music and dance studios
Novelty
Nursery and garden supply
Office supplies
Personal services
Pet store
Photo shop
Post office
Pre-existing residences
Professional offices
Radio, TV, music store

Residential; mixed use concepts compatible with commercial goals of the zone as determined by the site plan review committee

Restaurant including drive-through lanes

Schools-commercial

Self storage mini warehouse storage facilities provided the performance standards identified in subsection D of this section are satisfied

Shoe and shoe repair stores

Small appliance and electronic equipment repair

Soda fountain

Specialty food

Sporting goods

Supermarket

Stationery store

Tailor

Telecommuting services

Testing laboratories and facilities (c)

Theater, over 50 seats (c)

Toy store

Travel and other agencies

Variety store

Veterinarian

Video rental

(c)= Conditional uses, subject to conditional use review and approval.

B. Similar or related uses permitted and criteria for determination of similarity or relatedness are as follows:

1. Uses similar to, or related to, those listed in Section 16.34.020.A of the Lacey Municipal Code are permitted upon a finding of the site plan review committee that a particular unlisted use does not conflict with the intent of this chapter or the policies of the land development plan;
2. The criteria for such finding of similarity shall include but not be limited to the following:
 - a. The proposed use is appropriate in this area;
 - b. The development standards for permitted uses can be met by the proposed use;
 - c. The public need is served by the proposed use.

C. Conditional uses may be permitted as provided for in Chapter 16.66 of the Lacey Municipal Code.

D. Mini warehouse storage facilities are permitted subject to meeting the following performance standards:

- 1) No more than 5% of the total land within one CCD zoned area may be used for mini warehouse storage use;
- 2) A mini warehouse use shall not be located in any one CCD area until a minimum of 80% of such area has been built out with other primary retail and service uses.
- 3) The Mini warehouse activity shall enhance and not compromise pedestrian movement, convenience or functional pedestrian components within such CCD zoned area.
- 4) Any use within or connected to any individual mini warehouse unit other than the storage of personal or business items shall be prohibited. Such prohibited activity shall include but not be limited to operating an office or business, holding a garage sale or sales, selling items, manufacturing, equipment and vehicle repair and use as a staging area for business or development activity. Such restrictions shall also be set forth in protective covenants for the development and within the lease agreement with customers.
- 5) In addition to meeting the applicable design review requirements set forth in LMC chapter 14.23, the following additional design requirements shall be satisfied:
 - a) All portions of the buildings visible from a public right of way or private street shall be designed to appear as a retail or office building. In addition, a portion of the front facade of the mini warehouse structure shall be designed to incorporate a retail or office component. This should be able to be used as retail or office should the market be able to support a second use within the structure but may be used as the office to the complex. In any case, doors to mini warehouse units shall not be visible from the exterior of the complex or structure.
 - b) The mini warehouse complex/structure shall appear as a continuation of the retail uses within the zone. The design will follow established look and feel and any predominant theme established for the particular CCD zone designation provided existing development within the zone meets current Lacey design requirements of LMC chapter 14.23.
 - c) Outside storage of any kind including rental cars and trailers shall be prohibited;
 - d) Proposed design for a mini warehouse development which is superior to the design of existing uses established within the zoned area may be considered if it is complementary to existing uses and established themes and it improves the overall look, feel, or functionality of the zone as a whole. Such determination shall be made by the Director of Community Development;
 - e) Any mini warehouse use shall be considered a "secondary" or "accessory" use for the zone and shall not locate in a prominent location or otherwise dominate the public's view, or attention at the site.
 - f) In no case shall the mini warehouse be located on the fronting arterial providing access to the zone. Further, unless site parameters of the CCD designation make it impractical, the mini warehouse shall not be visible from the fronting arterial.;

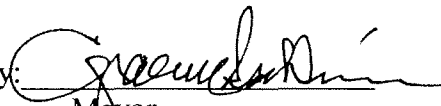
- g) To provide enhanced aesthetic treatment and screening / buffering from other uses and adjacent zones, the mini warehouse activity will be heavily landscaped beyond normal requirements, particularly in regard to rear and side yard treatment which may be adjacent to residential zones. Landscaping shall demonstrate consideration of sensitivity to adjacent uses and mitigation of impacts from this use.
- h) Particular design focus shall consider location of adjacent residential zones and full mitigation of typical impacts expected from mini warehouse use, including but not limited to the following:
 - (i) Lighting shall be shielded from adjacent residential zones and traffic circulation shall be designed to shield head lights, or mitigation techniques shall be utilized to shield light such as a wall, landscaped berm or dense landscaping;
 - (ii) Hours of operation shall be limited to protect adjacent existing or planned residential zones from disturbance during night time hours, or other mitigation such as a wall or landscaped berm shall demonstrate effective mitigation of noise impacts;
 - (iii) The scale and bulk shall be sensitive to adjacent residential use. If two story development is planned, heights shall be transitioned from single story on the outside edge of the project area with transition to two story on the interior. The distance required for transition and techniques for softening bulk/size shall be appropriate to the site and the design shall provide a scaled appearance compatible with adjacent development.

Section 2. The Summary attached hereto is hereby approved for publication.


PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this

17th day of December, 2009.

CITY COUNCIL

By: 
Mayor

Approved as to form:


City Attorney

Attest:


City Clerk

SUMMARY FOR PUBLICATION

ORDINANCE 1340

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on December 17, 2009, Ordinance No. 1340, entitled "AN ORDINANCE RELATING TO THE PLACEMENT OF SELF STORAGE OR MINI WAREHOUSE FACILITIES IN THE COMMUNITY COMMERCIAL DISTRICTS OF THE CITY, AMENDING SECTION 16.34.020 OF THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION."

The main points of the Ordinance are described as follows:

1. The Ordinance allows mini warehouse structures or complexes to be located within the Community Commercial Zoned areas of the City subject to listed restrictions on the percentage of land within such a zoned area which can be used for the purpose, design requirements and restrictions on the purpose and conduct of such use.
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: December 21, 2009.