

ORDINANCE NO. 1493

CITY OF LACEY

AN ORDINANCE RELATED TO THE CITY'S COMPREHENSIVE PLAN, APPROVING CHANGES TO SAID PLAN AND ZONING MAPS, AMENDING SECTIONS 16.03.015, 16.09.010, 16.15.020, 16.15.050, 16.18.020, 16.18.040, 16.41.010, 16.41.020, 16.41.030, 16.41.040, 16.41.050, 16.41.060, 16.41.070, AND 16.41.080 OF THE LACEY MUNICIPAL CODE, REPEALING CHAPTERS 16.20 AND 16.30 OF THE LACEY MUNICIPAL CODE, AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, pursuant to the Growth Management Act (GMA) as set forth in Chapter 36.70A RCW, the City may only amend the Comprehensive Plan once per year, and

WHEREAS, this annual amendment is intended to provide a coordinated review to ensure the various plan elements are consistent with each other, and

WHEREAS, this update will bring the city into compliance with the GMA's mandated 2016 update deadline, and

WHEREAS, the Planning Commission has reviewed, conducted a public hearing, and voted to forward to the Council its recommendation to adopt the 2016 Comprehensive Plan update, and

WHEREAS, the City Council finds that the adoption of said Plan will be in the public interest, and

WHEREAS, the owner of certain properties in the City have submitted an application to designate two parcels in NE Lacey from Business Park (BP) to Hawks Prairie Business District-Business Commercial (HPBD-BC), and

WHEREAS, the Planning Commission has reviewed, conducted a public hearing and recommends approval of such application, and

WHEREAS, the City Council finds that the approval of such application will be in the public interest, NOW, THEREFORE,

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

Section 1. That certain document entitled Land Use Element for the Lacey Urban Growth Area, attached hereto as Exhibit A, as the same may hereafter be amended by action of the City Council, is hereby adopted as the Land Use Element for the Lacey Urban Growth Area referenced in Section 16.03.015 of the Lacey Municipal Code as a portion of the Lacey Comprehensive Plan.

Section 2. That certain document entitled Environmental Element for the City of Lacey, attached hereto as Exhibit B, as the same may hereafter be amended by action of the City Council, is hereby adopted as the Environmental Element for the City of Lacey referenced in Section 16.03.015 of the Lacey Municipal Code as a portion of the Lacey Comprehensive Plan.

Section 3. That certain document entitled Economic Development Element, attached hereto as Exhibit C, as the same may hereafter be amended by action of the City Council, is hereby adopted as the Economic Development Element referenced in Section 16.03.015 of the Lacey Municipal Code as a portion of the Lacey Comprehensive Plan.

Section 4. That certain document entitled Housing Element, attached hereto as Exhibit D, as the same may hereafter be amended by action of the City Council, is hereby adopted as the Housing Element referenced in Section 16.03.015 of the Lacey Municipal Code as a portion of the Lacey Comprehensive Plan.

Section 5. That certain document entitled Utilities Element, attached hereto as Exhibit E, as the same may hereafter be amended by action of the City Council, is hereby adopted as Utilities Element referenced in Section 16.03.015 of the Lacey Municipal Code as a portion of the Lacey Comprehensive Plan.

Section 6. That certain document entitled 2030 Transportation Plan, attached hereto as Exhibit F, as the same may hereafter be amended by action of the City Council, is hereby re-adopted as the Transportation Plan referenced in Section 16.03.015 of the Lacey Municipal Code as a portion of the Lacey Comprehensive Plan, as part of Lacey's Growth Management Act mandated 2016 Comprehensive Plan Update.

Section 7. Section 16.03.015 of the Lacey Municipal Code is hereby amended to read as follows:

**Lacey Comprehensive Land Use Plan.**

That certain series of documents identified as ~~City of Lacey and Thurston County the~~ Land Use ~~Element Plan~~ for the Lacey Urban Growth Area, Housing Element for the City of Lacey and the Lacey Urban Growth Area, Environmental ~~Element Protection and Resource Conservation Plan~~ for the City of Lacey, City of Lacey Transportation Plan, City of Lacey Capital Facilities Plan, Utilities Element for the Lacey Comprehensive Plan, Comprehensive Plan for Outdoor Recreation, City of Lacey Water System Comprehensive Plan Update 2013, City of Lacey Wastewater Comprehensive Plan, Lacey Urban Forest Management Plan, City of Lacey Woodland District Strategic Plan, City of Lacey Stormwater Comprehensive Plan, and Economic Development Element for the City of Lacey together with the Comprehensive Plan Downtown Element as supplemented by the City of Lacey Woodland District Guidelines and the Northeast Area Plan constitutes the Lacey Comprehensive Plan and all regulatory and

zoning ordinances of the city shall be construed to be consistent with said plan as adopted or hereafter amended.

**Section 8.** Section 16.09.010 of the Lacey Municipal Code is hereby amended to read as follows:

**Land use or zoning districts established.**

To carry out the purpose of this title, the city is divided into the following districts: Agricultural, McAllister Springs Geologically Sensitive Area Residential District, Low-Density Residential 0-4, Low Density Residential 3-6, Lacey Historical Neighborhood, Moderate-Density Residential ~~6-12~~, High-Density Residential ~~6-20~~, Mixed Use Moderate Density Corridor, Mixed Use High Density Corridor, Hawks Prairie District, Village Center, Neighborhood Commercial, Community Commercial, General Commercial, Central Business Districts 4-7, Saint Martin's University, Woodland District, Community Office ~~Commercial~~, Light Industrial/Commercial, Business Park, Light Industrial, Industrial, Mineral Extraction, Open Space/Institutional, Cemetery, Environmentally Sensitive Areas (overlay), Limited Zone (overlay), Planned Industrial Park Development (overlay).

**Section 9.** Section 16.15.020 of the Lacey Municipal Code is hereby amended to read as follows:

**Types of uses permitted.**

A. Specific Types Permitted in the Moderate-Density Residential District.

1. Any residential use with a density of at least six-eight but not greater than twelve sixteen units per acre and any additional bonus density that might be applicable. All parcels over ten acres in size shall provide a mix of housing types with no less than fifty percent of the units designated for multifamily use. The required mix should be integrated throughout

the entire site as much as possible. All residential structures are subject to the design criteria established in Chapter 14.23 LMC that is applicable to the particular type of residential use.

2. Housing for people with functional disabilities.

B. Other or Related Uses Permitted.

1. Accessory buildings or structures clearly incidental to the residential use of the lot, such as storage of personal property (including boats, recreational vehicles, etc.), or for the pursuit of avocational interests; or structures designed for and related to recreational needs of the residents of a residential complex. All such buildings or structures over sixteen feet in height shall comply with the design requirements of LMC 14.23.071;

2. Home occupations as provided in Chapter 16.69 LMC;

3. Accessory dwelling as defined in LMC 16.06.055;

4. Conditional uses as provided in Chapter 16.66 LMC;

5. The keeping of common household animals or pets is permitted; provided, that their keeping does not constitute a nuisance or hazard to the peace, health and welfare of the community in general and neighbors in particular;

6. Urban agricultural uses as provided for and limited under Chapter 16.21 LMC;

7. Family day care homes as provided in Chapter 16.65 LMC.

Section 10. Section 16.15.050 of the Lacey Municipal Code is hereby amended to read as follows:

**Lot area.**

A. The size and shape of lots for detached single-family shall be as follows, provided they adhere to the density requirements:

1. Minimum lot area, three thousand square feet where alleys are utilized, four thousand square feet if alleys are not provided.

2. Minimum lot width, thirty feet when alleys are utilized, forty feet where alleys are not provided. Minimum lot width and street frontage for infill lots designed for construction of a single-family residence shall be thirty feet when alleys are utilized and forty feet when alleys are not utilized. Infill lots to be used for duplexes or other multifamily uses shall have a minimum lot width and street frontage of fifty feet.

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.

Garages facing the street, twenty feet.

On front yard flanking streets, ten feet.

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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 additional standards and design:

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, fifteen 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, condominiums and multifamily shall be reviewed and approved through a subdivision, townhouse, PRD, site plan review, or building plan review process where such concept is identified and the project is designed and conditioned subject to design requirements of Chapter 14.23 LMC.

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 provisions 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 four thousand and ten thousand eight hundred ninety square feet.

4. Excluding the reserve parcel, clustered lots must meet density requirements of LMC 16.15.020.

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 useable. 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 three-thousand-square-foot lot would require a contiguous open space of at least three hundred square feet, or fifteen feet by twenty feet in area for a standard dimension, or ten feet by thirty 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.



For townhouse developments, refer to LMC 14.23.080 and 16.61.040.

For multifamily developments, refer to LMC 14.23.080. (See Tables 16T-77, 16T-78, and 16T-79.)

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, seventy-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:

40 feet.

~~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.~~

~~Townhouse and multi-family buildings, thirty feet; thirty-five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.~~

~~An accessory building is permitted a height of sixteen feet, provided accessory buildings within an apartment complex and designed with a green roof occupying at least fifty percent of the area of the roof can be up to the height of the main structure.~~

Accessory structures over sixteen feet in height are subject to design review requirements. Design shall demonstrate a compatibility with the primary structure and shall not dominate the site visually.

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, ten feet.

Side yard, five feet.

Rear yard, three feet.

Section 11. Section 16.18.020 of the Lacey Municipal Code is hereby amended to read as follows:

**Permitted uses.**

A. Specific types permitted in the high-density residential district:

Any residential use with a density of at least ~~six~~ twelve units per acre ~~but not greater than twenty units per acre and any additional bonus density that might be applicable~~. All parcels over ten acres in size shall provide a mix of housing types with no less than fifty percent of the units designated for multifamily use. The required mix should be integrated throughout the entire site as much as possible. All residential structures are subject to the design criteria established in Chapter 14.23 LMC that is applicable to the particular type of residential use.

B. Other or related uses permitted:

1. Accessory buildings or structures clearly incidental to the residential use of the lot, such as storage of personal property (including boats, recreational vehicles, etc.), or for the pursuit of avocational interests; or structures designed for and related to recreational needs of the residents of a residential complex. All such buildings or structures over sixteen feet in height shall comply with the design requirements of LMC 14.23.071;

2. Home occupations as provided in Chapter 16.69 LMC;
3. Accessory dwelling as defined in LMC 16.06.055;
4. Conditional uses as provided in Chapter 16.66 LMC;
5. The keeping of common household animals or pets is permitted; provided, that their keeping does not constitute a nuisance or hazard to the peace, health and welfare of the community in general and neighbors in particular;
6. Urban agricultural uses as provided for and limited under Chapter 16.21 LMC;
7. Family day care homes as provided in Chapter 16.65 LMC.

Section 12. Section 16.18.040 of the Lacey Municipal Code is hereby amended to read as follows:

**Lot area.**

- A. The size and shape of single-family detached lots shall be as follows:
  1. Minimum lot area, two thousand square feet where alleys are utilized, three thousand five hundred square feet if alleys are not provided.
  2. Minimum lot width, thirty feet when alleys are utilized, forty feet if alleys are not provided. Minimum lot width and street frontage for infill lots designed for construction of a single family residence shall be thirty feet when alleys are utilized and forty feet when alleys are not utilized. Infill lots to be used for duplexes or other multi-family uses shall have a minimum lot width and street frontage of fifty feet.
  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, providing more convenient opportunities for offsetting windows for privacy of individual homes or other desired design outcomes.

Garages facing the street, twenty 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 additional standards and design;

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, fifteen 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, condominium and multi-family shall be reviewed and approved through a subdivision, townhouse, planned residential development, site plan review or building plan review process where such concepts are identified and the project is designed and conditioned subject to design requirements of Chapter 14.23 LMC.

C. Other lot standards for all uses:

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 useable. 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 twenty-five hundred square foot lot would require a contiguous open space of at least two hundred fifty square feet, or approximately fifteen feet by seventeen feet in area for a standard dimension, or ten feet by twenty-five feet if the dimension is reduced and design features added.

Such open space shall not be located within the front yard, except for those undeveloped lots vested prior to May 15, 2008.

For duplexes and triplexes, each dwelling unit must have direct access to its own usable open space.

Up to twenty-five percent of the homes in a subdivision in the HDR zone can meet the ten percent usable open space requirement by providing a ten-foot-wide side yard in a zero lot

line or reciprocal use easement configuration per LMC 14.32.072(L) for the length of the lot provided the subject house is only single-story in height.

For townhouse developments, refer to LMC 14.23.080 and 16.61.040.

For multi-family developments, refer to LMC 14.23.080. (See Tables 16T-80, 16T-81, and 16T-82.)

2. Maximum building 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, eighty-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 of buildings:

Eighty feet, provided the following apply where building height is greater than 40 feet and within 80 feet of an existing single-family residence (measured from the foundation walls) and not separated by a street or alley:

a. A 15-foot buffer of Type I landscaping is required between the building wall and any abutting single-family residential property line and shall include a 6' sight obscuring wall of fence.

b. Buildings over 40 feet shall step back one foot for each one foot of additional building height above 40 feet.

c. Upper-story balconies facing existing single-family residential uses on buildings exceeding 40 feet shall be constructed with opaque sides a minimum of 42 inches high.

Accessory structures over sixteen feet in height are subject to design review requirements. Design shall demonstrate a compatibility with the primary structure and shall not dominate the site visually.

~~Main building and accessory dwelling, thirty five feet; forty five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.~~

~~Accessory building, sixteen feet;~~

~~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, ten feet.

Side yard, three feet.

Section 13. Chapter 16.20 of the Lacey Municipal Code is hereby repealed.

Section 14. Chapter 16.30 of the Lacey Municipal Code is hereby repealed.

Section 15. Section 16.41.010 of the Lacey Municipal Code is hereby amended to read as follows:

**Intent.**

It is the intent of this chapter to:

A. Provide an environment ~~exclusively for and~~ conducive to a broad range of office users including the development and protection of a broad range of business park activities including modern, administrative facilities, research institutions, professional offices, and medical uses and specialized manufacturing organizations, all of a non- nuisance type under

~~controls to protect the nearby uses of land and to encourage comprehensive planning of the entire site within a campus-type setting;~~

~~B. Provide the opportunity for specialized manufacturing operations, subject to appropriate controls, to protect nearby land uses;~~

~~C. Allow for a broad range of complementary uses including multi-family residential, limited retail uses, and commercial recreation uses;~~

~~D. Retail uses in this zone shall be limited because of the Community Office's proximity to zoning districts that provide retail services.~~

~~E. Provide development standards to enhance the compatibility of the District adjacent to commercial or residential areas.~~

~~B.— Provide the opportunity for the development of business parks to be planned and coordinated for the site as a whole;~~

~~C.— Provide standards for business park development in order to create quality development compatible with surrounding areas and to be particularly attractive to research and development and less intense assembly and manufacturing industries;~~

~~D.— Provide development controls for nuisance-creating features such as noise, dirt, odor, vibration, air and water pollution, traffic circulation, open space and landscaping requirements;~~

~~E.— Ensure that business park development will be reviewed for consistency with the following guidelines:~~

~~1.— All uses must be served by sewer unless alternate means of treatment are identified as acceptable by the LOTT Phase 2 Study.~~



~~2.— Uses which would generate extensive truck traffic through residential areas will not be allowed.~~

~~3.— Uses which would create a risk of hazardous waste spills must provide hazardous waste containment provisions that meet health and environmental regulations to prevent air, ground and surface water contamination.~~

~~4.— The development may be required to participate in off-site improvements to the road network.~~

~~5.— The development may be required to utilize alternate truck routes.~~

Section 16. Section 16.41.020 of the Lacey Municipal Code is hereby amended to read as follows:

**Permitted uses.**

~~A.— Primary Uses. Primary uses permitted in the business park district provide a broad range of activities including research institutions and light assembly and light manufacturing facilities. Specific primary types of uses allowable include:~~

1A. Assembly, manufacture, packaging, compounding or treatment of articles or merchandise from the following previously prepared materials: cloth, glass, lacquer, leather, paper, plastics, precious or semi-precious metals or stones, wood (excluding sawmills, lumber mills and planing mills), paint, clay, sand, rubber;

2B. Printing, publishing and book binding;

3C. Manufacturing, processing and packaging of food, pharmaceuticals, toiletries, cosmetics, optical goods, scientific instruments and equipment, and precision instruments and equipment;

4D. Scientific research, testing and experimental development laboratories;

~~5E.~~ Corporate headquarters, regional headquarters and administrative offices of commercial, industrial, financial, or charitable institutions; ~~limited to five thousand square feet or more in floor area. Such uses shall be limited collectively to occupying no more than fifty percent of the developable floor area of each business park zone.~~

~~B. Secondary Uses. Secondary uses are uses that complement the primary uses, but do not conflict with the primary use. Secondary uses cannot be used to justify the need for additional secondary uses. Specific secondary types of uses allowable include:~~

~~4F.~~ Warehousing and distribution facilities and the storage of goods or products clearly subordinate to, and an integral part of, the primary permitted use. Such warehousing and distribution facilities shall meet the definition of accessory use in LMC 16.06.070;

~~2. Engineering, development, administrative or executive offices which are part of a primary use;~~

G. Professional Services. The following professional service uses are allowed:

1. Offices and clinics for businesses such as medical, dental, chiropractic, optical, etc;

2. Professional offices offering direct business or professional services to consumer/clients, including but not limited to: real estate and security agents and brokers, accountants, attorneys, engineers, planners, architects, financial planners, travel agencies, etc;

H. Daycare centers'

I. Indoor commercial recreation facilities such as indoor soccer, ice skating, playgrounds, athletic clubs, and gymnasiums provided that any use exceeding 10,000 square feet requires approval of a Conditional Use Permit as provided in Chapter 16.66 LMC.

J. Retail uses are permitted only on the ground floor of multi-story buildings where the upper floors are used for office and/or residential uses;

K. Long-term residential care facilities for elderly individuals including assisted living facilities, memory care, continuing care retirement communities, and skilled nursing facilities;

~~3.—Retail. Retail development may be permitted where it can be demonstrated that the business park will be clearly and primarily benefited by the convenience of such retail facilities. The total square footage devoted to retail development shall not exceed ten percent of the developable floor area of the business park district. Except as provided below for day care centers, the total square footage of a retail use may not exceed five thousand square feet or, if incorporated within a building containing other uses, the square footage may not exceed twenty five percent of the building gross floor area, and an individual retail use may not exceed five thousand square feet. A building containing a retail use may not be located closer than one hundred feet to an arterial street or four hundred feet if the retail use stands alone.~~

~~Signs for retail uses shall be visible only within the business park area and attached to the building wall. Retail uses include:~~

- ~~a.—Convenience stores, such as food and drug stores, banks and office supplies,~~
- ~~b.—Personal services such as barber and beauty shops, dry cleaning, laundry,~~
- ~~c.—Business services, such as printing and copying, photo processing, postal/mail, word processing, travel agencies,~~
- ~~d.—Delicatessen,~~
- ~~e.—Restaurants, except drive-ins,~~

~~f.—Recreation facilities, (exceptions: mechanical or electronic games, theaters (live and movie) and games of skill such as bowling),~~

~~g.—Day care centers not exceeding 10,000 square feet,~~

~~h.—Museums and art galleries;~~

~~4.—Professional Services. The following professional service uses are allowed:~~

~~a.—Offices and clinics for businesses such as medical, dental, chiropractic, optical, etc.;~~

~~b.—Professional offices offering direct business or professional services to consumer/clients, including but not limited to: real estate and security agents and brokers, accountants, attorneys, engineers, planners, architects, etc.~~

~~The total square footage devoted to professional service activities shall not exceed fifteen percent of the developable floor area of the business park district.~~

~~5.—Multi-family Residential. Fifteen percent of the total acreage of a business park district may be developed with multi-family residential units for the purposes of providing a transition buffer.~~

~~L. Multi-family residential subject to the standards of developments will be reviewed and designed using the following sections of this chapter and Chapter 16.18 LMC hHigh dDensity rResidential dDistrict;~~

~~a.—LMC 16.41.050(G) Transitional Buffer,~~

~~b.—LMC 16.41.050(H) Height Limitation,~~

~~c.—LMC 16.41.070 Landscaping,~~

~~d.—LMC 16.18.020 Permitted Uses,~~

~~e.—LMC 16.18.030 Environmental Performance Standards,~~

~~f. LMC 16.18.040(A) through (G) Lot Area, and~~

~~g. LMC 16.18.050 Off Street Parking.~~

~~6M.~~ Urban agricultural uses as provided for and limited under Chapter 16.21 LMC;

~~EN.~~ Similar, related or compatible uses permitted, and criteria for determination of similarity, relatedness or compatibility, include:

1. Uses similar to, or related to, or compatible with those listed or described in LMC 16.41.020(A) and (B) are permitted upon a finding by the site plan review committee that a proposed use does not conflict with the intent of this chapter or the policies of the Lacey ~~development p~~ Comprehensive 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.

~~DO.~~ Special Conditional uses may be permitted as provided for in Chapter 16.66 LMC.

~~Conditional use t~~The city may consider administrative offices of governmental institutions as a conditional use. However, before the city approves such use, it must be demonstrated the use is complementary to adjacent ~~business park~~ uses, enhances the marketability of the ~~business park~~ Community Office zone and will not adversely impact the city's economic development strategies for the zone.

Section 17. Section 16.41.030 of the Lacey Municipal Code is hereby amended to read as follows:

**Prohibited uses.**

Uses other than those identified or described in LMC 16.41.020 are prohibited, including but not limited to:

A. 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 byproducts which, if uncontrolled, would contaminate the environment to a degree unacceptable by contemporary community standards; or which would exceed the acceptable limits established by competent and recognized public and quasi-public agencies for the protection of industrial and/or environmental health.

B. Examples of prohibited uses are:

1. Uses which would generate extensive heavy truck traffic;
2. Warehouse/distribution facilities meeting the definition of primary use under

LMC 16.06.660 when not related to a permitted use;

3. Gasoline outlets.

Section 18. Section 16.41.050 of the Lacey Municipal Code is hereby amended to read as follows:

**Site requirements.**

Minimum requirements shall be as follows:

A. Minimum lot size. The lot size shall be sufficient to accommodate the use(s) and requirements of the Lacey Municipal Code and Development Guidelines and Public Works Standards~~site acreage, ten acres;~~

~~B. Lot area, twenty thousand square feet;~~

~~C. Lot depth, two hundred feet;~~

~~D. Lot width, one hundred feet;~~

~~E. Maximum building coverage .4 FAR;~~

~~FB. Setbacks: Yards:~~

~~1. Front Yard. The front yard shall be a minimum of forty-five-fifteen feet. In cases where no parking or service occurs between the face of the building and the street, the front yard may be reduced to thirty feet. In addition to the setback reduction for location of parking and service areas out of the front yard the setback may be further reduced to fifteen feet if a pedestrian plaza is developed.~~

~~2. Yard area on Flanking Street or Corner Lot. The yard area on a corner lot shall be the same as the front yard under LMC 16.41.050(~~FB~~)(1) including all permitted reductions.~~

~~3. Side Yards. The side yards shall be a minimum of fifteen feet.~~

~~4. Rear Yards. The rear yards shall be a minimum of fifteen feet. Streets. Along all arterial streets there shall be a minimum setback of thirty-five feet.~~

~~5. Setbacks required by this section may be waived by the site plan review committee pursuant to the policies of this chapter. Rear Yards. None required except as a transition buffer to residential uses.~~

~~GC. Transitional Buffer. When adjacent to residential zones (LD 0-4, LD 3-6, MD, or HD) and where parking areas, truck bay doors and or loading or unloading areas face the residential use, a yard of not less than fifty feet shall be provided. Where placement of a building without bay doors and/or loading or unloading areas face the residential zone, standard yard requirements apply provided that the requirements of LMC 16.80.050(B) are~~

~~met for Type I landscaping. Transitional buffer shall exist when a nonresidential use in the business park adjoins residential development. A yard of not less than fifty feet shall be provided. The yard shall be landscaped with Type II landscape.~~

H. Height Limitation. Building heights are limited to ~~four stories or~~ sixty feet. ~~Provided, however, that when a building exceeds two stories or thirty five feet there shall be added one additional foot of yard setback on all sides for each one foot of additional building height.~~

Section 19. Section 16.41.060 of the Lacey Municipal Code is hereby amended to read as follows:

**Off-street parking and loading.**

Off-street parking shall be provided in accordance with Chapter 16.72 LMC.

~~The number of parking spaces required are found in Table 16 T-13. Parking areas shall be designed according to the requirements in LMC 16.72.050.~~

~~The number of loading spaces required are found in Chapter 16.72 LMC.~~

Section 20. Section 16.41.070 of the Lacey Municipal Code is hereby amended to read as follows:

**Landscaping.**

All requirements of Chapter 16.80 LMC shall be satisfied.

~~A.—General.~~

~~All requirements of Chapter 16.80 LMC shall be satisfied except as those requirements may be in conflict with the specific landscaping requirements for the Business Park Zone set forth in subsection B of this section.~~

~~B.—Landscape Area Requirements specific to the Business Park District.~~



~~1.— Front Yard. The front twenty feet shall be improved with permanent Type III landscaping. All ground cover to be sod in this yard.~~

~~2.— Side Yard. At least ten feet of each side yard shall be improved with permanent Type III landscaping. Where property lines are located at the centerline of a driveway, the required landscaping shall be placed adjacent to the building face. In no case shall this area be less than the minimum required. Where property lines pass through a building, the minimum landscaped area shall be located elsewhere. All landscape areas are to be located on that lot.~~

~~3.— Building Wall Landscaping. Except at service yards, storage yards and loading dock faces there shall be a ten foot landscape area adjacent to the building walls. This area may be counted as landscaping. In no case shall it be counted as the minimum area for displaced property line landscaping.~~

~~4.— Parking Lot Landscaping. Provide a minimum of one, five foot by twenty foot landscape island within the parking area for each ten cars. Provide a five foot by twenty foot island at the end of each row of parking stalls. Provide Type V landscaping.~~

~~5.— Storage Yards. Provide Type I landscaping on all sides except as noted.~~

~~6.— Service Yards and Loading Docks. Where loading docks and service doors are visible to the street, provide a Type II landscape screen.~~

~~7.— All portions of lots not developed with buildings or paving shall be landscaped with a minimum Type IV landscaping.~~

~~8.— Enclosure of Activities. Predominant activities and operations shall be completely enclosed within buildings or structures, except for customary appurtenances, such as loading and unloading areas. The site plan review committee shall be authorized to determine the~~

~~reasonable application of this provision in cases of operational hardship or other showing of uncommon circumstances when reviewing outdoor crane or lift operations.~~

~~9.— Outside Storage or Operations Yard. Outside storage or operations yards shall be confined to the area to the rear of the principal building or the rear two-thirds of the property, and screened from view from any property line by appropriate masonry walls, wood fencing, earth mounds, and landscaping. Outside storage exceeding a height of fifteen feet shall be so placed on the property as to not detract from the reasonable accepted appearance of the district.~~

~~10.— Loading Areas. Loading areas must be located in such a manner that no loading, unloading and/or maneuvering of trucks associated therewith takes place on public rights-of-way. A forty-five foot clear area is to be provided in front of all drive-in doors. A one-hundred foot apron with a maneuvering hammer head is to be provided at all dock height doors. In no case when a vehicle is parked in the loading/unloading position adjacent to the building shall it block the movement of other vehicles.~~

~~11.— Improvement and Maintenance of Yards and Open Space. All required yards, parking areas, storage areas, operations yards, and other open uses on the site shall be maintained in a neat orderly manner appropriate for the district at all times. The city shall be authorized to reasonably pursue the enforcement of these provisions where a use is in violation, and to notify the owner or operator of the use, in writing, of such noncompliance. The property owner or operator of the use shall be given a reasonable length of time to correct the condition.~~

Section 21. Section 16.41.080 of the Lacey Municipal Code is hereby amended to read as follows:

**Stormwater runoff.**

Stormwater management is required and shall comply with the current City of Lacey Stormwater Design Manual and All stormwater runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the city and shall be subject to its review and approval, and shall moreover, comply Chapter 15.22 LMC pertaining to community facilities.

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

Section 22. The zoning designations shown on the Comprehensive Plan and Land Use Maps of the City for those properties shown on Exhibit G, attached hereto, are hereby changed from their current designations of Business Park to Hawks Prairie Business District-Business Commercial.

Section 23. After the required modifications are made to the Comprehensive Plan and Land Use Maps of the City pursuant to the direction of Section 21, said Maps shall be designated as “Revised 2016” and identified by the approving signatures of the Mayor and City Clerk.

Section 24. 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 25. 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 26. 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 11<sup>th</sup> day of  
August, 2016.

CITY COUNCIL

By:   
Mayor

Approved as to form:

  
City Attorney

Attest:

  
City Clerk

SUMMARY FOR PUBLICATION  
ORDINANCE NO 1493  
CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on August 11, 2016, Ordinance No. 1493, entitled “AN ORDINANCE RELATED TO THE CITY’S COMPREHENSIVE PLAN, APPROVING CHANGES TO SAID PLAN AND ZONING MAPS, AMENDING SECTIONS 16.03.015, 16.09.010, 16.15.020, 16.15.050, 16.18.020, 16.18.040, 16.41.010, 16.41.020, 16.41.030, 16.41.040, 16.41.050, 16.41.060, 16.41.070, AND 16.41.080 OF THE LACEY MUNICIPAL CODE, REPEALING CHAPTERS 16.20 AND 16.30 OF THE LACEY MUNICIPAL CODE, AND APPROVING A SUMMARY FOR PUBLICATION.”

The main points of the Ordinance are described as follows:

1. The Ordinance adopts the documents entitled Land Use Element for the Lacey Urban Growth Area, Environmental Element for the City of Lacey, Economic Development Element, Housing Element, and Utilities Element as the documents of the same names referenced in LMC 16.03.015.
2. The Ordinance amends sections 16.03.015, 16.09.110, 16.15.020, 16.15.050, 16.18.020, 16.18.040, 16.41.010, 16.41.020, 16.41.030, 16.41.040, 16.41.050, 16.41.060, 16.41.70, and 16.41.080 of the Lacey Municipal Code.
3. The Ordinance repeals Chapters 16.20 and 16.30 of the Lacey Municipal Code.
4. The Ordinance changes the zoning designation for two properties on Britton Parkway NE.
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: August 15, 2016.