

ORDINANCE NO. 1348

CITY OF LACEY

AN ORDINANCE RELATING TO THE LIGHT INDUSTRIAL ZONING DISTRICT OF THE CITY, AMENDING SECTIONS 16.40.010, 16.40.020, 16.40.030 AND 16.40.050 AND ADDING A NEW SECTION 16.40.052, ALL OF THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION.

WHEREAS, an application has been made requesting an amendment to portions of Chapter 16.40 of the Lacey Municipal Code which sets forth the regulations regarding the City's Light Industrial Zoning District, and

WHEREAS, the Planning Commission has reviewed said proposal and recommended to the City Council adoption of an ordinance amending several sections of said chapter,

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

Section 1. Section 16.40.010 of the Lacey Municipal Code is hereby amended to read as follows:

**16.40.010 Intent.** It is the intent of this chapter to:

- A. Provide for the development of areas in which certain types of light industrial activities may be located to promote job generation consistent with the Economic Development Element of the Lacey Comprehensive Land Use Plan;
- B. Implement the Policies of the Comprehensive Land Use Plan for light industrial areas in the Hawks Prairie Planning Area.
- C. Protect light industrial areas from other uses which may interfere with the purpose and efficient functioning of said areas;
- D. Protect adjacent areas from adverse or damaging impact of any kind emanating or resulting from activities in the light industrial areas;
- E. Provide criteria for the location and standards for the development of said areas.

- F. Prohibit uses which are not primarily conducted indoors, involve hazardous materials, or involve truck terminals or cross dock facilities and result in significant heavy truck traffic. These uses are generally considered heavy industrial uses under this title and are not appropriate for this designation.
- G. Recognize that an essential aspect of this zone is the need to create and maintain a quality of development that attracts further investment in the light industrial and surrounding zone districts. Consequently, the site activities and structures should be regulated within this zone including a design review element.
- H. Use design review to ensure that development is of a scale and look that is complementary to the rest of the zone and the surrounding area.
- I. Meet Lacey's goals for diversification of its industrial base and expansion of its employment base.

Section 2. Section 16.40.020 of the Lacey Municipal Code is hereby amended to read as follows:

**16.40.020 Permitted uses.**

A. Permitted Uses: Uses allowed within this zone are limited to those necessary for a healthy and vibrant employment zone that promote manufacturing activity and job generation. A use must meet the intent of the zone as stated in section 16.40.010 to be permitted. Types of uses that may be permitted in the light industrial district, subject to satisfying the intent of the zone, may include:

- 1. Light industrial activities involving the manufacture, assembly, repair, servicing of goods or products which can be performed with minimal adverse impact on, and pose no special hazard to, the environment and the community.

Such goods or products may include, but are not limited to:

- a. Mechanical, automotive, marine and contractors' or builders' equipment and supplies,
- b. Electrical and electronic equipment or products;

- 2. Light industrial activities involving the assembly of manufactured products and processing of materials.

Such products may include, but are not limited to:

- a. Sheet metal, cans, cable,
- b. Cloth, paper,
- c. Commercial bakery goods,
- d. Cosmetics,

- e. Dairy products, and other agricultural commodity and processing, except slaughtering, and except where such activities generate nuisance characteristics likely to impact surrounding properties.
  - f. Scientific, medical and precision instruments and equipment;
3. Other uses:
- a. Warehousing and distribution facilities and storage of equipment, commodities and products,
  - b. Laundry and dry cleaning plants,
  - c. Mineral extraction subject to Chapter 16.45 of the Lacey Municipal Code,
  - d. Living or residential quarters as an accessory use such as guards' quarters in large establishments where such quarters are customarily provided for security and/or insurability of the premises,
  - e. Firemen's sleeping quarters in fire houses;
4. Accessory uses clearly subordinate to, and an integral part of, the primary use of the property (e.g., plant cafeteria, recreation area);
5. Mail carrier services that predominantly utilize smaller trucks, such as US Mail facilities, United Parcel Service, Federal Express and other similar services.
6. Buildings in existence prior to January 1, 2010 that have a footprint larger than 500,000 square feet shall be considered in compliance with this section based upon mitigation under previous approvals.
- B. Similar Uses: Similar or related uses permitted, and criteria for determination of similarity or relatedness as follows:
- 1. Uses similar to, or related to, or compatible with those listed or described in Section 16.40.020.A of the Lacey Municipal Code are permitted upon a finding by the enforcing officer and/or the site plan review committee that a proposed use does not conflict with the intent of this chapter or the policies of the Comprehensive Land Use Plan;
  - 2. The criteria for such finding of similarity, etc., 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.
    - d. The use meets expectations of the Comprehensive Land Use Plan, Transportation Plan, and Economic Development Element.
- C. Conditional Uses Permitted:
- 1. Conditional uses may be considered as provided for in Chapter 16.66 of the Lacey Municipal Code.

2. For a conditional use to be approved it shall be demonstrated that the use would meet the goals of the Comprehensive Land Use Plan, the Transportation Plan, the Economic Development Element, and would promote job generation or other significant benefits to the Lacey community.
  3. As a conditional use the city may consider administrative offices or other facilities of governmental institutions. However, before the city approves such use, it must be demonstrated the use is complementary to adjacent light industrial uses, enhances the marketability of the light industrial zone and will not adversely impact the city's economic development strategies for the zone.
- D. On-site hazardous waste treatment and storage facilities as an accessory use: On-site hazardous waste treatment and storage facilities may be permitted as an accessory use to any activity generating hazardous waste and lawfully allowed in this zone, provided that such facilities meet the state siting criteria adopted pursuant to the requirements of Chapter 70.105.210 of the Revised Code of Washington.

Section 3. Section 16.40.030 of the Lacey Municipal Code is hereby amended to read as follows:

**16.40.030 Prohibited uses.** Uses other than those identified or described in Section 16.40.020 are prohibited, including but not limited to:

- A. All buildings with a footprint in excess of 500,000 square feet in size, except as provided in section 16.40.020 A 6.
- B. All uses or activities which would require extraordinary equipment, devices or technology for the control of odors, dust, fumes, smoke, noise or other wastes and/or by-products which, if uncontrolled, would contaminate the environment to a degree which would exceed the acceptable limits established by competent and recognized public and quasi-public agencies;
- C. Examples of prohibited uses are:
  1. Animal slaughtering,
  2. Care and/or sale of livestock, poultry or similar animals,
  3. Storage, manufacturing or sale of highly volatile or otherwise extremely hazardous substances or materials.
  4. Any heavy industrial activity including truck terminals, cross dock facilities or any structure designed for similar type use.

Section 4. Section 16.40.050 of the Lacey Municipal Code is hereby amended to read as follows:

**16.40.050 Site requirements.** Minimum site requirements shall be as follows:

- A. Lot area, twenty thousand square feet.
- B. Lot width, one hundred feet.
- C. Side yard setback, fifteen feet.
- D. Rear yard setback, twenty-five feet.
- E. Front yard setback, twenty feet.
- F. Maximum size of each building shall be a footprint of 200,000 square feet, provided, however, that such footprint may be as large as 500,000 square feet for those sites meeting the requirements of Section 16.40.052.
- G. Wherever there are multiple buildings on the same lot, a minimum separation distance, meeting the requirements of Lacey Municipal Code Section 14.23.083, shall be maintained between such buildings.
- H. When adjacent to a residential zoned property (LD 0-4, LD 3-6 MD or HD), or an Open Space Institutional zoned property (OSI), the minimum yard setback adjacent to the residential or Open Space Institutional zone shall be 50 feet.
- I. Truck bay doors and/or loading or unloading areas shall not face residential zoned property (LD-04, LD 3-6, MD or HD), if within 250 feet of said zones, unless separated by the placement of a building without bay doors and/or loading or unloading areas facing the residential zone.

Section 5. There is hereby added to the Lacey Municipal Code a new Section

16.40.052 to read as follows:

**16.40.052 Sites of 40 acres or more.** Master site plan review and binding site plan approval may be given for projects proposed to contain buildings with a footprint of more than 200,000 square feet but not exceeding 500,000 square feet when the following site standards have been met:

- The site consists of a parcel or contiguous parcels totaling a minimum of 40 acres.
- The master plan shall provide for a multiple building complex consisting of three (3) or more buildings.
- Access to the site shall be from a City of Lacey arterial street that does not pass through residential areas.
- When adjacent to a residential zone, a 100' natural treed buffer tract shall be established meeting the City of Lacey tree tract standards established in LMC 14.32.064 and 14.32.065 at the time of building construction.

- Buildings shall be consistent with the City of Lacey Industrial Design Review standards contained in LMC 14.23.083.
- Construction Pads for buildings with a footprint greater than 200,000 square feet shall be limited to 75% of the buildable area of the site.
- When a site is adjacent to a residential zone, the applicant shall be encouraged to meet with the adjacent homeowner association or neighborhood group to provide project and contact information to the residents.

Section 6. 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 10th day of

June, 2010.

CITY COUNCIL

By: Tom Nelson  
Mayor

Approved as to form:

[Signature]  
City Attorney

Attest:

Peri Edmonds, Deputy  
for City Clerk City Clerk

## SUMMARY FOR PUBLICATION

### ORDINANCE NO. 1348

#### CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on June 10, 2010, Ordinance No. 1348, entitled "AN ORDINANCE RELATING TO THE LIGHT INDUSTRIAL ZONING DISTRICT OF THE CITY, AMENDING SECTIONS 16.40.010, 16.40.020, 16.40.030 AND 16.40.050 AND ADDING A NEW SECTION 16.40.052, ALL OF THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION."

The main points of the Ordinance are described as follows:

1. The Ordinance modifies the regulations applicable to the Light Industrial Zoned Districts of the City.
2. The Ordinance provides that buildings in excess of the current limitation of a footprint of 200,000 square feet may be constructed on sites containing 40 acres or more if a Master Plan is approved meeting specific requirements set forth in the Ordinance. However, such buildings cannot exceed a footprint of 500,000 square feet.
3. Existing buildings which exceed a footprint of 500,000 square feet are declared to be in compliance with the regulations.
4. Truck bay doors and/or loading or unloading areas facing residentially zoned property shall be prohibited within 250 feet of the edge of the residentially zoned property unless those doors or areas are separated by buildings which do not contain such doors or loading or unloading areas facing the residential district.
5. 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: June 14, 2010.