

ORDINANCE NO. 1539

CITY OF LACEY

AN ORDINANCE RELATED TO BUILDING, CONSTRUCTION AND ZONING CODES, REPEALING CHAPTERS 16.42 AND 16.51 AND SECTIONS 16.06.671, 16.06.674, AND 16.84.110 AND TABLES 14T-08, 14T-09, AND 16T-05, AND ADDING SECTIONS 16.03.045, 16.03.080, 16.04.085, 16.06.142, 16.06.258, 16.06.278, 16.06.312, 16.06.325, 16.06.352, 16.06.375, 16.06.567, 16.06.622, 16.06.679, AND 16.72.025, AND AMENDING SECTIONS 14.02.010, 14.02.030, 14.04.015, 14.17.020, 14.23.020, 14.23.035, 14.23.040, 14.23.050, 14.23.060, 14.23.070, 14.23.071, 14.23.072, 14.23.073, 14.23.074, 14.23.080, 14.23.082, 14.23.084, 14.23.086, 14.24.030, 14.32.030, 14.32.060, 14.40.040, 14.40.060, 2.30.120, 16.03.015, 16.03.016, 16.03.030, 16.03.050, 16.03.055, 16.03.070, 16.06.095, 16.06.260, 16.06.280, 16.06.310, 16.06.374, 16.06.390, 16.06.374, 16.06.390, 16.06.496B, 16.06.532, 16.06.626, 16.06.767, 16.06.800, 16.09.020, 16.09.050, 16.14.020, 16.14.090, 16.15.050, 16.15.070, 16.18.020, 16.18.040, 16.18.070, 16.21.014, 16.21.020, 16.23.020, 16.23.024, 16.23.025, 16.24.020, 16.24.030, 16.24.040, 16.24.050, 16.24.070, 16.24.090, 16.24.110, 16.25.020, 16.25.030, 16.25.090, 16.27.020, 16.27.060, 16.34.020, 16.36.020, 16.37.070, 16.39.020, 16.40.010, 16.40.020, 16.41.010, 16.43.020, 16.43.110, 16.44.050, 16.44.060, 16.53.080, 16.57.060, 16.59.020, 16.59.050, 16.60.030, 16.63.030, 16.63.050, 16.63.120, 16.63.160, 16.64.020, 16.64.030, 16.64.040, 16.64.080, 16.65.110, 16.65.020, 16.65.030, 16.66.080, 16.67.040, 16.68.025, 16.70.020, 16.70.040, 16.70.060, 16.72.020, 16.72.040, 16.72.050, 16.73.035, 16.75.040, 16.75.070, 16.75.080, 16.75.090, 16.75.100, 16.80.050, 16.80.080, 16.80.090, 16.82.020, 16.84.010, 16.84.080, AND 16.96.010 ALL OF THE LACEY MUNICIPAL CODE, AND AMENDING SECTION 1B.050 OF THE CITY'S DEVELOPMENT GUIDELINES AND PUBLIC WORKS STANDARDS AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, the Washington State Growth Management Act (GMA), Revised Code of Washington 36.70A, requires cities to conduct a periodic review of development regulations to bring them up to date with any relevant changes in the GMA, land use and population growth and to be consistent with adopted comprehensive plans, and

WHEREAS, the City of Lacey Planning Commission has been in the process of reviewing amendments to the City's development regulations since 2016, and

WHEREAS, the Planning Commission conducted a public hearing on November 20, 2018 and subsequently voted to recommend adoption of the proposed amendments, and

WHEREAS, the City Council finds the proposed amendments to be in the public interest.

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

Section 1. Section 14.02.010 of the Lacey Municipal Code is hereby amended as follows:

**14.02.010 General.**

All properties containing five or more dwelling units in the same complex which for payment of money, goods and/or services, are rented or leased to any individual or group of individuals shall be registered annually with the community and economic development department. All new buildings within such complexes shall be registered during the final inspection or certificate of occupancy process. All existing buildings or building complexes containing five or more dwelling units shall be registered with the city within thirty days after notification by the city to the building owner or property manager following enactment of Chapter 14.02 LMC and prior to January 31, of each year thereafter.

Section 2. Section 14.02.030 of the Lacey Municipal Code is hereby amended as follows:

**14.02.030 Registration information.**

A. In order to register residential rental buildings, the following information shall be provided to the Community and Economic Development Department:

1. The address of the residence of the owner, or corporation officers, if a corporation;
2. The address where the owner will receive mail;
3. The owner's telephone number;
4. The address of each residential rental property owned, with the City of Lacey;
5. List the number of dwelling units at each rental address, with the gross floor area of each unit, and number and floor area, excluding closet space of each bedroom within the unit;
6. Whether a tenant-screening agency is being used;
7. Telephone number of the on site manager, and if applicable

8. Telephone number of the security agency.

B. In addition to the information required by LMC 14.02.030(A), each owner whose principal place of residence is outside a fifty mile radius measured from the Lacey City Hall, at 420 College Street S.E., shall provide the following information;

1. The name of one local agent for each property;
2. The address where the local agent will receive mail; and
3. The local agent's telephone number.

All of the above information shall be submitted to the Community and Economic Development Department on forms provided for that purpose.

Section 3. Section 14.04.015 of the Lacey Municipal Code is hereby amended as follows:

**14.04.015 Amendments—Addition.**

The following sections of the International Building Code as adopted in LMC 14.04.010 are amended to read as follows:

Section 101.1 These regulations shall be known as the Building Code of the City of Lacey, Washington, hereinafter referred to as “this code.”

Section 101.4.3 Plumbing.

The provisions of the City of Lacey Plumbing Code as adopted by Lacey Municipal Code Chapter 14.06 shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the State of Washington requirements for private sewage disposal shall apply to private sewage disposal systems.

Section 101.4.4 Property Maintenance.

The provisions of the City of Lacey Property Maintenance Code adopted by Lacey Municipal Code Chapter 14.16 shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards, responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

Section 101.4.6 Energy.

The provisions of the State of Washington Energy Code adopted by Lacey Municipal Code Chapter 14.09 shall apply to all matters governing the design and construction of buildings for energy efficiency.

Section 101.4.7 Electrical.

The provisions of the City of Lacey Electrical Code as adopted in Lacey Municipal Code Chapter 14.13 shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

Section 104.1 General, is amended to read:

The building official is hereby authorized and directed to enforce the provisions of this code, including any requirements or regulations imposed on a project as a condition of a land use approval process, as those conditions relate to permit issuance as required in Section 105.3 and issuance of a certificate of occupancy as required in Section 111.2. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

Enforcement.

Recognizing the authority and responsibility vested in the building official under the codes adopted by this title, the building official is authorized to promulgate such rules, policies and/or procedures as deemed necessary to carry out the intent of this title and provide for the efficient operation of the permit process as it may be administered by the building official and staff. The building official is also authorized to enforce the provisions of this title. As part of such enforcement activities, the building official may, from time to time, record with the county auditor's office notices of building permit for land use violations or notices and orders as specified within the city's dangerous buildings code where said site has not been brought into compliance despite reasonable efforts included by the city.

Section 105.2, item 2 is amended to read:

Fences not over 7 feet (2134 mm) high, except fencing regulated by Section 419, subsection 3, Fencing.

Section 105.2, item 4 is amended to read:

Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, provided the wall is set back from any adjacent property lines or structures a distance at least equal to the height of the wall and the material retained slopes 1 vertical to 2 horizontal (or less) up and away from the wall unless supporting a surcharge or impounding Class I, II or IIIA liquids.

Section 105.2, item 11 is amended to read:

Swings and other playground equipment (accessory to detached one and two-family dwellings).

105.3.1 Action on application, is amended to read:

The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing.

If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto as required in Section 105.3.1.1 and that the fees specified have been paid, the building official shall issue a permit therefor as soon as practicable.

105.3.1.1 Prerequisites for issuance of permit:

The building official shall determine whether the following requirements have been met prior to issuance of a permit:

1. Any requirements or regulations imposed on a project as a condition of a land use approval process;
2. The Site Plan Review Committee has approved the site plan;
3. The landscaping plans have been approved;
4. The required fire apparatus access roads are installed and approved;
5. Water supplies for fire protection are installed and made serviceable;
6. Address(es) are assigned in accordance with LMC 12.04;

7. Plans for the construction of sidewalks; or sidewalks, curbs and gutters have been submitted to the department of public works;

8. Public works construction improvements are completed, or a performance bond is posted with the city;

9. If direct traffic mitigation is required, approved financial security is posted with the city;

10. Any transportation mitigation fees are paid;

11. Approval of design review as required by Lacey Municipal Code Chapter 14.23;

12. Compliance with the state environmental policy act, as adopted by Lacey Municipal Code Chapter 14.24;

13. Compliance with the flood management requirements as adopted by Lacey Municipal Code Chapter 14.34;

14. Compliance with the geologically sensitive areas protection requirements as required by Lacey Municipal Code Chapter 14.37;

15. Compliance with all requirements for final plat as required by Lacey Municipal Code Chapters 15.16.060(C), and 15.28.050;

16. In Planned Residential Developments, construction of at least 50% of the residences in the PRD have been built before any permits can be issued for any commercial uses;

17. For wireless communication facilities (towers), approval of a lease agreement that (a) allows the landholder to enter into leases with other providers and, (b) specifies that if the provider fails to remove the facility upon eighteen months of its discontinued use, the responsibility for removal falls with the landholder;

Section 107.1 shall have a new sentence added to the end of the paragraph as follows:

All plans for construction, erection, enlargement, alteration or repairs of building or structures 4,000 square feet or over shall be designed, prepared and stamped by an architect licensed by the state of Washington. Plans that are not designed to prescriptive structural methods shall require a design, prepared and stamped by an engineer licensed by the State of Washington.

Section 109.3 shall have a new sentence added to the end of the paragraph as follows:

The value for commonly built structures shall be determined by using the valuation table adopted by the building official by policy.

Section 111.2 Certificate issued, is amended to read as follows:

When the building and project site are completed as required in Sections 110.3.6 and 111, the permittee or authorized agent shall request a final inspection and issuance of the certificate of occupancy. This request shall be on a form provided by the building official. The form shall state that the building owner, building contractor, and where applicable, the building developer certify that “for the benefit of all users and occupants of this building, the building or portion for which this certificate of occupancy request applies meets all applicable codes and regulations of the City of Lacey. Such inspection request form, when submitted to the city, shall include the signatures of both the building owner and building contractor. After the building official inspects the building or structure and project site and finds no violations of the provisions of this code or other laws which are enforced by the code enforcement agency, including any other development regulation adopted by and contained within the Lacey Municipal Code either in whole or by reference, the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.

12. Any special stipulations and conditions of the building permit.

Add new Section 111.2, Prerequisites for issuance of certificate of occupancy.

The building official shall determine whether the following requirements have been met, as verified by the appropriate department director or designee, prior to issuance of a certificate of occupancy:

1. All provisions of the codes as noted in Section 111.2;
2. In multifamily developments, all street signs for all interior streets, whether public or private, complying with city standards, have been installed;
3. All improvements required in Lacey Municipal Code Sections 12.24.010 and 12.24.020, for sidewalk, curb and gutter construction are completed or an instrument of financial security acceptable to the City has been posted with the City;
4. If a property containing five or more dwelling units within the same complex, the property is registered in the Residential Building Rental Registration Program as detailed in Lacey Municipal Code Chapter 14.02;
5. All public works improvements are completed and approved, unless otherwise allowed by the director of public works;
6. All required landscaping improvements are completed or an acceptable instrument of financial security has been posted with the city;
7. If the permitted work is a townhouse development regulated by Lacey Municipal Code Chapter 16.61, final plat or final short plat approval has been completed;
8. All specific project conditions have been completed in accordance with the land use approval.

New Section 111.2.1.1 Financial Security.

Financial Security means a method of providing surety of financial performance and may include provision of a bond, assignment of savings, letter of credit or other financial guarantee acceptable to the City. The financial security shall be in the amount equal to 150 percent of the estimated costs for completion of the work covered by the security. All such secured work shall be completed within six months of the date of the issuance of the certificate of occupancy. One six-month extension may be granted by the enforcing officer if necessary to complete the work.



111.6 Violation of requirements for certificate of occupancy.

The City Council affirms that the issuance of any certificate of occupancy is of vital importance in the safeguarding of life safety, property safety and health of occupants of any structure; and further, that the enforcement of all city development regulations is of vital importance to the city's economic vitality and the public good. Any person allowing a building to be occupied without a certificate of occupancy first being issued as required by this Chapter shall be subject to the civil penalty provisions of Section 111.6 and is subject to be ordered abated in accordance with the abatement procedures specified in Lacey Municipal Code Chapter 14, including posting to prevent occupancy.

111.6.1 Notice of civil penalty--certificate of occupancy violation.

111.6.1.1. Issuance.

1. When the building official determines that a violation of the certificate of occupancy requirements specified in Chapter 14.03, LMC has occurred or is occurring, the building official shall issue a Notice of Civil Violation to the person responsible for the violation. The "person responsible" can be the property owner, project developer, project superintendent, business owner, corporate owner, an agent of any of those persons, or any other person responsible for the control of the building or structure. Any one or combination of those persons may be cited, either separately or jointly.

111.6.1.2. Content.

The Notice of Civil Violation shall include the following information:

1. The name and address of the person responsible for the violation; and
2. The street address or a description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring; and
3. A description of the violation and a reference to Section 111 as amended herein; and
4. The required date and time by which the conditions preventing the issuance of a certificate of occupancy must be completed after which the city may order the building or structure vacated in accordance with the abatement procedure specified in Chapter 14.16, Lacey Municipal Code; and

5. A statement that the costs and expenses of abatement incurred by the city pursuant to Section 14.40.060(D) and a monetary penalty in an amount per day for each violation as specified in Section 111.6.1.5 may be assessed against the person to whom the Notice of Civil Violation is directed as specified and ordered by the building official.

111.6.1.3. Service of Notice.

The building official shall serve the Notice of Civil Violation upon the person to whom it is directed, either personally or by mailing a copy of the Notice of Civil Violation to such person at their last known address. If the person to whom it is directed cannot after due diligence be personally served within Thurston County and if an address for mailed service cannot after due diligence be ascertained, notice shall be served by posting a copy of the Notice of Civil Violation conspicuously on the affected property or structure. Proof of service shall be made by a written declaration under penalty of perjury executed by the person effecting the service, declaring the time and date of service, the manner by which the service was made, and if by posting the facts showing that due diligence was used in attempting to serve the person personally or by mail.

111.6.1.4. Extension.

No extension of the time specified in the Notice of Civil Violation for correction of the violation may be granted, except by order of the hearings examiner.

111.6.1.5. Monetary Penalty.

The monetary penalty for each separate violation shall be 1% of the permit value of the building or structure, with a minimum of \$500.00.

111.6.1.6. Continued Duty to Correct.

Payment of the monetary penalty does not relieve the person to whom the Notice of Civil Violation was issued of the duty to correct the violation.

111.6.1.7. Collection of Monetary Penalty.

1. The monetary penalty constitutes a personal obligation of the person to whom the Notice of Civil Violation is directed. Any monetary penalty assessed must be paid to the city of Lacey at the department of community and economic development within ten calendar days from the date of notice from the city that penalties are due.

2. The city shall contract with a collection agency in order to collect monetary penalties from individuals who do not pay within ten calendar days as specified above, or within ten days of the appeal hearing, if such hearing is held.

111.6.1.8. Civil penalties imposed under this chapter shall be paid to the city for deposit in the abatement fund established by LMC Chapter 14.16.

111.6.1.9. The notice of the civil penalty shall be a final order of the city unless, within five days after the notice is received, the person incurring the penalty appeals the penalty by filing a notice of appeal with the department of community and economic development. If a notice of appeal is filed in a timely manner, a hearing shall be conducted by the hearings examiner. Such hearing shall be conducted in accordance with chapters 34.05 and 34.12 RCW, and Section 1D.010 of the Development Guidelines and Public Works Standards. At the conclusion of the hearing, the Hearings Examiner shall determine whether the penalty should be affirmed, reduced, or not imposed and shall issue a final order setting forth the civil penalty assessed, if any. The order issued by the Hearings Examiner may be appealed to superior court.

111.6.1.10. Failure to Appear.

If the person to whom the Notice of Civil Penalty was issued fails to appear at the scheduled hearing, the examiner will enter an order finding that the violation occurred and assessing the appropriate monetary penalty. The city will carry out the hearings examiner's order and recover all related expenses, plus the cost of the hearing and any monetary penalty from that person.

111.6.1.11. Appeal to Superior Court.

An appeal of the hearings examiner's decision must be filed with the Thurston County Superior Court within twenty calendar days from the date the final appeal decision was mailed to the person to whom the Notice of Civil Penalty was directed, or is thereafter barred.

Section 425. In all rental unit complexes consisting of five or more dwelling units, each unit shall be provided with the following crime prevention devices and design considerations:

1. Security locking devices:
  - a. Single-cylinder deadbolt locks on all exterior hinged doors;

- b. A reinforced 4-inch strike-plate attached to the wood framing by not less than two No. 8 by 3-inch screws;
- c. A door viewer having a field of vision of not less than 180 degrees;
- d. Secondary security locking device on all sliding doors in addition to the factory-provided door locking device;
- e. Secondary security locking device on all sliding windows in addition to the factory-installed sash-type lock;
- f. Secondary security locking device on all crank-type or jalousie windows separate from the factory-installed crank device.

All secondary security locks must meet the requirements of Section 310.4, to be openable without keys, any special knowledge or effort.

2. Lighting:

- a. All walkways, hallways, stairwells and entry areas shall be provided with lighting that provides a minimum illumination at floor/ground level of one foot-candle.
- b. All entrance foyers and entryway areas shall be provided with lighting that provides a minimum illumination of three foot-candles at the floor level.
- c. All parking lot lighting shall be provided with timers or photo-electric switching that turns the lighting on automatically at dusk.

3. Fences:

All fences constructed must be constructed to provide through-visibility. Sight-obscuring fencing is not permitted. Fences in Group R, Division 2 Occupancies are not exempt from building permit requirements.

4. Signs:

- a. Address numbers shall be provided for all buildings in such a position as to be plainly visible and legible from the street or road fronting the property.
- b. One sign, located at an approved location at the entrance to the property shall be provided for a map of the entire complex. This site map shall include the roadway layout, building locations, building addresses.

c. Warning Signs: Each complex shall install a sign, located at an approved location at the entrance to the property containing the words: “No Trespassing On This Property. LMC 9.28.080 - .090.”

Section 705.5. Exterior walls shall be fire-resistance rated in accordance with Tables 601 and 602 and this section. Nothing in this section shall be construed as eliminating or reducing the fire-resistance of exterior walls based on Type of Construction requirements.

The required fire-resistance rating of exterior walls with a fire separation distance of greater than 10 feet shall be rated for exposure to fire from the inside only, if both sides are not required due to type of construction classification. The required fire-resistance rating of exterior walls with a fire separation distance of less than or equal to 10 feet shall be rated for exposure to fire from both sides.

Section 1009.2.1. Elevators Required.

In buildings where a required accessible floor is four or more stories above grade plane, at least one required accessible means of egress shall be an elevator complying with Section 1007.4. (Exceptions remain as published.)

Section 1009.8.1 is amended as follows:

Two-way communication.

A telephone with controlled access to the fire alarm control system for two-way communications shall be provided between each area of refuge and the fire alarm monitoring center. The telephone or other two-way communication system shall be located within the reach ranges as specified in the Washington State Building Code requirements for accessibility by persons with disabilities. The emergency communication system must be visible when the telephone is activated. This non-verbal means must enable the fire alarm monitoring center to determine the area or areas of refuge.

Section 4. Section 14.17.020 of the Lacey Municipal Code is hereby amended as follows:

**14.17.020 Enforcement.**

A. The building official/fire marshal shall have the ability to enforce this chapter. The building official/fire marshal may call upon the police, fire, planning and community and

economic development or other appropriate city departments to assist in enforcement. As used in this chapter, “building official/fire marshal” shall mean the building official or the fire marshal or the duly authorized representative of the building official, fire marshal or the combined building official/fire marshal.

B. Upon presentation of proper credentials, the building official/fire marshal may, with the consent of the owner or occupier of a building or premises, or pursuant to a lawfully issued inspection warrant, enter at reasonable times any building or premises subject to the consent or warrant, in order to perform the duties imposed by this title.

C. This chapter shall be enforced for the benefit of the health, safety and welfare of the general public, and not for the benefit of any particular person or class of persons.

D. It is the intent of this chapter to place the obligation of complying with its requirements upon the owner, occupier or other person responsible for the condition of the land and buildings within the scope of this title.

E. No provision of or any term used in this chapter is intended to impose any duty upon the city or any of its officers or employees which would subject them to damages in a civil action.

Section 5. Section 14.23.020 of the Lacey Municipal Code is hereby amended as follows:

**14.23.020 Definitions.**

A. “Arcade” means a covered walk with shops along one side and a line of arches or columns on the other side.

B. “Architectural features” means a prominent or significant part or element of a building, structure, or site.

C. “Blank Wall” means a wall that meets the following criteria: A ground floor street wall or building wall or segment of a wall which is within fifty feet of the public right-of-way and which is longer than fifteen horizontal feet without having a ground level window door, or building facade modulation at least one foot in depth, or other architectural feature lying wholly or in part within that fifteen feet length.

D. “Buffer” means a land area used to visibly separate one use from another or to shield or block noise, lights, or other nuisances.

- E. “Building prominence” includes the size, scale and bulk of a building or similar features.
- F. “City” means city of Lacey, Washington.
- G. “Compatibility” means harmony in the appearance of two or more external design features in the same vicinity.
- H. “Continuity” means unity of composition between design elements or a building or a group of buildings and the landscape development.
- I. “Development” means the erection, alteration, enlargement, demolition, maintenance, or use of any structure or the alteration or use of any land above, at or below ground or water level, and all acts authorized by a city of Lacey regulation.
- J. “Director” or “Director of community and economic development” means the director of community and economic development or designee.
- K. “Duplex” means a structure on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.
- L. “Dwelling unit” means one or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.
- M. “Harmony” means a quality that represents an appropriate and congruent arrangement of parts, as in an arrangement of varied architectural and landscape elements.
- N. “Human scale or pedestrian scale” means the relationship between dimensions of the human body and the proportion of the spaces which people use. This relationship is underscored by surface texture, activity patterns, colors, materials and details. Places which respect pedestrian/human scale offer walks through visually interesting streets and spaces with opportunity for positive interaction and comfort. Respect is given to normal walking distances, spatial perception in placement of buildings and the physical layout of individual sites and the entire community. The relationship of building height to street width, the placement of buildings with comfortable, protected access and interaction respecting human scale is crucial to a successful pedestrian environment.

- O. “Key Multimodal Intersections” means key intersections of roads and pedestrian systems that serve as a focus for pedestrians, bike and transit opportunities. Map designations for key multimodal intersections emphasize such opportunities showing conceptual pedestrian links with key components of each neighborhood. Such intersections are to be placed at strategic junctures along the multimodal corridors where they can be the most advantageous to the function and purpose of promoting multimodal activities. Designated intersections are intended to provide guidance or location of pedestrian and other multimodal improvements which may include such things as street furniture, transit improvements, bike racks, drinking fountains, street merchant pads and other similar amenities to improve and enhance pedestrian and multimodal activities. The exact location of such intersections is based upon guidance provided on the zoning map and site specific analysis at the time of development applications.
- P. “Mixed Use Zones” means zoning designations which allow both commercial and residential uses; ~~includes CBD zones 1, 2, 4A, 4B and 6, the mixed use moderate and mixed use high density corridors, the Hawks Prairie District and the neighborhood commercial zone.~~
- Q. “Multi-family” means ~~two-three~~ or more living units under the same ownership where land use has not been divided, i.e., ~~duplex~~, triplex, quadraplex, condominiums, housing cooperatives and apartment units.
- R. “Natural features” means vegetation indigenous to the site.
- S. “Open space” means any parcel or area of land or water essentially unimproved or improved with recreational facilities and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.
- T. “Performance guarantee” means any security that may be accepted by a municipality as a security that improvements required as part of an application for development are satisfactorily completed.
- U. “Proportion” means balanced relationship of parts of a building, landscape, structures, or buildings to each other and the whole.
- V. “Single-family” means a dwelling unit which is designed for and occupied by not more than one family and under separate ownership. “Single-family detached” means a dwelling



unit which is designed for and occupied by not more than one family and surrounded by yards, which is not attached to any other dwelling unit.

W. “Site plan review committee” means the director of public works, director of community and economic development, and the city manager or designee.

X. “Street Wall” means a building wall that faces or is parallel to the street frontage.

Y. “Transition areas” shall be that portion of property used to mitigate adverse impacts of proposed development on adjacent, existing developments with incompatible uses. Within the transition area, heights shall be restricted to those compatible with adjacent uses. This height restriction shall apply to that property adjacent to the required landscaping buffer. Beyond this, heights may increase up to the maximum height and density permitted in the underlying zone.

Such impacts may employ the following techniques: buffers clustering, height limitations, landscaping, landscaping berms and fences.

Z. “Tree protection professional” is a licensed professional with academic and/or field experience that makes him or her a recognized expert in tree preservation and management. The tree protection professional shall be a member of the Society of American Foresters, the Association of Consulting Foresters, and shall have specific experience with tree management in the state of Washington. Additionally the tree protection professional shall have the necessary training and experience to use and apply the International Society of Arboriculture’s guide to evaluation and management of trees, and to successfully provide the necessary expertise relating to management of trees specified in this chapter.

AA. “Visually integrated” means the use of elements which connect a development to existing environments.

BB. “Visual linkage” means the usage of building and landscape elements which interconnect with existing single- or multi-family developments.

CC. “Visual relief” is the act of providing building or landscaping variations that add interest to a site.

DD. “Zones with Pedestrian Emphasis” means zoning designations based upon comprehensive plan language with expressed intent of emphasizing pedestrian-friendly development. This includes all CBD zones, the mixed use corridor zones, the Hawks Prairie

Business District, the neighborhood and community commercial zones, and the moderate and high density residential zones.

Section 6. Section 14.23.035 of the Lacey Municipal Code is hereby amended as follows:

**14.23.035 Consideration Of Design And Modifications To Standards.**

Consideration for approval and conditioning or design review shall be based on and interpreted in light of the conformance of the development with the intent and requirements of Ordinance 1124, and the comprehensive land use plan goals and policies.

These standards and requirements are normally to be considered the minimum necessary design criteria to accomplish development objectives of the city. The city may require more stringent standards, or less demanding standards, based upon the specific and unique nature of the site and the surrounding areas. Such decision shall be at the sole discretion of the city, in determining standards necessary to protect the health, safety, and welfare of the citizens of the city and to further the purposes and intent of Ordinance 1124 and the Comprehensive Land Use Plan Element of the Comprehensive Plan. Any modification of the requirements of Ordinance 1124 shall be subject to the following considerations:

- A. The design and improvement of the proposal shall be in harmony with the purpose and intent of Ordinance 1124 and the Comprehensive Land Use Plan.
- B. The design and improvement of the proposal shall generally enhance the site plan, or in any case not have an adverse impact on its physical, visual, or spatial characteristics.
- C. The design and improvement of the proposal shall generally enhance the streetscape and neighborhood, or in any case not have an adverse impact on the streetscape and neighborhoods.
- D. The modification shall not result in configurations of the site or street systems which shall be impractical or detract from the appearance or functionality of the design.
- E. Design review principles and other methods, prepared by a certified design professional, shall be used to ensure compliance with the intent of Ordinance 1124.
- F. The proponent shall demonstrate that the proposed modification will allow for equal or better results and represents the minimum modification necessary.

G. The modifications shall not detract from the ability of pedestrians to walk in or through the proposal and their access to public transportation.

If the city determines that the ~~landowner~~ applicant has met these standards, it may grant a modification of the requirements of Ordinance 1124 as part of the normal review process. In granting modifications, the city may impose such conditions as will, in its judgment, secure the objectives and purposes of Ordinance 1124.

Section 7. Section 14.23.040 of the Lacey Municipal Code is hereby amended as follows:

**14.23.040 Design Review Process.**

A. The design review process shall be conducted administratively by the director of community and economic development. Decisions will be determined pursuant to LMC 14.23.071 through 14.23.110. The director shall implement design review concurrent with the underlying planning review process or building permit application. An example of concurrent review for design review and site plan review can occur as follows:

1. Presubmission Conference<sup>1</sup>
  - a. Land use meeting with SPR Committee.
  - b. Design review meeting with assigned staff member. Drawings can be conceptual.
2. Site Plan Review Meeting
  - a. Approval of project for land use and environmental review. Subject to completion of meetings for design review approval.

Presubmission Conference and Site Plan Review Meeting feasibly can occur on the same day.

- b. If design review is not completed prior to SPR approval, a second design review meeting to determine approval of formalized design plans may be requested as necessary.

B. The decision shall accompany the underlying land use approval. Any person aggrieved by a decision by staff may appeal pursuant to LMC 14.23.090.

Section 8. Section 14.23.050 of the Lacey Municipal Code is hereby amended as follows:

**14.23.050 Length Of Approval.**

Applications for design review approval shall be submitted to the department of community and economic development. Design review approval shall be valid for eighteen months from the date of approval. All required items in LMC 14.23.070 shall be submitted to the department of community and economic development prior to the eighteen-month expiration. However, if design review approval is connected with PRD/subdivision approval, then the longest approval shall apply.

Section 9. Section 14.23.060 of the Lacey Municipal Code is hereby amended as follows:

**14.23.060 Extensions.**

A six-month extension of an approval made pursuant to LMC 14.23.050 may be granted by the department of community and economic development upon written request filed at least thirty days prior to expiration of such approval. Before an extension is granted, the director of community and economic development may require updated plans if the proposal changes in scope or if the applicant failed to follow the terms of the design review approval.

Section 10. Section 14.23.070 of the Lacey Municipal Code is hereby amended as follows:

**14.23.070 Submittal Requirements.**

At the presubmission conference, the site plan and landscaping plan may be conceptual in form. After presubmission, the application for the following design review meeting shall contain the following items:

- A. Plans. Four copies of the set of plans are required. The license stamps of the architect and landscape architect shall be on each appropriate page.
  - 1. Site Plan. A site plan is required containing the following information:
    - a. Scale and north arrow;
    - b. Address of site;
    - c. Vicinity map showing location of site and surrounding landmarks;
    - d. Property dimensions and names of adjacent roads;
    - e. Existing and finished grades at two-foot contours;

- f. Location and dimensions of existing and proposed structure(s), accessory structures with appropriate setbacks, parking dimensions, and driveways. Also, include ingress and egress patterns through the site with directional arrows;
  - g. General location of trees as determined by the Lacey tree protection professional;
  - h. Location, dimensions, and nature of any proposed easements or dedications;
  - i. Location, dimensions, and description of common open space and recreation areas;
  - j. For all multifamily proposals a description of compliance with crime prevention through environmental design techniques (CPTED).
2. Landscaping and Irrigation Plan. The landscaping and irrigation plan shall contain the following information:
- a. Existing vegetation to be retained;
  - b. Proposed vegetative materials to be placed on site. The type, size, number and spacing on plantings must be illustrated;
  - c. Proposed irrigation system to be installed including general location of irrigation main lines and sprinkler head locations;
  - ed. Stamp from a licensed landscape architect or nursery person shall be placed on the plan.
3. Elevations. Complete elevations of all proposed construction and related elevations of existing structures (if any) are required containing the following information:
- a. Dimensioned elevations of building drawn at 1/8" = 1' or a comparable scale. Elevations should show the type of exterior materials;
  - b. Color and exterior finishes for buildings and accessory structures;
  - c. Location and elevations of exterior lighting for buildings and parking areas;
  - d. Perspective drawings, photographs, color renderings or other graphics which accurately represent the proposed project.
4. Section Profiles. Two section profiles through the site are required containing the following information:
- a. Scale;
  - b. Building(s) details;
  - c. Landscaping against the building when installed;
  - d. Lighting fixtures and standards;

e. Signs.

5. Design Vocabulary. A design vocabulary shall be established for each application subject to these design requirements and shall include the general design qualities as well as the specific architectural standards to be used. Provided a design vocabulary may be waived by the director if building plans and other application materials are detailed enough to review compliance with the provisions of Chapter 14.23 LMC. The design vocabulary shall respond to the general and specific design standards as specified in this chapter.

A listing of significant compatible features that will be incorporated into the design of the buildings and streetscape shall be prepared in matrix form or other form approved by the director. Photographs, colored images, drawings, or a combination can be used. The horizontal axis of the matrix shall include all the categories of residential, commercial, parks and open space, and industrial if used. The vertical axis of the matrix shall include the following:

- a. Building Mass and Style - which includes the bulk, mass or size of the selected building types and the style selected;
- b. Roofs and Roof Materials - the various types and pitches of roofs;
- c. Facade Treatment and Facade Materials - the types of materials, textures and colors;
- d. Entry and Doors - door openings and the area immediately surrounding;
- e. Windows - window types with detailing;
- f. Eaves, Porches and Arcades - decorative building elements, like pergolas, cupolas, shutters, etc.;
- g. Decorative Trim;

Details of these features in elevation and section that reflect the architectural styles selected both vertical and horizontal:

- h. Towers;
- i. Cross Gables and Dormers;
- j. Gutters;
- k. Chimneys;
- l. Walls, Fences, and Hedges (front yard);
- m. Walls, Fences, and Hedges (side yards);

- n. Colors;
- o. Driveway;
- p. Pavement Materials and Textures;
- q. Curb Treatment;
- r. Streetlights;
- s. Street Signs;
- t. Street Furniture.

Under each category specific written instructions can be included. See Table 14T-10.

Section 11. Section 14.23.071 of the Lacey Municipal Code is hereby amended as follows:

**14.23.071 Design Criteria For Accessory Dwelling Units (ADU).**

A. Intent and Specific Design Criteria. Accessory dwelling units are a necessary and desirable use for all residential neighborhoods. Because of the increased density they represent and providing of an additional dwelling unit in a non-conventional way, it is important to have the units blend in with and complement the primary use on lots. It is also important to ensure that both residents of the accessory dwelling unit and main unit have adequate privacy. To do this, special design features are required. Additionally, it is important to promote compatibility and complementary design of accessory structures with primary structures in an area to protect the character of the neighborhood.

B. Design Requirements. In order to assure that the development of all accessory dwelling units and those accessory structures to which this section is applicable are consistent with policies of the Comprehensive Land Use Plan, the following special design features and provisions shall apply to all accessory dwelling units.

1. Size. An accessory dwelling unit shall be limited in size to fifty percent of the size of the main unit and not to exceed eight hundred fifty square feet in floor area, except as provided in subsection C of this section.

2. Density Calculations. For the purposes of calculating residential density, accessory dwelling units shall not count as a dwelling unit.

3. Only One ADU per Lot Permitted. There shall not be more than one accessory dwelling located on a lot in addition to the single family dwelling.
4. Subordinate to Main Use. The accessory dwelling unit shall be clearly subordinate to the primary use as demonstrated in the building design and location. Design for this purpose shall include the following considerations:
  - a. Integrations with Main Unit and Appearance. If the unit is integrated into the main unit, design shall present the overall appearance of the structure as an individual single family residence. Designs which give the impression of a “duplex” shall not be permitted. A separate entrance to the accessory dwelling may be in view from public right of way, but should blend in to the primary unit in a way that does not indicate its function as an entrance to a separate unit.
  - b. Detached from Main Unit and Appearance. If the accessory dwelling is detached from the main unit, it shall be located in a position on the lot that presents a less dominant focus than the primary use. Design shall present the general impression that it is clearly an accessory building to the primary use.
  - c. Above the Garage and Appearance. If the unit is located on top of a detached garage, design shall complement the architectural style of the main residence while maintaining the primary unit as the main emphasis and focus for the lot.
5. Privacy for Residents Is a Main Focus. Maintain privacy of adjacent residences by using a combination of native and drought tolerant landscaping, vegetated LID facilities, screening, fencing, and window and door placement to reduce the opportunity of accessory dwelling units having direct visibility into windows, porches and decks. Care shall be given to location of windows so that they do not intrude onto the private space of adjacent neighbors. If the garage and ADU are rear loaded, for enhanced security, windows are encouraged to provide eyes on the alley.
6. Driveway Consolidated. The driveway to a separate, detached accessory unit shall be consolidated with the existing driveway area.
7. Distance from Other Structures. For those accessory units that are detached, distance separation between the primary residence shall meet building code requirements.



8. Livability of Neighborhood. In order to ensure that an accessory dwelling unit fits into and contributes to the livability of the neighborhood, design and construction shall:
    - a. Roof Design. Ensure that roof breaks and pitch closely relate to the primary residence. Window proportions shall complement the accessory unit;
    - b. Materials. Use similar exterior materials (roof, siding and trim) and a color that complements the primary residence;
    - c. Height of Roof Ridge. In general, the roof ridge of the primary residence should be higher than the accessory dwelling unit. An exception is when the accessory dwelling unit is built onto the second story of an existing unit.
  9. Parking. At least one parking space should be provided for the accessory dwelling unit. This parking may be provided in a garage ~~under the unit~~, a parking space adjacent to the alley, or, if available, by on-street parking. ~~The primary dwelling unit must contain two parking spaces enclosed within a garage.~~
  10. Pedestrian Access. A pedestrian walkway from the street or alley to the primary entrance of an accessory dwelling unit shall be provided. Such walkway may be shared with a driveway.
  11. Accessory Structures. To promote compatibility and consistency of design and neighborhood aesthetics, all accessory structures requiring a building permit shall be required to have design review. Review shall ensure accessory structures are constructed of similar material and in a complementary design to primary structures on site and on immediately adjacent lots. Provided, a different design or material may be approved if it is demonstrated that the design and material will enhance the general character and appearance of the neighborhood and promote policies of the Comprehensive Land Use Plan. All applications for construction of such accessory structures shall demonstrate that the proposed structure will be in compliance with any protective covenants or other restrictions applicable to the property.
- C. Guidelines for Varying from the Size Requirement of Subsection (B)(1) of this Section.
1. Intent. The intensity of use and impacts from an accessory dwelling unit is expected to be less than that of the primary dwelling, because it is intended to be accessory to the main unit and designed to be limited in scope. It is not designed to expect a double loading of full size residential units on lots intended for single family development. This expectation is important

in the overall planning of infrastructure and services to a subdivision. This design limitation protects the overall quality and character of the subdivision and the planned capacity of subdivision infrastructure, while still allowing for the extraordinary benefits and advantages the ADU is intended to provide. The accessory dwelling unit must necessarily be subordinate to the primary use.

To this purpose, limitations have been established for the size of the accessory dwelling units. However, there may be circumstances, applicable to the subject property and existing buildings, that require a smaller size than permitted to limit identified impacts. Alternately, the city realizes there may also be circumstances, applicable to existing structures and the subject property, that would make a larger size more practical or functional without compromising the intent or the subordinate nature of the proposed ADU.

2. Guidelines. To accommodate special circumstances the following guidelines have been developed to allow reasonable variation from size standards of subsection (B)(1) of this section. When reviewing an accessory dwelling unit for size requirements the following guidelines and criteria shall be applied:

a. Increasing Size.

(1) Basis for Consideration. When a request is for an ADU of a size larger than the established maximum, the following situations may be valid reasons for the administrator to allow an increased size. Generally, this will involve the following situations where the proposed size of the ADU is logical given circumstances and if permitted would have no discernable impact on the appearance of the main unit or in meeting the intent of design requirements of this chapter:

- (a) The ADU is located within the existing main unit, such as a basement unit, and the logical use of the floor area exceeds the square foot limitation;
- (b) The ADU is located within the existing main unit and use of the area, rooms and configuration of existing space proposed for the ADU, is more logical and functional than options of trying to reduce its size simply to fit the size standard;
- (c) Special circumstances considering the configuration of the property and/or existing buildings makes the increased size logical from a building or design standpoint and more functional.

(2) Mandatory Criteria for Increase in Size. Any request to increase the size must meet all of the following criteria:

(a) The proposed ADU can meet all other design expectations of this chapter and is subordinate to the main unit both functionally and in appearance.

(b) The proposed ADU will not have a discernable impact in the context of the neighborhood in which it is located, considering infrastructures, support services and neighborhood character.

(c) The increased size is logical from a design standpoint, given configuration of existing structures or organization of space and is the least amount of size necessary to accommodate the circumstances.

b. Decreasing Size.

(1) Compromise Design Expectations. Given the unique nature of the site and/or structures, the full size permitted for the ADU will compromise other design expectations needed to make the ADU subordinate to the main structure or meet the intents of this chapter;

(2) Impacts to Neighborhood Character, Infrastructure or Services. The proposed ADU while meeting the allowed size limit will have a discernable adverse impact in the context of the neighborhood in which it is located considering infrastructure, support services or neighborhood character;

(3) Not Logical Given Site Considerations. The proposed ADU, while meeting the allowed size limit, is not logical from a design standpoint given either configuration of existing structures, the organization of space, size of lot, or space available and the full size is not necessary to accommodate the intended use and function of an ADU.

Section 12. Section 14.23.072 of the Lacey Municipal Code is hereby amended as follows:

**14.23.072 Design Criteria For Detached Single Family Dwelling Units and Cottage Housing.**

A. Intent. To ensure that new development contributes to the visual character of the city; to create developments that promote walking and bicycling; to create variety and interest in the appearance of streets; to encourage interaction among neighbors; to minimize impacts of

vehicular access on the streetscape; to ensure privacy of residents and adjacent properties; to provide usable yard space for residents; to provide design details that add visual interest; to provide flexibility where unique site conditions exist. (See Table 14T-20.)

B. Roof Design. Provide pitched or articulated roof line, or other roof element such as eyebrow roof forms or dormers that emphasize building form and help it fit in with neighboring structures with prominent roofs. Pitched roofs shall utilize a minimum slope of four feet vertical to twelve feet horizontal. Encourage rooflines along the side yard that maximize solar access to adjacent homes and/or private open space. (See Table 14T-21.)

C. Architectural Details. Provide for architectural details that add visual interest to the neighborhood and are well proportioned to achieve good human scale. Specifically, incorporate at least three of the following detail elements into the facade of the house:

1. Decorative porch design, including decorative columns or railings.
2. Bay windows or balconies.
3. Decorative molding/framing details around all ground floor windows and doors.
4. Decorative door design including transom and/or side lights or other distinctive feature.
5. Decorative roofline elements including brackets, multiple dormers, and chimneys.
6. Decorative building materials, including decorative masonry, shingle, brick, tile, stone, or other materials with decorative or textural qualities.
7. Landscaped trellises or other decorative elements that incorporate landscaping near the building entry.
8. Distinctive paint schemes.
9. Other decorative facade elements or details that meet the intent of criteria. (See Table 14T-22.)

D. Side Facade Treatments. In order to create a separation between yards and beautify private space where zero-lot line or reciprocal use easement concepts are used, utilize the following treatments:

1. Use horizontal wood siding or other similar exterior material that provides visual interest. T-111 siding is not permitted along the privacy wall.

2. A planting strip with native and drought tolerant vegetation, vegetated LID facilities, and/or a pergola or other similar feature that adds visual interest along the privacy wall is encouraged. (See Table 14T-23.)

E. Entries. Provide clearly defined building entries which face the street and are well lighted and easily accessible. Specific standards:

1. Weather protection shall be provided at least four feet deep along the width of the building entry for each dwelling unit. Exceptions may be granted by the director for the use of regional housing styles that do not traditionally contain such entries.

2. At least fifty percent of houses in a development shall have entries that face the street and are clearly visible from the street. Undeveloped lots vested prior to May 15, 2008, are exempt from these requirements.

3. Raised entries and porches are recommended, particularly where front yard setbacks have been reduced. Raised porches help define private space yet create a pedestrian-friendly streetscape.

4. Exterior stairways are prohibited on the facade, except for stairs leading to the front porch or entry. Such stairways shall be simple, bold projections of stairways to fit with the architectural massing and form of the building and the neighborhood. Thin-looking, open metal, prefabricated stairs and railings are discouraged. (See Table 14T-24.)

F. Garages and Driveways. Design streetscapes in a way that garages and driveways do not dominate the street and facade of the residential building:

1. Rear-loaded lots with garages off of alleys are encouraged.

2. For lots less than four thousand square feet in size, garages shall be located off of alleys, behind or in back of residences, stepped back from the front facade of the dwelling, or other techniques used to ensure the garage does not dominate the streetscape.

3. For all lots, garage doors facing the street may not occupy more than sixty percent of the ground level facade of the house. For example, in a forty-foot-wide lot with a thirty-foot-wide house, a garage door facing the street shall not be greater than eighteen feet in width. (See Table 14T-25.)

4. Three car garages are allowed provided the garage doors take up less than sixty percent of the ground level facade of the house, the garage is separated into at least two doors, one of the

doors is set back/modulated at least two feet behind the other door, and a planting strip (at least two feet wide) separates at least one of the drive lanes. (See Table 14T-26.)

~~5. Carports are not allowed because they result in a poorer quality appearance and lend themselves to storage activities visible to the general public.~~

~~65.~~ Driveways shall be as narrow as possible to minimize impervious surfaces and shared where possible to minimize disruption of the sidewalk by curb cuts.

~~76.~~ No more than one driveway is permitted per dwelling unit.

~~87.~~ Garage sidewalls that face the street (e.g., as a result of garages being aligned at an angle or perpendicular with the house) shall appear to contain habitable space. This can be accomplished by incorporating windows and other design elements into the garage wall that are in character with the remainder of the dwelling.

~~98.~~ For front loaded lots where the garage faces the street and the garage is located in front of the facade of the house, at least two of the following design details shall be utilized. For front loaded lots where the garage faces the street and the garage is even with the facade of the house or less than five feet behind the front facade of the house, at least one of the following design details shall be utilized:

- a. A decorative trellis over the entire garage.
- b. A balcony that extends out over the garage and includes columns.
- c. Two separate doors for two car garages instead of one large door.
- d. Decorative windows on the garage door.
- e. Decorative details on the garage door. Standard squares on a garage door will not qualify as a decorative detail.
- f. A garage door color (other than white) that matches or complements the color of the house.
- g. Other design techniques that meet the intent, as determined by the director. (See Table 14T-27.)

#### G. Privacy Standards.

1. Window Placement. Placement of windows shall consider privacy so residents from one unit to the next cannot look directly into another unit.
2. Location and orientation of dwelling units shall consider privacy.

3. Side Yard Screening Options. All developments shall utilize one of the following screening methods in side yards:
  - a. Provide Type I, II, or III landscaping (as defined in LMC 16.80.050) between adjacent homes.
  - b. Provide solid wood fence or masonry wall, or combination of wood and masonry, six feet in height and located along the property line.
  - c. Provide a zero-lot line configuration or other similar treatment whereby one side of a home does not feature transparent windows or other openings and thus maximizing privacy on the side yard of the adjacent dwelling unit.
  - d. Other treatments that meet the intent of the criteria as approved by the director. Examples can include lower fencing and/or reduced or alternative landscaping treatments. (See Table 14T-28.)

#### H. Exterior Materials.

1. Traditional materials consistent with local and regional architectural styles are encouraged (horizontal wood siding and brick).
2. Stucco and other troweled finishes should be trimmed in masonry or wood.
3. Mirrored glass and exposed concrete block (except for foundation/crawl space walls where not visible from the street) are not in keeping with the desired character of Lacey and are prohibited.
4. T-111 siding and other plywood types of siding (board and batten is an exception) shall not be used for facades adjacent to or directly viewable from a street.

#### I. Windows and Transparency.

1. Transparent windows and/or doors facing the street are required. To meet this requirement, at least ten percent of the facade must be transparent. The facade is measured from the base of the house to the start of the roofline and any other vertical walls facing the street, except for gabled portions of the facade not containing livable floor area (see Table 14T-29 for clarification). Garages facing the street shall count as part of the facade. Undeveloped lots vested prior to May 15, 2008, are exempt from this requirement.
2. Building facades visible from a public street shall employ techniques to recess or project individual windows above the ground floor at least two inches from the facade or incorporate

window trim at least four inches in width that features color that contrasts with the base building color. Exceptions will be considered where buildings employ other distinctive window or facade treatment that adds depth and visual interest to the building. (See Table 14T-30.)

J. Architectural Variety. Developments shall achieve architectural variety by accommodating a variety of architectural styles, variations of the same architectural style, and through the use of multiple design elements. Specifically:

1. Duplicative house designs adjacent to each other are prohibited. Simple reverse configurations of the same house design on adjacent lots are not sufficient to meet architectural variety goals. Exceptions may be granted by the director in special circumstances where similar architectural consistency provides a distinct character for a cluster of homes surrounding an open space or on a particular street (cottage homes around a common open space are an example).

2. Generally, the more houses in a subdivision, the greater the number of different facade elevations will be required. Specifically:

- a. Ten to nineteen homes, a minimum of four different facade elevations shall be used.
- b. Twenty to thirty-nine homes, a minimum of five different facade elevations shall be used.
- c. Forty to sixty-nine homes, a minimum of six different facade elevations shall be used.
- d. Seventy or more homes, a minimum of seven different facade elevations shall be used.

Alternatives will be considered provided the design and configurations of the subdivision meet the intent. (See Table 14T-31.)

3. In order to qualify as a different facade elevation, dwellings shall have different roofline configurations, different color palettes, and different porch/entry design. In addition, a minimum of two of the following alternatives shall be utilized:

- a. Different window openings (location and design).
- b. One and two story houses.
- c. Different exterior materials and finishes.
- d. Different garage location, configuration, and design.
- e. Other different design element that helps to distinguish one facade elevation from another as determined by the director.



4. Variation in lot size within a subdivision is encouraged for single family lots. For example, larger corner lots can provide more visual interest, and also allow for more usable open space for such residents, as those lots have two street frontages.

5. Variation in house sizes is encouraged within developments. A combination of one and two story structures is attractive to a wider demographic (particularly seniors).

K. Corner Lots. Structures on corner lots are encouraged to take advantage of the dual frontage, make an architectural statement, and create interest in architecture and human activity on the street. This could be accomplished by providing one or more of the following:

1. Wrap around porches.
2. Bay windows or turrets.
3. Varied exterior materials, roof feature, colors, and/or articulation. Varied materials shall complement each other. (See Table 14T-32.)

L. Encourage Alternative Lot Configurations. A land division and its internal access roads, pedestrian connections and overall lot configuration should be designed to allow placement of homes to address functional design issues. As much as the configuration allows, placement and orientation of homes should consider privacy, solar orientation, access, location and access to open space and other factors that can contribute to the overall livability of the home and its relationship to the surrounding environment. Flexibility shall be encouraged in spatial orientation of homes on lots to address these issues and create interesting and attractive streetscapes with homes having a high functional value that might not otherwise occur with a less flexible approach.

To maximize site efficiency and usable open space, small lot developments are encouraged to utilize zero-lot line and courtyard access configurations as described below:

1. Zero-Lot Line. This is a configuration where the house and/or garage is built up to one of the side property lines, providing the opportunity for more usable side yard space. Standards:
  - a. Dwelling units and accessory structures may be placed on one interior side property line. The opposite side yard shall be at least ten feet.
  - b. Privacy Wall. In order to maintain privacy, no windows, doors, air conditioning units, or any other types of openings in the walls along a zero-lot line structure are allowed except for windows that do not allow for visibility into the side yard of the adjacent lot. Examples

include clerestory or obscured windows. See Table 14T-33 for an example of a privacy wall for a zero-lot line house.

c. Eaves along a zero-lot line may project a maximum of eighteen inches over the adjacent property line.

2. Reciprocal Use Easement Lots. This works similar to the zero-lot line configuration, except that the homes and accessory structures that meet the standard setbacks and easements are granted on one side yard to allow consolidated use of the side yards by the adjacent property (see Table 14T-34 for example). Also, configurations providing for reciprocal use easements in the rear yard are allowed to maximize usable open space (see Table 14T-35).

Standards/provisions:

a. Reciprocal easements shall be noted on the plat.

b. Privacy Wall. In order to maintain privacy, no windows, doors, air conditioning units, or any other types of openings in the walls of a structure along a reciprocal use easement are allowed except for windows that do not allow for visibility into the side yard of the adjacent lot. Examples include clerestory or obscured windows. (See Table 14T-23 for an example of a privacy wall.)

c. Areas within reciprocal use easements may count towards usable open space requirements for applicable lots.

3. Courtyard Access Lots. This includes a series of lots clustered around a private internal roadway. Standards:

a. Maximum number of lots served by a courtyard access: Five (this includes lots fronting the street on either side of the courtyard access).

b. Maximum length of a courtyard access: One hundred feet (or deeper if approved by the local fire department).

c. Surface width of courtyard access: Twelve feet. Due to the limited length, wider drives are unnecessary (safety and function) and undesirable (aesthetics).

d. An easement of twenty feet in width shall be secured over the applicable parcels to allow lots legal access to the public street. A maintenance agreement shall be required for all applicable lots and must be recorded on the final plat. (See Table 14T-36.)

4. Pedestrian-Only Entry Lots. This includes configurations where one or more lots are clustered around a pedestrian easement and/or common open space and do not front on a street (see Table 14T-37 for an example). Standards:
- a. A pedestrian entry easement shall be provided to all homes that do not front on a street, alley, or common open space.
  - b. Pedestrian entry easements shall be a minimum of fifteen feet wide with a five-foot minimum sidewalk.
  - c. These lots must contain private detached or shared garages off an alley or other access if approved by public works and reviewed for conflicts with existing codes.
5. Protective Covenants. The styles of developments discussed above require special consideration to ensure conflicts between neighbors are minimized and that opportunities are provided for a home owners association to deal with unique issues created by these development forms. Covenants for these development styles shall be written to address issues unique to small lot developments that use reciprocal use and easement agreements. Great latitude shall be allowed the city in reviewing and requiring covenant elements that deal with identified issues.

M. Alley Design. Alleys shall be designed to incorporate landscaping and lighting elements. Specifically:

- 1. Landscaping elements may be used as an alternative to fencing to separate private yard space from the alley.
- 2. Fences shall be set back at least three feet from the alley (pavement) to provide for landscaping to soften the view of the fence.

See Table 14T-38 for a good example of how landscaping can enhance the design of an alley.

- 3. Garages shall feature building mounted lighting to provide illumination of alleys for safety.

Section 13. Section 14.23.073 of the Lacey Municipal Code is hereby amended as follows:

**14.23.073 Design Criteria For Duplexes And Triplexes In ~~Low-Density Zones Or~~ Areas Predominantly Built Out With Single Family Detached Structures.**

To locate duplex and triplex units in ~~single family low density zones or~~ areas developed with single family structures will be controversial because of perceptions that rental units could potentially devalue traditional single family units. One way to allay these perceptions is to provide duplex and triplex units that blend in with the environment. This can enrich the architectural standards and appearance of the surrounding subdivision or neighborhood. To do this, special guidelines are needed to promote outstanding design and quality of such units.

A. Similarity to Single Family Detached Structures. To accomplish this, duplex and triplex units in ~~low density~~ single family residential areas shall comply with the design criteria for detached single family dwellings in LMC 14.23.072 unless otherwise noted below. (See Table 14T-39.)

B. Supplemental Design Criteria. Where there is a conflict with the detached single family design criteria set forth in LMC 14.23.072, the design criteria herein shall apply.

1. Entry Design.

a. Use either a single entry providing access to multiple units with appearance of a single entry to a single family house or separate distinct covered entries;

b. For duplexes located on street corners, entries shall be provided on different sides of the structure so only one entry is visible from any one street.

2. Location of Garages. Garages for each of the units shall be separated from one another by living units of one or more of the units, except where designed with adjacent single or tandem garages. No more than two single or tandem garages may be placed in a row.

3. Architectural Variety. When reviewing developments with multiple adjacent duplexes, each duplex structure shall be reviewed as an individual home or building in terms of compliance with LMC 14.23.072(J).

C. Design Option. Duplexes and triplexes can either be designed to look like one single family house (containing one distinct entry) or designed to look like two or three distinct dwelling units (each with their own individual covered entry). Both design options shall utilize complementary design elements as described in subsection D of this section.

D. Complementary Design. Units shall have a design that provides significant architectural interest and is complementary to single family units in the subdivision. A number of techniques can be used to achieve architectural interest:

1. Roof breaks, use of dormers, masonry chimneys;
  2. Modulation of facades and fenestration;
  3. Use of balconies, decks and porches.
- E. Landscaping. Utilize native and drought tolerant landscaping and/or vegetated LID facilities that complement the architecture of the unit.

Section 14. Section 14.23.074 of the Lacey Municipal Code is hereby amended as follows:

**14.23.074 Design Criteria For Lacey ~~Villas Historical~~ Neighborhood.**

To recognize and preserve the historical values and neighborhood character of the Lacey Villas area, special development standards are necessary. These standards should allow reasonable infill while maintaining the older neighborhood historical characteristics, including large lot sizes and single-family traditional housing styles.

A. Each lot may have one single-family detached structure and one accessory dwelling unit that meets the design criteria of LMC 14.23.071. Home occupations meeting requirements of Chapter 16.69 LMC may also be permitted. (See Table 16T-06.2.)

~~B. Minimum lot size shall be seventeen thousand four hundred twenty-four square feet.~~

~~C. Maximum density shall be two and one-half units per acre.~~

~~D.~~ **D.** A neotraditional, single-family detached housing style is required, with the following features:

1. A usable front porch;
2. A focused, predominant entryway;
3. An alternative garage style, including a detached or recessed garage;
4. A pitched roof with architectural interest; dormers, chimneys and roof breaks recommended;
5. Horizontal lap siding shall be used on the front, back and all sides.

~~E. Minimum setbacks shall be as follows:~~

- ~~1. Front yard, fifteen feet;~~
- ~~2. Side yard, minimum five feet each side;~~
- ~~3. Rear yard:~~

~~a. Main house, fifteen feet;~~

~~b. Accessory structures or accessory dwelling units, five feet.~~

FC. Narrow local access streets with no sidewalks, typical of existing streets, are permitted.

GD. If street lights are used, they shall be of decorative design and pedestrian scale (twelve to eighteen feet in height).

Section 15. Section 14.23.080 of the Lacey Municipal Code is hereby amended as follows:

**14.23.080 Design Criteria For Multi-Family Projects, Condominiums And Townhouses.**

The following criteria will be utilized by staff in review of a project's design. Additional design strategies may be considered if they meet the intent of this section to provide for an attractive development that is complementary to the existing ~~neighborhood and address functional components of design in the context of the needs of future residents and surrounding neighbors.~~

A. Site Design and Parking.

1. Intent.

a. To create safe and vital streets by encouraging development to enhance the street environment.

b. To create new development that contributes to natural surveillance and provides for the personal safety of residents.

c. To ensure that new development reinforces the existing or desired spatial characteristics of the neighborhood.

d. To promote infill development compatible and complementary to the surrounding neighborhood.

e. To promote attractive, safe and functional design that addresses the needs of future residents and is properly integrated into the surrounding neighborhood environment.

2. Building Location and Orientation. All residential buildings must be oriented towards streets, interior private roadways, or common open space and not parking lots or adjacent properties. Specifically:

a. Pedestrian building entrances shall face the street and be clearly visible from the street.

- b. Building entries that face onto a common open space that is oriented towards the street are acceptable.
  - c. Buildings shall also provide windows that face the street to provide “eyes on the street” for safety. See Guideline LMC 14.23.080(E)(3) for specific requirements. (See Table 14T-44.)
  - d. Avoid locating parking spaces directly in front of the building entrance or in such a way as to interfere with visibility and access.
  - e. Provide diversity in the layout of multi-building developments. For example, avoid linear arrangement and utilize offset building footprints.
3. Surface Parking Location. Parking lots shall be located to the side or rear of buildings. Parking lots may not be located adjacent to street corners. (See Table 14T-45.)
4. Parking Garages.
- a. Parking Garage Entries. Parking garage entries (both individual private and shared parking garages) must not dominate the streetscape. They should be designed and sited to complement, not subordinate, the pedestrian entry. This applies to both public garages and any individual private garages, whether they front on a street or private interior access road.
  - b. Common Parking Garage Design Guidelines. Buildings containing above-grade structured parking shall screen such parking areas with Type II or III landscaping (as defined in LMC 16.80.050) or incorporate contextual architectural elements that complement adjacent buildings or buildings in the area to the satisfaction of the director. Upper level parking garages must use articulation or fenestration treatments that break up the massing of the garage and/or add visual interest. (See Table 14T-46.)
- B. Vehicular Access and Connectivity.
- 1. Intent.
    - a. To provide for visual continuity of the street.
    - b. To minimize conflicts with pedestrian access to the buildings on site.
  - 2. Minimize the number of vehicular access points by sharing driveways and linking parking lots between adjacent uses.
  - 3. Parking spaces (on-site) should be separated from major drives, and the circulation patterns of such drives should be clean.

4. Coordinate circulation drives and staging areas to accommodate routes needed by fire, refuse collection, delivery vehicles, moving vans, etc.
  5. Consideration shall be given to load/unload parking zones near the entry of the building. These spaces shall be located in such a manner as to minimize interferences with the entryway.
  6. A bus pullout and shelter may be required by Intercity Transit or North Thurston School District. The shelter shall meet the guidelines of Intercity Transit and the development guidelines. The director of community and economic development may require additional bus shelter design features.
  7. Developments are encouraged to consider the needs of individuals with physical limitations in the layout and design of buildings. For example, developments could provide some units available with street level access or other provisions to provide for accessibility.
  8. Meet all requirements of LMC 14.23.086.
- C. Pedestrian Access and Amenities.
1. Intent.
    - a. To orient developments to the pedestrian by making pedestrian access convenient, safe, and inviting.
    - b. To encourage walking.
    - c. To enhance the character of multi-family development.
    - d. To minimize impacts to residents' privacy.
    - e. To provide accessible, safe, convenient, and usable on-site open space for the enjoyment of residents of the development.
    - f. To create open spaces that enhance the residential setting.
  2. Internal Paths and Circulation. An on-site pedestrian circulation system meeting the following standards shall be provided:
    - a. Pathways between dwelling units and the street are required. Such pathways between the street and buildings fronting on the street should be in a straight line. Exceptions may be allowed by the director where steep slopes prevent a direct connection or where an indirect route would enhance the design and/or use of a common open space. (See Table 14T-47.)



b. The pedestrian circulation system shall connect all main entrances on the site. For townhouses or other residential units fronting on the street, the sidewalk may be used to meet this standard. For multiple-family developments, pedestrian connections to other areas of the site, such as parking areas, recreational areas, common outdoor areas, and any pedestrian amenities shall be required, where applicable.

c. Elevated external stairways or walkways which provide pedestrian access to dwelling units located above the ground floor are prohibited. The director may allow exceptions for external stairways or walkways located in, or facing interior courtyard areas provided they do not compromise visual access from dwelling units into the courtyard. (See Table 14T-48.)

d. Appropriate screening or buffering to create a physical separation between pedestrians and vehicle access areas and the windows of residential units shall be provided. Acceptable treatments include:

(1) Landscaped beds that separate the pathway from the building facade featuring windows (see Table 14T-49); and/or

(2) Site windows to maximize privacy while allowing for surveillance from dwelling unit. For example, where ground floor units are raised three or more feet above the level of a walkway, pedestrians have limited views into dwelling units.

e. Pedestrian walkways should be defined by Type II or Type III landscaping (as defined in LMC 16.80.050) for a combination of overstory and understory vegetation.

f. Provide signage to identify pedestrian/bicycle routes according to the department of public works development guidelines.

g. Minimize grades on site to allow ease of access for pedestrians and persons with disabilities.

h. Meet all requirements of LMC 14.23.086.

### 3. Materials Standards for Pathways.

a. The pedestrian circulation system must be cement concrete or permeable paving and at least five feet wide. Segments of the circulation system that provide access to no more than four residential units may be three feet wide.

b. Except as allowed in subsection (C)(3)(c) of this section, the pedestrian circulation system shall be clearly defined and designed so as to be separated from driveways and

parking/loading areas through the use of raised curbs, elevation changes, bollards, landscaping, different paving materials, and/or other similar method. Striping does not meet this requirement. If a raised path is used it must be at least four inches high and the ends of the raised portions must be equipped with curb ramps. Bollard spacing must be no further apart than five feet on center.

c. The pedestrian circulation system may be within an auto travel lane if the auto travel lane provides access to sixteen or fewer parking spaces and the entire auto travel lane is surfaced with paving blocks, bricks, or other special paving as approved by the director. Trees and other landscaping elements shall be integrated into the design of a shared auto/pedestrian court. (See Table 14T-50.)

4. Bicycle Racks. Bicycle racks shall be located near recreational facilities and apartment buildings and shall meet the requirements of LMC 16.72. ~~Bicycle racks shall be screened by a Type II landscaping (as defined in LMC 16.80.050) for a combination of overstory and understory vegetation.~~

5. Covered Entrance. The main public entrances of all multi-family buildings must provide weather protection with at least thirty-six square feet of weather cover and a minimum depth of six feet. Exception: The weather protection feature for the primary entries of individual ground-level residential units may be reduced to a minimum depth of four feet and twelve square feet in area.

6. Common Open Space. Multi-family uses developments of two acres or greater must provide at least twenty percent of the gross site area for common open space purposes. The following special requirements shall be considered to qualify for various types of allowable open spaces:

~~a. Publicly accessible open space consistent with the requirements of LMC 15.12.120 may be used to meet one hundred percent of the required open space.~~

~~ba.~~ Common open space designed primarily for use by residents of the development may be used to meet up to fifty percent of the open space requirement. While this is not intended to encourage gated or closed off open spaces, it can include internalized open spaces that may not be visible from a street. This can include landscaped courtyards ~~or decks~~, front porches, internal gardens with pathways, children's play areas, or other internal multi-purpose

recreational and/or green spaces. Special requirements and recommendations for common open spaces include the following:

(1) Required setback areas shall not count towards the open space requirement, except for spaces that meet the dimensional and design requirements and guidelines herein.

(2) Space shall be large enough to provide functional leisure or recreational activity. To meet this requirement, no dimension shall be less than fifteen feet in width (except for front porches). Alternative configurations may be considered by the director where the applicant can successfully demonstrate that the common open space meets the intent of the standards.

(3) Spaces (particularly children's play areas) shall be visible from dwelling units and positioned near pedestrian activity.

(4) Spaces shall feature paths, landscaping, seating, and lighting. Other amenities that make the area more functional and enjoyable are encouraged.

(5) Individual entries shall be provided onto common open space from adjacent ground floor residential units, where applicable. Small, semi-private open spaces for adjacent ground floor units that maintain visual access to the common area are strongly encouraged to enliven the space.

(6) Common open space shall be separated from ground floor windows, streets, service areas and parking lots with landscaping, low-level fencing, and/or other treatments as approved by the director that enhance safety and privacy (both for common open space and dwelling units).

(7) Space should be oriented to receive sunlight, facing east, west, or (preferably) south, when possible.

(8) Stairways, stair landings, above grade walkways, balconies and decks shall not encroach into the common open space. An atrium roof covering may be built over a courtyard to provide weather protection provided it does not obstruct natural light inside the courtyard.

Front porches are an exception.

(9) Front porches qualify as common open space provided:

No dimension is less than eight feet.

“Cave” porches are not included in calculations for common open space. “Cave” porches are porches that are entirely inset into the building. Porches set into the corner of a building are an exception.

**eb.** Natural Areas. Retention of existing natural areas with mature trees may count for up to fifty percent of the required common open space provided the subject area is located outside of the minimum required setback and buildings are configured to use the natural area as an amenity. For example, private patios or a trail bordering the natural area would meet this objective. (See Table 14T-51.)

7. Private Open Space. In addition to the common open space requirements noted in subsection (C)(6) of this section, multi-family uses must provide at least ~~forty-eight square feet of~~ fifty percent of the required open space as private open space ~~per dwelling unit~~. This may include private balconies, porches, decks, or patios. Semi-private open space concepts, designed to service specific blocks of units, or portions of a complex (where such space is not included in the calculations for the required common open space), may qualify for up to fifty percent of the private open space requirement. (See Table 14T-52.)

D. Architectural Character and Scale.

1. Intent.

- a. To promote development that is compatible and visually integrated within the existing development if surrounding development is consistent with goals and policies of the Comprehensive ~~Land Use~~ Plan and design review standards.
- b. To reduce the apparent bulk and scale of large buildings.
- c. To enhance the pedestrian environment.
- d. To promote architectural variety that adds visual interest to the neighborhood.

2. Articulation. All residential buildings and residential portions of mixed-use buildings shall include at least three of the following articulation features at intervals of no more than thirty feet along all facades facing a street, internal access road, and common open space:

- a. Repeating distinctive window patterns at intervals no more than thirty feet.
- b. Vertical building modulation. Minimum depth and width of modulation are eighteen inches and four feet (respectively) if tied to a change in color or building material and/or roofline modulation as defined below. Otherwise, minimum depth of modulation is ten feet

and minimum width for each modulation is fifteen feet. Balconies may not be used to meet modulation option unless they are recessed or projected from the facade and integrated with the building's architecture as determined by the director. For example, "cave" balconies or balconies that appear to be "tacked on" to the facade will not qualify for this option.

c. Horizontal modulation (upper level step-backs). To qualify for this measure, the minimum horizontal modulation shall be five feet.

d. Articulation of the building's top, middle, and bottom. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline.

e. Change of roofline. To qualify for this measure, the maximum length of any continuous roofline shall be thirty feet and comply with the treatments below:

(1) For flat roofs or facades with a horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of two feet or one-tenth of the wall height (finish grade to top of wall).

(2) For gable, hipped, or shed roofs--a minimum slope of five feet vertical to twelve feet horizontal.

(3) Other roof forms consistent with the design standards herein may satisfy this standard if the individual segments of the roof with no change in slope or discontinuity are no more than thirty feet in width (measured horizontally).

f. Change in building material or siding style (perhaps coordinated with horizontal building modulation and a change in color).

g. Alternative methods as approved by the director that effectively reduce the perceived bulk and scale of the buildings and add visual interest. For example, buildings using high quality materials such as brick and special facade detailing may not need much modulation to provide visual interest. (See Tables 14T-53 and 14T-54.)

3. Facades of Large Buildings. Buildings visible from the street must use design techniques to break up long continuous building walls, reduce the architectural scale of the building, and add visual interest. Specifically, any building facade longer than one hundred twenty feet in width must employ design techniques to limit the length of individual facades. To meet this requirement, buildings must utilize a combination of vertical and/or horizontal building

modulation with a change in building materials or finishes, a clear change in building articulation and/or fenestration technique sufficient to meet the intent of the standards as determined by the director. (See Table 14T-55.)

4. Diversity of Building Types. Multi-building developments shall employ techniques to provide architectural variety. This may include alternating building materials, roofline treatments, building heights, building modulation, entry design, window treatment, color, and/or other architectural treatments. The director may require changes to the facades, when necessary, to meet the intent of the standards. (See Table 14T-56.)

5. Roofline Standards. Single-purpose residential buildings must provide a pitched roof with a minimum roof pitch of five feet vertical to twelve feet horizontal. Alternative roof designs such as vegetated roofs are allowed, provided design elements are included to help the building and its roofline fit into the site's context. (See Table 14T-57.)

6. Raised Ground Floor. Developments are encouraged to raise the ground floor of residential buildings at least thirty-six inches above the sidewalk or common parking area to enhance residents' privacy. This is particularly important when dwelling units are within fifteen feet of a sidewalk or common parking area or for buildings in established neighborhoods that have an established pattern with raised dwelling units.

7. Street Corner Buildings. Buildings located at street corners are encouraged to utilize prominent building elements to emphasize these highly visible locations. This could include a corner facing building entry, change in building materials, special roofline feature, or rounded or octagonal building shape at the corner.

#### E. Building Details, Materials, and Color.

##### 1. Intent.

a. To encourage the incorporation of design details that are attractive at a pedestrian scale into building facades.

b. To promote the use of durable materials that are appropriate for residential use and that reduce long-term maintenance costs and depreciation.

c. To utilize colors that complement those of nearby established neighborhoods and reduce the perceived scale of the building.

2. Details Toolbox. All multi-family buildings shall be enhanced with appropriate details. Each of the types of details listed below are worth one point unless otherwise noted. Multi-family buildings must achieve the equivalent of four points worth of architectural details. Chosen details must be compatible with the chosen architectural style. All new residential buildings shall include at least two of the following elements on their facades:

- a. Decorative porch design with distinct design and use of materials.
- b. Decorative treatment of windows and doors, such as decorative molding/framing details around all ground floor windows and doors, bay windows, decorative glazing, door designs, and/or unique window designs.
- c. Landscaped trellises or other decorative element that incorporates landscaping near the building entry or entries.
- d. Decorative light fixtures with a diffuse visible light source, such as a globe or “acorn” that is non-glaring or a decorative shade or mounting for each building entry on the facade.
- e. Brick or stonework covering more than ten percent of the facade (two points).
- f. Decorative building materials that add visual interest, including:
  - (1) Individualized patterns or continuous wood details.
  - (2) Decorative moldings, brackets, wave trim or lattice work.
  - (3) Decorative brick or stonework (may be in addition to the brick or stonework credits noted above if they are arranged in a decorative manner that adds visual interest to the facade).
  - (4) Other materials with decorative or textural qualities as approved by the director. The applicant must submit architectural drawings and material samples for approval.
- g. Decorative roofline design, including multiple gables and/or dormers or other design that adds distinct visual interest, including decorative railings, grill work, or terraced landscape beds integrated along the facade of the building.
- h. Decorative balcony design, such as distinctive railings.
- i. Decorative paint schemes.
- j. Other detailing work that adds visual interest to the building as approved by the director.

(See Table 14T-58.)

3. Windows.

a. Transparent windows or doors facing the street are required. To meet this requirement, at least fifteen percent of the facade must be transparent. The facade is measured from the base of the building to the start of the roofline and any other vertical walls facing the street, except for gabled portions of the facade not containing livable floor area (see Table 14T-29 for clarification). Garages facing the street shall count as part of the facade.

b. Windows facing the street should indicate floor levels and should not occur between floors. Exceptions may be granted for stairwells.

c. Building facades shall employ techniques to recess or project individual windows above the ground floor at least two inches from the facade or incorporate window trim at least four inches in width that features color that contrasts with the base building color. Exceptions will be considered by the director where buildings employ other distinctive window or facade treatment that adds visual interest to the building. (See Tables 14T-58 and 14T-59.)

#### 4. Exterior Materials.

a. Traditional materials consistent with local and regional architectural styles are encouraged (horizontal wood siding and brick).

b. Stucco and other troweled finishes should be trimmed in masonry or wood.

c. Mirrored glass and exposed concrete block (except for foundation/crawl space walls where not visible from the street) are not in keeping with the desired character of Lacey and are prohibited.

d. T-111 siding and other plywood types of siding (board and batten is an exception) shall not be used.

#### 5. Colors.

a. Continuity of colors and materials should be considered, particularly for infill projects that require special sensitivity for preservation of existing neighborhood character. Colors and materials should complement and act as an amenity to the neighborhood.

b. The overall color scheme and materials used should create the appearance of reducing building prominence and complementing the natural environment.

c. Innovative usage of colors and materials can be encouraged in areas devoid of any existing development.

#### F. Service Elements and Outdoor Storage.



1. Intent. To minimize impacts of service and storage elements on the pedestrian environment and adjacent uses.
2. All multi-family developments shall provide a designated spot for service elements (refuse and disposal). Such elements shall meet the following requirements:
  - a. Service elements shall be sited off of the alley, where available. Where there is no alley, service elements shall be located to minimize the negative visual, noise, odor, and physical impacts to the street environment, adjacent (on- and off-site) residents or other uses, and pedestrian areas.
  - b. Service elements shall be sited and designed to provide sufficient visibility to prevent hiding places for unwanted persons.
  - c. The designated spot for service elements shall be paved.
  - d. Appropriate enclosure of the service elements shall be required, as determined by the director. Requirements and considerations:
    - (1) The design of any detached service enclosure shall be compatible with the design of the primary structure or structures on the site. This could include similar building materials and/or detailing. The six-foot fence may be constructed of concrete block, brick, or wood. Coordination with the current franchise hauler is required. The sides and rear of the enclosure must be screened by Type I landscaping (as defined in LMC 16.80.050).
    - (2) Enclosures are particularly important for corner lots, where that portion of the alley is more visible from the adjacent street.
    - (3) Proximity to adjacent residential units will be a key factor in determining appropriate service element treatment.
    - (4) Preferably, service enclosures are integrated into the building itself. (See Table 14T-60.)
3. Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility from the street. If such elements are mounted in a location visible from the street, pedestrian pathway, common open space, or shared auto courtyards, they shall be screened with vegetation in accordance with Chapter 16.80 LMC or by architectural features. (See Tables 14T-61 and 14T-62.)

4. Rooftop Mechanical Equipment. All rooftop mechanical equipment shall be organized, proportioned, detailed, landscaped (with vegetated roofs, decks or terraces) and/or colored to be an integral element of the building.

5. If storage is provided on site for recreational items such as boats, RVs, etc., these items shall be placed adjacent to the parking areas. If recreational storage is utilized, it shall be screened by a six-foot fence that matches the architectural style of the buildings on site. The six-foot fence may be constructed of concrete block, brick, or wood.

G. Privacy and Relationship to Adjacent Sites.

1. Intent.

a. To enhance privacy between dwelling units.

b. To minimize impacts between multi-family developments and established single-family areas.

2. Privacy and Relationship to Adjacent Sites. Adequate solar access and privacy for multi-family dwelling units shall be provided along the side yard. Specific standards and guidelines:

a. Buildings or portions thereof containing dwelling units whose solar access is only from the side of the building (facing towards the side property line) shall be set back from the property line at least fifteen feet.

b. Transparent windows shall occupy no more than ten percent of any facade within fifteen feet of the side property line.

c. Balconies or rooftop decks within fifteen horizontal feet of a side property line must utilize opaque guard rails to minimize privacy impacts to adjacent properties. (See Tables 14T-62 and 14T-63.)

3. Developments Adjacent to Single-Family Areas.

a. Extra attention shall be given to proposed developments that are located adjacent to existing single-family detached developments. This consideration shall ensure that proposed developments minimize impacts onto adjacent, lower density uses. Submitted proposals may be reviewed for the following items:

(1) Clustering.

(2) Height.

(3) Landscaping, berms and fences.

- (4) Setbacks.
- (5) Number of units in a building.
- (6) Transition of units on proposed sites. ~~Multi-family projects adjacent to single-family developments shall be reviewed concurrently with Chapter 16.20 LMC for transition standards.~~
- ~~(7) Landscaped buffers are required under Chapter 16.20 LMC.~~
  - b. The proposed development shall be designed to complement or improve aesthetic character of the neighborhood.
  - c. Sensitivity in regard to building setbacks, massing of structures, spacing between buildings, scale of buildings, facade proportions and building materials shall be observed when placing developments adjacent to single-family detached neighborhoods.
- 4. The design shall incorporate crime prevention through environmental design (CPTED) techniques.
- 5. Side and rear yards buffer requirements between multi-family and non-residential developments. ~~Developments~~ shall incorporate one or more of the following design options: This requirement also applies between multi-family and single-family residential development.
  - a. Provide Type I landscaping (as defined in LMC 16.80.050) at least ten feet deep along side and/or rear property lines where a strong visual buffer to the adjacent use is desired. A screen fence up to six feet tall may be used in conjunction with the landscaping.
  - b. Provide Type II or III landscaping (as defined in LMC 16.80.050) at least ten feet deep along side and rear property lines where a visual separation of uses is desired. The width of the planting strip may be reduced to five feet if used in conjunction with a screen fence approximately six feet tall.
  - c. Other treatments that meet the intent of the criteria as approved by the director. Factors that must be considered in determining the appropriate treatment include views, applicable uses, connectivity, and desired level of privacy. Some options include:
    - (1) Shared pathway along or adjacent to the property line with landscaping. This is a desirable configuration that can enhance pedestrian circulation and provides an efficient use

of the space. This treatment requires a recorded agreement with applicable adjacent property owner(s).

(2) Tall privacy fence or hedge (up to six feet tall).

(3) Low screen fence or hedge (up to three feet tall). This may be a more attractive option where a taller fence might provide negative visual impacts. (See Table 14T-64.)

#### H. Landscaping and Natural Features.

##### 1. Intent.

a. To provide for visual linkages between the proposed development and the existing neighborhood or natural environmental.

b. To encourage development that respects natural features of the land.

2. Landscaping shall meet the requirements of Chapter 16.80 LMC ~~and the city's Urban Beautification Plan.~~

3. Trees shall be preserved in accordance with Chapter 14.32 LMC (Tree Protection and Preservation Ordinance).

4. Existing topographic patterns shall be preserved and enhanced. This shall ensure that indiscriminate grading and vegetation removal does not occur.

5. Any wetlands and associated buffers shall be saved in accordance with the Wetland Protection Ordinance Chapter 14.28 LMC.

6. Storm drainage and erosion control for multi-family developments shall meet the requirements of the "Drainage Design and Erosion Control Manual for Lacey" included in Lacey's development guidelines.

7. Foundation Planting. All street-facing elevations must have landscaping along any exposed foundation. The landscaped area may be along the outer edge of a porch instead of the foundation. This landscaping requirement does not apply to portions of the building facade that provide access for pedestrians or vehicles to the building. The foundation landscaping must meet the following standards:

a. The landscaped area must be at least three feet wide.

b. There must be at least one three-gallon shrub for every three lineal feet of foundation.

c. Ground cover plants must fully cover the remainder of the landscaped area. (See Table 14T-65.)

8. Parking Lot Landscaping Buffer. Surface parking lots adjacent to the street shall feature a ten-foot minimum landscape buffer with Type III landscaping (as defined in LMC 16.80.050).

Exceptions:

- a. Preservation of existing native or desirable vegetation is preferred, where applicable.
- b. The planting strip may be reduced to five feet if a decorative masonry wall (approximately three feet in height) is incorporated with the landscaping bed (preferably behind the landscaping).
- c. Other landscaping types will be considered by the director provided they meet the intent of the criteria.

I. Site Lighting.

1. Intent. To integrate lighting into the overall design of a multi-family project.
2. Lighting shall be required for entryways, parking lots, carports, swimming pools, play areas, and along pedestrian pathways. The on-site pedestrian circulation system must be lighted to a level where pedestrians can identify faces from a reasonable distance.
3. Lighting shall be activated by photo electric cells or timer.
4. Directional signage should be lit by either internal or external illumination.
5. Lighting fixtures shall complement project design and shall be oriented to avoid direct glare onto adjacent properties while providing adequate safety for pedestrians.

J. Sign Guidelines.

1. Intent. To incorporate signs that are designed to be complementary to the building design.
2. All signs shall meet the requirements of Chapter 16.75 LMC.
3. Style Elements.
  - a. Use sign shapes, lettering styles and materials that reflect architectural features of the multi-family development.
  - b. Locate building identification signs so that building details will not be covered or obscured.
  - c. Sign illumination shall be oriented to reduce glare and shall only be white or yellow in accordance with LMC 16.75.060(C).

K. Fence Standards.

1. Intent. To minimize negative impacts on the pedestrian environment.

2. Fences within the required front yard setback area and between any street and buildings shall not exceed three feet high and be no more than seventy percent solid to maintain views into the street for security. Exception: Fences up to six feet in height may be permitted no closer than ten feet from the sidewalk, provided they allow pedestrian visibility into the site and are complemented with landscaping features.
3. Fences taller than three feet six inches and visible from a street shall be screened with Type I, II, or III landscaping (as defined in LMC 16.80.050) to mitigate the visual impact of a wall on the street.
4. Chain link fences are prohibited.

Section 15. Section 14.23.082 of the Lacey Municipal Code is hereby amended as follows:

**14.23.082 Commercial Design Guidelines**

A. Commercial Building Design Guidelines:

1. To avoid flat walls, building modulation shall be used to reduce the mass and bulk of the structure. This can be achieved by utilizing the following:
  - a. Building setbacks on upper floor levels;
  - b. Recessed or clearly defined entryways;
  - c. Building ornamentation;
  - d. Varying roof lines, pitches, and shapes;
  - e. Overhangs, awnings and marquees;
  - f. Dormers, balconies, porches, staircases;
  - g. Window and door fenestration.

For building walls that are located away from public viewing, landscaping, trellises with climbing vegetation, or art work can be utilized.

2. Buildings located within a multiple building complex shall utilize similar or complementary colors, materials, window patterns and roof forms.

3. For commercial structures developed along arterial or collector roadways, the building shall be placed as near as possible to the adjacent sidewalk. This will allow the building walls to frame/anchor the streetscape.
4. Structures that are located on corner lots will be permitted additional height of up to six stories. Additional height to structures on corner lots can create an entryway into a complex while also creating a definite street edge. Building heights should step back from the lower level to increase building modulation. Usage of different building materials to differentiate the lower level from the upper stories can provide visual interest as well.
5. Consideration shall be given to colors and materials. Each shall complement the other and enhance existing buildings.
6. Weather protective devices shall be incorporated into the building design. Such items as extended roof overhangs, canopies or awnings can offer protection from the elements.
7. Consistency shall be used with architectural elements to ensure that building walls that are highly visible to the public are compatible with one another.
8. For commercial uses proposed within a neighborhood commercial zone, building design shall blend with the adjacent neighborhood. Items to consider include such things as scale, building height, colors and materials.

B. Site Design Guidelines.

1. For structures proposed on corner lots, a special design feature shall be utilized. This can be done with distinctive entryways annual flower arrangements, planter boxes, or other landscaping materials, decorative tile at entryways, or artwork.
2. Service areas shall not be located between the building area and the street unless there is no possible alternative location. Screening in the form of landscaping shall be used to diminish public visibility. Service areas shall not be located to face a residential area.
3. For those commercial uses that utilize outdoor seasonal display items, they shall be located so they do not impede pedestrian access to the building or required fire lanes. Such stored items shall be stacked in an orderly manner. Furthermore, aisle way widths shall meet the requirements of the Americans with Disabilities Act, and building and fire codes. Truck containers used for storage are prohibited.

4. Site features such as fences, walls, refuse and recycle enclosures, and light fixtures shall be designed to be consistent with the scale and aesthetic character of the building. These features shall also be designed to contribute towards a pedestrian environment.

5. Any mechanical equipment that is not attached to a structure shall be enclosed within an enclosure that is an aesthetic amenity to the building. For mechanical equipment attached to the building, it shall be enclosed within the roof form or within a screening structure.

6. To enhance the pedestrian environment, commercial uses shall consider pedestrian amenities such as large windows, outdoor eating areas, street furniture such as benches, bike racks and trash receptacles.

7. Meet all applicable requirements of LMC 14.23.084 and 14.23.086.

C. Materials. Exterior finishes shall be primarily wood and/or masonry. Other building materials used locally including, but not limited to, concrete masonry units are also acceptable in combination with other complimentary materials. Rated panel siding such as T1-11 shall not be allowed. Techniques that provide architectural interest like texturing, fenestration and modulation shall be used.

CD. Landscaping. In addition to meeting the landscaping standards established in Chapter 16.80 LMC, window boxes, planter boxes and hanging flower baskets shall be considered as accents to create a friendly pedestrian environment.

DE. Signs.

1. All signs shall meet standards of Chapter 16.75 LMC.
2. Window signs shall be considered in instances where architectural elements would be covered by a wall sign.

EF. Site lighting.

1. Establishments shall install lighting throughout the site for entryways, parking lots, and pedestrian areas. This shall be achieved both at a pedestrian and overall site level.
2. Lighting shall be activated by photo electric cells or timers.
3. Lighting fixtures shall complement project design and shall be oriented to avoid direct glare to adjacent properties.

FG. Compatibility with Residential Developments.



Where neighborhood commercial zones are developed and where commercial establishments in other zones are to be located adjacent to residential zones, care shall be taken to ensure compatibility and integration of the development with the adjacent residential neighborhood. This will include the physical layout of the site plan, the architectural design of the buildings and improvements, and consideration of mitigation techniques to reduce or eliminate identified impacts to the residential environment. Impacts such as, but not limited to, light/glare, noise and traffic shall be considered.

In development of the site plan, consideration shall be given to how the layout fits into the neighborhood and how it may become a desirable focus point for neighborhood services and pedestrian activities.

Architectural design shall consider compatibility with the neighborhood character and style with special emphasis for pedestrians.

Special techniques shall be considered to adequately address impacts, such as security and automobile light and noise issues through such techniques as landscaping, buffering and other measures.

**GH.** Refuse:

1. Refuse container screening shall be required and be of a material and design compatible with the overall architectural theme of the associated structure, shall be at least as high as the refuse container, and shall in no case be less than six feet high.
2. No refuse container shall be permitted between a street and the front of the building.
3. Refuse collection areas shall be designed to contain all refuse generated on site and deposited between collections. Deposited refuse shall not be visible from outside the refuse enclosure.

**I. Drive-Thru Facilities.**

**1. Where a drive-thru is proposed as part of a building, the following requirements shall apply, provided that the drive-thru meets the specific requirement contained elsewhere within Title 16 LMC:**

- a. The entrance and exit for the drive-thru lane shall not be located on a public street.**

b. The drive-thru and the drive-thru window shall be screened when visible from a public street. Screening shall include architectural projections, fencing, landscaping, or a combination of these elements.

c. Drive-thru lanes and windows shall be located a minimum of one hundred fifty feet from adjacent residential uses unless the residential use is separated from the lane or window by an arterial street. If separated by an arterial street, then no distance requirement shall apply.

d. A drive-thru is permitted on the same property as a residential use provided that the residential use is not located on the ground floor.

e. Drive-thru lanes shall not result in queuing or stacking which impedes pedestrian or bicycle access or mobility.

f. The drive-thru shall be designed to ensure safety for drivers and pedestrians, and avoid creating security dangers for customers or employees.

Section 16. Section 14.23.084 of the Lacey Municipal Code is hereby amended as follows:

14.23.084 Public Transportation And Pedestrian Circulation Design Requirements For **Commercial Development.**

A. Site Access.

1. Projects shall maximize public transportation access for buses and ride share vehicles by providing for their physical requirements. Projects also need to provide the necessary physical environment for those who use public transportation. To meet this intent, the following criteria shall be met:

a. Public transportation vehicles need to be accommodated on the road network to service the development;

b. Roads need to accommodate heavyweight and large vehicle requirements;

c. Public transportation facilities, such as bus pullouts, shall be considered in the initial design;

d. Streets adjacent to a development shall have sidewalks and other pedestrian facilities, such as bus shelters. Pedestrians shall be provided with convenient and safe access between a transit or bus area and entrance to a building or cluster of buildings.

B. Building location. To locate buildings in a manner that helps create a public transportation compatible development. In mixed use and commercial zones with a pedestrian emphasis the following criteria shall be met. In other commercial zones the following criteria is recommended where feasible:

1. Buildings shall be located as close as possible to streets with transit facilities or to internal transit stops;
2. Buildings shall be clustered around a central pedestrian space;
3. In a building cluster, an identifiable and dominant entrance to the cluster shall be provided that is clearly visible from the nearest transit facility. Within clusters, each building's entrance shall face the other entrances or shall be in close proximity so that the clear pedestrian destination can be identified.

C. Parking design and public transportation. Placement of parking is the key ingredient for successful pedestrian and public transportation circulation. To create developments that are less reliant on autos and encourage the use of public transportation and pedestrian access, all the following criteria shall be considered in design of all commercial projects:

1. Intercity Transit shall be consulted to develop transit ridership marketing programs for the development.
2. Preferential parking close to building entrances for ride-share vehicles shall be provided pursuant to requirements of Chapter 16.72 LMC.
3. Parking shall be designed substantially similar to the design types in Table 14T-12.
4. Bus stops and passenger drop-offs shall be located at major entrances to buildings when feasible rather than across the parking lot.
5. Site design needs to balance the location of parking with pedestrian and transit access and circulation. Parking lots shall provide clear, direct pathways for safe, easy pedestrian movement.

D. Internal circulation for commercial developments. Successful internal circulation requires that pedestrian and public transportation be designed together as compatible integrated circulation systems. To promote an integrated circulation system, the following criteria shall be met:

1. Where requested by Intercity Transit and the city, the internal road improvements shall be designed to handle transportation vehicles. Roads shall be able to accommodate large, heavyweight buses and have places for stopping for brief periods. Standards for transit-compatible road design shall be those approved by the city.

2. For large developments to be served by Intercity Transit, direct streets should be designed through a development. Consultation with Intercity Transit shall be required to consider bus bypasses through bottlenecks such as congested intersections and parking lots.

3. Transit use shall be designed so transit can serve the main entrances of buildings. On site, transit shall serve the main entrances of buildings and main entrances to clusters of buildings.

4. When requested by Intercity Transit and the city and when traffic volumes warrant such facilities, exclusive bus lanes, entrances and exits should be provided.

E. Pedestrian circulation. It is expected that people will walk 500 to 1000 feet to a bus stop. This distance shall be measured using the actual walking route. Walkways need to be built according to the following criteria:

1. Walkways should be located so the pedestrian has a short distance to walk between the transit facility or street with a transit stop and entrance to the building. Visual as well as physical pathways to streets with transit facilities need to be provided. Transit centers or bus stops need to be integrated with other pedestrian areas and corridors.

2. Buildings on site shall be connected to abutting land use with walkways. To stimulate walking, all buildings within a development shall be connected by paved walkways, not only to each other, but also to adjoining buildings, particularly in mixed use developments.

3. Roads and parking areas shall be separated from pedestrian pathways by grade or other devices. Pedestrian and auto conflict shall be minimized by consolidating driveways, creating safe pedestrian crossings, and providing continuous sidewalks and curbs. Adequate width pathways and transit facilities available from buildings shall be provided for pedestrian security.

4. Walkways must meet ~~all state and local~~ barrier free design standards.

5. Every parking lot shall have a minimum of one pedestrian lane. Additional pedestrian lanes shall be provided at a ratio of one for every four parking rows or approximately one hundred forty feet of parking lot width, whichever is greater. Pedestrian lanes shall be

designed and located to accommodate the greatest number of parking stalls and pedestrian interconnections possible while providing the most convenient pedestrian situation. The pedestrian lane shall be a minimum of six feet wide, paved and have a minimum of four feet of Type II or III landscaping on each side with appropriate breaks for pedestrian access to the walk as provided below. The landscaping shall be protected and separated from the parking area by wheel stops or other features such as two man rocks. Wheel stops shall be located a minimum six feet from the edge of the pedestrian walk. To reduce impervious surfacing, paving does not need to extend beyond the wheel stop and the applicant may opt to grass the additional two feet of parking area for additional credit on drainage treatment requirements. Clearly marked pedestrian area for pedestrian access shall be provided adjacent to each landscape island along the pedestrian path. Colored stamped concrete, different textured surfacing, pedestrian markers or other design features shall be placed across automobile access lanes from pedestrian lanes and bus stops to provide clear, convenient and safe pedestrian movements throughout the parking lot.

F. Pedestrian and transit facilities. Designing quality into the walk to and the wait at a transit facility is as important for design consideration as is the provision of walkways and bus stops. People will walk farther in a quality pedestrian environment. The Northwest weather can also have a marked effect on the extent people will use public transit and must be considered in designs. The following criteria shall be followed in design of pedestrian walkways:

1. All walkways shall be paved and lighted. Paving materials should be safe under wet weather conditions. Walkways shall be enhanced with screening from the parking lot by landscaping as required in Chapter 16.80 LMC. For pedestrian safety, landscaping must not interfere with visibility. A Type III or Type II landscaping shall be utilized. Landscaping shall be an integral part of early design plans. Walkways shall be designed to capture landmarks and views where available.
2. The size of facilities shall be scaled to correspond to pedestrian volumes. A 10-foot minimum width sidewalk shall be provided adjacent to a transit stop. The minimum width of a pedestrian walkway shall be six feet. An increased width for the transit area or pedestrian walkway may be required if the number of users warrants additional circulation space.

Pedestrian facilities such as lighting, signs, benches, trash cans and weather protection shall be provided as the volume and need requires.

G. Transit facilities. Special attention needs to be given to pedestrian facilities near bus stops and transit centers. All transit facilities considered for a site must be developed with and approved by Intercity Transit. The following criteria will be required to make transit stops work effectively:

1. Shelters shall be provided to protect patrons from the weather. The design shall be as specified in Section 4G.060 of the Lacey Development Guidelines. Design shall provide shelter while remaining safe, easy to maintain, and relatively vandal proof.
2. Bus stops shall be considered as a significant destination and an important part of design of all development. Transit facilities may be combined with a shared plaza placed between neighboring buildings or at the main entrance to a development.
3. Separate waiting places shall be provided for transit patrons as part of the walking path to improve pedestrian circulation.
4. Pedestrian facilities shall be provided at transit stops. All facilities must be approved by the local Intercity Transit and the city's department of community and economic development. The following types of facilities should be provided: benches with back rests; attractive well-maintained landscaping; trash containers with lids; walkway lighting between transit stops and buildings, and at transit waiting areas; and community information displays and guides.

Section 17. Section 14.23.086 of the Lacey Municipal Code is hereby amended as follows:

**14.23.086 Design Requirements For Zones With Pedestrian Emphasis And Key Multimodal Corridors And Intersections.**

A major emphasis of the Comprehensive Plan is to create more opportunities for pedestrians and multimodal transportation. Key multimodal corridors and intersections designated in the Comprehensive Plan and zoning map will be the heart of the city's circulation system. If the city's goals of a more pedestrian-friendly city are to be realized, these multimodal corridors and intersections and surrounding road networks must develop with amenities and designs that will entice pedestrians, bicyclists and transit riders.

A. Applicability. Standards listed under subsections B and C of this section apply to all zones with pedestrian emphasis. Standards for circulation and design for multimodal corridors and key pedestrian intersections apply to all zones along such corridors and at key pedestrian intersections. Provided multifamily condominium and townhouse development with less than five units and all single family short plats and permits for individual single family detached homes and accessory uses shall be exempt.

B. General Requirements.

1. Increase pedestrian amenities and function along key multimodal corridors, at intersections, and in pedestrian-oriented zones.
2. Provide a network of comfortable and interesting pedestrian streets which link residential areas with commercial zones throughout the growth area.
3. Reduce dependence on the automobile in zones with pedestrian emphasis by providing increased emphasis on other modes of transportation, such as walking, bicycling and transit through the provision of pedestrian-oriented, multimodal streets.
4. Provide a high quality, compact pedestrian-oriented street environment that is easily and pleasantly traversed on foot.
5. Increase architectural continuity and compatibility within and between zones.
6. Encourage business and pedestrian areas and spaces that are active throughout the day and evening.
7. Improve sidewalk and building integration, which increases human comfort and activity.
8. Incorporate "human-scaled" elements into building design.
9. Provide direct visual contact between activities occurring inside buildings and the street environment. (See also subsection (C)(4) of this section, blank wall limitation.)

C. Specific Pedestrian Requirements.

1. Reduced Setbacks. Placement of building walls shall be such that they enclose and define the street space. The location, height, and massing of walls shall provide human-scaled street enclosure and building edge continuity on pedestrian-oriented streets (multimodal corridors). To provide a more continuous building edge, buildings shall be placed forward on lots adjacent to designated multimodal corridors. Street wall location adjacent to the sidewalk

shall bring building activities into physical and visual contact with the sidewalk environment and increase the liveliness of the street.

a. Key commercial designations with pedestrian emphasis (central business districts, neighborhood commercial and mixed use corridors) have maximum front yard setbacks of fifteen feet and allow zero feet. Residential zones allowing moderate to high densities also provide for reduced setbacks.

b. Exceptions to Reduced Setbacks. The street wall may be set back to provide transition to residential neighborhoods, to provide more separation of public and private space in residential development, to meet centerline setback requirements, for building entrances, for pedestrian plazas, and to allow existing setback buildings as conforming uses.

(1) Building Entrances Allowance. Large entryways which are integral to a building design may be set back more than fifteen feet.

(2) Pedestrian plazas.

2. Pedestrian Plazas. Pedestrian plazas are intended to be open to the public (but are not required to be). They are spaces which people will use along intensively developed streets (multimodal corridors) and in some commercial and all mixed use corridors. Facilities and buildings can be grouped around small pedestrian plazas to create places where people may congregate.

All commercial subdivisions or binding site plans in mixed use zones or zones with pedestrian emphasis are expected to provide plazas unless the city determines the provision of such is not consistent with the intent of this chapter due to special circumstances of the site or project.

Commercial or multifamily building projects in the mixed moderate or high density corridors may provide plazas to obtain bonus building or development coverage. Pedestrian plaza designs must meet the following criteria:

a. Size and Dimension. The maximum width of the pedestrian plaza shall normally be sixty feet. (See Table 14T-13.)

b. Access. The surface of all pedestrian plazas must be visually and physically accessible from the public right-of-way. Allowances may be made for sites with steep topography.

c. Surface. Paved walking surfaces must be provided.



d. Landscaping.

- (1) At least ten percent of the plaza area must be landscaped with living plants.
- (2) The landscaping must be planted and maintained according to Chapter 16.80 LMC.
- (3) Landscaping shall not block visual access to the pedestrian plaza.

e. Seating.

- (1) Seating shall be provided in all pedestrian plazas.
- (2) Tops of walls and steps may be considered seating if designed to accommodate this function.

f. Exposure to Sunlight. (See Table 14T-13.)

- (1) Southern locations are encouraged to allow direct sunlight to enter the space and strike the plaza floor.
- (2) Pedestrian plazas shall be designed to allow some direct sunlight to enter the plaza.
- (3) Pedestrian plaza landscaping shall be designed in a manner that does not block the entrance of direct sunlight.

g. Plaza Edges.

- (1) Plaza Enclosure. All pedestrian plazas must be enclosed on at least two sides by a structure or by landscaping which creates a wall-like effect.
- (2) Prohibited Edge Conditions.
  - (a) Unscreened parking lots, chain link fences and other inhibiting conditions are prohibited adjacent to pedestrian plazas.
  - (b) Blank walls in pedestrian plazas are subject to the blank wall limitation standards of subsection (C)(4) of this section.

h. Uses in Pedestrian Plazas.

- (1) Permitted uses: playground equipment, fountains, waterfalls, pools, sculptures, works of art, arbors, trellises, benches, trees, planting beds, trash receptacles, drinking fountains, bicycle racks, open air cafes, kiosks, vending carts, outdoor furniture, lighting, flagpoles, public telephones, temporary exhibits, canopies, awnings, and similar uses which encourage pedestrian use of these spaces.
- (2) Allowed Motor Vehicle Use. Motor vehicle use of pedestrian plazas for passenger drop off and pick up at plaza edge. All other loading or motor vehicle access is prohibited.

i. Exceptions. The site plan review committee may grant exceptions to the pedestrian plaza standards if the proposed design meets the intent of this chapter.

3. Awnings, Marquees and Arcades. Continuous canopies, awnings, marquees, and arcades keep pedestrians out of the rain and contribute to overall integration of individual buildings within the streetscape. This pedestrian weather protection also helps define the pedestrian zone on the sidewalk.

a. Requirements.

(1) All commercial uses in zones with pedestrian emphasis shall provide some weather protection for their patrons.

(2) Awnings, marquees, and arcades must meet the city's adopted Building Code requirements.

(3) Awnings, marquees, and arcades are encouraged along the street wall, or that portion of the street wall that abuts or is parallel to the sidewalk. The maximum depth (projection from street wall) is regulated in the applicable section of the city's adopted Building Code.

(4) The lower edge of all awnings, marquees, and arcades must be between the heights of eight and twelve feet above finished grade. Awnings on a given block shall be the same or similar height.

(5) Canopies, awnings, marquees and arcades may project into the public right-of-way with approval of the site plan review committee.

4. Blank Wall Limitation. A successful pedestrian environment will provide varied, pedestrian-friendly building facades and sidewalk activities. Blank walls and dull building facades can degrade a pedestrian streetscape and the business environment as they deaden the surrounding space and break the continuity of the building edge. Therefore, the construction of blank walls shall be limited to prevent the disruption of existing building patterns and to avoid an uninviting street environment. The regulations in this section are intended to reduce blank wall impacts on the pedestrian and business environment.

a. Blank Wall Limitation Requirements.

(1) All commercial ground level walls within fifty feet of a street or pedestrian area shall feature pedestrian-friendly facades. Sixty percent of the street wall facade within fifty feet of the street or pedestrian area is regulated between two and eight feet in height. (See Table 14T-

14.) This dimension applies to all options for blank wall treatments (transparent windows, art and architectural treatment, and trellis and planting techniques).

(2) At least sixty percent of a wall facing a street shall consist of transparent window area or display windows which provide visibility into building interiors. Maximum wall coverage with windows is recommended.

(3) In addition to subsections (C)(4)(a)(1) and (2) of this section, two or more of the following techniques shall be employed to provide interest on non-window areas.

(a) Sculpture, mosaic, glass block opaque art glass, bas-relief artwork, or similar features of visual interest which are incorporated into the street wall or blank building wall. Structural architectural elements may be acceptable if the design meets the intent of this section.

(b) Installation of a permanent vertical trellis in front of the wall with climbing plants or plant materials.

(c) Pedestrian plazas may meet this requirement if the design complies with the intent of this section.

(d) Any other architectural techniques that meet the intent of this section to provide a pedestrian-friendly, comfortable street environment with architectural interest.

b. Retaining Walls. Retaining walls on pedestrian streets are considered blank walls and are subject to the regulations in this section with the exception of subsection (C)(4)(a)(2) of this section. Retaining wall treatment may include a stone wall, landscaping treatment, special texture or design. Blank concrete is prohibited.

c. Exceptions. Where this section is in conflict with the city's adopted Fire Code, the Fire Code shall govern.

5. Primary Building Entrance. Primary building entrances are required on the street or pedestrian and transit access from street to allow people to arrive by foot, by transit, or by other means (in addition to the car), and to increase pedestrian and street activity. For buildings adjacent to a sidewalk entrances shall meet the following minimum requirements:

a. The primary entrance to all buildings shall face the street or central pedestrian plaza.

b. All primary building entrances shall be clearly visible from the sidewalk or pedestrian plaza.

c. Direct access shall be provided either:

- (1) from the sidewalk if the building facade is adjacent to the sidewalk, or
- (2) from a pedestrian plaza if the building facade is not directly adjacent to the sidewalk.

(See Table 14T-13.)

D. Circulation and Design for Multimodal Corridors and Key Pedestrian Intersections.

1. Multimodal corridors and key pedestrian intersections are intended to provide a focus for multimodal activity in each neighborhood. The corridor shall provide an area of convergence for the pedestrian sidewalk network that interconnects all dwelling units with other units, non-residential uses, common open space, bus stops and sensitive area tracts. Mid-block crossings shall be utilized where necessary to promote more efficient or strategic interconnections with pedestrian corridors or trail systems. Sidewalk systems shall be separate and distinct from motor vehicle circulation to the greatest extent possible, provide a pleasant route for users, promote enjoyment of the development, and encourage incidental social interaction among pedestrians. Sidewalks shall be of barrier-free design.

The pedestrian circulation system shall include gathering/sitting areas and provide benches, landscaping, and other street furniture where appropriate. Sidewalks along the corridors and at key intersections shall promote pedestrian activity.

2. Sidewalks shall be a minimum of six feet in width, expanding to eight feet or more along major pedestrian routes. Sidewalks in commercial areas shall normally be ten to fifteen feet in width depending upon location of major pedestrian routes and significance of the sidewalk for pedestrian use. The specified sidewalk dimensions shall be in addition to land area used for street functions or the placement of objects in the sidewalk area.

Standard material for sidewalk construction is acceptable, provided, however, key pedestrian intersections shall use special materials. See subsection (D)(5) of this section.

3. Bikeways shall be provided to link key components of each neighborhood with the corridor. Bikeways do not have to be marked on local residential streets with low average daily traffic. Bikeways are required on portions of multimodal corridor designations, collectors and arterials. The width of bikeways shall be in accordance with the minimum dimensions specified for Class 1, 2, and 3 bikeways as defined in the Regional Transportation Program and the Lacey Urban-Transportation Plan. Bikeways shall use asphalt paving, porous

asphalt, or other approved surface. Bike racks shall be provided at strategic destination locations along the corridors such as commercial areas, open spaces and other neighborhood focus points.

4. Key pedestrian intersections shall be located at the focal point of neighborhoods as shown on the Lacey Comprehensive Plan Land Use Map. All key pedestrian intersections shall have street furniture as well as other significant pedestrian areas along the corridor.

Elements of street furniture, such as benches, waste containers, drinking fountains, planters, phone booth, bus shelters, bicycle racks, and bollards should be carefully selected to ensure compatibility with the architecture of surrounding buildings, the character of the area, and with other elements of street furniture. Consistency in the selection and location of the various elements of street furniture is critical for maximum effect and functional usage. Street furniture shall meet all city guidelines for strength, durability, maintenance and safety.

5. At key pedestrian intersections and other areas of special significance to pedestrians along corridors, sidewalks shall be constructed of permeable pavers, brick, colored/textured concrete pavers, concrete containing accents of brick, colored stamped concrete or some combination thereof that is compatible with the style, materials, colors and details of the surrounding buildings and neighborhood. The functional, visual, and tactile properties of the paving materials shall be appropriate to the proposed functions of pedestrian circulation in the immediate area. Such techniques are also recommended for public or semi-public plazas, courtyards, or open spaces along the corridor.

6. Bus stops shall be located along collectors and arterials on the corridor in consultation with Intercity Transit and North Thurston School District and shall be integrated as part of the pedestrian network. Bus stops may also be provided along strategic sections of local access streets if the city of Lacey, North Thurston School District and Intercity Transit determine such location will provide the most convenient coverage for residents. Locations for bus stops shall be designed to make transit services accessible to all residents of the neighborhood.

7. Transit passenger pads and shelters may be provided at focal points in the neighborhood along corridors, such as commercial areas and key pedestrian intersections, if deemed necessary by the city in consultation with Intercity Transit and North Thurston School

District. Design and size of shelters and pads will be determined in consultation with Intercity Transit.

8. Bus stops shall be illuminated at night to enhance passengers' safety and sense of security.
9. Decorative human scale lighting is recommended on all local access streets, pedestrian walkways, sidewalks, courtyards, community greens, internal open spaces and along corridors at intervals adequate to provide pedestrians with safe and comfortable lighting. Light poles may use a staggered pattern when measured and spaced using both sides of the street. Lighting fixtures and poles shall generally be between twelve to twenty-four feet in height and constructed from steel, cast iron, or aluminum, with poles and fixtures complementing the human scale and architectural character of the neighborhood.
10. Street lights should be decorative and blend with the architectural style of the plat or development project. (See Design Vocabulary in Table 14T-10.)

Section 18. Section 14.24.030 of the Lacey Municipal Code is hereby amended as follows:

**14.24.030 Additional definitions.**

In addition to those definitions contained within WAC 197-11-700 through 197-11-799, when used in this chapter, the following terms shall have the following meanings, unless the context indicates otherwise:

- A. "Department" means any division, subdivision or organizational unit of the city established by ordinance, rule or order.
- B. "SEPA rules" means Chapter 197-11 WAC adopted by the department of ecology.
- C. "Ordinance" means the ordinance, resolution, or other procedure used by the city to adopt regulatory requirements.
- D. "Early notice" means the city's response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant's proposal (mitigated Determination of Nonsignificance (DNS) procedures).
- E. "Environmental assessment" means a detailed technical report on one or more elements of the environment as listed in the environmental checklist where that report is prepared by

person(s) with expertise in that particular field. Environmental assessments may include, but are not limited to, geotechnical reports, hydrological reports, and traffic studies.

F. “Responsible Official” means the director of community and economic development or designee. (Ord. 1192, §15, 2002; Ord. 701 §2 (part) 1984).

Section 19. Section 14.32.030 of the Lacey Municipal Code is hereby amended as follows:

**14.32.030 Definitions.**

A. “Brushing” means the practice of removing ground cover to create better visibility on a property for purposes such as marketing or surveying of said property.

B. “Caliper” is the standard for trunk measurement of nursery stock. Caliper of the trunk shall be the trunk diameter measured six inches above the ground for up to, and including, four-inch caliper size and twelve inches above the ground for larger sizes.

C. “City” means the city of Lacey, Washington.

D. “Class IV forest practice activity” is a timber harvest, thinning or other activity as established in the Washington State Department of Natural Resources Forest Practices Regulations, whereby a property owner is allowed to harvest a limited amount of timber from their property within the city of Lacey, while still maintaining their rights to convert their property to a use inconsistent with growing timber.

E. “DBH” is the diameter at breast height, measured four and one-half feet above the groundline on the high side of the tree.

F. “Director” means director of community and economic development or his/her designee.

G. “Drip line” of a tree is located by the vertical projection of a line at the tips of the outermost branches.

H. “Ground cover” means grass, forbs, shrubs, and trees less than four inches in diameter measured four and one-half feet above the ground level (DBH).

I. “Hazard tree” means any tree that is dead, dying, damaged, diseased, or structurally defective, recently exposed by adjacent clearing, or some other factor that will subject the tree to failure, and the tree could reasonably reach a target, as determined by the tree protection professional.

- J. "Land clearing" means the direct and indirect removal of trees and/or ground cover from any public or private undeveloped, partially developed, or developed lot, public lands or public right-of-way. This shall also include any destructive or inappropriate activity applied to a tree that will result in its death or effectively destroy the tree's appearance and/or functionality, such as topping.
- K. "Historical tree" is a tree or group of trees designated as such by the city because of its historical value to the residents of the city.
- L. "Root protection zone" is an area around the tree to be saved equal to one foot of radius for each one inch of tree diameter measured four and one-half feet above the ground line (DBH), unless otherwise designated by the city's tree protection professional.
- M. "Site disturbance" is any action that requires a city of Lacey building permit.
- N. "Specimen tree" is a tree that is unique or rare because of its exceptional size or quality, species, or value in a particular location.
- O. "Topping" is the indiscriminate placement of cuts to reduce a tree's size. Topping is not an acceptable pruning practice in the city of Lacey.
- P. "Tree" means any living woody plant characterized by one main stem or trunk and many branches, and having a diameter of four inches or more measured at four and one-half feet above the ground level (DBH).
- Q. "Tree protection professional" is a certified professional with academic and/or field experience that makes him or her a recognized expert in urban forestry and tree protection during development. A tree protection professional shall be a member of the Society of American Foresters (SAF), the Association of Consulting Foresters of America (ACF), the American Society of Consulting Arborists (ASCA), or the International Society of Arboriculture (ISA), and shall have specific experience with urban tree management in the state of Washington. Additionally the tree protection professional shall be an ISA Certified Arborist or an ASCA Registered Consulting Arborist with the necessary training and experience to use and apply the International Society of Arboriculture's Guide for Plant Appraisal and to professionally provide the necessary expertise relating to management of urban trees specified in this chapter.



R. “Tree tract” is a portion of land designated for the preservation and protection of existing trees or the planting of new trees to maintain tree canopy at a development site. The tree tract shall be a separate designated lot(s) shown on the plat map, binding site plan, or site plan review map, and shall be recorded with appropriate description of purposes and restrictions. Restrictions applied to the tree tract will not allow any use other than the growing of trees in the tract, and will reserve the tract for the protection and preservation of trees in perpetuity. Tree tracts can be used for other open space uses when the uses are compatible with trees and will not impact tree health. The tract will be dedicated to, and owned and maintained by, the homeowners’ or lot owners’ association, or comparable entity. The tract may be dedicated to the city of Lacey for maintenance if approved by the city. Creation of tree tracts to save the best trees on a site may require modifications to the street locations, lot designs and/or other features of the site plan.

Section 20. Section 14.32.060 of the Lacey Municipal Code is hereby amended as follows:

**14.32.060 Application for permits.**

A. Pre-submission conference. Prior to application for land use permits and actions such as a land division, commercial site plan review (SPR), or a conditional use permit (CUP), a pre-submission conference shall be required consistent with the requirements of chapter one of the Development Guidelines and Public Works Standards. The pre-submission conference is designed to review the proposed action and identify permit requirements and issues an applicant may incur if the project is implemented. As part of this review it should be made clear that the city of Lacey has an Urban Forest Management Plan and tree protection regulations that require early consideration of tree protection options, and that urban forest concepts and strategies shall be part of the early design considerations for new projects.

Location and design of major infrastructure, buildings, and planned uses must consider the tree protection opportunities to further the purposes of the Urban Forest Management Plan.

B. Applicable requirements. An application for a land clearing permit or information required by this chapter shall be submitted at the same time as a valid land use application or

building permit on a form provided by the city and shall be accompanied by such of the following documents and information as are determined to be necessary by the director:

1. Site Plan. Copies of the site plan, pursuant to requirements of chapter one of the Development Guidelines and Public Works Standards, which shall include the following information:

- a. Name, address, and telephone number of the applicant and owner of property;
- b. Legal description of property;
- c. Date, north arrow, and adequate scale, as determined by the director, on the map or plot plan;
- d. Topography map showing contours at not greater than ten foot intervals of proposed clearing projects within areas of steep slopes, creeks and shorelines;
- e. Location of proposed improvements, including, but not limited to, structures, roads, driveways, utilities, and storm drainage facilities. Said improvement locations shall also be staked on site to enable the city's tree protection professional and other city staff to review improvement locations and their relationship to the site and existing vegetation;
- f. Approximate and general location, type, size and condition of trees and ground cover and a general identification of trees and ground cover which are to be removed.

2. Tree protection professional report. On forested property greater in size than one acre or commercial property with one or more trees, or other sites the city deems it necessary because of special circumstances or complexity, the city's tree protection professional shall review the site and provide a report analyzing the site for tree protection consistent with the requirements of this chapter. The report should provide information important to urban forest management and options for consideration when developing preliminary designs. The report should suggest options for design to best achieve the purposes of the Urban Forest Management Plan and this chapter. The report shall include but shall not be limited to:

- a. Information required under subsections (B)(1) through (7) of this section;
- b. An analysis of technical information requested by the review body related to trees and forest practices;

- ac. Analysis of what portion of the site is best for designation of the tree tract if required, considering the intent of this chapter, soil type, topography, tree species, health of trees and reasonable project design limitations;
  - bd. Recommendations for saving of individual tree specimens based upon the intent of this chapter, soil type, topography, tree species, health of trees, and reasonable project design limitations;
  - ee. A plan for protection of trees to be saved during construction including placement of construction fences, monitoring of construction activity and other measures necessary to ensure adequate tree protection;
  - ef. Consideration of the location of roads, other infrastructure, and buildings and potential options for alternative locations, if applicable, to best satisfy the purposes of the Urban Forest Management Plan;
  - eg. A timeline for tree protection activity;
  - fh. The final tree protection plan should be prepared on the site grading plan. All tree protection fences, trees to be saved, and trees to be removed should also be shown on the site demolition plan. Necessary save tree pruning and selective thinning within tree tracts shall be detailed and trees marked as such. The tree protection plan and demolition plan should be part of the submittal to the city of Lacey and shall be approved by the tree protection professional. The tree protection plan shall be part of the contractor bid package and a copy of the tree protection plan shall be available to the contractors on site at all times during logging, clearing, and construction.
3. Schedule. A proposed time schedule for land clearing, land restoration, implementation of erosion control and any excavation or construction of improvements.
  4. Strategy for control. A statement indicating the method to be followed in erosion control and restoration of land during and immediately following land clearing.
  5. Landscape plan. Proposed landscape plan or written or graphic description of proposed action.
  6. Areas of saved trees. Location of tree tracts, proposed buffers, open space, and other areas of the site where stands of trees are to be saved.

7. Revegetation. If the option for revegetation of the site or a portion of the site is proposed under LMC 14.32.069, information requirements described under LMC 14.32.069 shall be required at the time of application.

C. Review body. Review shall take place as part of the underlying permit review process. The review body (site plan review committee, hearing examiner, or city council) shall review the application and make a decision in accordance with review requirements of the underlying permit.

D. Expiration. Any permit granted hereunder shall run with the underlying permit or shall expire eighteen months from the date of issuance. Upon a showing of good cause, a permit may be extended by the director for one six month period. The permit may be suspended or revoked by the director because of incorrect information supplied or any violation of the provisions of this chapter. Minor amendments of a permit may be granted by the director. Major amendments may be accomplished only by making a new application and proceeding through the requirements of this chapter and chapter one of the City of Lacey Development Guidelines and Public Works Standards. Major alterations are changes that alter the intent of the original decision. What constitutes a minor or major amendment shall be left up to the discretion of the director who may consult the review body for guidance.

E. Permit notice posted. No work shall commence until a permit notice has been posted on the subject site in a conspicuous location. The notice shall remain posted until the project has been completed.

F. Pre-construction conference. Prior to the start of logging and land clearing activity, a preconstruction conference shall be held with the city tree protection professional to insure the contractors understand the necessary tree protection measures prescribed in the tree protection plan and that all required tree protection fences and other required tree protection activity is completed prior to the start of site work.

Section 21. Section 14.40.040 of the Lacey Municipal Code is hereby amended as follows:

**14.40.040 Notice of civil violation.**

A. Issuance.

1. When the applicable department director determines that a violation has occurred or is occurring, and is unable to secure voluntary correction pursuant to LMC 14.40.030, the applicable department director may issue a Notice of Civil Violation to the person responsible for the violation.

2. The applicable department director may issue a Notice of Civil Violation without having attempted to secure voluntary correction as provided in LMC 14.40.030 under the following circumstances:

- a. When an emergency exists; or
- b. When a repeat violation occurs; or
- c. When the violation creates a situation or condition which cannot be corrected; or
- d. When the person knows or reasonably should have known that the action is in violation of a city of Lacey regulation.

B. Content. The Notice of Civil Violation shall include the following information:

1. The name and address of the person responsible for the violation; and
2. The street address or a description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring; and
3. A description of the violation and a reference to the provision(s) of the city of Lacey regulation which has been violated; and
4. The required corrective action and a date and time by which the correction must be completed after which the city may abate the unlawful condition in accordance with LMC 14.40.060 and the hearings examiner's order; and
5. The date, time, and location of an appeal hearing before the hearings examiner which will be at least ten days from the date the Notice of Civil Violation is issued; and
6. A statement indicating that the hearing will be canceled and no monetary penalty will be assessed if the applicable department director approves the completed, required corrective action at least 48 hours prior to the hearing; and
7. A statement that the costs and expenses of abatement incurred by the city pursuant to LMC 14.40.060(D) and a monetary penalty in an amount per day for each violation as specified in subsection E of this section may be assessed against the person to whom the Notice of Civil Violation is directed as specified and ordered by the hearings examiner.

C. Service of Notice. The applicable department director shall serve the Notice of Civil Violation upon the person to whom it is directed, either personally or by mailing a copy of the Notice of Civil Violation to such person at their last known address. If the person to whom it is directed cannot after due diligence be personally served within Thurston County and if an address for mailed service cannot after due diligence be ascertained, notice shall be served by posting a copy of the Notice of Civil Violation conspicuously on the affected property or structure. Proof of service shall be made by a written declaration under penalty of perjury executed by the person effecting the service, declaring the time and date of service, the manner by which the service was made, and if by posting the facts showing that due diligence was used in attempting to serve the person personally or by mail.

D. Extension. No extension of the time specified in the Notice of Civil Violation for correction of the violation may be granted, except by order of the hearings examiner.

E. Monetary Penalty. The monetary penalty for each separate violation per day or portion thereof shall be as follows:

1. First day of each violation - \$100.00;
2. Second day of each violation - \$200.00;
3. Third day of each violation - \$300.00;
4. Fourth day of each violation - \$400.00;
5. Each additional day of each violation beyond four days - \$500.00 per day.

F. Continued Duty to Correct. Payment of the monetary penalty does not relieve the person to whom the Notice of Civil Violation was issued of the duty to correct the violation.

G. Collection of Monetary Penalty.

1. The monetary penalty constitutes a personal obligation of the person to whom the Notice of Civil Violation is directed. Any monetary penalty assessed must be paid to the city of Lacey at the department of community and economic development within ten calendar days from the date of mailing of the hearings examiner's decision or a notice from the city that penalties are due.
2. The city shall contract with a collection agency in order to collect monetary penalties from individuals who do not pay within ten calendar days of the hearings examiner's decision.

Section 22. Section 14.40.060 of the Lacey Municipal Code is hereby amended as follows:

**14.40.060 Abatement by the city.**

A. The city may abate a condition which was caused by or continues to be a civil violation when:

1. The terms of Voluntary Correction Agreement pursuant to LMC 14.40.030 have not been met; or
2. A Notice of Civil Violation has been issued pursuant to LMC 14.40.040 and a hearing has been held pursuant to LMC 14.40.050 and the required correction has not been completed by the date specified in the hearings examiner's order; or
3. The condition is subject to summary abatement as provided for in subsection B of this section.

B. Summary Abatement. Whenever any violation of a regulation causes a condition the continued existence of which constitutes an immediate and emergent threat to the public health, safety, or welfare or to the environment, the city may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for it shall be given to the person responsible for the violation as soon as reasonably possible after the abatement.

C. Authorized Action by the City. Using any lawful means, the city may enter upon the subject property and may remove or correct the condition which is subject to abatement. The city may seek such judicial process as it deems necessary to effect the removal or correction of such condition.

D. Recovery of Costs and Expenses. The costs, including incidental expenses, of correcting the violation shall be billed to the person responsible for the violation and/or the owner, lessor, tenant or other person entitled to control, use and/or occupy the property and shall become due and payable to the city of Lacey department of community and economic development within ten calendar days. The term "incidental expenses" shall include, but not be limited to, personnel costs, both direct and indirect, including attorney's fees; costs incurred in documenting the violation; hauling, storage and disposal expenses; and actual expenses and costs of the city in preparing notices, specifications and contracts, and in

accomplishing and/or contracting and inspecting the work; and the costs of any required printing and mailing.

E. Interference. No person shall obstruct, impede, or interfere with the city or its agents, or with any person who owns, or holds any interest or estate in any property, in performing any acts necessary to correct the violation.

Section 23. Section 2.30.120 of the Lacey Municipal Code is hereby amended as follows:

**2.30.120 Report of community and economic development department.**

The community and economic development department shall provide a written staff report to the Hearing Examiner and all other interested parties ten days prior to the public hearing in accordance with Section 1C.050 of the City of Lacey Development Guidelines and Public Works Standards.

Section 24. Section 16.03.015 of the Lacey Municipal Code is hereby amended as follows:

**16.03.015 Lacey Comprehensive Land Use Plan.**

That certain series of documents identified as the Land Use Element for the Lacey Urban Growth Area, Housing Element for the City of Lacey and the Lacey Urban Growth Area, Pedestrian and Bicycle Plan for Lacey and the Lacey Urban Growth Area, Environmental Element for the City of Lacey, City of Lacey Transportation Plan, City of Lacey Capital Facilities Plan, Utilities Element for the Lacey Comprehensive Plan, Parks and Recreation Comprehensive Plan, 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, Depot District Subarea 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 25. Section 16.03.016 of the Lacey Municipal Code is hereby amended as follows:

**16.03.016 Map Overlay.**

The City of Lacey Shoreline Master Program and its requirements for land use within shoreline areas has been integrated into the Lacey Comprehensive Land Use Plan and zoning code by reference and use of a “Shoreline Master Program overlay” on the official Plan map and zoning map. This map overlay provides shoreline designations and development standards that will be applied consistent with the Lacey Shoreline Master Program. This is intended to be a seamless method of bringing together the Shoreline Master Program and Lacey’s other ~~long-long~~-range planning and implementation documents, to provide the integration required under the state Grown-Growth Management Act.

Section 26. Section 16.03.030 of the Lacey Municipal Code is hereby amended as follows:

**16.03.030 Interpretation and application.**

In their interpretation and application, the provisions of this title shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and general welfare. Nothing in this title is intended to impair, annul or abrogate any easement, covenant or other agreements between parties, public or private; however, whenever the requirements of this title are at variance with the requirements of any lawfully adopted rules, regulations, or ordinances, the most restrictive or those imposing the higher standards shall govern; provided further, that within the shorelines of the city, as defined in the Shoreline Management Act, the provisions of the Shoreline Management Act and the Lacey Shoreline Master Program shall govern; provided however, that the substantive regulations of this title shall be applicable where they are more restrictive than those of the Shoreline Management Act or the Lacey Shoreline Master Program.

Section 27. There is hereby added to the Lacey Municipal Code a new section, 16.03.045, to read as follows:

16.03.045 Prior limited rezones.

- A. All uses approved in a limited zoned district prior to the passage of the ordinance codified in this title shall remain a valid use of the property notwithstanding a change to a more restrictive zoning classification by the passage of the ordinance codified in this title.
- B. All property located within a limited zoned district prior to the passage of the ordinance codified in this title shall be allowed those additional uses permitted within the new zoning classification of said property under the terms of the ordinance codified in this title.
- C. All limitations and conditions imposed upon properties located in a limited zoned district prior to the passage of the ordinance codified in this title, not relating to the type of uses, shall remain in effect notwithstanding a change in the underlying zoning classification by the passage of the ordinance codified in this title.

Section 28. Section 16.03.050 of the Lacey Municipal Code is here by amended as follows:

**16.03.050 Permitted intrusions into required yards.**

- A. Cornices, eaves and other similar architectural features may project from the foundation wall into any minimum yard setback requirement a maximum distance of two and one-half feet.
- B. Open, unwallled and uncovered steps and ramps, not more than four feet in height, may extend into the required front or rear yard setback requirement not more than five feet.
- C. Decks and patio covers may be permitted to encroach into all residential district rear yard setbacks, provided a minimum setback of five feet is retained, and provided such deck be not more than ~~sixteen~~thirty inches above existing natural grade measured at deck floor from the highest point, and provided that such patio cover is not enclosed in any manner. A building permit is required.
- D. LID facilities are allowed within front, side, and rear yard setbacks.
- E. Awnings and marquees may be allowed within required front yards and over sidewalks or public right-of-way in commercial and industrial zones if all the following requirements are satisfied:

1. The director of the department of community and economic development and the director of the department of public works or their designees determine that placement of the awning or marquee within the setback areas or over the public sidewalk does not impede vehicular or pedestrian traffic flow or create any other type of hazard to the public.
2. The awning or marquee is specifically designed to benefit pedestrians by the providing of shelter and creating a friendlier pedestrian environment.
3. That development of an awning or marquee within the setback area or over public sidewalk is consistent with goals of the comprehensive development plan, the standards of the specific zone in which it is proposed to be located and consistent with the character of the surrounding neighborhood.
4. The city's building codes and fire codes are satisfied for the structure and location.

Section 29. Section 16.03.055 of the Lacey Municipal Code is hereby amended as follows:

**16.03.055 Minimum density requirements.**

In ~~some-all residential~~ zones minimum densities are required: ~~McAllister Springs 3-6, Low Density 3-6, Moderate Density 6-12, and High Density 6-20~~. This requirement takes effect when property is divided or developed with multifamily units and requires that plats, short plats, and multifamily units have a density within the range specified in the zone. However, this minimum density provision is not intended to prohibit the construction of a single family structure on an existing vacant lot. If a lot legally exists, a single family unit can be built on it whether or not the lot will conform to density requirements provided that the unit is located such that it does not preclude future development at the prescribed density.

Section 30. Section 16.03.070 of the Lacey Municipal Code is hereby amended as follows:

**16.03.070 Fencing standards.**

A. Maximum Height.

1. Front Yards. The maximum height of free-standing walls, fences, or hedges placed in the front yard of residential buildings ~~directly adjacent to public streets or sidewalks~~ shall be three

feet unless a taller masonry wall is required, per the responsible official, to mitigate significant noise impacts.

2. Side or Rear Yard. ~~If the fencing along a side or rear yard is facing a public street or sidewalk, the maximum height shall be six feet. The maximum height of free-standing walls, fences, or hedges placed in the side or rear yard of residential buildings shall be seven feet unless a taller masonry wall is required, per the responsible official, to mitigate significant noise impacts.~~

3. Transparent Fencing. The maximum height of any decorative wall or fence which allows visibility, such as wrought iron or split rail fences, shall be eight feet.

B. Chain Link Fencing.

~~1. The maximum height of chain link fencing placed in the front yard of residential buildings directly adjacent to public streets or sidewalks shall be three feet.~~

~~21.~~ All chain link fences shall be set back at least three feet from the back of the sidewalk to allow for landscaping elements to screen the fence.

~~32.~~ Temporary construction fences are exempt from the above requirements.

C. Prohibited Material. Electrified and other dangerous fences are prohibited. Barbed and razor wire is prohibited in all zones except for light industrial or light industrial/commercial zones where the barbed and razor wire shall be placed on security fences at a minimum height of six feet from the ground. No portion of any barbed or razor wire located on a security fence shall extend into the right-of-way.

Section 31. There is hereby added to the Lacey Municipal Code a new section, 16.03.080, to read as follows:

16.03.080 Reasonable accommodation.

A. Purpose and Intent. The Federal Fair Housing Act (FFHA) requires that reasonable accommodations be made in rules, policies, practices, or services, when such accommodations may be necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling in conformance with the Federal Fair Housing Act and the Washington Housing Policy Act.

B. Applicability.

1. A request for reasonable accommodation may be made by any person with a disability, the person's representative, or any entity, when the application of a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities.

2. A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of his or her choice.

#### C. Application Requirement

1. A request for reasonable accommodation shall be submitted on an application form provided by the Community and Economic Development Department and shall contain the following information:

a. The applicant's name, address, telephone number, and email address;

b. Address of the property for which the request is being made;

c. The current use of the property;

d. The basis for the claim that the individual is considered under the Acts;

e. The code provision, regulation, or policy from which reasonable accommodation is being requested.

f. What specific accommodation is requested and why the accommodation is necessary to make the specific property accessible to the individual.

#### D. Review Authority

1. If no approval is sought other than the request for reasonable accommodation, the request shall be reviewed by the Community and Economic Development Director or designee as outlined in provisions 1.C.030, Limited Administrative Review of Application contained in the City of Lacey Development Guidelines and Public Works Standards.

2. If a request for reasonable accommodation is submitted for review with a land use application requiring a higher level of review, the review authority making the final land use decision shall concurrently review and make a decision on the request.

#### E. Review Findings.

1. The written decision to grant, grant with modifications or deny a request for reasonable accommodation shall be based on the following findings:

a. The housing, which is the subject of the request, will be used by a disabled individual;

b. The accommodation requested is necessary to make specific housing available to a disabled individual;

c. Potential impact on surrounding uses;

d. Physical attributes of the property and structures;

e. Alternative accommodations which may provide an equivalent level of benefit;

f. The requested accommodation would not require a fundamental alteration in the nature of a city policy or law, including but not limited to the Lacey Comprehensive Plan and zoning;

g. The requested accommodation would not impose an undue financial or administrative burden on the city.

2. In granting a request for reasonable accommodation, the reviewing authority may impose conditions of approval deemed reasonable and necessary to ensure that the accommodation complies with the findings.

F. Appeal of Determination. A determination by the reviewing authority to grant, grant with modifications or deny a request for reasonable accommodation may be appealed pursuant to 1.D.010, Appeals contained in the City of Lacey Development Guidelines and Public Works Standards.

Section 32. There is hereby added to the Lacey Municipal Code a new section, 16.03.085, to read as follows:

16.06.085 Adjacent.

“Adjacent” means to be separated by common property lines, lot lines, or an alley; abutting, adjoining, contiguous, or touching.

Section 33. Section 16.06.095 of the Lacey Municipal Code is hereby amended as follows:

**16.06.095 Adult family home.**

“Adult family home” means the regular family abode of a person or persons who are providing personal care, room and board under a license issued pursuant to RCW 70.128.060 to more than one but not more than ~~four~~ six adults with functional disabilities who are not related by blood or marriage to the person or persons providing the services; ~~except that a maximum of six adults may be permitted if the Washington State Department of Social and Health Services determines that the home and the provider are capable of meeting standards and qualifications provided for by law (RCW 70.128.010).~~

Section 34. There is hereby added to the Lacey Municipal Code a new section, 16.06.142, to read as follows:

16.06.142 Bed and breakfast.

“Bed and breakfast” means an owner-occupied residence or detached guesthouse providing transient lodging accommodations in up to three (3) rooms. Breakfast may be served only to overnight guest of the bed and breakfast.

Section 35. There is hereby added to the Lacey Municipal Code a new section, 16.06.258, to read as follows:

16.06.258 Deck.

“Deck” means a flat surface capable of supporting weight, similar to a floor, typically constructed outdoors, elevated from the ground, and usually connected to a building.

Section 36. Section 16.06.260 of the Lacey Municipal Code is hereby amended as follows:

**16.06.260 Density.**

“Density” means the permissible number of dwelling units that may be developed on a specific amount of land area, measured in number of dwelling units per acre calculated on the gross area of the lot.

Section 37. There is hereby added to the Lacey Municipal Code a new section, 16.06.278, to read as follows:

16.06.278 Duplex.

“Duplex” means one building containing two single-family dwelling units totally separated from each other by a fire wall or floor.

Section 38. Section 16.06.280 of the Lacey Municipal Code is hereby amended as follows:

**16.06.280 Dwelling.**

“Dwelling” means a building, or portion thereof designed exclusively for residential purposes, including one-family, two-family, multiple-family or apartment dwellings and ~~mobile~~ manufactured homes.

Section 39. Section 16.06.310 of the Lacey Municipal Code is hereby amended as follows:

**16.06.310 ~~Enforcing officer~~ Emergency medical center.**

~~“Enforcing officer” means the director of community development or the person designated to enforce the provisions of this title.~~ “Emergency medical center” means a facility that is structurally separate and distinct from a hospital; is staffed by doctors, nurses and medical support staff; is open 24 hours; provides level 3 to level 5 trauma and emergency medical care and may have an ambulance bay to allow for hospital transport. Services typically include imaging and radiology services and equipment that may include CT scanners, ultrasounds and x-ray machines, and an on-site lab. Emergency medical centers do not have operating or inpatient rooms, meaning patients who need hospital admission for observation, enhanced treatment or surgeries are transported to a hospital.

Section 40. There is hereby added to the Lacey Municipal Code a new section, 16.06.312, to read as follows:

16.06.312 Enforcing officer.

“Enforcing officer” means the director of community and economic development or the person designated to enforce the provisions of this title.



Section 41. There is hereby added to the Lacey Municipal Code a new section, 16.06.325, to read as follows:

16.06.325 Family home child care.

“Family home child care” means a facility licensed by the state where child care is provided for twelve or fewer children in the family living quarters where the licensee resides as provided in RCW 43.215.010(1)(c).

Section 42. There is hereby added to the Lacey Municipal Code a new section, 16.06.352, to read as follows:

16.06.352 Gross area.

“Gross area” means all land, excluding tidelands, within the exterior boundaries of the development, including but not limited to land allocated for open space and land to be dedicated for streets or roads.

Section 43. Section 16.06.374 of the Lacey Municipal Code is hereby amended as follows:

**16.06.374 ~~Host Agency~~ Hospital.**

~~“Hospital” means a medical institution or facility within an integrated campus setting for the purpose of diagnosis, care, and treatment of human illness, including surgery, long-term and emergency medical treatment. “Host agency” means a religious organization that owns or has a leasehold interest in property to be used for a temporary homeless encampment that makes an application for a temporary use permit for providing basic services and support to temporary homeless encampment residents.~~

Section 44. There is hereby added to the Lacey Municipal Code a new section, 16.06.375, to read as follows:

16.06.375 Host Agency.

“Host agency” means a religious organization that owns or has a leasehold interest in property to be used for a temporary homeless encampment that makes an application for a temporary

use permit for providing basic services and support to temporary homeless encampment residents.

Section 45. Section 16.06.390 of the Lacey Municipal Code is hereby amended as follows:

**16.06.390 Kennel ~~(commercial)~~.**

“Kennel” means a place where adult dogs or cats are kept by persons providing facilities for breeding and the offspring thereof are sold for profit, or where such dogs or cats are received for care, training and boarding for compensation, but not including a small animal hospital, clinic or pet shop. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of six months.

Section 46. Section 16.06.496B of the Lacey Municipal Code is hereby amended as follows:

16.06.496B Manufactured Home, New.

A “new manufactured home” means any manufactured home required to be titled under RCW Title 46, which has not been previously titled to a retail purchaser, and is not a “used mobile home” as defined in RCW 82.45.032(2).

Section 47. Section 16.06.532 of the Lacey Municipal Code is hereby amended as follows:

**16.06.532 Multifamily.**

~~“Multi-family” means three or more living units under the same ownership where land has not been divided, i.e., triplex, quadraplex, condominiums, housing cooperatives and apartment units. “Multifamily” means three or more living units under the same ownership where land has not been divided, i.e., triplex, quadraplex and apartment units.~~

Section 48. There is hereby added to the Lacey Municipal Code a new section, 16.06.567, to read as follows:

16.06.567 Office, Medical.

“Medical office” means the offices of doctors, dentists, chiropractors, optometrists, and other health practitioners providing outpatient care. It also includes medical and dental laboratories, blood banks, and the like.

Section 49. There is hereby added to the Lacey Municipal Code a new section, 16.06.622, to read as follows:

16.06.622 Patio.

“Patio” means an outdoor space generally used for dining or recreation that adjoins a residence and is typically paved with concrete, brick, gravel or other similar surface.

Section 50. Section 16.06.626 of the Lacey Municipal Code is hereby amended as follows:

**16.06.626 Pedestrian scale.**

“Pedestrian scale” means the proportional relationship between an individual and ~~his or her~~the individual’s environment.

Section 51. Section 16.06.671 of the Lacey Municipal Code is hereby repealed.

Section 52. Section 16.06.674 of the Lacey Municipal Code is hereby repealed.

Section 53. Section 16.06.676 of the Lacey Municipal Code is hereby amended as follows:

**16.06.676 ~~Recreational vehicle site.~~ Religious Organization.**

“Religious organization” means organizations and institutions developed for the purposes of religious exercise and considered protected under the Religious Land Use and Institutionalized Persons Act (RLUIPA). Particularly relevant in the context of this ordinance is a religious organization whose religious activities and beliefs typically include providing basic needs such as homeless encampments, shelters, meals, and assistance to the poor and needy. ~~“Recreational vehicle site” means an area designated for rent for the parking or placement of a recreational vehicle.~~

Section 54. There is hereby added to the Lacey Municipal Code a new section, 16.06.679, to read as follows:

16.06.679 Restaurant.

“Restaurant” means a use providing preparation and retail sale of food and beverages, including coffee shops, sandwich shops, ice cream parlors, fast food take-out, espresso stands, and similar uses. A "drive-in" restaurant is one where all or a significant portion of the consumption takes place or is designed to take place with the patrons remaining in their vehicles while on the premises. A "drive-through" restaurant is one which has one or more drive-through lanes for ordering and dispensing of food and beverages to patrons remaining in their vehicles, for consumption off the premises.

Section 55. Section 16.06.800 of the Lacey Municipal Code is hereby amended as follows:

**16.06.800 Yard, shoreline.**

“Shoreline yard” means a yard extending from the building line to the Ordinary High Water Mark (OHWM) of the shoreline which qualifies as either a front or rear yard.

Section 56. Section 16.09.020 of the Lacey Municipal Code is hereby amended as follows:

**16.09.020 Zoning map.**

A. The districts are bounded as shown on a map entitled Zoning Map for the Lacey Urban Growth Area, ~~revised 2003~~, identified by the approving signatures of the mayor and city clerk, and adopted by reference and declared to be a part of this title and shall be located on file in the office of the city clerk.

B. Zoning district boundaries, unless otherwise indicated by natural land forms, are intended to follow lot lines or the centerline of streets and alleys as shown on the zoning map. Where the lot line location or street layout on the ground varies from that shown on the zoning map, the designations shown on the map shall be applied to carry out the intent and purpose of this title.

**BC.** The zoning map shows zoning for the entire Lacey Urban Growth Area. This area includes both incorporated and unincorporated land. The City of Lacey in adopting this zoning map adopts that portion inside the city as its city zoning. The zoning for the area outside the city in unincorporated county is adopted as extraterritorial zoning for the purpose of future annexation.

The County, in adopting this map, adopts that portion that is unincorporated as its zoning for the Lacey Urban Growth Area.

**CD.** If changes are made on the zoning map, such changes shall be entered on the zoning map after such changes are approved by the Lacey city council if inside the City of Lacey or after approved through a joint planning process by both the Lacey city council and the Board of County Commissioners if the change is outside the City of Lacey. No amendment shall become effective until such change has been entered upon the zoning map.

Section 57. Section 16.09.040 of the Lacey Municipal Code is hereby amended as follows:

16.09.040 Interpretation of zoning district boundaries.

When uncertainty exists as to the boundaries as shown on the zoning map, the **hearings examiner/enforcing officer** shall interpret the boundaries, ~~and the examiner's interpretation shall be final.~~ Such determinations are appealable with Section 1D "Appeals" of the City of Lacey Development Guidelines and Public Works Standards.

Section 58. Section 16.09.050 of the Lacey Municipal Code is hereby amended as follows:

**16.09.050 Interpretation of uses.**

The several zoning districts permit certain specific uses and similar or related uses. The determination of similarity or relatedness to the specific uses shall be made by the enforcing officer in writing. If the enforcing officer is unable to make such interpretation, or if they find that a proposed use is not sufficiently similar or related to the specific uses permitted in a given district, the enforcing officer or the applicant may request that the site plan review committee make such interpretation.

Such determinations are appealable in accordance with Section 1D “Appeals” of the City of Lacey Development Guidelines and Public Works Standards.

~~If the enforcing officer is unable to make such interpretation, or if he finds that a proposed use is not sufficiently similar or related to the specific uses permitted in a given district, he or the applicant may request that the site plan review committee make such interpretation.~~

~~Whenever the enforcing officer or the site plan review committee finds that the proposed use is similar or related to the permitted uses in a given district, the enforcing officer shall post the property advising the public of the proposed use.~~

~~Written protest received within seven calendar days from the time of posting from a property owner or owners within a three hundred foot radius of the proposed use shall require a public hearing by the hearings examiner who shall render a decision.~~

~~In the absence of such protest, the finding of the enforcing officer or the site plan review committee shall be final.~~

Section 59. Section 16.14.020 of the Lacey Municipal Code is hereby amended as follows:

**16.14.020 Permitted uses.**

A. Single family detached structures on individual lots meeting design requirements of LMC 14.23.074.

B. Other related uses permitted:

1. Accessory buildings or structures clearly incidental to the residential use of the lot such as storage of personal property or for the pursuit of avocation interests. All such buildings or structures over sixteen feet in height shall comply with the design requirements of LMC 14.23.071;

2. Housing for people with functional disabilities.

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

34. Home occupation as provided in Chapter 16.69 LMC;

45. Accessory dwelling as defined in LMC 16.06.055 and meeting design criteria of LMC 14.23.071;

56. Conditional uses as provided in Chapter 16.66 LMC, subject to design review;

67. 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;

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

Section 60. Section 16.14.090 of the Lacey Municipal Code is hereby amended as follows:

**16.14.090 Special Historical Neighborhood design standards.**

All design requirements of LMC 14.23.074 shall be satisfied.

Section 61. Section 16.15.050 of the Lacey Municipal Code is hereby amended as follows:

**16.15.050 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 for single-family dwellings and duplexes. Ten feet for multifamily.

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.

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.

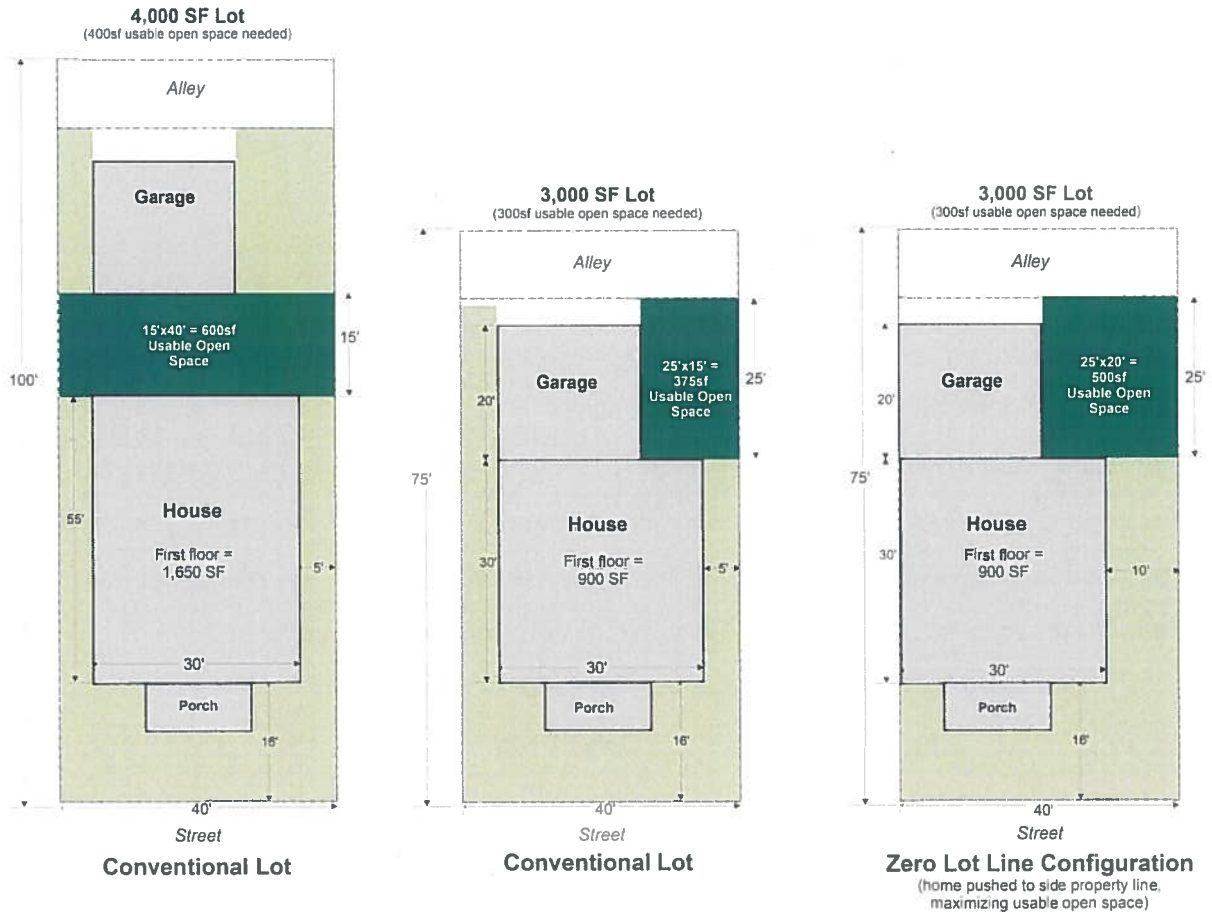
Such open space shall not be located within the front yard.

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.

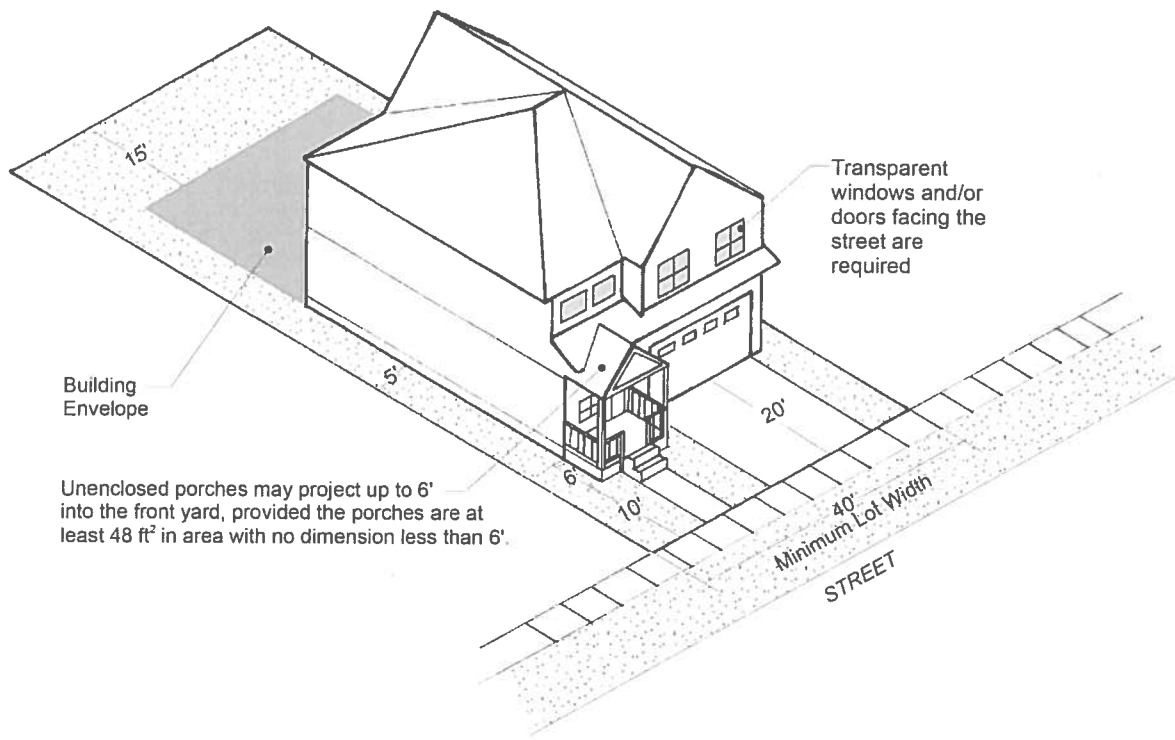
For multifamily developments, refer to LMC 14.23.080. (See Tables 16T-77, 16T-78, and 16T-79.)

Table 16T-77

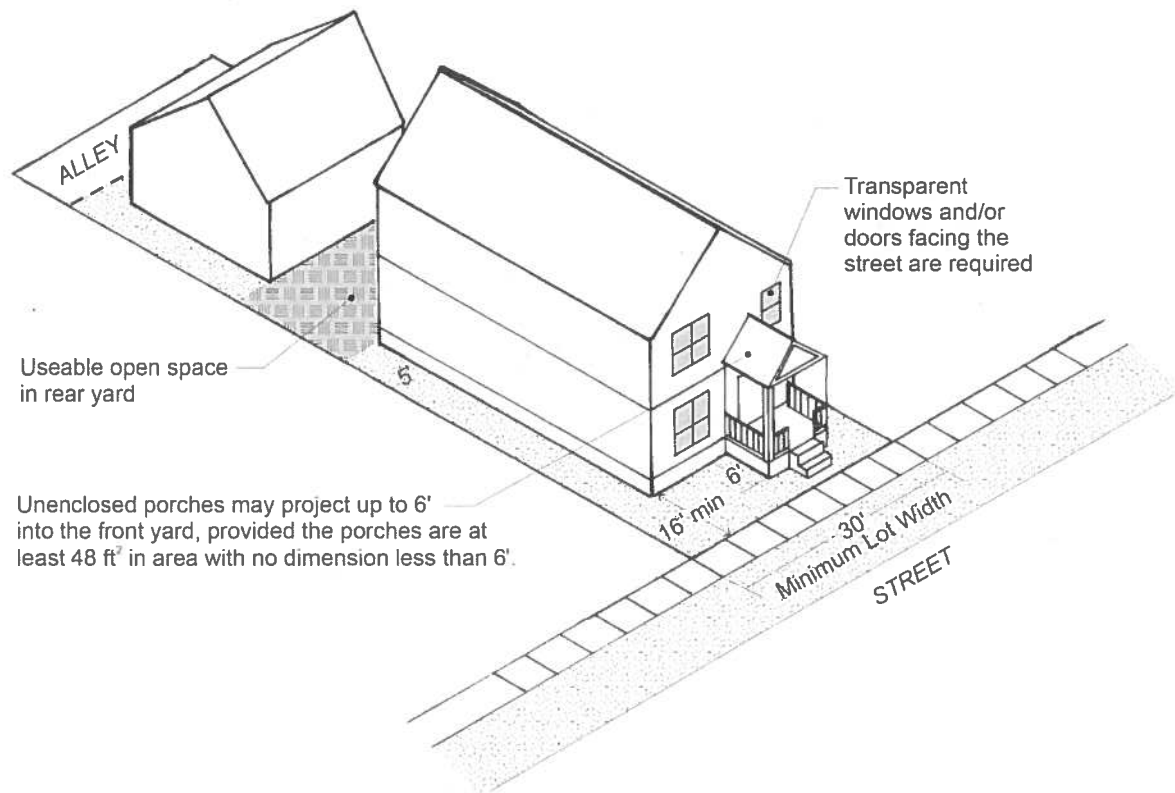


Example configurations of usable open space on small lots.

Table 16T-78



Minimum standards for front-loaded lots in the Moderate Density Residential District.  
 Table 16T-79



Minimum standards for alley-loaded lots in the Moderate Density Residential District.

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: forty feet.

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 62. Section 16.15.070 of the Lacey Municipal Code is hereby amended as follows:

**16.15.070 Landscaping.**

All requirements of Chapter 16.80 LMC shall be satisfied. Multifamily projects shall also comply with the landscaping requirements of LMC 14.23.080.

Section 63. Section 16.18.020 of the Lacey Municipal Code is hereby amended as follows:

**16.18.020 Permitted uses.**

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

1. Any residential use with a density of at least twelve units per acre. 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 64. Section 16.18.040 of the Lacey Municipal Code is hereby amended as follows:

**16.18.040 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 for single-family dwellings and duplexes. Ten feet for multifamily.

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.

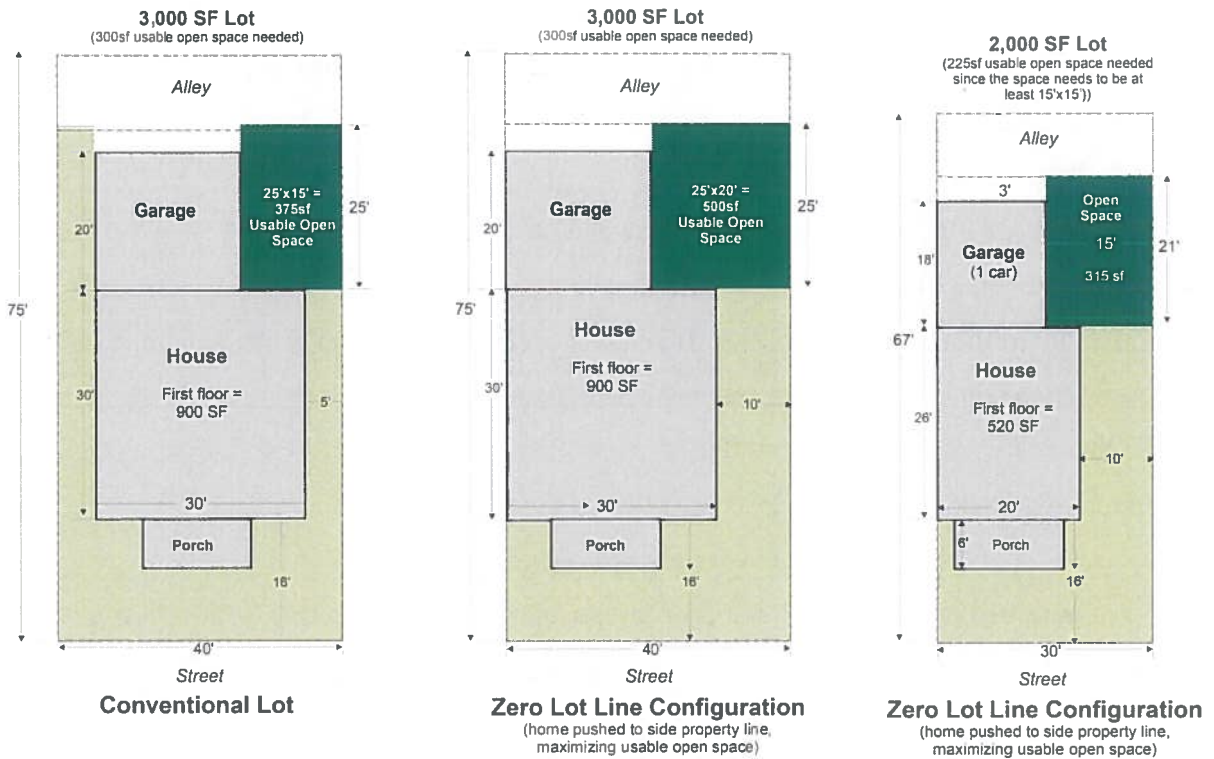
For duplexes and triplexes, each dwelling unit must have direct access to its own usable open space.

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.)

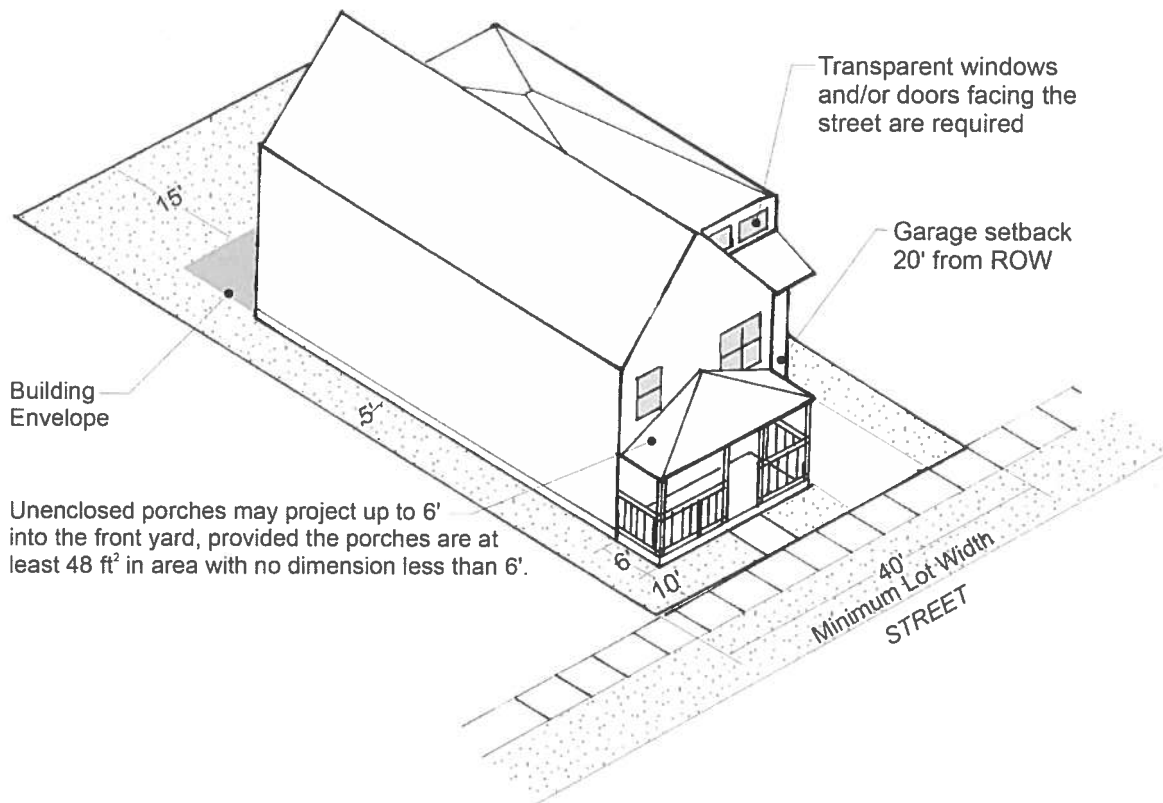
Table 16T-80



Example configurations of usable open space on small lots.

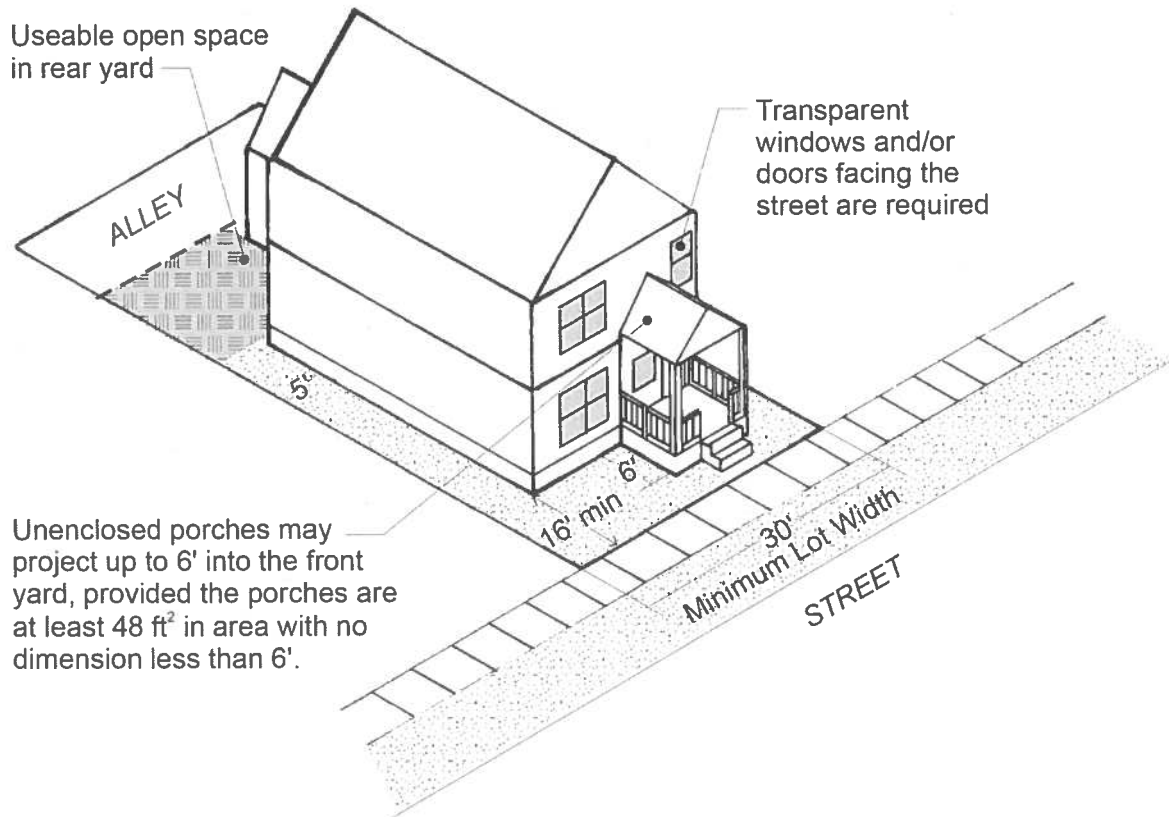
Table 16T-81





Minimum standards for front-loaded lots in the High Density Residential District.

Table 16T-82



Minimum standards for alley-loaded lots in the High Density Residential District.

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 forty feet and within eighty feet of an existing single-family residence (measured from the foundation walls) and not separated by a street or alley:

a. A fifteen-foot buffer of Type 1 landscaping is required between the building wall and any abutting single-family residential property line and shall include a six-foot sight obscuring wall or fence.

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

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

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~~-five feet.

Rear yard, ~~five~~-three feet, ~~three feet to rear yard line or paved surface if adjacent to an alley.~~

Section 65. Section 16.18.070 of the Lacey Municipal Code is hereby amended as follows:

**16.18.070 Landscaping.**

All requirements of Chapter 16.80 LMC shall be satisfied. Multifamily projects shall also comply with the landscaping requirements of LMC 14.23.080.

Section 66. Section 16.21.014 of the Lacey Municipal Code is hereby amended as follows:

**16.21.014 Urban agriculture activities.**

A. Urban agriculture activities are described and permitted according to expected compatibility with other urban uses. It is expected that urban agricultural uses will be located on a single-family residential lot with space to adequately accommodate the use. However, a multifamily lot may accommodate an urban agricultural activity if all of the following requirements are satisfied:

- The use is approved in writing by the owner of the building(s);

- Land area is assigned in writing by the owner of the building(s) to accommodate the planned agricultural activity;
- Area assigned to accommodate the urban agricultural activity meets applicable thresholds of this title to adequately accommodate the use;
- The intent of this section to provide an urban agricultural opportunity while adequately mitigating impacts to neighbors can be fully satisfied;
- The director of community and economic development determines the use is appropriate to the context of the multifamily complex given assigned area and design.

1. Urban agricultural uses permitted on residential lots less than one acre in size. The following urban agricultural activity is permitted as an accessory use to a residence:

a. All horticultural activity for personal use and incidental sales or distribution on site and off site at a farmers market or approved retail area; provided commercial sales may be accommodated subject to the ~~2001~~ FDA food code Chapter ~~216246~~-415 WAC and requirements of a home occupation pursuant to Chapter 16.69 LMC.

b. Limited animal husbandry of small farm animals for personal use; provided commercial sales may be accommodated subject to the ~~2001~~ FDA food code Chapter ~~216246~~-415 WAC and requirements of a home occupation pursuant to Chapter 16.69 LMC. This activity shall be limited to the following:

(1) Domestic fowl and rabbits:

(a) The maximum number of all fowl permitted accessory to a single-family residential home on an urban lot shall be one per one thousand square feet of lot area, up to a maximum of ten.

(b) Roosters, geese, turkeys, peacocks and exotic species are prohibited.

(c) Rabbits kept in accordance with recommendations of the American Rabbit Breeders Association (ARBA) and a minimum three and one-half square feet of hutch space per rabbit up to a maximum of two dozen rabbits.

(d) Structures housing domestic fowl or rabbits must be located and designed as follows:

- Located ten feet away from property lines provided no such structure shall be located closer to the front property line than a dwelling.

- Designed to prevent rodents by incorporation of one of the following:

[half shaded right arrow] Raising the floor area eight to twelve inches above grade.

[half shaded right arrow] Portable pens moved every few days with cleanup of ground.

[half shaded right arrow] Other techniques that have similar results.

(2) Miniature goats commonly known as pygmy, dwarf and miniature goats provided:

(a) Male miniature goats are neutered.

(b) Lots accommodating miniature goats must be a minimum of seven thousand five hundred square feet and may be allowed at a ratio of four miniature goats per one acre of property.

(3) Beekeeping provided:

(a) Beekeeping may include honey bees, mason bees, cutter bees, cavity nesting bees or similar bees used for honey or pollination purposes.

(b) Honey bees must be registered with the State Department of Agriculture according to provisions of RCW 15.60.021 and meet the following restrictions:

- A maximum of four honey bee hives is permitted as an accessory use to a single-family home;
- Honey bee hive shall not be located within twenty-five feet of any lot line, provided this distance may be reduced to ten feet if strategies are employed to require bees to gain elevation before crossing the property line. This may include elevation changes, solid fencing or other techniques that can achieve this objective.

(c) Area housing bee varieties other than honey bees must be a minimum of ten feet from adjacent properties and limited in size appropriate for pollination of the owner's lot.

(4) Other poultry and small animals not specified may be permitted or prohibited by the director of community and economic development upon finding that the species can or cannot reasonably be accommodated without impacts to adjacent properties. Limitations shall be applied as considered appropriate to mitigate potential impacts. Approval under this provision shall be at the sole discretion of the director of community and economic development based upon written findings articulating the intent of this chapter.

(5) Cows, horses, sheep and other similar large farm animals are not permitted as an accessory use on lots less than one acre in size.

2. Urban agricultural uses permitted on residential lots greater than one acre in size. The following urban agricultural activity is permitted as an accessory use to a residence:
  - a. All uses permitted under subsection (A)(1) of this section according to ratios, conditions and restrictions therein.
  - b. On lots or parcels of one acre or more, livestock may be kept; provided, that the number of head of livestock shall not exceed one for each half acre of lot area; and further that barns or other structures for the housing or sheltering thereof be set back not less than thirty-five feet from all property lines. In addition, urban agricultural uses shall employ best management practices, such as may be included in a farm plan developed by the Thurston Conservation District.
  - c. All uses permitted under subsection (A)(4) of this section (community urban agricultural use) according to the ratios, conditions and restrictions therein.
3. Urban agricultural activity on a nonresidential lot. As an accessory use or transitional use, the following urban agricultural activities may be permitted:
  - a. All uses permitted under subsection (A)(1) of this section according to ratios, conditions and restrictions therein.
  - b. All uses permitted under subsection (A)(4) of this section (community urban agricultural use) according to the ratios, conditions and restrictions therein.
4. Community/communal urban agricultural activities. Permitted according to the following descriptions and restrictions:
  - a. Horticulture may include all horticultural activity organized in the form of communal farming arrangements on property used in common for these purposes or where small lots or back yards have raised beds or segregated plots for lease for gardening activity. This may include activities such as community pea patches, community garden plots, shared garden plots, publicly owned garden plots for community use, gardens owned and operated by nonprofit organizations, homeowners associations and religious organizations for use by members or community groups, yard area with segregated raised garden beds developed by an owner for lease and other similar activities. Said activity shall be subject to the following requirements:

- (1) All horticultural activities taking place on a lot or portions of a lot that is less than two acres shall be reviewed by the community and economic development department as follows:
  - (a) Subject to limited administrative review under Chapter 1 of the Development Guidelines and Public Works Standards to document the proposal, discuss the level of activity and development of a project management plan necessary to ensure compatibility with adjacent neighbors.
  - (b) If considered necessary to ensure compatibility with adjacent land use, a formal site plan review (SPR) may be required, including preparation and approval of an urban agriculture impact mitigation plan. Such determination shall be at the sole discretion of the community and economic development director.
- (2) All urban farming activities taking place on a lot or portions of a lot more than two acres in size shall require a site plan review approval.
- (3) Produce in excess of member needs may be provided on or off site to individual community members in need, food banks, religious organizations and other nonprofits for distribution to the public.
- (4) Incidental sales of produce in excess of member needs may occur on site, at local farmers markets or at approved commercial sites. On-site retail sales must not result in adverse impacts to the neighborhood area as a result of signage, traffic or other related activity. Determinations regarding impact of on-site retail activity and mitigation requirements will be up to the sole discretion and determination of the community and economic development director and may be subject to the provisions of Chapter 16.70 LMC (street merchant ordinance).
  - (a) Animal husbandry is limited to those activities permitted with requirements as specified in subsection (A)(1)(b) of this section with the following additional considerations and requirements:
    - Such activity must take place as a secondary and incidental use in conjunction with community urban farming horticultural activities.
    - “Personal use” in the context of community urban agricultural use shall include all members of the group participating in the urban agricultural activity.

(5) Commercial urban farms: Commercial urban agricultural use in Lacey and its growth area is generally farming activity that existed at the time Lacey's first GMA Plan was adopted. Most areas with small commercial farm activity were zoned Agricultural District to provide for continuation of these activities in a zone designed to accommodate this use. Future provision may be made for small farms in other zoning designations under criteria necessary to ensure compatibility. This concept is reserved for future consideration.

B. Permitted where: All zoning designations will reference the urban agriculture activities and appropriate provisions of this chapter applicable to the zone.

Section 67. Section 16.21.020 of the Lacey Municipal Code is hereby amended as follows:

**16.21.020 Permitted uses.**

A. Specific types permitted in the agricultural district:

1. Production of crops and livestock including but not limited to the following:

a. All horticultural crops including tree farms, greenhouses and nurseries;

b. Livestock production including grazing, dairying, poultry and egg production, and riding stables;

c. Limited processing and packaging of produce and animal products, including slaughtering, limited to crops and animals produced on the premises;

~~d. Medical cannabis collective gardens pursuant to the terms of LMC 9.44.140 through 9.44.180.~~

2. Single-family structures, not exceeding one per five acres.

B. Other or related uses:

1. Accessory buildings or structures clearly related to the basic use of the premises such as storage of personal property, vehicles, equipment and supplies;

2. Stands or sheds for the sale of agricultural products produced on the premises;

3. Mobile Manufactured homes for persons related to or employed in the agricultural pursuits of the premises;

4. Accessory residential dwelling as defined in LMC 16.06.055;

5. Home occupations as provided in Chapter 16.69 LMC.



Section 68. Section 16.23.020 of the Lacey Municipal Code is hereby amended as follows:

**16.23.020 Permitted uses in all mixed high density corridor zones.**

A. Commercial uses and public administration. The following uses are permitted as an allowed use or by conditional use permit as noted if they have a gross floor area of no more than 15,000 square feet and require no outside storage. The square footage limitation may be waived by the site plan review committee for general merchandise stores, food stores, hotels and motels, rooming houses, educational services, and museums-and-gardens. To waive this requirement the site plan review committee must find that the proposed use can conform to other requirements of the high density corridor, is designed to accommodate the pedestrian emphasis and is compatible and complementary to surrounding uses in the zone. Noted conditional uses may also be approved with a greater or lesser square footage under the same conditions of pedestrian emphasis, compatibility and complementary design.

Uses allowed include:

1. Retail uses. Preferred retail activities are those that promote a shopping experience for pedestrians and can accommodate design that is easily integrated into the corridor's mixed use vision. Preferred retail uses include activities such as:

- a. general merchandise
- b. food
- c. apparel and accessories
- d. eating and drinking establishments
- e. drug and proprietary
- f. shopping goods stores

2. Finance, insurance and real estate. Preferred uses include finance, insurance and real estate servicing needs of surrounding neighborhood and community residents. Such uses will have a design that promotes the immediately surrounding mixed use high density corridor.

Such uses include:

- a. finance depository institutions, non-depository institutions, holding companies, other investment companies, brokers and dealers in securities and commodity contracts and security and commodity exchanges;
- b. insurance, including carriers of all types of insurance and insurance agents and brokers;
- c. real estate, including owners, lessors, lessees, buyers, sellers, agents and developers of real estate.

3. Services. Preferred service uses are establishments primarily engaged in a variety of services for individuals, business and government establishments and other organizations and have a design promoting the service needs of the mixed uses within the corridor.

Preferred service uses include activities such as:

- a. hotels and lodging places;
- b. personal services: laundry, photo studios, beauty shops, shoe repair and funeral service;
- c. business services: advertising agencies, commercial art and computer programming;
- d. repair services: radio and TV repair;
- e. ~~motion pictures: theaters and video tape rental stores;~~
- f. amusement and recreation: physical fitness facilities and health clubs;
- g. health services: office and clinics of doctors, dentists, health practitioners, veterinarian clinics and medical laboratories;
- h. educational services: establishments involved in academic and technical instruction and libraries;
- i. social services: childcare and residential care;
- j. museums, art galleries and botanical and zoological gardens;
- k. membership organizations;
- l. engineering, accounting, research, management and related services.

4. Public administration. Preferred uses include activities involving the executive, legislative, judicial, administrative and regulatory activities of federal, state, local and international governments. However, activities of the state of Washington shall be allowed only if such location and use also conform with the state's current Preferred Leasing Areas Plan provided said Preferred Leasing Areas Plan meets the city's adopted goals and policies and further is endorsed by the city of Lacey.

Preferred public administration uses are those promoting the mixed use of the corridor by servicing the residents of the neighborhoods and within the corridor. Such uses include activities like a post office, satellite police stations and fire stations.

5. Transportation activities. Preferred uses are transportation activities which promote a multi-modal environment or can be easily integrated into the mixed use vision for the corridor. Such uses include activities such as:

- a. bus terminals,
- b. taxi cab services,
- c. transportation services,
- d. travel agencies,
- e. tour operators,
- f. commercial parking facilities may be allowed provided they are limited to twenty five cars. Commercial parking facilities shall be prohibited on corner lots.

B. Residential uses. All residential uses are permitted with a minimum density of at least twelve units per acre. No density maximum shall be imposed provided any density beyond twenty units per acre shall be obtained by purchase of transfer of development rights; low income housing density bonuses or other incentive density bonuses as may be available or determined in the best interest of the community by the site plan review committee.

C. Urban agricultural uses as provided for and limited under chapter 16.21.

Section 69. Section 16.23.024 of the Lacey Municipal Code is hereby amended as follows:

**16.23.024 Additional permitted uses.**

Selected automobile-related uses are allowed in the mixed high density corridor (west) zone pursuant to LMC 16.23.010(D). Provided the use is designed to conform to other requirements of the high density corridor, is designed to accommodate the pedestrian emphasis and is compatible and complementary to surrounding uses. Such uses include:

- A. Automobile related uses such as:
1. automobile parts store
  2. automobile repair

3. service activities
4. gas stations
5. vehicle sales activities
6. ~~mobile~~-manufactured home sales activities.

Section 70. Section 16.23.025 of the Lacey Municipal Code is hereby amended as follows:

**16.23.025 Conditional uses.**

A. Other uses in the following categories may be permitted through a conditional use permit. Provided the applicant can demonstrate such use can be designed to be integrated into the corridor and compatible and complementary to existing and future preferred uses and land use vision. Uses that may be approved through the conditional use permit process in all three mixed use high density corridor zones include:

1. Retail uses such as:
  - a. hardware
  - b. building material and garden supply
  - c. home furnishings and equipment.
2. Services:
  - a. upholstery
  - b. furniture repair
3. Public administration:
  - a. state offices

B. Additional conditional uses may be permitted in the central zone pursuant to LMC 16.23.010(E). Provided it can be shown the use can conform to other requirements of the high density corridor, is designed to accommodate the pedestrian emphasis and is compatible and complementary to surrounding uses. Such uses include:

1. Automobile related uses such as:
  - a. automobile parts store
  - b. automobile repair
  - c. service activities

- d. gas stations
  - e. vehicle sales activities
  - f. mobile-manufactured home sales activities
- C. Automobile gas stations may be permitted by conditional use permit at the northeast and southwest corners of the intersection of Meridian, Martin, and Duterrow. This use shall be limited to the lots with gas stations existing on the effective date of this ordinance. Provided that the provisions of LMC 16.23.025(B) can be satisfied.

Section 71. Section 16.24.020 of the Lacey Municipal Code is hereby amended as follows:

**16.24.020 Definitions.**

- A. “Build-to line” means the line up to which buildings or landscaping must be constructed.
- B. “Chicane” means a slight bend in the travel path of a roadway to slow drivers.
- C. “Chord” means a straight line joining the ends of an arc.
- D. “Forecourt” means an open area forming an entrance plaza for a single building or several buildings in a group.
- E. “Frontage” means the portion of the site, parcel or infill block that is adjacent to a public street, a through connection or other path.
- F. “Frontage Zone” means that area between the build-to line and the pedestrian through zone which acts as a transition between private and public space.
- ~~FG.~~ “Ground floor” means the floor-to-ceiling space of a building where the floor is at or nearest to the level of the ground around the building.
- ~~GH.~~ “Group living” provides lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time, in a space not defined by the LMC as a dwelling unit. Group living shall include, but not necessarily be limited to, public or private nonprofit residential facilities such as residential hotels, boardinghouses, residence clubs, communes, fraternity or sorority houses, monasteries, convents, or ashrams. It shall also include group housing affiliated with and operated by a medical or educational institution, when not located on the same lot as the institution.

- HI.** Household. A “household” is a person or group of people occupying a single dwelling unit.
- IJ.** “Infill block” means an area of land bounded by new or existing streets or easements.
- JK.** “Podium” means the continuous projecting base of a building, distinct from the tower or other portions of the building.
- KL.** “Porch” means a structure attached to a building to shelter an entrance or to serve as a semi-enclosed space; usually roofed and generally open-sided; although it may be enclosed through the use of screens, glass or partial walls.
- LM.** “Step back” means an upper facade of a building that is recessed or set back from the lower facade of the building.
- MN.** “Stoop” means a platform or small porch, usually up several steps, at the entrance to a building, usually a dwelling or dwellings.
- NO.** “Street type” means a set of requirements applicable to a public street or an easement, which requirements may include, but are not limited to, right-of-way width, travel lanes, sidewalk width, planting strips, and role in the street network.
- OP.** “Terrace” means a flat roof or a raised space or platform adjoining a building, or an embankment with a level top. A terrace is open to the sky and larger than a balcony, and may be above or below grade level.
- PQ.** “Threshold” means the area of floor beneath a door, where two types of floor material meet; or the entrance to a building.
- QR.** “Through connection” means a grade-level pedestrian, cycling, or vehicle access route that is accessible to the public and extends through a city block, parcel, lot or infill block and includes but is not limited to a pedestrian walkway, a street, or an access route through public or private land.
- RS.** “Tower” means a building or a portion of a building within the boundary of the Woodland District over fifty-five feet in height. The tower portion of the building is located on top of a podium.
- ST.** “Tower floor plate” means the sum of the gross horizontal area of a single floor of a tower, measured from the exterior faces of the exterior walls.

**TU.** “Trellis” means an open grating or latticework overhead, of either metal or wood, and the supporting columns and framework.

**UV.** “Urban fence” means an open framework screen or fence, of either metal, wood, masonry or a combination, usually no more than three feet high, which serves to enclose or subdivide outdoor space, presenting a semi-transparent surface, except where penetrated by walkways.

**VW.** “Woonerf,” sometimes called a shared street, means a street where the drivers and bicyclists share the roadway with pedestrians. Also referred to as a curbless street, a woonerf avoids permanent demarcation of the drive area with a curb, and is often level from side to side. The width of the shared roadway space, and the placement of street furniture, parking zones and plantings are purposefully located to reduce driver speed and encourage social gathering.

Section 72. Section 16.24.030 of the Lacey Municipal Code is hereby amended as follows:

**16.24.030 Uses.**

A. Permitted Uses. Uses permitted in the Woodland District subdistricts are listed in Table 16.24.030-1 with a “P.” These uses are allowed if they comply with the development standards and other regulations of this section. Listing as an allowed use does not mean that a proposed development will necessarily be granted an adjustment or other exception to the regulations of the LMC.

B. Conditional Uses. Uses which are allowed if approved through the conditional use review process are listed in LMC 16.66.020 and Table 16.24.030-1 with a “C.” These uses are allowed provided they comply with the conditional use approval criteria for that use, the specific development standards contained in this Chapter, and other regulations of the LMC.

**TABLE 16.24.030-1 Urban Neighborhoods**

Use Categories	Urban Neighborhood 1 Woodland Square	Urban Neighborhood 2 Pacific Avenue	Urban Neighborhood 3 Master Plan Area
<b>P--Permitted C--Conditional</b>			
<b>Residential Categories</b>			
Household Living	P	P	P
Group Living	C	C	C
<b>Commercial Categories</b>			
Retail Sales and Service	P	P	P
Office	P	P	P
<b>Institutional Categories</b>			
Parks and Open Space	P	P	P
Educational Facilities, Government Offices, Museum; Civic Uses, Transit Uses	P	P	P
<b>Other Categories</b>			
Rail Lines and Utility Corridors	P	P	P

C. Use-Specific Development Standards.

1. Parks and Open Space. Huntamer Park, West Plaza Park, South Plaza Park, I-5 Park and Bikeway, and Civic Plaza are the current open spaces and parks in the Woodland District. These city-owned and managed facilities provide open space and natural amenities for the enjoyment of the public. The Woodland District Strategic Plan recommends reinforcing these areas through an improved network of sidewalks, bicycle lanes, paths, and multi-purpose trails. New development shall enhance these existing district open spaces. Application of the design standards for streets, paths, buildings, landscaping, and other design elements from this chapter will provide a complementary relationship between the parks and surrounding



development. Any new common open space, park, or through connection shall be designed to be useable for the recreation and enjoyment of the citizens.

a. Standards. There are no new open spaces identified for development in the Woodland District. Any new open space dedicated to the city shall be subject to the design criteria of LMC 14.23.088, Open space, and requirements of Chapter 16.48 LMC, Open Space/Institutional District. Private open space and recreation associated with new residential or mixed-use development shall comply with the design criteria of LMC 14.23.088, Open space.

2. Drive-Through Facilities. Where a drive-through component is proposed as part of a development, it shall meet the following regulations:

a. The drive-through shall be accessory to the principal use of the development, which includes interior space for customers to enter the building for goods or services;

b. The entrance and exit for the drive-through lane shall not be on a primary street unless shared with the primary site access of the principal use. The drive-through lane and the drive-through window shall not be visible from a primary street.

c. The standards above may be met in either of the following ways:

i. The drive-through shall be accessed from a secondary street, other street or through connection, and contained within the building;

ii. The drive-through shall be accessed from a secondary street, other street or through connection, and located on the portion of the infill block that is farthest away from the primary street.

3. Ground Floor Residential Uses. Where residential uses occur on the ground floor, vertical and horizontal separation is required to ensure privacy for building residents, and a high quality public realm. The minimum and maximum vertical and horizontal distance from the sidewalk is defined in LMC 16.24.070, Building and Landscape Frontage.

D. Prohibited Uses.

1. Uses with physical and operational requirements generating substantial:

a. Truck traffic;

b. Dust;

c. Glare;

- d. Heat or vibration;
  - e. Noise; or
  - f. Odors.
2. Uses of a character which are either not compatible with the high aesthetic standards of the area, will not enhance the marketability of the core area, or will adversely impact the city's economic development strategies for this zone. These uses shall include, but are not limited to:
- a. Activities entailing movement of heavy equipment on and off the site except during construction;
  - b. Auto or truck storage as a primary use;
  - c. Cemeteries and crematoria;
  - d. Machine shops;
  - e. Motor freight terminals;
  - f. Park and ride lots;
  - g. Solid waste disposal facilities, including transfer stations, incinerators and sanitary landfills; and
  - h. Stand-alone warehouse and distribution facilities.

Section 73. Section 16.24.040 of the Lacey Municipal Code is hereby amended as follows:

**16.24.040 General standards required for all development.**

- A. Conflicts. Development within the Woodland District must comply with the standards prescribed in this chapter, Woodland District, and the standards set forth by that document titled "The Pacific Northwest Architectural Style Guidelines and Design Character Elements." These development standards are intended to implement policies in the adopted Woodland District Strategic Plan. In the event of a conflict between any provision of this chapter, Woodland District, and any other ordinances of the city of Lacey the provisions of this chapter shall prevail with the exception of ordinances whose standards are more restrictive.
- B. Master Plan Requirements.

1. Connectivity Master Plan. Connectivity master plans are required for all development within the Woodland District, except lots or parcels exempt from connection spacing standards because of maximum block length requirements; refer to LMC 16.24.050, Streets, through connections and connection spacing.

Development proposals shall show conceptually how the development standards in LMC 16.24.050, Streets, through connections and connection spacing, shall be met in relationship to adjacent property and existing streets, through connections and other paths or trails.

Connectivity master plans shall refer to LMC 16.24.010, regulating plan, subdistricts and streets, and provide review material according to LMC 16.24.120(A), (B) and (C), Submittal requirements.

In addition, the connectivity master plan should generally indicate how open space, parking, driveways, walkways, etc., will relate or connect to adjacent parcels.

Connectivity master plans shall provide review material according to LMC 16.24.120, Submittal requirements. A summary of connectivity master plan eligibility is provided in Table 16.24.040-1.

Future streets and through connections shall be designed and constructed according to Table 16.24.040-2, Improvement Responsibilities, Section B.

2. Detailed Master Plan. Detailed master plans are required for all development in the Master Plan Area where proposed improvements represent fifteen percent or more of the value of the assessed market improvement value of the existing structure with the permit value of the proposed improvement greater than \$20,000.00. For the purposes of determining code compliance, the value of proposed improvements will be based on the value of the building permit for those improvements.

Development proposals shall show conceptually how the development meets the development standards in the following sections:

- a. LMC 16.24.050, Streets, through connections and connection spacing;
- b. LMC 16.24.060, Building, form, siting and site design;
- c. LMC 16.24.070, Building and landscape frontage.

Detailed master plans shall refer to Figures 16.24.010-1, Regulating Plan, Subdistricts; 16.24.050-1, Regulating Plan, Street Types; and 16.24.060-1, Regulating Plan, Building Heights.

Detailed master plans shall provide review material according to LMC 16.24.120, Submittal requirements. A summary of detailed master plan eligibility is provided in Table 16.24.040-1. Existing built streets shall be improved according to Table 16.24.040-2, Improvement Responsibilities, Section A.

Future streets and through connections shall be designed and constructed according to Table 16.24.040-2, Improvement Responsibilities, Section B.

Master planned streets shall be designed and constructed according to Table 16.24.040-2, Improvement Responsibilities, Section C.

**TABLE 16.24.040-1, MASTER PLAN ELIGIBILITY SUMMARY**

Eligibility	Connectivity Master Plan	Detailed Master Plan
Lot or parcel is exempt from connectivity standards in LMC <u>16.24.050</u> , Streets, through connections and connection spacing, due to minimum through block connection spacing.	Exempt	Exempt
Lot or parcel is (1) subject to the connectivity standards in LMC <u>16.24.050</u> , Streets, through connections and connection spacing, and (2) outside the Master Plan Area, as shown on Figure <u>16.24.010-1</u> , Regulating Plan, Subdistricts.	Must meet connectivity master plan requirements	Exempt
Lot or parcel is (1) inside the Master Plan Area, as shown on Figure <u>16.24.010-1</u> , Regulating Plan, Subdistricts, and (2) proposed improvements are less than 15% of the value of the underlying development as defined above or the permit value of the proposed improvement is less than	Must meet connectivity master plan requirements	Exempt

**TABLE 16.24.040-1, MASTER PLAN ELIGIBILITY SUMMARY**

Eligibility	Connectivity Master Plan	Detailed Master Plan
\$20,000.		
Lot or parcel is (1) inside the Master Plan Area, as shown on Figure 16.24.010-1, Regulating Plan, Subdistricts, and (2) proposed improvements represent 15% or more of the value of the underlying development as defined above with the permit value of the proposed improvement greater than \$20,000.	Must meet detailed master plan requirements	

C. Adjustments. There are three types of adjustments that may be granted by the director, as described below.

1. Proportional Compliance Adjustments. Proportional compliance adjustments apply to lots or parcels fronting on Pacific Avenue and lots or parcels within the Woodland Square Subdistrict and Pacific Subdistrict, as illustrated in Figure 16.24.010-1, Regulating Plan, Subdistricts, and Figure 16.24.050-1, Regulating Plan, Street Types.

Proportional compliance adjustments may be granted by the director to existing development where the value of proposed improvements falls below one of two thresholds. For the purposes of determining compliance, the value of proposed improvements shall be cumulative over the most recent five years, including calculations of all previously exempt remodels, but shall not include life/safety improvements or normal maintenance not requiring a building permit.

a. When the value of the proposed improvements is less than fifteen percent of the value of the assessed market improvement value of the existing structure, or when the permit value of the proposed improvement is less than \$20,000.00, the applicant may secure a building permit for the proposed improvements without meeting any of the development standards in the LMC.

b. When the value of the proposed improvements is fifteen percent or greater, but less than seventy-five percent of the value of the existing development, the applicant must meet the development standards of the applicable building or landscape frontage type only. The applicable frontage type standards shall apply to the primary or secondary street-facing side of the block, site or infill block as set out in Table 16.24.050-2, Overview of Streets and Through Connection Types. The designated primary or secondary street-facing edge of the site (or block, or infill block) shall be designed and constructed according to LMC 16.24.070, Building and landscape frontage.

c. When the value of the proposed improvements is seventy-five percent or greater of the assessed market improvement value of the existing structure, or when the permit value of the proposed improvement is \$5,000,000.00 or greater, the applicant must meet the development standards of the LMC for the new improvements and the existing building. This \$5,000,000.00 limitation shall be increased on an annual basis in an amount equal to the increase in the Engineering News Record Construction Cost Index from the previous year. Landscaping: The entire site shall meet the applicable development standards. Parking lot reconfiguration and expansion: The entire parking lot shall meet the applicable development standards. External facade modification: The full extent of all the facades shall meet the applicable development standards.

d. Expansion of building footprint: The new square footage associated with the building expansion is required to meet the applicable development standards.

2. Development Standards Flexibility Adjustment. Development standards flexibility adjustments may be granted to any development within the Woodland District, if the director finds that the adjusted development standard will perform as well as the development standard. Eligible development standards and the permitted degree of adjustment is noted in each development standards table.

3. Site Plan Review Committee (SPRC) Adjustment. Any development standards, which are not included in the development standards flexibility adjustment above, or which exceed the permitted degree of flexibility noted in the development standards tables, are eligible for review and approval through the site plan review committee (SPRC), according to LMC 16.24.090, Form-based code review.

D. New and Existing Streets and Through Connections. Development standards of this chapter are intended to establish a complete network of new and existing streets and through connections, which may take the form of local streets, multi-use paths or woonerfs. The location of new and existing streets and through connections and their required intersections are mapped in Figure 16.24.050-1, Regulating Plan, Street Types. Connection types permitted and maximum spacing of new and existing streets and through connections are established in Table 16.24.050-1, Connections and Connection Spacing. The required improvements for each street and through connection, including the sidewalk zones, are specified in Figures 16.24.050-2 through 16.24.050-9. When the property owner or developer is responsible for dedication of land and/or specific constructed improvements it is noted in Figures 16.24.050-2 through 16.24.050-9. Table 16.24.040-2 summarizes the improvements and the responsibility of each party, whether city or property owner/developer.

**TABLE 16.24.040-2, IMPROVEMENT RESPONSIBILITIES**

Summary of Requirements	Eligible Streets
<p>A. Existing Built Streets. Existing streets are required to meet requirements for sidewalk improvements, street lights, street furnishings, and trees, according to Table <a href="#">16.24.050-1</a>, Table <a href="#">16.24.050-2</a> and Figures <a href="#">16.24.050-2</a> through <a href="#">16.24.050-9</a>, street types and sidewalk improvements. Improvements and, where noted in the development standards, dedication of land are the responsibility of the property owner/development applicant.</p>	<p>3rd Avenue SE          6th Avenue SE          7th Avenue SE          Pacific Avenue SE          Sleater Kinney Road SE          College Street SE</p>
<p>B. Future Streets and Through Connections. Right-of-way is dedicated by property owner/development applicant. The city constructs the street to city standards as established by Tables <a href="#">16.24.050-1</a> and <a href="#">16.24.050-2</a> and Figures <a href="#">16.24.050-2</a> through <a href="#">16.24.050-9</a>, street types.          An interim bike-pedestrian trail may be required on the</p>	<p>Unbuilt 4th Avenue SE          Unbuilt segment of Golf Club Road SE          Unbuilt segment of 10th Avenue SE</p>

**TABLE 16.24.040-2, IMPROVEMENT RESPONSIBILITIES**

Summary of Requirements	Eligible Streets
<p>dedicated right-of-way, prior to completion of the street improvements. Any interim bike or pedestrian trail shall be designed and constructed in compliance with through connection development standards in Figure <u>16.24.050-8</u> and Table <u>16.24.050-9</u>, and shall meet, at a minimum, the development standards and minimum requirements (set out in Figure <u>16.24.050-8</u>, Through Connection, Minimum Requirements, and Table <u>16.24.050-9</u>, Through Block Connection, Minimum Requirements and Optional Components).</p>	<p>All through connections and other streets outside of the Master Plan Subdistrict</p>
<p>C. Master Planned Streets. Master planned streets shall be located and constructed according to an approved master plan that meets the requirements of a connectivity master plan or a detailed master plan, as applicable. The property owner or developer is responsible for all required street or through connection improvements, according to Tables <u>16.24.050-1</u> and <u>16.24.050-2</u> and Figures <u>16.24.050-2</u> through <u>16.24.050-9</u>, street types and sidewalk improvements.</p>	<p>All other streets and through connections within the Master Plan Subdistrict</p>

E. Environmental Performance.

1. It shall be the responsibility of the operator and/or the proprietor of any proposed use to provide such evidence and technical data as the director and/or site plan review committee may require to demonstrate that the use or activity is or will be in compliance with the environmental performance standards of Chapter 16.57 LMC.

2. Failure of the director and/or site plan review committee to require such information shall not be construed as relieving the operator and/or the proprietor from compliance with Chapter 16.57 LMC, Environmental Performance Standards.



3. Stormwater management is required and shall comply with the current City of Lacey Stormwater Design Manual and shall be subject to the city’s review and approval, and shall, moreover, comply with Chapter 15.22 LMC pertaining to community facilities.

**TABLE 16.24.040-3, DISTRICT WIDE DEVELOPMENT STANDARDS**

Section/Description	Urban Neighborhood 1 Woodland Square	Urban Neighborhood 2 Pacific Avenue	Urban Neighborhood 3 Master Plan Area
Stormwater	All projects shall meet the current City of Lacey Stormwater Design Manual. A construction stormwater pollution prevention plan (SWPPP) short form is required for development projects with less than 2,000 square feet of new plus replaced hard surfaces. Development projects with 2,000 square feet or more of new plus replaced hard surfaces require a full SWPPP and the retention of stormwater on site. Development projects with 5,000 square feet or more of new plus replaced hard surfaces also require water quality treatment. Properties that currently discharge or are designed to discharge to regional facilities may continue to do so, provided there is capacity in the existing facility. If a regional facility does not meet current water quality treatment standards then on-site treatment will be required.		
<u>Landscaping</u>	<u>Site landscaping shall comply with the requirements of Chapter 16.80 LMC except for frontage landscaping otherwise regulated by this chapter.</u>		
Tree Preservation	Tree protection professional report required. A qualified professional forester shall review the site and provide a report analyzing the site for tree protection consistent with the requirements of this chapter. The report shall provide information important to urban forest management and options for consideration when developing preliminary designs. The report shall suggest options for design to best achieve the purposes of		

**TABLE 16.24.040-3, DISTRICT WIDE DEVELOPMENT STANDARDS**

Section/Description	Urban Neighborhood 1 Woodland Square	Urban Neighborhood 2 Pacific Avenue	Urban Neighborhood 3 Master Plan Area
	<p>the Urban Forest Management Plan and this chapter. The report shall include but shall not be limited to:</p> <ul style="list-style-type: none"> <li>a. An analysis of technical information requested by the review body related to trees and forest practices;</li> <li>b. Analysis of what portion of the site is best for designation of the tree tract if required, considering the intent of this chapter, soil type, topography, tree species, health of trees and reasonable project design limitations;</li> <li>c. Recommendations for saving of individual tree specimens based upon the intent of this chapter, soil type, topography, tree species, health of trees, and reasonable project design limitations;</li> <li>d. A plan for protection of trees to be saved during construction including placement of construction fences, monitoring of construction activity and other measures necessary to ensure adequate tree protection;</li> <li>e. Consideration of the location of roads, other infrastructure, and buildings and potential options for alternative locations, if applicable, to best satisfy the purposes of the Urban Forest Management Plan;</li> <li>f. A timeline for tree protection activity; and</li> </ul>		
	<ul style="list-style-type: none"> <li>g. The final tree protection plan should be prepared on the site grading plan. All tree protection fences, trees to be saved, and trees to be removed should also be shown on the site demolition plan. Necessary save tree pruning and selective thinning within tree tracts shall be detailed and trees marked as such. The tree</li> </ul>		

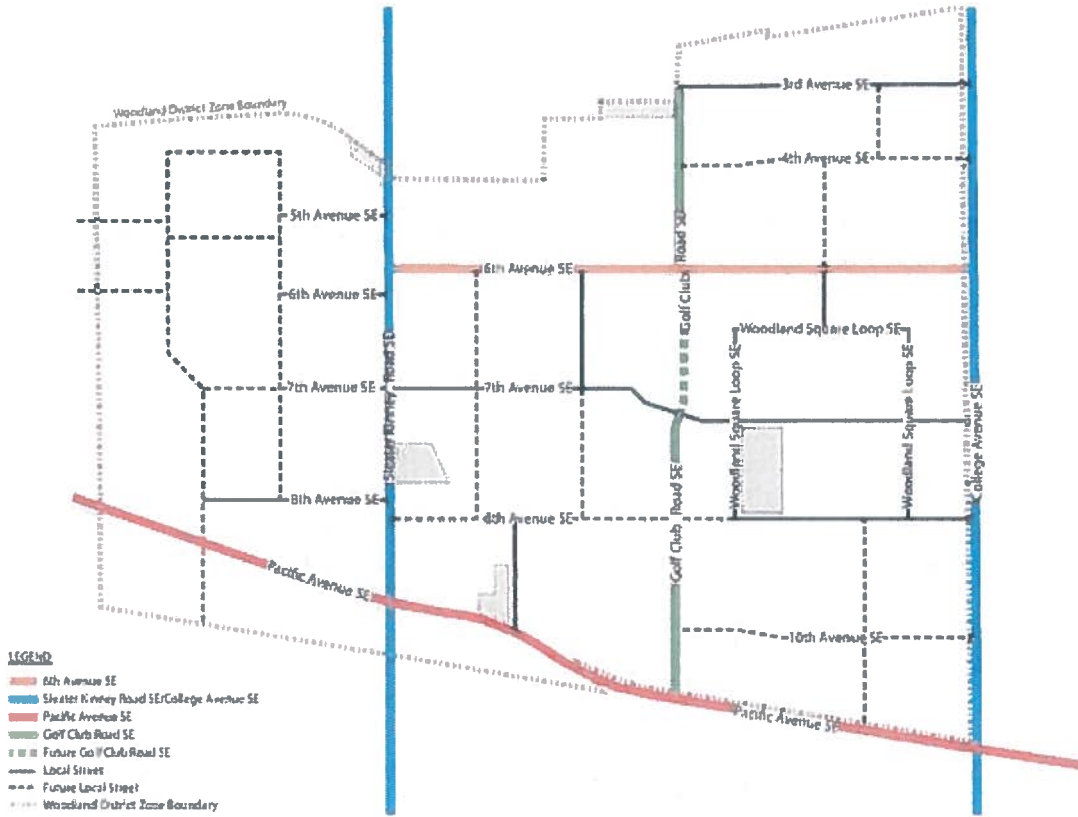
**TABLE 16.24.040-3, DISTRICT WIDE DEVELOPMENT STANDARDS**

Section/Description	Urban Neighborhood 1 Woodland Square	Urban Neighborhood 2 Pacific Avenue	Urban Neighborhood 3 Master Plan Area
	<p>protection plan and demolition plan should be part of the submittal to the city of Lacey and shall be approved by the tree protection professional. The tree protection plan shall be part of the contractor bid package and a copy of the tree protection plan shall be available to the contractors on site at all times during logging, clearing, and construction.</p> <p>Development standards may be adjusted on a case-by-case basis to protect priority trees:</p> <p>Priority tree types: Trees to be protected must be healthy, wind firm, and appropriate to the site at their mature size, as identified by a qualified professional forester. In designing a development project, the applicant shall protect the following types of trees in designated tract(s) in the following order of priority:</p> <ol style="list-style-type: none"> <li>1. Historical trees. Trees designated as historical trees under LMC <u>14.32.072</u>.</li> <li>2. Specimen trees. Unusual, rare, or high quality trees.</li> <li>3. Critical area buffer. Trees located adjacent to critical area buffers.</li> <li>4. Significant wildlife habitat. Trees located within or buffering significant wildlife habitat.</li> <li>5. Other high quality individual trees or groves of trees.</li> </ol>		

Section 74. Section 16.24.050 of the Lacey Municipal Code is hereby amended as follows:

**16.24.050 Streets, through connections and connection spacing.**

**FIGURE 16.24.050-1, REGULATING PLAN, STREET TYPES**



**TABLE 16.24.050-1, CONNECTIONS AND CONNECTION SPACING**

	Urban Neighborhood 1 Woodland Square	Urban Neighborhood 2 Pacific Avenue	Urban Neighborhood 3 Master Plan Area
<b>BLOCKS AND CONNECTIONS</b>			
A. Maximum Block Length	Auto: 450 feet (1) Pedestrian: 330 feet	Auto: 450 feet (3) Pedestrian: 330 feet <u>Properties</u> South of Pacific Avenue; Auto: NA Pedestrian: 100 feet	Auto: 450 feet Pedestrian: 330 feet

**TABLE 16.24.050-1, CONNECTIONS AND CONNECTION SPACING**

	<b>Urban Neighborhood 1 Woodland Square</b>	<b>Urban Neighborhood 2 Pacific Avenue</b>	<b>Urban Neighborhood 3 Master Plan Area</b>
<b>BLOCKS AND CONNECTIONS</b>			
<b>B. Maximum Block Perimeter</b>	Auto: 1,800 feet (1) Pedestrian: 1,320 feet	Auto: 1,800 feet (2) Pedestrian: 1,320 feet South of Pacific Avenue, NA	Auto: 1,800 feet (1) Pedestrian: 1,320 feet
<b>C. Additional Through-Block Connections</b>	Required for block faces longer than 450 feet	Required for block faces longer than 450 feet	Required for block faces longer than 450 feet
<b>D. Vehicular Entrances</b>	Driveways permitted except where noted  Min. 40 feet separation from intersection  Max. avg. 1 driveway per 100 feet of block frontage  Maximum width: 24 feet	Driveways permitted except where noted  Min. 40 feet separation from intersection  Max. avg. 1 driveway per 100 feet of block frontage  Maximum width: 24 feet (3)	Driveways permitted except where noted  Min. 40 feet separation from intersection  Max. avg. 1 driveway per 100 feet of block frontage  Maximum width: 24 feet
<b>E. Connection Hierarchy and Primary Frontage</b>	If one of the designated streets or through connections bounding an infill block is a primary street, the primary street frontage of the infill block or lot shall be the primary street. If none of the designated streets or through connections is a primary street, the primary frontage shall be the secondary street. (4)		
<b>F. Through Block Connection Types Permitted</b>	F--Through Block Connection	F--Through Block Connection	F--Through Block Connection

- (1) Adjustable by five percent.
- (2) Adjustable by ten percent.
- (3) Adjustable by twenty percent.
- (4) Proportional compliance adjustment: for properties south of Pacific Avenue the through connection of the driveway access and drive aisle may be exempt from frontage requirements.

**TABLE 16.24.050-2, OVERVIEW OF STREETS AND THROUGH CONNECTION TYPES**

<b>Section/Description</b>	<b>6th Ave</b>	<b>Golf Club</b>	<b>Pacific</b>	<b>College, Sleater Kinney</b>	<b>All Other Streets</b>	<b>Through Block Connection</b>
A. Frontage	Primary	Primary	Primary	Secondary	Secondary	Secondary
B. Type	Collector/commercial	Collector/commercial	Arterial	Arterial	Local streets	Local street or path
C. Aesthetic Character/Identity	Mixed-use main street	Urban residential main street	Varies	Woodland District gateways	Varies	Varies
D. Building and Landscape Frontage Types Permitted	Linear Forecourt Low wall and trellis Urban wall or fence	Linear Forecourt Porch-stoop-terrace Low wall and trellis Urban wall or fence	Linear Forecourt Porch-stoop-terrace Landscape building Low wall and trellis Urban wall or fence	Linear Forecourt Porch-stoop-terrace Landscape building Low wall and trellis Urban wall or fence	Linear Forecourt Porch-stoop-terrace Landscape building Low wall and trellis Urban wall or fence Landscape	Linear Forecourt Porch-stoop-terrace Landscape building Low wall and trellis Urban wall or fence Landscape

**TABLE 16.24.050-2, OVERVIEW OF STREETS AND THROUGH CONNECTION TYPES**

<b>Section/Description</b>	<b>6th Ave</b>	<b>Golf Club</b>	<b>Pacific</b>	<b>College, Sleater Kinney</b>	<b>All Other Streets</b>	<b>Through Block Connection</b>
			Landscap e setback	Landscap e setback	setback	setback
E. Role in the Network	District connector	District connector	Regional connector	Regional connector	Bike, pedestrian, local vehicular connectivity	Bike, pedestrian, local vehicular connectivity
F. Design Speed	25 mph	Under 20 mph	25 mph	25 mph	Under 20 mph	Under 20 mph
G. Right-of-Way or Easement Width	81 to 87 feet	60 to 64 feet	90 to 96 feet	Varies	Varies	Varies
H. Location of Build-To Line	At front property line	At front property line	5 feet back from property line	At front property line	At front property line	NA
I. Curb-to-Curb Width	42 feet	36 feet	62 to 68 feet	Varies	Varies	Varies
J. Travel Lanes (number)	2	2	4	4	2	Optional
K. Travel Lane Width	11 feet	10 feet	12 feet	Varies	9.5 feet for local streets 6 to 8 feet for	10 feet (maximum)

**TABLE 16.24.050-2, OVERVIEW OF STREETS AND THROUGH CONNECTION TYPES**

Section/Description	6th Ave	Golf Club	Pacific	College, Sleater Kinney	All Other Streets	Through Block Connection
					queuing streets	
L. Center Turn Lane Width	14 feet	NA	14 feet	Varies	Varies	NA
M. Parking Lane Width	8 feet	8 feet	NA	NA	NA	8--30 feet (optional; head-in, diagonal, parallel, or combination permitted)
N. Bike Facilities	Shared	Shared	None (Woodland Trail)	NA	NA	Shared street or shared-use path
O. Sidewalk Width	14 to 20 feet	12 to 14 feet	14 feet	Varies	Varies	5 feet (minimum) each side, or 10 feet (minimum) one side, or 10 feet minimum (no travel lane)

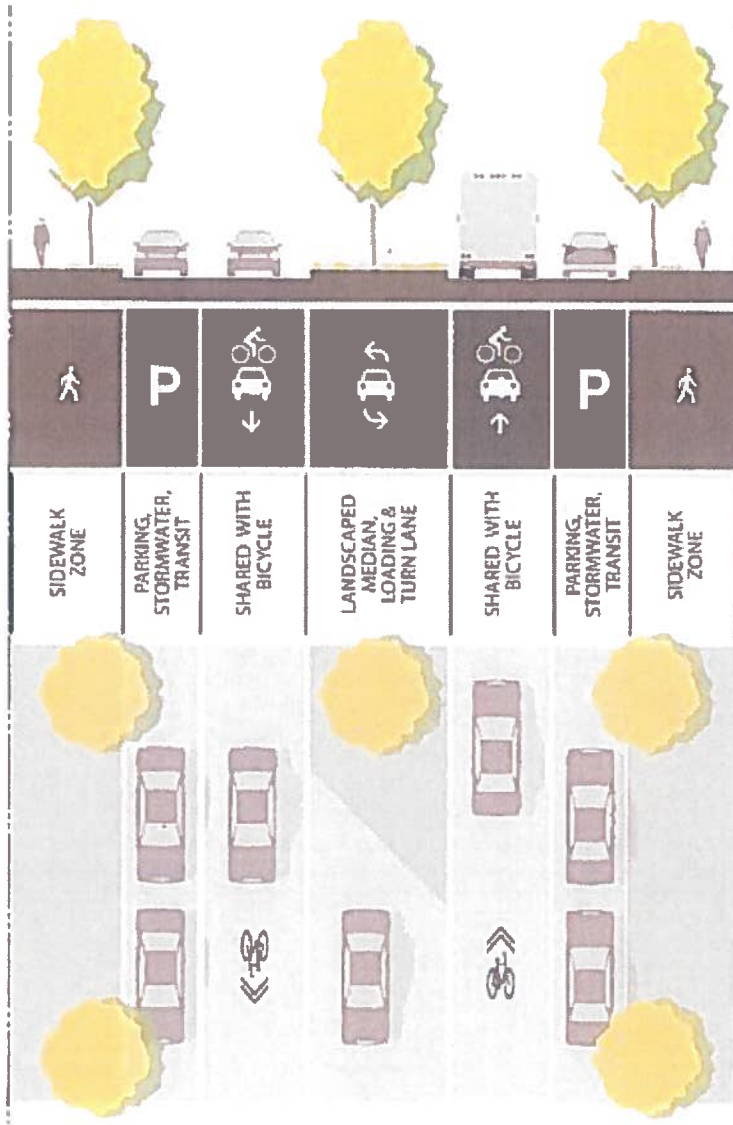


**TABLE 16.24.050-2, OVERVIEW OF STREETS AND THROUGH CONNECTION TYPES**

<b>Section/Description</b>	<b>6th Ave</b>	<b>Golf Club</b>	<b>Pacific</b>	<b>College, Sleater Kinney</b>	<b>All Other Streets</b>	<b>Through Block Connection</b>
P. Planter Strip Width	Varies	Varies	Varies	Varies	Varies	6 feet (minimum)
Q. Planted Median Width	14 feet	NA	14 to 20 feet	NA	NA	NA

FIGURES 16.24.050-2 THROUGH 9, STREET AND THROUGH CONNECTION TYPES

FIGURE 16.24.050-2, 6TH AVENUE



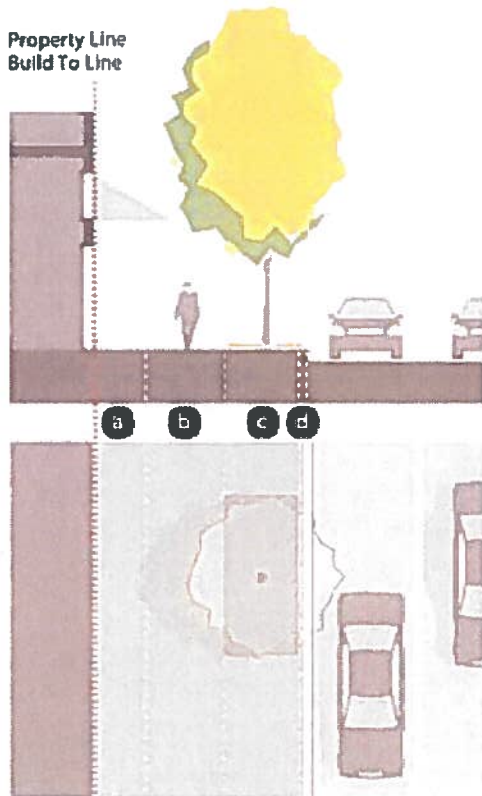
**TABLE 16.24.050-3, 6TH AVENUE**

<b>6th Ave</b>	
Right-of-Way or Easement Width	81 to 87 feet
Location of Build-to Line	At front property line
Curb-to-Curb Width	42 feet

**TABLE 16.24.050-3, 6TH AVENUE**

<b>6th Ave</b>	
Travel Lanes (number)	2
Travel Lane Width	11 feet
Center Turn Lane Width	14 feet
Parking Lane Width	8.5 feet
Bike Facilities	Shared
Sidewalk Width	14 to 20 feet
Planter Strip Width	Varies
Planted Median Width	14 feet

**FIGURE 16.24.050-3, 6TH AVENUE SIDEWALK IMPROVEMENTS**



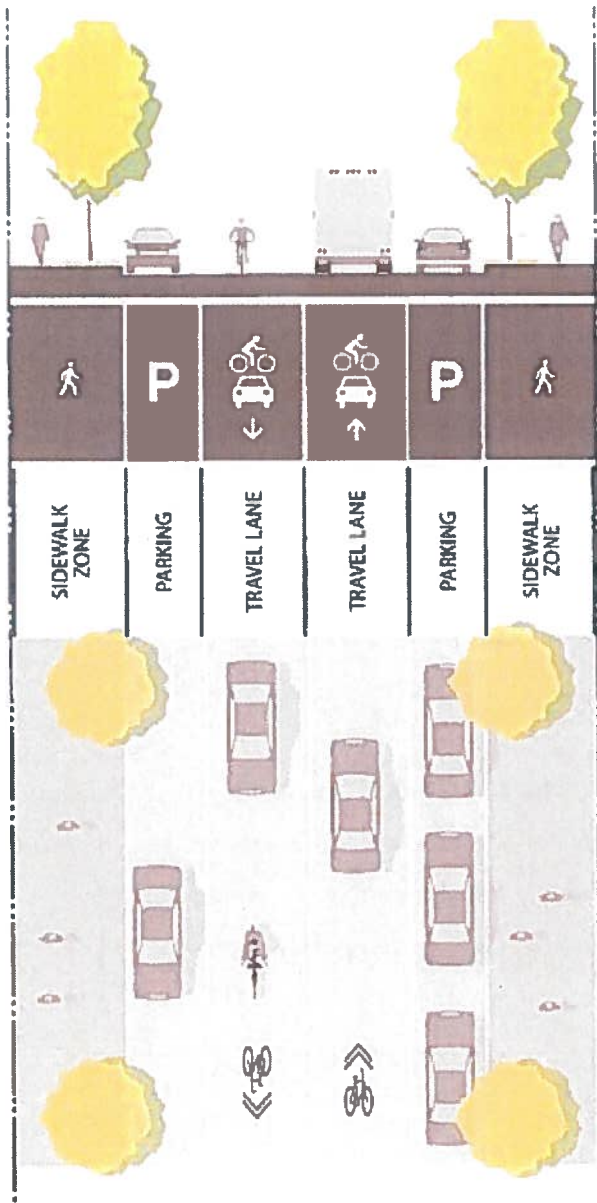
**TABLE 16.24.050-4, 6TH AVENUE SIDEWALK IMPROVEMENTS**

**6th Avenue Sidewalk Improvements.**

**Applicant is responsible for constructing improvements to the sidewalk when development is approved.**

	<b>Sidewalk Zones</b>	<b>Minimum Dimensions</b>	<b>Required Improvements</b>
<b>a</b>	Frontage Zone	1.5 feet	Concrete sidewalk
<b>b</b>	Pedestrian Through Zone	6.0 feet	Concrete sidewalk
<b>c</b>	Street Furnishings Zone	4.0 feet	Concrete sidewalk, street trees, tree grates
<b>d</b>	Curb Zone	6 inches	Cast-in-place concrete curb and gutter

**FIGURE 16.24.050-4, GOLF CLUB ROAD**



**TABLE 16.24.050-5, GOLF CLUB ROAD**

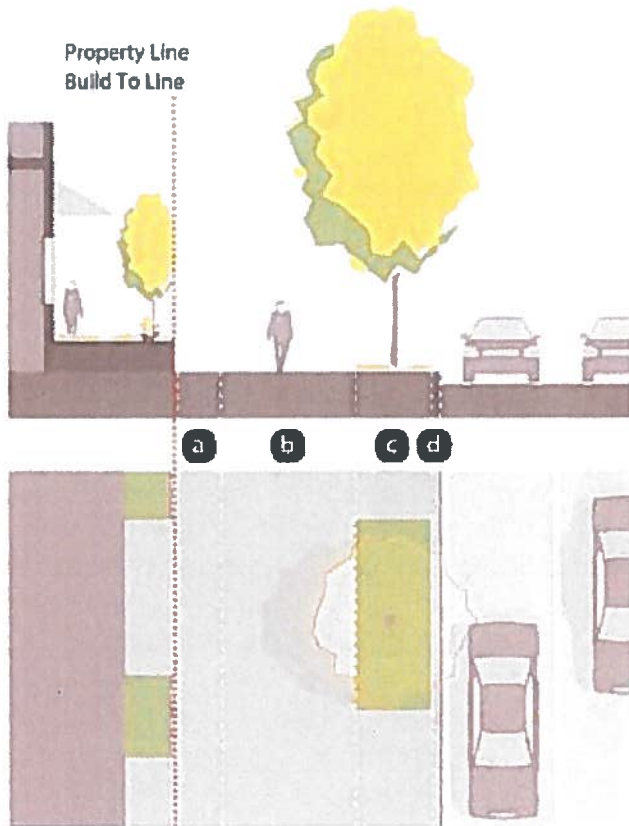
<b>Golf Club Road</b>	
Right-of-Way or Easement Width	60 to 64 feet <sup>1</sup>
Location of Build-to Line	At front property line
Curb-to-Curb Width	36 feet

**TABLE 16.24.050-5, GOLF CLUB ROAD**

<b>Golf Club Road</b>	
Travel Lanes (number)	2
Travel Lane Width	10 feet
Center Turn Lane Width	NA
Parking Lane Width	8 feet
Bike Facilities	Shared
Sidewalk Width	12 to 14 feet
Planter Strip Width	Varies
Planted Median Width	NA

1 Golf Club Road Extension. Between 6th Avenue and 7th Avenue, applicant shall, upon development approval, dedicate land for the right-of-way and construct interim improvements according to through block connections development standards. City is responsible for ultimate improvements according to the Golf Club development standards.

**FIGURE 16.24.050-5, GOLF CLUB ROAD SIDEWALK IMPROVEMENTS**



**TABLE 16.24.050-6, GOLF CLUB ROAD SIDEWALK IMPROVEMENTS**

**Golf Club Road Sidewalk Improvements**

**Applicant is responsible for constructing improvements to the sidewalk when development is approved.**

	<b>Sidewalk Zones</b>	<b>Minimum Dimensions</b>	<b>Required Improvements</b>
<b>a</b>	Frontage Zone	1.5 feet	Concrete sidewalk
<b>b</b>	Pedestrian Through Zone	6.0 feet	Concrete sidewalk
<b>c</b>	Street Furnishings Zone	4.0 feet	Street trees
<b>d</b>	Curb Zone	6 inches	Cast-in-place concrete curb and

**TABLE 16.24.050-6, GOLF CLUB ROAD SIDEWALK IMPROVEMENTS**

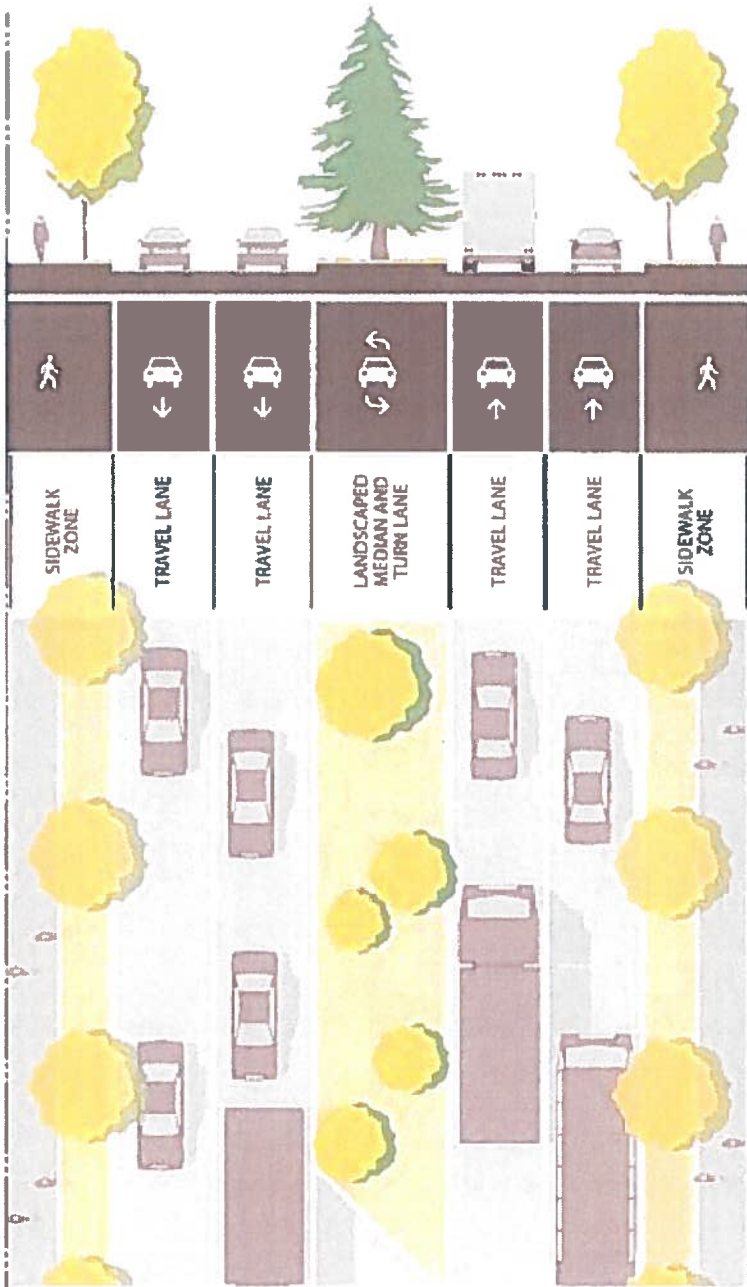
**Golf Club Road Sidewalk Improvements**

**Applicant is responsible for constructing improvements to the sidewalk when development is approved.**

	<b>Sidewalk Zones</b>	<b>Minimum Dimensions</b>	<b>Required Improvements</b>
			gutter

FIGURE 16.24.050-6, PACIFIC AVENUE





**TABLE 16.24.050-7, PACIFIC AVENUE**

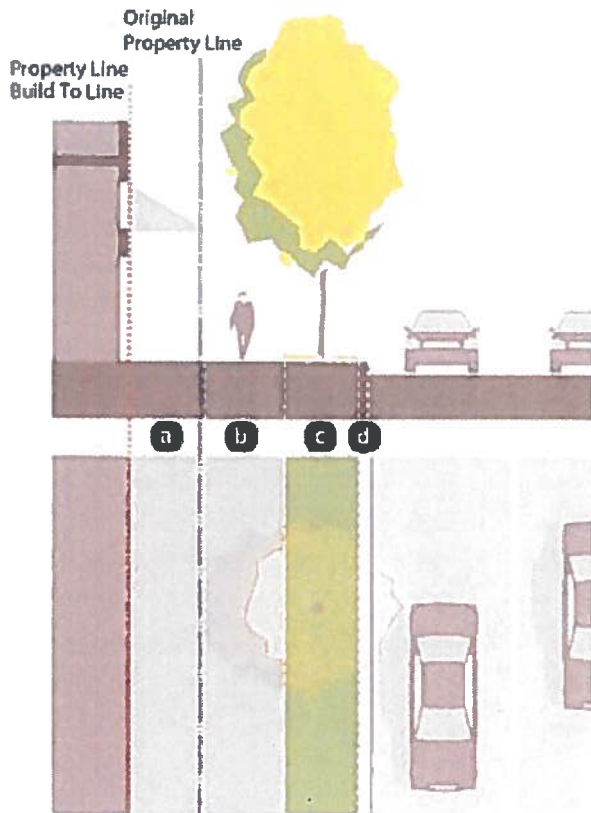
<b>Pacific Avenue</b>	
Right-of-Way or Easement	90 to 96 feet <sup>1</sup>

**TABLE 16.24.050-7, PACIFIC AVENUE**

<b>Pacific Avenue</b>	
Width	
Location of Build-to Line	5 feet back from property line
Curb-to-Curb Width	62 to 68 feet
Travel Lanes (number)	4
Travel Lane Width	12 feet
Center Turn Lane Width	14 feet
Parking Lane Width	NA
Bike Facilities	None
Sidewalk Width	14 feet
Planter Strip Width	Varies
Planted Median Width	14 to 20 feet <sup>1</sup>

1 Where right-of-way constraints do not permit a center turn lane, the planted median width requirements do not apply.

**FIGURE 16.24.050-7, PACIFIC AVENUE SIDEWALK IMPROVEMENTS**



**TABLE 16.24.050-8, PACIFIC AVENUE SIDEWALK IMPROVEMENTS**

**Pacific Avenue Sidewalk Improvements**

**Applicant is responsible for dedicating 5 feet to the right-of-way and for constructing improvements to the sidewalk when development is approved.**

	<b>Sidewalk Zones</b>	<b>Minimum Dimensions</b>	<b>Required Improvements</b>
<b>a</b>	Frontage Zone	5.0 feet	Concrete sidewalk
<b>b</b>	Pedestrian Through Zone	5.0 feet	Concrete sidewalk
<b>c</b>	Street Furnishings Zone	4.0 feet	Street trees, ground cover
<b>d</b>	Curb Zone	6 inches	Cast-in-place concrete curb and

**TABLE 16.24.050-8, PACIFIC AVENUE SIDEWALK IMPROVEMENTS**

**Pacific Avenue Sidewalk Improvements**

**Applicant is responsible for dedicating 5 feet to the right-of-way and for constructing improvements to the sidewalk when development is approved.**

	<b>Sidewalk Zones</b>	<b>Minimum Dimensions</b>	<b>Required Improvements</b>
			gutter

**FIGURE 16.24.050-8, THROUGH CONNECTION, MINIMUM REQUIREMENTS**

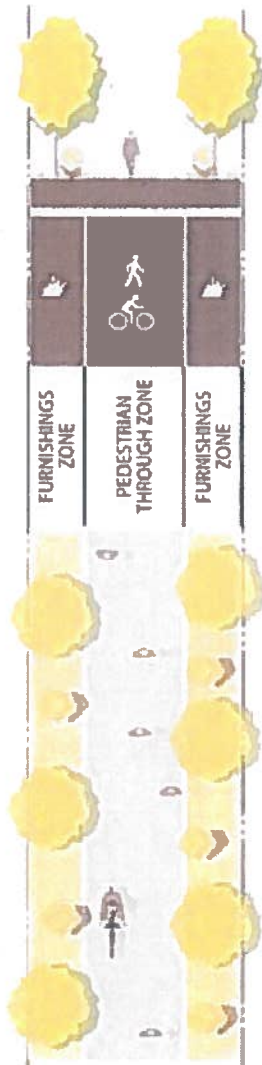


FIGURE 16.24.050-9, THROUGH CONNECTION, OPTIONAL COMPONENTS

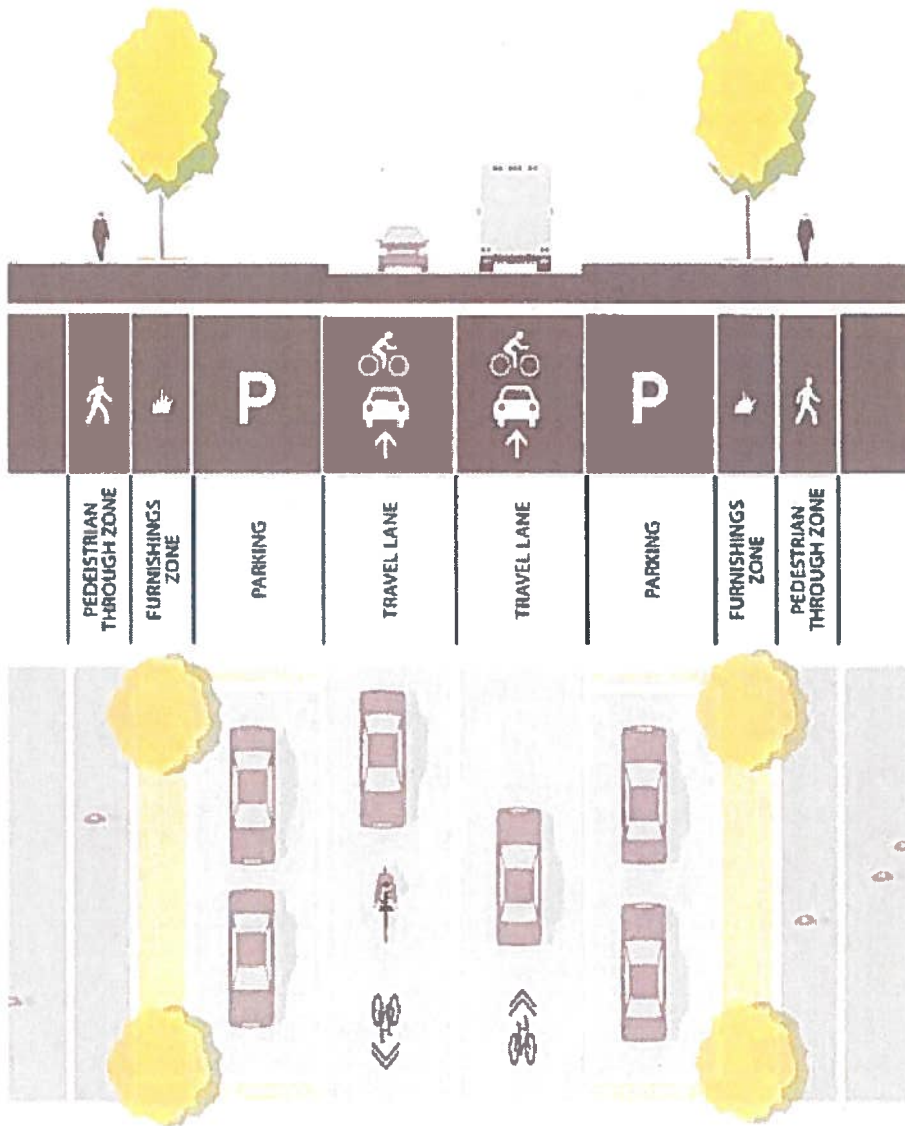


TABLE 16.24.050-9, THROUGH BLOCK CONNECTION, MINIMUM REQUIREMENTS AND OPTIONAL COMPONENTS

Through Block Connection		
	Development Standards, Minimum Requirements	Development Standards, Optional Components

**TABLE 16.24.050-9, THROUGH BLOCK CONNECTION, MINIMUM REQUIREMENTS  
AND OPTIONAL COMPONENTS**

<b>Through Block Connection</b>		
	<b>Development Standards, Minimum Requirements</b>	<b>Development Standards, Optional Components</b>
Right-of-Way or Easement Width	22 feet, minimum	Varies
Travel Lanes (number)	NA	2, maximum
Travel Lane Width	NA	10 feet, maximum
Center Turn Lane Width	NA	NA
Parking Lane Width	NA	8 feet, maximum, for parallel parking 30 feet, maximum, for head-in parking
Bike Facilities	Shared	Shared or dedicated
Sidewalk or Path Width	10 feet, minimum	10 feet, minimum 5 feet, minimum, if on each side of a planter strip
Planter Strip Width	6 feet, minimum, each side of sidewalk or path	6 feet, minimum, on each side of sidewalk or path, or 12 feet, minimum, one side of sidewalk or path, or 12 feet, minimum, if between sidewalks or paths
Planted Median	NA	

**TABLE 16.24.050-9, THROUGH BLOCK CONNECTION, MINIMUM REQUIREMENTS  
AND OPTIONAL COMPONENTS**

Through Block Connection		
	Development Standards, Minimum Requirements	Development Standards, Optional Components
Width		

Section 75. Section 16.24.070 of the Lacey Municipal Code is hereby amended as follows:

**16.24.070 Building and landscape frontage.**

A. Overview of Building and Landscape Frontage Types. Refer to the Regulating Plan and the development standards tables to determine which building and landscape frontage types are permitted along each street. Each street-facing build-to line shall comply with the development standards listed under the applicable building and landscape frontage type.

1. Linear Building Frontage. A linear building frontage, as set out in Figure 16.24.070-1, is characterized by a facade that is built up to the build-to line. The building entrance is at sidewalk grade, except where there are ground floor residential uses. Linear building frontages have substantial glazing on the ground floor, and often provide awnings or canopies cantilevered over the sidewalk. Building entries must either provide a canopy or awning and/or be recessed behind the front building facade.

2. Forecourt Building Frontage. A forecourt building frontage, as set out in Figure 16.24.070-2, may be created by recessing a portion of the facade for a portion of the building frontage. The forecourt building frontage should be used in conjunction with the linear building frontage. A forecourt building frontage is suitable for commercial or residential uses. A forecourt building frontage may be suitable for gardens and/or outdoor seating.

3. Porch/Stoop/Terrace Building Frontage. The porch-stoop-terrace building frontage, as set out in Figure 16.24.070-3, is characterized by a facade which is set behind the build-to line and a building entry threshold, such as a porch or terrace, set between the building and the build-to line. The threshold may be elevated above or sunken below grade. The building entry

is accessed from this threshold. Landscaping may be provided in the setback area between the building and the sidewalk. A porch-stoop-terrace building frontage is suitable for residential uses and service commercial or office uses.

4. Landscape Building Frontage. A landscape building frontage, as set out in Figure 16.24.070-4, is set back from the build-to line by a wide landscaped strip between the building and the sidewalk. This frontage type is appropriate along streets where the existing streetscape may not be conducive to pedestrian-oriented ground floor retail or residential uses, such as where there is no on-street parking or where streets are very wide. Ground floor entries must still be provided along and connected to the sidewalk.

5. Low Wall and Trellis Landscape Frontage. As set out in Figure 16.24.070-5, build-to lines not occupied by buildings, driveways, or pedestrian paths must be screened with a low masonry or concrete wall and overhanging trellis structure.

6. Urban Wall or Fence Landscape Frontage. As set out in Figure 16.24.070-6, build-to lines not occupied by buildings, driveways, or pedestrian paths must be screened with an open framework wall or fence of either metal, wood, masonry, or a combination.

7. Landscape Setback Frontage. As set out in Figure 16.24.070-7, build-to lines not occupied by buildings, driveways, or pedestrian paths must be set back behind a planted landscape area consisting of trees, shrubs, and groundcover plants.

B. General Building and Landscape Frontage Standards.

1. Applicability. The applicable street types or subdistricts are stated at the top of each column. Development on any site adjacent to 6th Avenue, Golf Club Road or Pacific Avenue shall conform to the regulations set out in the relevant column. Development on any site not adjacent to 6th Avenue, Golf Club Road or Pacific Avenue shall conform to the regulations set out in the Urban District, Master Plan District or Pacific Avenue District columns, as applicable.

2. Soil Amendment. All disturbed areas shall be replanted with native and drought tolerant vegetation and shall meet soil amendment requirements in the current City of Lacey Stormwater Design Manual.

3. Build-to Line.



a. "Build-to line" means the line up to which buildings or landscaping must be constructed. The build-to line may not be the same as the front lot line; see Table 16.24.050-2.

4. Frontage.

a. "Frontage" shall be defined as the linear distance between centerlines of the perpendicular secondary street, other street or through connection, if measuring along a primary street.

b. If on a secondary street, "frontage" shall be defined as the linear distance between centerlines of the perpendicular other street or through connection.

c. All other frontage shall be defined as the linear distance between centerlines of the perpendicular primary street, secondary street, other street or through connection.

d. Where frontage occurs on a curved segment of a street, frontage shall be defined as the linear dimension of the chord.

5. Frontage Requirements.

a. Minimum Building Frontage along Street-Facing Build-to Line. All private and public street- or path-facing build-to lines not occupied by buildings or driveways are required to provide building or landscape frontage between the sidewalk and the remainder of the site.

b. Primary Street Frontage. The primary street frontage shall be defined as the portion of the building facing the street (or the higher order street if on a corner). The front facade of the building shall be built to the primary street frontage build-to line.

c. Secondary Street Frontage. The secondary street frontage shall be defined as the portion of the building facing the lower order street, if on a corner. The front facade of the building shall be built to the secondary street frontage build-to line for a minimum of one hundred feet from the corner or the lot width, whichever is shorter. The building and landscape frontage standards of this section shall apply to the portion of the building that occupies the build-to line for one hundred feet from the corner or the lot width, whichever is shorter.

6. Ground Floor Height Measurement. If a minimum ground floor height is required, with a specific minimum floor to ceiling measurement, the ceiling shall be considered as the bottom of joists, rafters or supporting structure of the roof or floor structural system above; the floor shall be considered as the highest point of any flooring system. The ceiling does not include any non-structural ceiling surface materials such as suspended acoustical tile. Projections such as pendant lighting, exposed mechanical ducting, exposed electrical or communication

raceways, or the bottom chord of structural trusses may extend below the ceiling and shall not be included in the floor to ceiling measurement.

FIGURE 16.24.070-1, BUILDING AND LANDSCAPING FRONTAGE TYPE 1--LINEAR



TABLE 16.24.070-1, BUILDING AND LANDSCAPING FRONTAGE TYPE 1--LINEAR

Development Standard	Woodland Square	Master Plan Area	6th Ave	Golf Club Rd	Pacific Ave District	Pacific Ave
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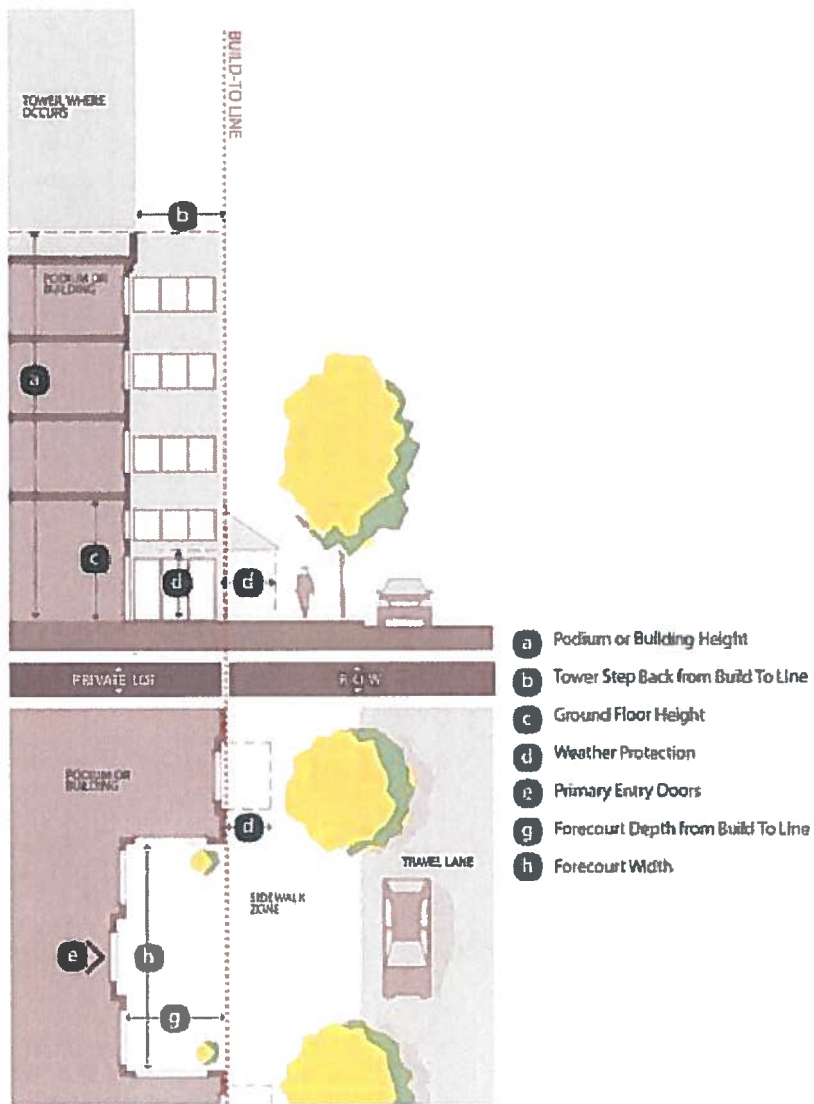
**TABLE 16.24.070-1, BUILDING AND LANDSCAPING FRONTAGE TYPE 1--LINEAR**

<b>Development Standard</b>	<b>Woodland Square</b>	<b>Master Plan Area</b>	<b>6th Ave</b>	<b>Golf Club Rd</b>	<b>Pacific Ave District</b>	<b>Pacific Ave</b>
<b>a</b> Minimum Building or Podium Height	Min. 30 feet			Min. 20 feet		
Maximum Podium Height	Max. 55 feet					
Podium Setback from Build-To Line	Max. 10 feet  Min. 0 feet	Max. 0 feet  Min. 0 feet	Max. 10 feet  Min. 5 feet	Max. 10 feet  Min. 0 feet		
<b>b</b> Tower Step Back at Top of Podium	Min. 10 feet  Min. 15 feet on lots adjacent to Golf Club Road  On through block connections: 10 feet minimum  Intermediate step back of 15 feet is required at a height of between 0 feet and 20 feet					
Tower Height	See Regulating Plan for building heights					
<b>c</b> Ground Floor Height	Min. 18 feet					
<del>Ground Floor Construction</del>	<del>1 hour fire resistive</del>					
Ground Floor Depth	Min. 40 feet					
Vegetated Roofs	Vegetated roofs with public access can be counted towards open space and utility screening requirements.					

**TABLE 16.24.070-1, BUILDING AND LANDSCAPING FRONTAGE TYPE 1--LINEAR**

<b>Development Standard</b>	<b>Woodland Square</b>	<b>Master Plan Area</b>	<b>6th Ave</b>	<b>Golf Club Rd</b>	<b>Pacific Ave District</b>	<b>Pacific Ave</b>
Separation of Ground Floor Residential Uses	Vertical distance from ground: Min. 18 inches/Max. 3 feet  Horizontal distance from build-to line: Min. 3 feet/Max. 15 feet					
<b>d</b> Weather Protection	Protected area: 50 square feet, min.; 5 feet min. horizontal dimension; 10 foot vertical clearance, min.			No requirement	Protected area: 50 square feet, minimum; 5 feet min. horizontal dimension; 10 foot vertical clearance, minimum	
<b>e</b> Primary Entry Doors	Shall face street; 40% transparent min.					
Windows	60% min. Required window areas shall allow views from the building to the street. Reflective, dark, tinted or textured glass is not permitted.					

**FIGURE 16.24.070-2, BUILDING AND LANDSCAPING FRONTAGE TYPE 2--FORECOURT**



**TABLE 16.24.070-2, BUILDING AND LANDSCAPING FRONTAGE TYPE 2--FORECOURT**

Development Standard	Woodland Square	Master Plan Area	6th Ave	Golf Club Rd	Pacific District	Pacific Ave
Minimum a Building or Podium Height	Min. 30 feet				Min. 20 feet	

**TABLE 16.24.070-2, BUILDING AND LANDSCAPING FRONTAGE TYPE 2--FORECOURT**

Development Standard	Woodland Square	Master Plan Area	6th Ave	Golf Club Rd	Pacific District	Pacific Ave
Maximum Podium Height	Max. 55 feet					
Podium Setback from Build-To Line	Max. 10 feet		Max. 0 feet	Max. 10 feet	Max. 10 feet	
	Min. 0 feet		Min. 0 feet	Min. 5 feet	Min. 0 feet	
<b>b</b> Tower Step Back at Top of Podium	Min. 10 feet or match					
	Min. 15 feet on lots adjacent to Golf Club Road					
	On through block connections: 10 feet minimum					
	Intermediate step back of 15 feet is required at a height of between 0 feet and 20 feet					
	Tower step back shall match forecourt maximum depth where tower abuts the forecourt					
Tower Height	See Regulating Plan for building heights, Figure <a href="#">16.24.060-1</a> , Regulating Plan, Building Heights					
<b>c</b> Ground Floor Height	Min. 18 feet					
<del>Ground Floor Construction</del>	<del>1 hour fire resistive</del>					
Ground Floor Depth	Min. 40 feet					
Separation of Ground Floor	Vertical distance from ground: Min. 18 inches/Max. 3 feet					

**TABLE 16.24.070-2, BUILDING AND LANDSCAPING FRONTAGE TYPE 2--FORECOURT**

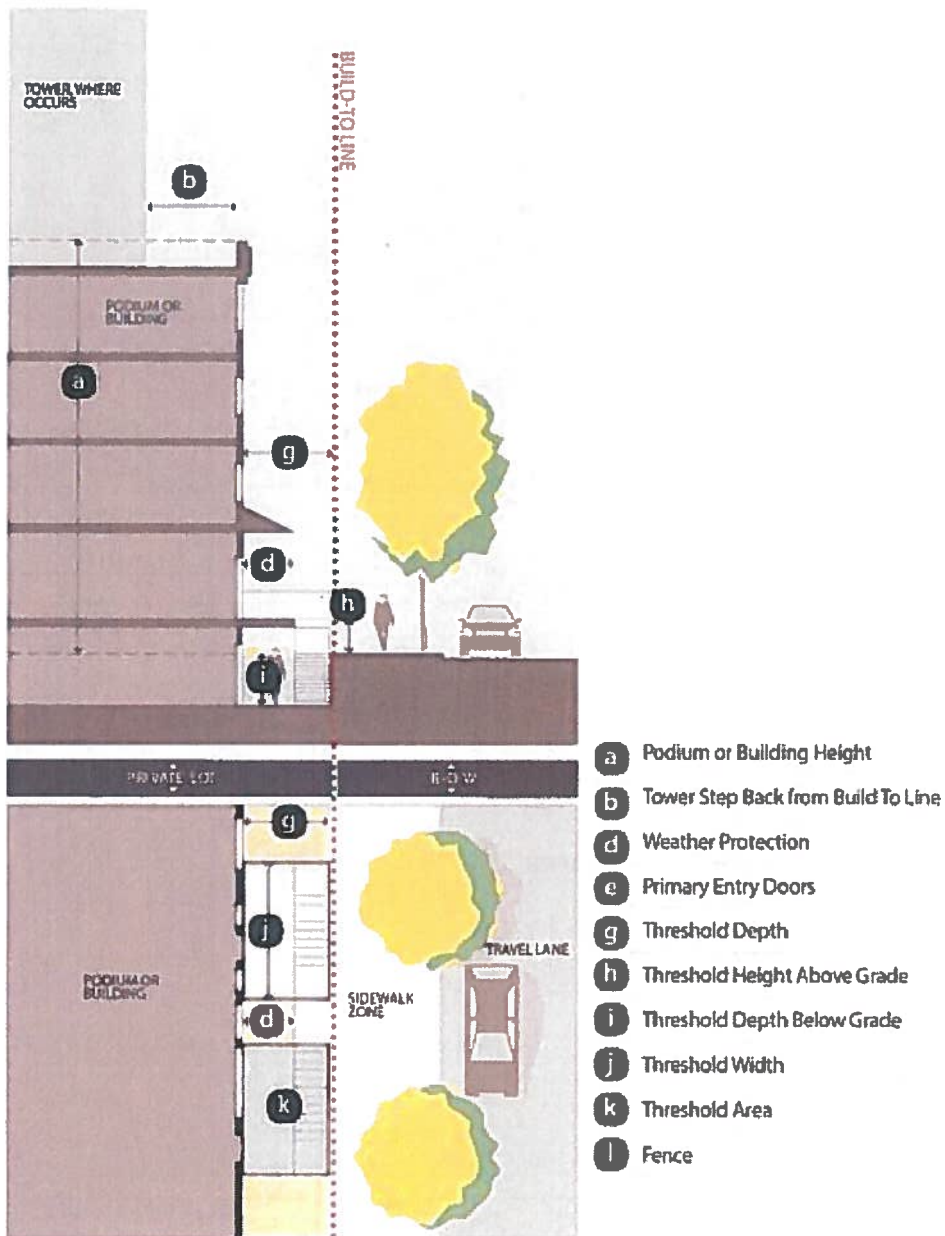
<b>Development Standard</b>	<b>Woodland Square</b>	<b>Master Plan Area</b>	<b>6th Ave</b>	<b>Golf Club Rd</b>	<b>Pacific District</b>	<b>Pacific Ave</b>
Residential Uses	Horizontal distance from build-to line: Min. 3 feet/Max. 15 feet					
Vegetated Roofs	Vegetated roofs with public access can be counted towards open space and utility screening requirements.					
Ground Cover and Planting	Native and drought tolerant ground cover plants must fully cover the remainder of the landscaped area between the building and the sidewalk.					
<b>d</b> Weather Protection	Protected area: 50 square feet, minimum; 5 feet min. horizontal dimension; 10 foot vertical clearance, minimum			No requirement		Protected area: 50 square feet, minimum; 5 feet min. horizontal dimension; 10 foot vertical clearance, minimum
<b>e</b> Primary Entry Doors	Shall face street; 40% transparent min.					
Windows	60% min. Required window areas shall allow views from the building to the street. Reflective, dark, tinted or textured glass is not permitted.					
<b>f</b> Forecourt Depth from Build-to Line	Setback: 10 feet minimum; 30 feet maximum  Tower setback shall match forecourt maximum depth					
<b>h</b> Forecourt Width	Setback: 10 feet minimum; 30 feet maximum					
Forecourt Frontage	The forecourt frontage shall incorporate the linear frontage type for building faces on the primary and secondary street frontages that are not part of the courtyard.					
Fence	No greater than 3 feet in height; min.					

**TABLE 16.24.070-2, BUILDING AND LANDSCAPING FRONTAGE TYPE 2--FORECOURT**

Development Standard	Woodland Square	Master Plan Area	6th Ave	Golf Club Rd	Pacific District	Pacific Ave
	20% transparent					

**FIGURE 16.24.070-3, BUILDING AND LANDSCAPING FRONTAGE TYPE 3--PORCH-STOOP-TERRACE**





**TABLE 16.24.070-3, BUILDING AND LANDSCAPING FRONTAGE TYPE 3--PORCH-STOOP-TERRACE**

Development Standard	Woodland Square	Master Plan Area	6th Ave	Golf Club Rd	Pacific District	Pacific Ave
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**TABLE 16.24.070-3, BUILDING AND LANDSCAPING FRONTAGE TYPE 3--PORCH-STOOP-TERRACE**

Development Standard	Woodland Square	Master Plan Area	6th Ave	Golf Club Rd	Pacific District	Pacific Ave
<b>a</b> Minimum Building or Podium Height	Min. 30 feet			Min. 20 feet		
Maximum Podium Height	Max. 55 feet					
Podium Setback from Build-To Line	Max. 15 feet Min. 5 feet		NA		Max. 15 feet Min. 5 feet	
<b>b</b> Tower Step Back at Top of Podium	Min. 10 feet Min. 15 feet on lots adjacent to Golf Club Road On through block connections: 10 feet minimum Intermediate step back of 15 feet is required at a height of between 0 feet and 20 feet Tower step back shall match threshold maximum depth					
Tower Height	See Regulating Plan for Building Heights, Figure <a href="#">16.24.060-1</a> Regulating Plan, Building Heights					
<b>c</b> Ground Floor Height	Min. 18 feet					
<del>Ground Floor Construction</del>	<del>1 hour fire-resistive</del>					
Ground Floor Depth	Min. 40 feet					

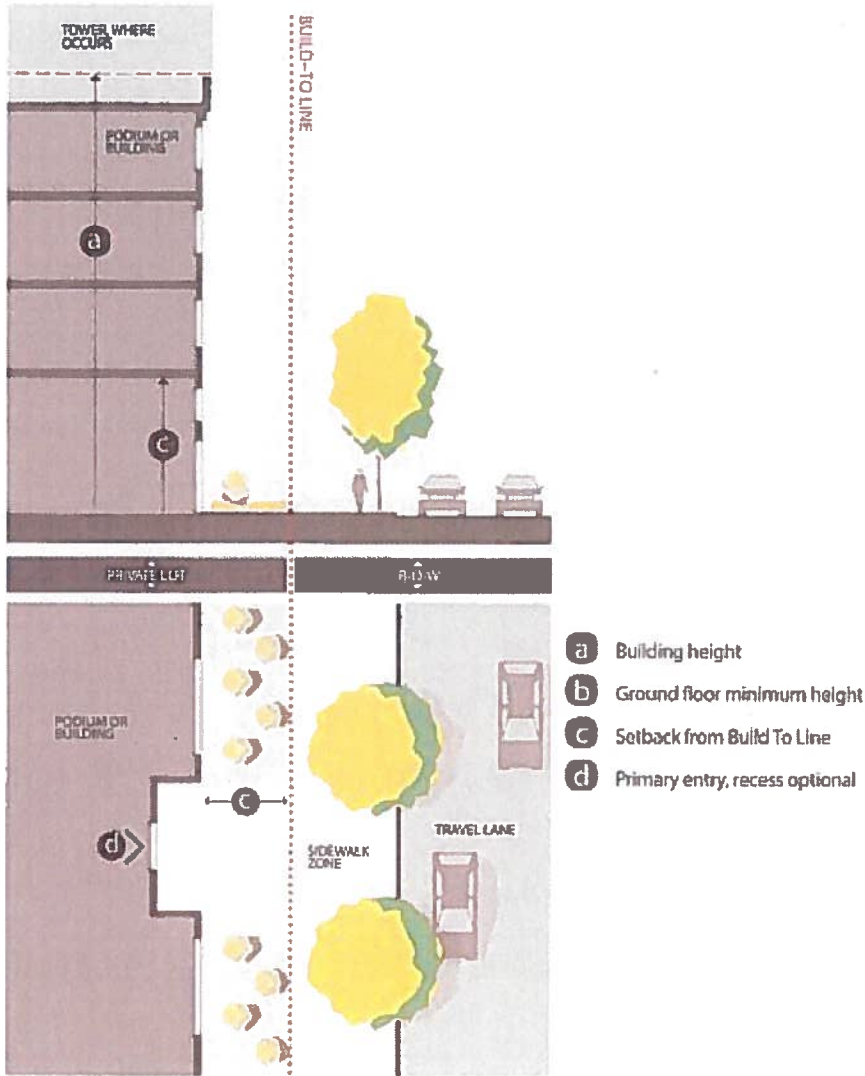
**TABLE 16.24.070-3, BUILDING AND LANDSCAPING FRONTAGE TYPE 3--PORCH-STOOP-TERRACE**

<b>Development Standard</b>	<b>Woodland Square</b>	<b>Master Plan Area</b>	<b>6th Ave</b>	<b>Golf Club Rd</b>	<b>Pacific District</b>	<b>Pacific Ave</b>
Separation of Ground Floor Residential Uses	Vertical distance from ground: Min. 18 inches/Max. 3 feet  Horizontal distance from build-to line: Min. 3 feet/Max. 15 feet					
Vegetated Roofs	Vegetated roofs with public access can be counted towards open space and utility screening requirements.					
Ground Cover and Planting	Native and drought tolerant ground cover plants must fully cover the remainder of the landscaped area between the building and the sidewalk.					
<b>d</b> Weather Protection	Protected area: 20 square feet, minimum; 5 feet min. horizontal dimension; 10 foot vertical clearance, minimum			No requirement		Protected area: 20 square feet, minimum; 5 feet min. horizontal dimension; 10 foot vertical clearance, minimum
<b>e</b> Primary Entry Doors	Shall face street; 20% transparent min.					
Windows	30% min. Required window areas shall allow views from the building to the street. Reflective, dark, tinted or textured glass is not permitted.					
<b>g</b> Threshold Depth	Min. 4 feet					
<b>h</b> Threshold Height Above Grade	Max. 5 feet					
<b>i</b> Threshold Depth Below Grade	Max. 4 feet					

**TABLE 16.24.070-3, BUILDING AND LANDSCAPING FRONTAGE TYPE 3--PORCH-STOOP-TERRACE**

	<b>Development Standard</b>	<b>Woodland Square</b>	<b>Master Plan Area</b>	<b>6th Ave</b>	<b>Golf Club Rd</b>	<b>Pacific District</b>	<b>Pacific Ave</b>
<b>f</b>	Threshold Width	Min. 5 feet					
<b>k</b>	Threshold Area	Max. 150 square feet per building entry					
<b>l</b>	Fences	No greater than 3 feet in height; min. 20% transparent					

**FIGURE 16.24.070-4, BUILDING AND LANDSCAPING FRONTAGE TYPE 4--LANDSCAPE BUILDING**



**TABLE 16.24.070-4, BUILDING AND LANDSCAPING FRONTAGE TYPE 4--LANDSCAPE BUILDING**

Development Standard	Woodland Square	Master Plan Area	Pacific District	Pacific Ave
Minimum <b>a</b> Building or Podium Height	Min. 30 feet		Min. 20 feet	
Maximum	Max. 55 feet			

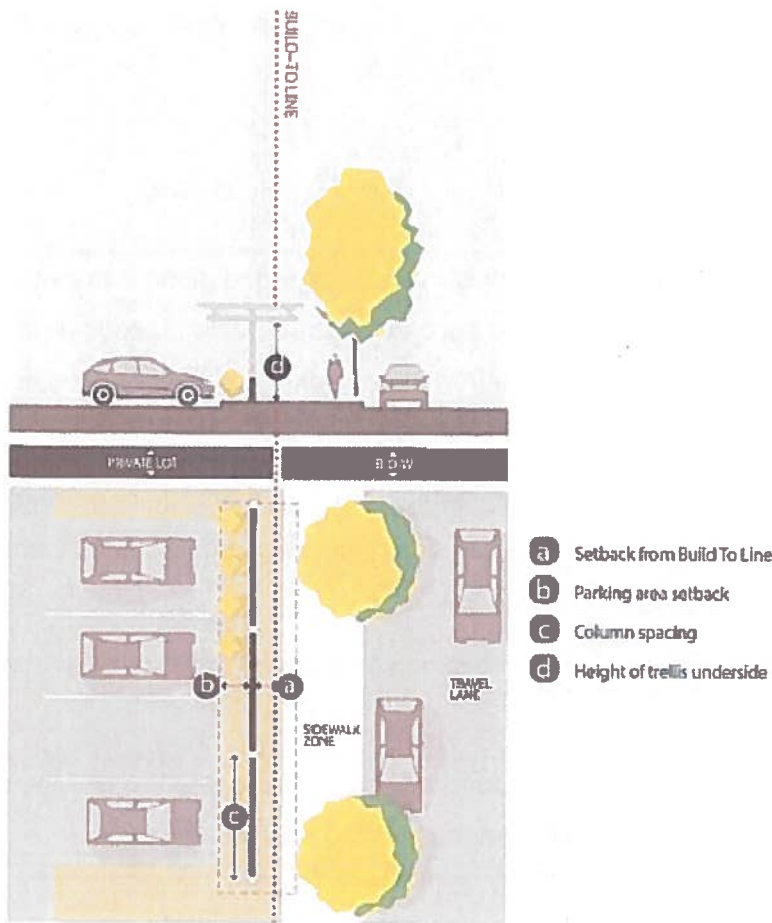
**TABLE 16.24.070-4, BUILDING AND LANDSCAPING FRONTAGE TYPE 4--LANDSCAPE  
BUILDING**

Development Standard	Woodland Square	Master Plan Area	Pacific District	Pacific Ave
Podium Height				
Podium Setback <b>c</b> from Build-To Line	Max. 15 feet  Min. 10 feet			
Tower Step Back at Top of Podium	Min. 10 feet  Min. 15 feet on lots adjacent to Golf Club Road  On through block connections: 10 feet minimum  Intermediate step back of 15 feet is required at a height of between 0 feet and 20 feet  Tower setback shall match threshold maximum depth			
Tower Height	See Regulating Plan for Building Heights, Figure <u>16.24.060-1</u> Regulating Plan, Building Heights			
Minimum Building Depth	Min. 40 feet			
Weather Protection	Building entrances shall be either be covered by an awning or canopy or be covered by being recessed behind the front building facade. If an awning or canopy is provided, it must provide a minimum vertical clearance of 8 feet and a maximum clearance of 15 feet. If only a recessed entry is provided, it must be recessed behind the front facade a minimum of 3 feet and a maximum of 5 feet.			
<b>d</b> Primary Entry Doors	At least one building entrance shall be directly connected to the primary or secondary street with a walkway measuring a minimum of 5 feet wide. A minimum of 40% of each primary entry shall be transparent.			

**TABLE 16.24.070-4, BUILDING AND LANDSCAPING FRONTAGE TYPE 4--LANDSCAPE BUILDING**

<b>Development Standard</b>	<b>Woodland Square</b>	<b>Master Plan Area</b>	<b>Pacific District</b>	<b>Pacific Ave</b>
Windows	Transparent ground floor windows must be provided along a minimum of 60% of the ground floor, primary and secondary street-facing facade area. Required window areas shall allow views from the building to the street. Reflective, dark, tinted or textured glass is not permitted.			
Service and Utility Equipment	Building service and utility equipment and outdoor storage of garbage and/or recycling is not permitted along a primary or secondary street or within the required setback from build-to line.			
Vegetated Roofs	Vegetated roofs with public access can be counted towards open space and utility screening requirements.			
Ground Cover and Planting	Native and drought tolerant ground cover plants must fully cover the remainder of the landscaped area between the building and the sidewalk.			

**FIGURE 16.24.070-5, BUILDING AND LANDSCAPING FRONTAGE TYPE 5--LOW WALL AND TRELLIS**



**TABLE 16.24.070-5, BUILDING AND LANDSCAPING FRONTAGE TYPE 5--LOW WALL AND TRELLIS**

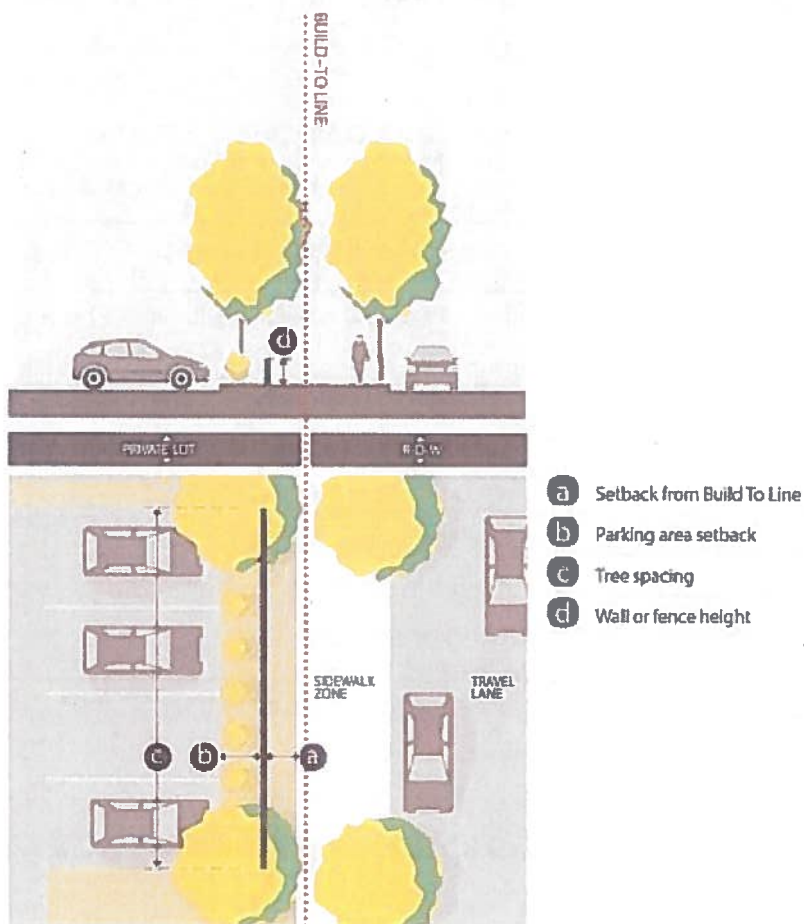
Development Standard	Woodland Square	Master Plan Area	6th Ave	Golf Club Rd	Pacific District	Pacific Ave
Frontage	Where specified according to Table <a href="#">16.24.050-1</a> (Connections and Connection Spacing) and Table <a href="#">16.24.050-2</a> (Overview of Streets and Through Connection Types), surface parking areas shall be screened with a low wall and trellis along the build-to line.					
<b>a</b> Setback from Build-to Line	The low wall and trellis shall be set back a minimum of 0 feet and a maximum of 5 feet from the build-to line.					
<b>c</b> Column	The trellis shall have masonry, heavy timber, or steel (or similar metal)					



**TABLE 16.24.070-5, BUILDING AND LANDSCAPING FRONTAGE TYPE 5--LOW WALL AND TRELLIS**

<b>Development Standard</b>	<b>Woodland Square</b>	<b>Master Plan Area</b>	<b>6th Ave</b>	<b>Golf Club Rd</b>	<b>Pacific District</b>	<b>Pacific Ave</b>
Spacing	supporting columns spaced no more than 30 feet on center.					
<b>d</b> Height of Trellis	The underside of the trellis portion of a low wall and trellis shall be a minimum of 8 feet above grade and a maximum of 14 feet above grade. The trellis shall be heavy timber or steel (or a similar material) and shall consist of open structure with no decking or awning material.					
Low Wall	The low wall portion of a low wall and trellis shall be a minimum of 1.5 feet and a maximum of 3 feet and have a minimum depth of 1.5 feet. The low wall shall be vegetated wall, wood, masonry, and/or concrete.					
Low Wall Openings	Openings in the low wall and trellis are allowed for pedestrian pathways, sidewalks, plazas, and driveways.					
<b>b</b> Surface Parking Setback	Surface parking shall be set back a minimum of 3 feet from the low wall and trellis.					
Ground Cover and Planting	<p>Any setback area between the sidewalk and the wall shall be planted or paved with stamped concrete, permeable pavers, or masonry pavers.</p> <p>The setback between the low wall and surface parking shall be planted with native and drought tolerant low shrubs, groundcover, and climbing plants.</p> <p>Vegetated LID facilities are allowed in the ground cover and planting area.</p>					

**FIGURE 16.24.070-6, BUILDING AND LANDSCAPING FRONTAGE TYPE 6--URBAN FENCE OR WALL**



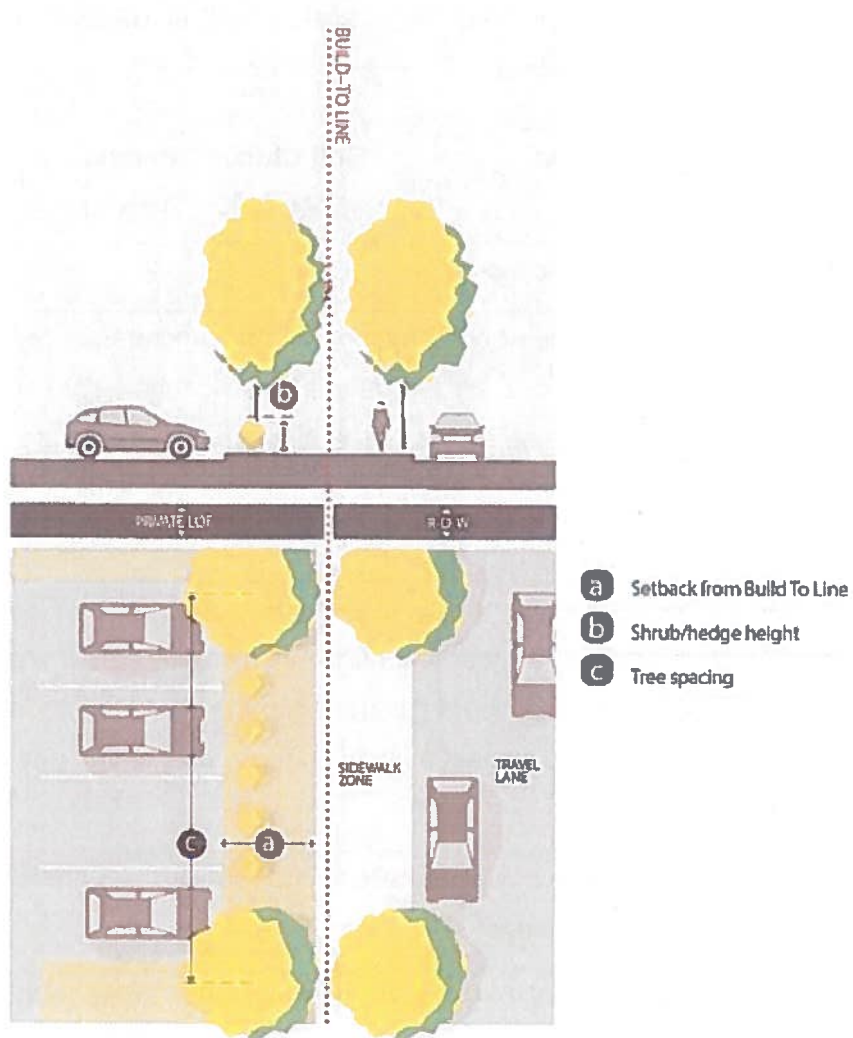
**TABLE 16.24.070-6, BUILDING AND LANDSCAPING FRONTAGE TYPE 6--URBAN FENCE OR WALL**

Development Standard	Woodland Square	Master Plan Area	6th Ave	Golf Club Rd	Pacific District	Pacific Ave
Frontage	Where specified according to Table <a href="#">16.24.050-1</a> (Connections and Connection Spacing) and Table <a href="#">16.24.050-2</a> (Overview of Streets and Through Connection Types), surface parking areas shall be screened with an urban fence or wall along the build-to line.					
<b>a</b> Setback from Build-to Line	The urban fence or wall shall be set back a maximum of 5 feet from the sidewalk. The area between the urban fence or wall shall be landscaped with either					

**TABLE 16.24.070-6, BUILDING AND LANDSCAPING FRONTAGE TYPE 6--URBAN FENCE OR WALL**

<b>Development Standard</b>	<b>Woodland Square</b>	<b>Master Plan Area</b>	<b>6th Ave</b>	<b>Golf Club Rd</b>	<b>Pacific District</b>	<b>Pacific Ave</b>
	masonry pavers or stamped concrete.					
<b>d</b> Wall or Fence Height	Walls shall be vegetated wall, wood, masonry, and/or concrete; fences shall be made of wrought iron, steel, or a similar material (but not chain-link) and must be dark in color. The fence shall be at least 2 feet high and no more than 3 feet high. Fences may be no more than 50% sight obscuring. The wall shall be at least 2 feet high and no more than 3 feet high above the grade of the sidewalk.					
<b>c</b> Tree Spacing	In addition to the required fence or wall, trees and shrubs shall be provided. One large tree is required every 30 linear feet minimum along all public or private street-facing frontages, except where it is necessary to ensure adequate traffic visibility. The shrubs shall be at least as high as the wall or fence, and shall be no more than 6 feet high.					
Wall or Fence Openings	Openings in the urban fence or wall are allowed for pedestrian pathways, sidewalks, plazas, and driveways.					
<b>b</b> Surface Parking Setback	The surface parking area shall be set back, at a minimum, an additional 5 feet to provide room for required vegetated LID facilities and/or native and drought tolerant landscaping.					
Ground Cover and Planting	Native and drought tolerant ground cover plants must fully cover any remaining landscaped area between the parking area and the urban fence or wall. Vegetated LID facilities are allowed in the ground cover and planting area.					

**FIGURE 16.24.070-7, BUILDING AND LANDSCAPING FRONTAGE TYPE 7--LANDSCAPE SETBACK**



**TABLE 16.24.070-7, BUILDING AND LANDSCAPING FRONTAGE TYPE 7--  
LANDSCAPE SETBACK**

Development Standard	Woodland Square	Master Plan Area	Pacific District	Pacific Ave
Frontage	Where specified according to Table <a href="#">16.24.050-1</a> (Connections and Connection Spacing) and Table <a href="#">16.24.050-2</a> (Overview of Streets and Through Connection Types), surface parking areas shall be screened with a landscape setback along the build-to line.			

**TABLE 16.24.070-7, BUILDING AND LANDSCAPING FRONTAGE TYPE 7--  
LANDSCAPE SETBACK**

<b>Development Standard</b>	<b>Woodland Square</b>	<b>Master Plan Area</b>	<b>Pacific District</b>	<b>Pacific Ave</b>
<b>a</b> Setback from Build-to Line	Along all public or private street-facing frontages, surface parking shall be set back a minimum of 10 feet behind the build-to line.			
<b>b</b> Shrub and Hedge Height	The surface parking area shall be screened with a continuous row of hedges or shrubs immediately adjacent to the parking area, except where there is a driveway. The shrubs shall be a minimum of 3 feet high and must be mostly opaque year round. A 3-foot-high masonry wall may be substituted for the shrubs but the trees and groundcover plants are still required.			
<b>c</b> Landscape Area	In addition to the required shrubs, one large tree is required every 30 linear feet minimum along all public or private street-facing frontages. The shrubs/hedge shall be interrupted with a gap of up to 2 to 3 feet wide in order to accommodate trees.			
Walkways	Openings in the setback are allowed for pedestrian pathways, sidewalks, plazas, and driveways.			
Ground Cover and Planting	Native and drought tolerant ground cover plants must fully cover the remainder of the landscaped area between the parking area and the sidewalk.			

Section 76. Section 16.24.090 of the Lacey Municipal Code is hereby amended as follows:

**16.24.090 Form-based code review.**

A. Administration of development review shall be the responsibility of the director of community and economic development. The director shall implement development review concurrent with any related planning review process or building permit application. The

review process consists of a presubmission conference followed by an application review by either the director or the site plan review committee (SPRC).

1. Presubmission Conference.

a. The applicant shall attend a presubmission conference with an assigned staff member.

The presubmission conference shall be conducted in accordance with Section 1B.020 of the City of Lacey Development Guidelines and Public Works Standards.

b. The site plan, landscaping plan, and building design may be conceptual in form for the presubmission conference.

c. Staff shall provide a written summary of the meeting to the applicant including identification of the relevant approval criteria in LMC 16.24.030 through 16.24.070.

d. The staff summary shall identify the applicable review process, which will be an administrative review by the director of community and economic development or a review by the SPRC.

e. The staff summary shall identify any submittal requirements in LMC 16.24.120 that are not applicable or required.

2. Limited Administrative Review.

a. Development applications, which do not exceed the thresholds in subsection B of this section, shall be subject to an administrative review by the director under Chapter 12.28 LMC, Development Standards and Public Works Standards.

b. The director shall conduct this review concurrent with any related planning review process or building permit application.

3. Review by the SPRC.

a. Development applications, which exceed the thresholds in subsection B of this section, shall be subject to a review by the SPRC.

b. The SPRC shall review development applications in accordance with the full administrative review process and timelines outlined in Section 1C.040 of the City of Lacey Development Guidelines and Public Works Standards. The application shall be approved or approved with conditions to conform to the standards, provisions and policies of the city as expressed in its various adopted plans and ordinances. Whenever the SPRC disapproves an application, it shall set forth in writing its findings, which shall specify the particular

standards, provisions and policies to which the site plan fails to conform and the reasons why it fails to conform.

c. The site plan review committee (SPRC) shall have the prerogative of refusing to rule on a development application if in the opinion of the SPRC the site plan is sufficiently complex that it should be reviewed by the hearings examiner according to the quasi-judicial process in Section 1C.050 of the City of Lacey Development Guidelines and Public Works Standards. The SPRC shall decide to transfer review authority to the hearings examiner within fourteen days of the determination of completeness, according to Section 1B.070 of the City of Lacey Development Guidelines and Public Works Standards.

B. Review and approval by the SPRC shall be required for any of the following activities:

1. The use of land for the location of any commercial, industrial or public building or activity, and for the location of any building containing more than two dwelling units or lot with more than one residential structure other than a permitted accessory dwelling.
2. A change of land use at an existing site or structure when the new activity requires either a change of occupancy according to the Building Code or is a change of land use according to the Standard Industrial Classification Code and, in the opinion of the community and economic development director, results in an intensification of land use and will require new development conditions to comply with existing regulations. This provision may not apply to malls (buildings with ten or more tenants sharing common parking) where original conditions to establish the mall complex anticipated a range of tenants and existing facilities and where it can be shown existing infrastructure can accommodate the new intensified use.
3. Expansion of an existing commercial, industrial, public or multifamily structure or use. Provided residential duplexes are exempt.
4. A remodel of an existing structure where the remodel is fifteen percent or more of the assessed valuation of existing structures with the permit value of the proposed improvement greater than \$20,000.00. The remodel value shall be calculated according to methodology described in Chapter 14.04 LMC adopting the Building Code. The value of existing structures shall be the most recent value assigned by the county assessor. The fifteen percent threshold shall be cumulative over the most recent five years, including calculations of all previously exempt remodels, but shall not include life/safety improvements or normal maintenance not

requiring a building permit. Remodels of residential duplex, triplex, and quadraplex shall be exempt from site plan review.

5. Uses and activities within designated environmentally sensitive areas or their buffers pursuant to the requirements of LMC Title 14.

Section 77. Section 16.24.110 of the Lacey Municipal Code is hereby amended as follows:

**16.24.110 Amendment of an approved development application.**

A development granted approval by the director, SPRC, hearings examiner or by the city council may be amended. If, in the opinion of the director of community and economic development, the modifications are considered minor, no additional review process shall be required. If the modifications are considered significant by the director of community and economic development, then the site plan shall be modified by the same procedures provided under LMC 16.24.090.

Section 78. Section 16.25.020 of the Lacey Municipal Code is hereby amended as follows:

**16.25.020 Permitted uses.**

- A. Specific categories of permitted uses are listed, by land use district, in Table 16T-06. In addition to such listing, child day care centers will be allowed subject to the provisions of Chapter 16.65 LMC as a permitted use in sub-areas 4 through 7 and the Saint Martin's University zone. Also, within the Saint Martin's University zoning district, churches, religious institutions, and monasteries are permitted uses.
- B. Any decision of the Community and Economic Development Department or the Site Plan Review Committee may be appealed in accordance with Chapter 1D of the City of Lacey Development Guidelines and Public Works Standards.
- C. Table 16T-06 an explanation thereof shall be used in determining generalized land uses in the city of Lacey's Central Business District and Saint Martin's University zone.
- D. Urban agricultural uses as provided for and limited under Chapter 16.21 LMC.



TABLE 16T-06

S.I.C. Codes are divided into eleven Divisions, which are listed A thru K. Under each division is a list(ing) of Major Groups(s), which are listed 01 through 99. And listed below these are subclassifications of Auxiliary Establishments, which are usually three or four digit numbers. These correspond to major group numbers.

S.I.C. Codes are those according to the Standard Industrial Classification Manual, 1987, published by the Executive Office of the President, Office of Management and Budget, for the City of Lacey C.B.D.

The following is a list of abbreviations used on the tables:

P = Permitted Use

C = Conditional Use

A = Accessory Use

NEC = Not Elsewhere Classified

Bolded 2 Digit S.I.C. Code = Entire Major Group

In using the following chart, the reader should also refer to notes at the end of the chart that provide specific requirements or qualifications for uses under specific categories.

[half shaded right arrow] NOTE: If a business in Central Business District 4 or 5 becomes a nonconforming use under the revised listing, it shall be allowed to continue operation.

Additionally, the said use shall be allowed to expand and enlarge through the conditional use permit process of Chapter 16.66 LMC provided that all other zoning code requirements can be satisfied.

**DIVISION A. AGRICULTURE, FORESTRY, AND FISHING**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
0272	Animal Aquaculture			P		
0742	Veterinary Services for Animal Specialties	P	P			
0781	Landscape Counseling and Planning	P	P	P	P	P

**DIVISION A. AGRICULTURE, FORESTRY, AND FISHING**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
0782	Lawn and Garden Services	C	P	P	P	P
0783	Ornamental Shrub and Tree Services	C	P	P	P	P
	<del>Medical Cannabis Collective Gardens</del>	<del>P</del>	<del>P</del>			
	Noncommercial Forest			P	P	P
	Water Areas			P	P	P
	Open Space, Open Space				P	P
	Open Space, Timber			P	P	
	Open Space, NEC			C	C	

**DIVISION B. MINING**

➤ Not allowed under current Zoning Codes for Lacey's C.B.D.'s

**DIVISION C. CONSTRUCTION**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
152	Residential Building Construction	P	P	P	P	
153	Operative Builders	P	P	P	P	
154	Nonresidential Building Construction	C	C	C	C	
17	Special Trade Contractors	C	P	P	P	

**DIVISION D. MANUFACTURING**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
205	Bakery Products	P				
206	Sugar/Confectionery Products	P				
238	Miscellaneous Apparel & Accessories				P	
239	Misc. Fabricated Textile Products				P	
251	Household Furniture				P	
252	Office Furniture				P	
253	Public Building & Related Furniture				P	
254	Partitions & Fixtures				P	
259	Misc. Furniture & Fixtures				P	
271	Newspapers	C	P		P	
272	Periodicals				P	
273	Books				P	
274	Misc. Publishing				P	
275	Commercial Printing	P	P	P	P	
276	Manifold Business Forms			P	P	
277	Greeting Cards			P	P	
278	Blankbooks, Bookbinding			P	P	
279	Printing Trade Services	P	P	P	P	
31	Leather & Leather Products					
32	Stone, Clay, & Glass Products					

**DIVISION D. MANUFACTURING**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
357	Computer & Office Equipment				P	
358	Refrigeration & Services Machinery				P	
36	Electric & Electronic Equipment				P	
381	Search/Navigation Equipment				P	
382	Measuring/Controlling Devices				P	
3827	Optical Instruments & Lenses				P	
384	Medical Instruments & Supplies				P	
385	Ophthalmic Goods				P	
386	Photographic Equip. & Supplies				P	
387	Watches, Clocks, Cases & Parts				P	
39	Misc. Manufacturing Industries				C	

**DIVISION E. TRANSPORTATION & PUBLIC UTILITIES**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
411	Local & Suburban Transportation	C	C	C	C	
412	Taxicabs	C	C	C	C	
417	Bus Terminal & Service Facilities					
4225	Public Warehousing & Storage	C	C			
43	United States Postal Service	C	C	C	C	C
45	Transportation by Air					

**DIVISION E. TRANSPORTATION & PUBLIC UTILITIES**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
472	Passenger Transportation Activities	P	P	P	P	P
481	Telephone Communications	P	P			
482	Telegraph & Other Communications					
483	Radio & Television Broadcasting		P	P	P	P
489	Communication Services, NEC	C	C		C	
4939	Combination Utilities, NEC				C	

**DIVISION F/G. WHOLESALE & RETAIL TRADE (all uses subject to note 1)**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
501	Motor Vehicles, Parts, & Supplies		P	P		
502	Furniture & Home Furnishings		P	P		
503	Lumber & Construction Materials		P			
504	Professional & Commercial Equipment		P	P		
505	Metals & Minerals, Except Petroleum		P			
506	Electrical Goods		P	P		
507	Hardware, Plumbing, Heating Equipment		P	P		
508	Machinery, Equipment & Supplies		P	P	P	
509	Misc. Durable Goods		P	P	P	
511	Paper & Paper Products		P	P	P	

**DIVISION F/G. WHOLESALE & RETAIL TRADE (all uses subject to note 1)**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
512	Drugs, Proprietaries & Sundries		P	P	P	
513	Apparel, Piece Goods, & Notions		P	P	P	
514	Groceries & Related Products		P	P	P	
518	Beer, wine & Distilled Beverages		P	P	P	
519	Misc. Nondurable Goods			P	P	
521	Lumber & Other Building Materials		P	P		
523	Paint, Glass & Wallpaper Stores		P	P		
525	Hardware		P	P		
526	Retail Nurseries & Garden Stores	P	P	P		
53	General Merchandise Stores	C	P	P	P	
54	Food Stores	C	P			
541	Grocery Stores	C	P	P		
542	Meat & Fish Markets	C	P	C		
551	New & Used Car Dealers		P			
553	Auto & Home Supply Stores		P	P		
554	Gasoline Service Stations	C	P	P		
555	Boat Dealers		P			
556	Recreational Vehicle Dealers		P			
557	Motorcycle Dealers		P			
559	Automotive Dealers, NEC		P			
56	Apparel & Accessory Stores	P	P	P	P	

**DIVISION F/G. WHOLESALE & RETAIL TRADE (all uses subject to note 1)**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
57	Furniture & Homefurnishings Stores		P	P	P	
58	Eating & Drinking Places	P	P	P	P	P
58A	Fast Food Restaurants with Drive-Thru Windows and Espresso Stands		P			
591	Drug Stores & Proprietary Stores	<u>GP</u>	P	P	P	
592	Liquor Stores	P	P	P		
593	Used Merchandise Stores		P	P		
594	Misc. Shopping Goods Stores	P	P	P	P	
596	Nonstore Retailers	P	P	P		
598	Fuel Dealers		P			
599	Retail Stores, NEC	P	P	P	P	

**DIVISION H. FINANCE, INSURANCE, AND REAL ESTATE**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
60	Depository Institutions	P	P	P	P	
61	Nondepository Institutions	P	P	P	P	
62	Security & Commodity Brokers	P	P	P	P	
63	Insurance Carriers	P	P	P	P	
64	Insurance Agents, Brokers & Services	P	P	P	P	

**DIVISION H. FINANCE, INSURANCE, AND REAL ESTATE**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
65	Real Estate	P	P	P	P	
67	Holdings & Other Investment Offices	P	P	P	P	

**DIVISION I. SERVICES**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
701	Hotels & Motels	P	P	P	P	
72	Personal Services	P	P	P	P	
73	Business Services	P	P	P	P	
751	Automotive Rentals, No Drivers		P	P		
752	Automobile Parking	C	P	C	C	C
753	Automotive Repair Shops		P			
7542	Carwashes	P	P			
76	Miscellaneous Repair Services	C	P	C		
78	Motion Pictures		P			
784	Video Tape Rental	P	P	P	P	
7832	Motion Picture Theaters, No Drive-In		P	P		
79	Amusement & Recreation Services	C	P	P	C	C
801	Offices & Clinics of Doctors of Medicine	P	P	P	P	P
802	Offices & Clinics of Dentists	P	P	P	P	P
803	Offices of Clinics of doctors of Osteopathy	P	P		P	P



**DIVISION I. SERVICES**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
804	Offices & Clinics of Other Health Practitioners	P	P	P	P	P
807	Medical and Dental Laboratories	P	P	P	P	P
808	Home Health Care Services	P	P	P	P	P
809	Misc. Health and Allied Services	P	P	P	P	P
81	Legal Services	P	P	P	P	
82	Educational Services	P	P	P	P	P
83	Social Services	P	P	C		
835	Child Day Care Services	P	P	P	P	P
84	Museums, Botanical, Zoological Gardens	P	P	P	P	P
<u>86</u>	<u>Membership Organizations (Up to 5,000 square feet of gross floor area)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P**</u>
86	Membership Organizations <u>(Greater than 5,000 square feet of gross floor area)</u>	C	C	C	C	C**
87	Engineering & Management Services	P	P	P	P	
88	Private Households	P				
89	Services, NEC	C	C	C	C	C

\*\*Churches, religious institutions, and monasteries are permitted uses with the SMU zone.

**DIVISION J. PUBLIC ADMINISTRATION**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
91	Executive, Legislative & General	PC7	PC7	PC7	PC7	PC7

**DIVISION J. PUBLIC ADMINISTRATION**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
9221	Police Protection	P	P		P	
9224	Fire Protection	P	P		P	
93	Finance, Taxation & Monetary Policy	PC7	PC7	PC7	PC7	PC7
94	Administration of Human Resources	PC7	PC7	PC7	7	PC7
95	Environmental Quality & Housing	PC7	PC7	PC7	PC7	PC7
96	Administration of Economic Programs	PC7	PC7	PC7	PC7	PC7
97	National Security & International Affairs	C	C	C	C	C
99	Nonclassifiable Establishments	C	C	C	C	C

**DIVISION K. RESIDENTIAL (Not Listed in SIC Codes)**

<b>SIC CODES</b>	<b>MAJOR GROUP/ESTABLISHMENTS</b>	<b>CBD 4</b>	<b>CBD 5</b>	<b>CBD 6</b>	<b>CBD 7</b>	<b>SMU</b>
	Single Family	P1				
	Multi Family (2-4 Units)	P2				
	Multi Family (5+ Units)	P2	P3	P	P2	
	Other Households		P3			
	Other Residential					

**NOTES TO GENERALIZED LAND USES IN CBD ZONE**

Land Use Code Category/Division

A. Agriculture, Forestry, and Fishing

B. Mining

C. Construction

D. Manufacturing

Notes applicable to all manufacturing activities in CBD zones:

1. Manufacture of flammable, dangerous or explosive materials are excluded in CBD districts.
2. Office space is permitted only if accessory and subordinate to a manufacturing use in CBD-5. No more than twenty-five percent of the gross floor area of the structure shall be devoted to non-manufacturing uses.

E. Transportation & Public Utilities

Notes specific to those uses as notated in the chart:

1. Permitted only as a subordinate use to a permitted or conditional use.

F./G. Wholesale & Retail Trade

Notes specific to those uses as notated in the chart:

1. Display and sales only; limited on-site inventory storage.
2. Permitted only as a subordinate use to commercial parking lots and garages.

H. Finance, Insurance, and Real Estate

I. & J. Services & Public Administration

Notes applicable to all Services and Public Administration uses in CBD districts:

1. Permitted only as a subordinate use to a permitted use.
2. Commercial lots and garages are those lots which provide vehicular parking for the public generally for a fee and do not include lots and garages which provide the required parking for other uses.
3. The location of any off-site parking facility must be approved by the Enforcing Officer and/or Site Plan Review Committee.
4. All types of commuter pooling facilities shall be regulated as a park-and-ride. A park-and-ride providing no more than twenty-five parking spaces, and utilizing the parking area of an existing use, shall be regulated as an accessory use. Any other park-and-ride requires a conditional use permit.
5. Excludes zoos.

6. Excludes drive-in theaters.
7. To reserve prime retail commercial buildings and sites for retail commercial use, government offices shall not be permitted in binding site plans, subdivisions or building complexes designed for commercial retail use unless the original design specifically included a mixed use concept anticipating such use. Provided, however, the city may consider government offices in commercial retail buildings and sites through a conditional use permit process if it can be demonstrated the use is complementary to adjacent commercial retail activity, enhances the retail environment and will develop strategies for the zone in which it is located. Provided further existing structures that have been used for government offices shall be considered to have been determined appropriate for such use under original approvals and will require only normal site plan review approval when new government tenants are proposed.”

K. Residential

Notes specific to those uses as notated in the chart:

1. Density and standards must comply with Chapter 16.15 LMC.
2. Density and standards must comply with Chapter 16.18 LMC.
3. Standards must comply with Chapter 16.18 LMC. Density will be limited only by maximum floor area permitted.

Section 79. Section 16.25.030 of the Lacey Municipal Code is hereby amended as follows:

**16.25.030 Similar or related uses.**

A. Uses similar to, or related to, those listed in LMC 16.25.020 are permitted upon a finding of the enforcing officer and/or the site plan review committee that a particular unlisted use is consistent with the intent of this chapter and compatible with the policies of the Lacey Comprehensive Land Use Plan. The officer and/or committee shall make the determination according to the characteristics of the operation of the proposed use and based upon the Standard Industrial Classification Manual and/or the North American Industry Classification System.

- B. The criteria for such finding of similarity shall include but not be limited to the following:
1. The proposed use is appropriate in this area.
  2. The development standards for a similar or related use can meet those of a permitted use.
  3. The public need is served by the proposed use.
- C. Any decision of the community and economic development department or the site plan review committee may be appealed in accordance with Chapter 1D of the City of Lacey Development Guidelines and Public Works Standards.

Section 80. Section 16.25.090 of the Lacey Municipal Code is hereby amended as follows:

**16.25.090 Pedestrian circulation requirements.**

- A. It shall be the responsibility of the property owner/developer to provide a safe and convenient pedestrian circulation linkage system as described in this section and meeting the pedestrian circulation requirements set forth in LMC 14.23.086.
- B. The pedestrian linkage system is a network including the major pedestrian corridor, landscaped walkways and perimeter sidewalks. It is established to provide safe pedestrian routes; enhance the appearance of buildings and their settings; provide a unified design element to offset varying architectural styles; and to soften the appearance of parking lots and service storage areas.
- C. When zero-foot setbacks are utilized, landscaping requirements for planter strips may require sidewalks to be located outside of the normal right-of-way. In such cases, an unrestricted easement across sidewalks shall be granted to the city.
- D. To maximize a pedestrian-friendly environment by providing an adequate separation between pedestrians and automobile traffic, development of a planter strip with street trees and grass between the curb and sidewalk shall be a primary goal and shall be required unless specifically stated otherwise below.
- E. In cases where a sidewalk exists adjacent to the curb, the sidewalk must be moved back to accommodate a new planter strip; provided, that improvements to the property necessitating site plan review and requiring conformance with this title exceed twenty-five

percent of the fair market value of existing improvements at the site and the site has one hundred feet or more of lineal feet of frontage. In cases where only minor improvements to a project site are requested that do not exceed twenty-five percent of the fair market value of existing improvements at the site or the site has less than one hundred feet of frontage, the requirement for moving the sidewalk shall not be mandatory; provided, however, that in consideration of the twenty-five percent threshold all improvements at the site since the effective date of this provision shall be included in calculating the total value. The twenty-five percent value shall be determined using the valuation procedures provided for in Chapter 14.04 LMC adopting the building code for proposed improvements and assessor's office values for current structures.

F. Where adjacent properties do not have a planter strip and the sidewalk abuts the street, the new sidewalk shall be meandered to interconnect with the existing sidewalk and will provide the required planter strip for the project's street frontage.

G. In cases where provision of a planter strip would necessitate removal or moving of a building, provision of a planter strip shall not be required unless the site is to be redeveloped and the building removed and reconstructed as part of the proposal.

H. In cases where parking must be removed to provide the planter strip and landscaping, this shall be required, provided it leaves the site with at least seventy-five percent of the number of parking stalls required by the city zoning code or parking can be obtained on an adjacent site.

I. In cases where a minimum six-and-one-half-foot planter strip area cannot be provided because of limitations discussed above, options for different dimensions of the planter area discussed below under subsection R of this section, street tree planting requirements, may be used if approved by the department of community and economic development. Minimum planter strip requirements may not be reduced when a zero-foot front setback is proposed. Where the zero-foot front yard setback is proposed, the front of the building shall have a main pedestrian entrance. Permeable paving sidewalks are required where planter strips are not installed, if feasible.

J. Because of identified financial impacts of requirements to move existing sidewalks, the city of Lacey shall establish a local grant program for very small businesses that would

otherwise not be able to afford to move the sidewalk. Very small businesses shall be defined as those businesses with less than four employees. The grant program shall provide that the city will share up to fifty percent of the costs of landscaping and sidewalk improvements. The grant may be in the form of cash, city labor, city services or other real contribution resulting in cost reduction to the recipient. The director of community and economic development is authorized to develop administrative policies and procedures in carrying out the intent and requirements of this section.

K. Where a linkage system exists or is required outside of a public right-of-way, an easement to the city of Lacey shall be required to provide continuity of public access to adjoining properties.

L. A structure may extend into or over a required linkage system or walkway only when:

1. The encroachment is integrated into the linkage system by providing a covered walkway, arcade, marquee, etc. or it otherwise complements pedestrian activities; and
2. The required width of the linkage system is maintained or when compensation is provided at another location.

M. Where a linkage system adjoins a public street, the system's width shall be measured from the edge of the existing or proposed curb.

N. Construction standards shall be as specified in this chapter and the City of Lacey Development Guidelines and Public Works Standards.

O. A pedestrian-oriented facility may utilize a zero-foot front yard setback if it meets all of the following criteria:

1. Use is pedestrian-oriented as determined by the director of community and economic development or designee;
2. Facade has pedestrian-friendly features, such as awnings, main entrances, and pedestrian scale;
3. Pedestrian entrance is direct to building with no parking or vehicle access lane between sidewalk and the main pedestrian entrance to the building.

P. Each segment of walkways, perimeter sidewalks and landscaping shall be maintained by the property owner, unless a special assessment district is duly established for the specific purpose of maintaining a portion of or all such pedestrian linkage and landscaping

improvements. The city shall maintain the intersections of all public streets adjoining any portion of the pedestrian linkage system.

Q. A plot plan of all proposed pedestrian linkage improvements identifying all dimensions and pedestrian features shall be submitted along with the site plan for review to the city.

R. The property owner shall install street trees, in addition to any other landscaping requirements, in accordance with the City of Lacey Development Guidelines and Public Works Standards.

A street tree planting area may also include decorative paving, other plant materials and street furniture as required by LMC 14.23.086.

S. Outdoor exhibits, displays, sales, service of food or drinks, or other activities may be conducted in pedestrian open space and linkage systems, including plazas, whether or not such facilities or activities are customarily accessory to the adjacent principal use; provided, free pedestrian movement through the area without unreasonable interruption by such facilities or activities is available; and provided, said activities comply with the city's regulations for street merchants. Areas, activities and facilities so approved may be used for regular, intermittent, or temporary special events without further permitting under these zoning regulations, but shall not be exempted hereby from requirements for other permits.

Section 81. Section 16.27.020 of the Lacey Municipal Code is hereby amended as follows:

**16.27.020 Permitted uses.**

A. Specific types of uses permitted in this district are those commercial activities which are more dependent on direct vehicular access than the activities permitted in other districts, including the following:

1. Retail and commercial establishments such as:
  - a. Food stores and drug (variety) stores;
  - b. Building, hardware, and garden materials;
  - c. Auto supply stores;
  - d. Gasoline service stations;
  - e. Liquor stores;



- f. Used good retail stores;
  - g. Sporting goods and related stores;
  - h. Books and stationery, video, and art supply stores;
  - i. Hobby toy and game shops;
  - j. Photographic and electronics stores;
  - k. Fabric stores;
  - l. Florists;
  - m. Pet shops;
  - n. Bulk retail stores;
  - o. Personal services;
  - p. Professional and business services;
  - q. Banks and financial offices;
  - r. Greenhouses and garden materials;
  - s. Other similar retail, professional and business uses as approved by the site plan review committee;
2. Sales and/or servicing of:
    - a. Appliances and home furnishings;
    - b. Automotive equipment;
    - c. Boats and marine equipment;
    - d. Building contractors, including plumbing, electrical, etc.;
    - e. Campers, ~~mobile~~ manufactured homes and trailers;
    - f. Car washes and service stations;
    - g. Farm equipment and supplies;
    - h. Lumber yards and hardware;
    - i. Laundry and dry cleaning, both commercial and self-service;
  3. Eating and drinking places, including drive-ins;
  4. Commercial recreation, such as:
    - a. Personal amusement or recreation establishments such as those featuring mechanical or electronic games, games of skill such as billiards, bowling, table tennis, and the like; and
    - b. Drive-in theaters;

5. Recycling centers for the collection and temporary storage of materials; provided, that the storage and collection operation is conducted within an enclosed building having a maximum gross floor area of four thousand square feet. All recycling centers must be reviewed and approved prior to operation by the site plan review committee;

~~6. Recreational vehicle parks subject to the following standards:~~

~~a. The minimum lot size requirement shall be two acres, and a minimum recreational vehicle site of one thousand square feet in area;~~

~~b. No structure or recreational vehicle site shall be closer than twenty-five feet to any property line. The area created by such setback shall be used for landscaping to screen the recreational vehicles from adjoining properties;~~

~~c. Permitted improvements include restroom facilities; picnicking areas; boating; fishing; swimming; outdoor games and activities, including miniature golf courses or any mechanical amusement device; and other uses customarily incidental to the operation of the park;~~

~~d. Facilities for storage and disposal of trash and garbage in a sanitary manner shall be provided in each park;~~

~~7~~6. Child day care centers as provided in Chapter 16.65 LMC;

~~8~~7. Urban agricultural uses as provided for and limited under Chapter 16.21 LMC;.

~~9. Medical cannabis collective gardens pursuant to the terms of LMC 9.44.140 through 9.44.180.~~

B. Similar or related uses permitted as follows:

1. Distributive business establishments such as wholesaling and warehousing, including for example:

a. Mail order warehouses;

b. Automotive parts wholesalers;

c. Hotels and motels; and

~~d. Transient facilities for short-term stay (e.g., overnight, two weeks) of recreational vehicles.~~

2. Other, unlisted, similar or related uses, and criteria for determination of similarity or relatedness, as follows:

a. Uses similar to, or related to, those listed in subsection A of this section are permitted upon a finding of the enforcing officer and/or the site plan review committee that a particular unlisted use does not conflict with the intent of this chapter or the policies of the Comprehensive Land Use Plan.

b. The criteria for such finding of similarity shall include but not be limited to the following:

- (1) That the proposed use is appropriate in this district;
- (2) That the development standards for permitted uses can be met by the proposed use;
- (3) That the public need is served by the proposed use.

C. Conditional uses may be permitted as provided for in Chapter 16.66 LMC.

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 retail uses, enhances the retail environment 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 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 RCW 70.105.210.

Section 82. Section 16.27.060 of the Lacey Municipal Code is hereby amended as follows:

**16.27.060 Building location.**

Location of buildings or structures on site, if adjacent parcels are in same zoning district or in another commercial or light industrial district, shall be as follows:

- A. Setbacks from side property lines, fifteen feet;
- B. Setbacks from rear property lines, fifteen feet;
- C. Setbacks from front property lines fifteen feet.

Setbacks required by this section may be waived by the site plan review committee pursuant to the policies of this chapter.

Section 83. Section 16.34.020 of the Lacey Municipal Code is hereby amended 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 LMC:

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~~offices  
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  
Urban agricultural uses as provided for and limited under chapter 16.21  
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 LMC 16.34.020(A) 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 LMC.

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 zoned 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 Chapter 14.23 LMC, 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 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 Chapter 14.23 LMC;
  - 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 and Economic 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 84. Section 16.36.020 of the Lacey Municipal Code is hereby amended as follows:

**16.36.020 Permitted uses.**



A. The following uses are permitted in the Neighborhood Commercial zone provided the use occupies no more than ten thousand square feet of space and meets design review standards of Chapter 14.23 LMC. Provided further neighborhood commercial zones within the designated McAllister Springs Geologically Sensitive Area shall be limited to those uses the Thurston County Health Department determines are appropriate to the sensitive area.

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

Camera store

Clothing store

Coffee shop

Community clubs

Confection stores

Convenience stores

Cultural facilities

Day care

Deli

Drug store

Dry cleaner

Fabric and dry goods store

Florist

Food and liquor store

Gallery

Gas station (c)  
Gift store  
Grocery and produce  
Hardware store and garden supply  
Health club, gym  
Instruction studio  
Laundromat  
Meat and fish shops  
Medical and dental services offices  
Music and dance studios  
Neighborhood meeting hall and club facilities  
Nursery and garden supplies  
Personal services  
Pet store  
Photo shops  
Post office  
Radio, TV, music store  
Residential uses above commercial  
Restaurant except drive-through  
Shoe and shoe repair stores  
Small appliance and electronic equipment repair  
Soda foundation  
Specialty food  
Stationery store  
Tailor  
Telecommuting services  
Theater, under 50 seats  
Toy store  
Travel and other agencies  
Urban agricultural uses as provided for and limited under chapter 16.21

Variety store

Veterinarian

Video rental

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

B. Uses similar to uses listed above under A may be approved by the site plan review committee upon finding the use is consistent with the intent of this chapter and in the best interest of the surrounding neighborhood.

Section 85. Section 16.37.070 of the Lacey Municipal Code is hereby amended as follows:

**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 Chapter 16.75 LMC.

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

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 fifteen feet.

5. Signs must be consistent with the sign regulations contained in Chapter 16.75 LMC.

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. Standards for Auto Sales.

1. A showroom building is required. Maximum front building setback shall be fifteen feet. Showroom windows and displays shall face the fronting street encompassing a minimum of sixty percent of the facade surface area.
2. Showroom building width shall be a minimum of forty percent of the width of the parcel fronting the street.
3. Outdoor vehicle display shall be located at the side or rear of the showroom building.
4. Service facilities shall be located to the rear of the showroom building with bay doors oriented to the rear of the building. Any separate service buildings shall be located internal to or at the rear of the site.
5. Fifteen feet of Type II landscaping is required on any right-of-way frontages not containing a showroom or other building.
6. Buildings must be of an architectural style that is harmonious with and complementary to surrounding structures in compliance with the Design Review Checklist for the Hawks Prairie Business District.
7. Any existing buildings modified for the purposes of auto sales shall meet the requirements of this chapter.

L. Standards for Residential.

1. Residential units shall be located in mixed use buildings that have the first floor dedicated to offices or other nonresidential uses. An exception may be granted by the community and

economic development director for allowing ground floor residential under the following conditions:

- a. As part of an approved master plan; provided, that the distance to a commercial or office building does not exceed one thousand feet.
  - b. The ground floor residential uses are directly connected by pedestrian amenities to commercial and/or office uses.
  - c. Buildings must be of an urban architectural style that is harmonious with and complementary to surrounding structures in compliance with the Design Review Checklist for the Hawks Prairie Business District.
  - d. Ground floor residential uses shall be limited to townhomes, row homes, live/work, and urban walk-up apartments. No more than fifty percent of the total units shall be used for townhomes or row homes.
2. Maximum residential density shall be calculated at twenty units per acre. No more than ten percent of a parcel shall be used to calculate the number of units permitted on that parcel.
- M. Design Review. All development in the Hawks Prairie Business District shall be consistent with the appropriate provisions of Chapter 14.23 LMC.

Section 86. Section 16.39.020 of the Lacey Municipal Code is hereby amended as follows:

**16.39.020 Permitted uses.**

A. The uses allowed in this district are limited to those necessary for a healthy and vibrant employment zone that promote manufacturing job generation or commercial development and occupying a building with a footprint no larger than a total of two hundred thousand square feet in size. A use must meet the intent of the zone as stated in LMC 16.39.010 and be described in the following portions of this subsection in order to be permitted. Types of uses permitted in the light industrial/commercial district subject to satisfying the intent of the zone may include:

1. Light industrial activities involving the manufacture, repair, servicing or sale 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 property;
  - 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 LMC;
  - d. Accessory uses clearly subordinate to, and an integral part of, the primary use of the property (e.g., plant cafeteria, recreation area);
  - e. Mail carrier services that predominantly utilize smaller trucks, such as U.S. Mail facilities, United Parcel Service, Federal Express and other similar services;
  - f. Urban agricultural uses as provided for and limited under Chapter 16.21 LMC;
  - ~~g. Medical cannabis collective gardens pursuant to the terms of LMC 9.44.140 through 9.44.180;~~
4. Existing buildings that have a footprint larger than two hundred thousand square feet shall be considered in compliance with this section based upon mitigation under previous approvals.

B. General commercial uses that are compatible with adjacent uses in this zone and sometimes considered heavier commercial uses that may not be compatible with uses in other zones including:

1. Building material sales, lumber yards, hardware and garden materials;
2. Auto supply stores;
3. Car washes and gas and service stations;
4. Automotive repair;
5. Used good retail stores;
6. Wholesale sales;
7. General retail sales;
8. Automobile sales;
9. Servicing of equipment;
10. Building contractors and staging for contracting business provided all equipment stored outside is effectively screened from adjacent properties and road right-of-way;
11. Campers, trailers and manufactured home sales;
12. Boat and marine equipment sales;
13. Farm equipment supplies;
14. Eating and drinking establishments;
15. Commercial recreation;
16. Recycling;
17. Business, professional and personal services (e.g., banks, accounting services, barber shops);
18. Motels;
19. Taxidermy;
20. Veterinary clinics (limited to small animals);
21. General retail activity;
22. 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;
23. Firefighters' sleeping quarters in fire houses.



C. 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 subsection A of this section 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.

D. Conditional Uses Permitted: Conditional uses may be considered as provided for in Chapter 16.66 LMC, provided all applicable standards necessary to mitigate identified impacts are satisfied.

1. For a conditional or special use to be approved it must be shown that the use would meet the goals of the Comprehensive Land Use Plan, the Transportation Plan, the Economic Development Element, and would promote higher job generation or other significant benefits to the Lacey community.

2. 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 or commercial uses, enhances the marketability of the light industrial/commercial zone and will not adversely impact the city's economic development strategies for the zone.

E. On-site hazardous waste treatment and storage facilities 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 RCW 70.105.210.

Section 87. Section 16.40.010 of the Lacey Municipal Code is hereby amended 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 where materials are unloaded from an incoming semi-trailer truck and loaded directly into outbound trucks with no storage in between 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 88. Section 16.40.020 of the Lacey Municipal Code is hereby amended 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 LMC 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 LMC;

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;

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

~~g. Medical cannabis collective gardens pursuant to the terms of LMC 9.44.140 through 9.44.180;~~

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 U.S. 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 five hundred thousand 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 subsection A of this section 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 LMC.

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 RCW 70.105.210.

Section 89. Section 16.41.010 of the Lacey Municipal Code is hereby amended as follows:

**16.41.010 Intent.**

It is the intent of this chapter to:

- A. Provide an environment conducive to a broad range of office users including administrative facilities, research institutions, professional offices, and medical ~~uses~~offices;
- 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 multifamily 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.

Section 90. Chapter 16.42 of the Lacey Municipal Code is hereby repealed.

Section 91. Section 16.43.020 of the Lacey Municipal Code is hereby amended as follows:

**16.43.020 Where permitted.**

Planned industrial park developments may be permitted in the following land use districts consistent with the development standards in LMC 16.43.050:

- A. Light industrial/commercial;
- B. Light industrial;
- ~~C. Industrial.~~

Section 92. Section 16.43.110 of the Lacey Municipal Code is hereby amended as follows:

**16.43.110 Final review and approval--Application--Required documentation.**

The applicant shall submit at least seven copies of the final development plan of the proposed development to the community and economic development department for its review. The final development plan shall comply with the conditions imposed on the preliminary development plan. In addition, if the development is being subdivided, the data required of regular plats as required by the subdivision ordinance must be submitted. The plan shall include the following:

- A. Final elevation and perspective drawings of project structures;
- B. Final landscaping plan;
- C. Final plans of and including profiles of the drainage, water, sewer, lighting, streets, and sidewalks or pathways;
- D. Such other documentation, information and data not lending itself to graphic presentation such as restrictive covenants, dedications of easements, rights-of-way, and other conditions specifically required by the hearings examiner for the particular PID.

No final development plan shall be deemed acceptable for filing unless all of the above information is submitted in accurate and complete form sufficient for the purposes of community and economic development department review. After receiving the final

development plan, the community and economic development department shall route the same to all appropriate city departments and each department shall again submit to the community and economic development department comments and recommendations. If the city departments determine that the final map conforms fully with all applicable regulations and standards, the final map shall be presented to the city council for final approval.

Section 93. Section 16.44.050 of the Lacey Municipal Code is hereby amended as follows:

**16.44.050 Master plan approval.**

A. Purpose. The master plan shall consist of map(s) and text which indicate major development features and services for the entire site, including a schedule indicating phasing of development and the means of financing services for the site.

B. Review. A complete master plan for the entire planned community shall be submitted within three years of conceptual approval unless an extension has been granted pursuant to LMC 16.44.060. The master plan shall be reviewed pursuant to the legislative review procedures contained in Section 1C.060 of the City of Lacey Development Guidelines and Public Works Standards.

The planning commission shall not approve a master plan unless the commission has conducted a public hearing pursuant to Chapter 35A.63.073 RCW and it is determined that said plan is consistent with the conceptual approval and complies with the development policies of the development plan, the purposes of LMC 16.44.010, and the provisions of Chapter 16.44 LMC. The planning commission may establish terms and conditions of approval, and require the provision, and further public review, of additional information and analyses in order to insure such compliance. In addition, the planning commission may make changes in the proposed master plan or the proposed zoning on the basis of information presented in the course of master plan review, as long as the changes are consistent with the conceptual approval and other applicable city plans and policies. Changes not consistent with city plans and policies may be made only if conceptual approval or other plans or policies are first amended accordingly.

C. City Council Consideration. The planning commission recommendation shall come to the city council for consideration in open public meeting no longer than thirty days from the date a decision constituting a recommendation was rendered. The city council shall consider the matter based upon the written record before the planning commission and the commission's decision.

D. City Council Action. The city council may accept, modify or reject the commission's decision, or any findings or conclusions therein. A decision by the city council to modify or reject shall be supported by findings and conclusions.

The action of the city council in approving or rejecting a decision of the commission shall be final and conclusive unless a Land Use Petition is timely filed with the Thurston County Superior Court for the purpose of review of the action taken.

E. Form and Contents of Application for Master Plan Approval. The applicant shall submit the master plan and supplementary data including an environmental impact statement if required to the community ane economic development department. The community ane economic development department shall review the project for completeness pursuant to Section 1B.050 of the City of Lacey Development Guidelines and Public Works Standards. Accuracy for all data and information submitted on or with a master plan shall be the responsibility of the applicant.

An application for master plan approval shall include:

1. Textual Information.
  - a. Name, address, zip code and telephone number of applicant;
  - b. The names, addresses, zip codes and telephone numbers of all landowners within the subject property;
  - c. The names and addresses of all property owners within one thousand feet of the site;
  - d. The legal description of the subject property;
  - e. The zoning on the subject property;
  - f. The acreage contained within the proposed planned community; the total number of dwelling units being proposed; and the average number of dwelling units per acre of land;
  - g. The number and acreage of each type of dwelling units proposed;



- h. The acreage of open space (including a separate figure for active recreation space) to be contained in the planned community and the percentage it represents of the total area;
- i. The total acreage of each type of nonresidential use, including the approximate floor area and type of commercial and industrial uses;
- j. The source of water supply, including the specific type of facilities involved, their capacities and the estimated timing of completion of these facilities;
- k. The method of sewage disposal, to include the name of sewer operator, if any, including the specific type of facilities involved, their capacities and the estimated timing of completion of these facilities;
- l. A plan for hazardous waste control if appropriate, including the specific type of facilities involved, their capacities and the estimated timing of completion of these facilities;
- m. Applicable school district(s), fire district(s) or department(s), and other special purpose districts;
- n. The means by which the proposed planned community meets the objectives of LMC 16.44.010;
- o. A development schedule indicating the approximate date when construction of the planned community or stages of the planned community can be expected to begin and be completed, including the approximate size in acres of each phase, and the proposed phasing of construction of public improvements and recreational and common open space areas;
- p. The proposed means of financing and allocation of responsibility for providing the utilities and services required as a result of the development, including off-site facilities and improvements. These utilities and services shall include, but not be limited to, water, sewer, streets and highways, schools, fire protection, parks, stormwater control, and disposal of wastes, including toxic wastes (if any);
- q. When no environmental impact statement is provided, identify major anticipated adverse environmental impacts and specify mitigating measures, including off-site improvements;
- r. Enough information on land areas adjacent to the proposed planned community to indicate the relationships between the proposed development and that which is existing and proposed in adjacent areas, including land uses, existing structures, ownership, tracts, streets and unique natural features of the landscape;

- s. The means of meeting any other requirements imposed as a condition of conceptual approval of the planned community.
2. Master Plan Map and Supporting Maps. A master plan map and any maps necessary to show the major details of the proposed planned community must contain the following minimum information at an appropriate scale as determined by the community and economic development department:
- a. The boundary lines of the subject property, scale and north arrow;
  - b. Existing site conditions including water courses, wetland area, flood plains, unique natural features, forest cover, and elevation contours of appropriate intervals to indicate the topography of the entire tract for a reasonable distance beyond the boundaries of the proposed development to include adjacent or nearby lands where project impacts are relevant;
  - c. Location and nature of each land use, including type and density of dwelling units, and type of commercial, industrial and other uses;
  - d. Approximate location of existing and proposed arterial and collector streets and major pedestrian and bicycle routes;
  - e. The approximate location and size of all areas to be conveyed, dedicated or reserved as common open spaces, public parks, recreational areas, school sites, fire stations, and similar public and semipublic uses;
  - f. Master drainage plan, including stormwater control;
  - g. Development phasing;
  - h. Open space network;
  - i. Existing and proposed sanitary sewers and water lines;
  - j. Enough information on land areas adjacent to the proposed planned community to indicate the relationships between the proposed development and that which is existing and proposed in adjacent areas, including land uses, existing structures, ownership tracts, streets and unique natural features of the landscape;
  - k. Any additional information as required by the review authority necessary to evaluate the character and impact of the proposed planned community (e.g., soils, geology, hydrology or ground water).

Section 94. Section 16.44.060 of the Lacey Municipal Code is hereby amended as follows:

**16.44.060 Timing of master plan submittal.**

A. If a master plan is not submitted within three years from the date of conceptual plan approval, and an extension of time has not been granted, the planned community conceptual approval shall expire and the zoning classification shall automatically revert to the classification in effect prior to conceptual approval. Upon reversion, uses and development approved subsequent to or with conceptual approval and prior to expiration, and not authorized by the new classification, shall become nonconforming uses.

B. Knowledge of expiration date and initiation of a request for extension of approval time is the responsibility of the applicant. The city will not provide notification of expirations. All requests for an extension of time must be submitted to the community and economic development department at least thirty days prior to expiration of planned community conceptual approval. The community and economic development department shall schedule the request for extension for public hearing before the planning commission upon such notice and in accordance with the planned community conceptual approval procedures of this chapter. An extension may be granted for up to three years at a time if the commission finds that an extension would be in the public interest and that delay in submitting the master plan was for good cause. If an extension of time is approved, the master plan shall be subject to all new and amended regulations, requirements, policies or standards which are adopted after the date of conceptual approval.

Section 95. Chapter 16.51 of the Lacey Municipal Code is hereby repealed.

Section 96. Section 16.53.080 of the Lacey Municipal Code is hereby amended as follows:

**16.53.080 Inadvertent discovery of archaeological and cultural resources.**

Building, grading, and land clearing permits shall include the following note: When an unanticipated discovery of protected cultural material (e.g., bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) or human remains are discovered, the property owner or

contractor will immediately stop all work, completely secure the location, and contact the Washington State Department of Archaeology and Historic Preservation and other contacts as identified in the City of Lacey Standard Inadvertent Archaeological and Historic Resources Discovery Plan. The individual or representative whom the permit was issued to must send written notification of the inadvertent discovery to the city of Lacey department of community and economic development.

Section 97. Section 16.57.060 of the Lacey Municipal Code is hereby amended as follows:

**16.57.060 Storage.**

In the conduct of any business, the storage of merchandise, raw materials, equipment, fixtures, scraps or solid wastes shall comply with the following requirements:

A. Every reasonable effort shall be made by persons operating a business to store all such materials within an enclosed building, with the following exceptions:

1. Where such inside storage is not practical or desirable for reasons related to health, fire or safety codes;
2. Where the outside storage of merchandise, manufactured products, or raw materials is normal and standard practice, such as in the sale of automotive equipment, mobile manufactured homes, lumber, gardening materials, nursery stock and the like, or on the site on construction projects;
3. When materials or products are temporarily stored outside incidental to shipping, delivery, loading or unloading thereof.

B. Outside storage shall be maintained in an orderly manner consistent with good housekeeping practices and shall create no:

1. Visual offense to the premises, adjacent properties or the public right-of-way;
2. Fire, safety, health or sanitary hazard.

C. Storage in residential areas shall comply with the same requirements as those specified for business establishments and shall, in addition to the requirements of subsections A and B of this section, comply with the following:

1. Motor vehicles, appliances, and any other mechanical equipment which is no longer operable shall not be stored outside for a period exceeding thirty days;
  2. Operable motor vehicles, boats, trailers, recreational vehicles and the like may be stored on the premises provided that they do not obstruct the use of public right-of-way or interfere with traffic visibility, especially the visibility of and at intersections of streets. Vehicles so stored shall not be used as living quarters.
- D. Storage in or on the public right-of-way is prohibited.

Section 98. Section 16.59.020 of the Lacey Municipal Code is hereby amended as follows:

**16.59.020 Definitions.**

Unless otherwise stated, the following words shall, for the purpose of this chapter, have the meaning herein indicated. Any word used in this chapter which is not defined herein and which is defined elsewhere in this zoning ordinance or the subdivision ordinance shall, for the purpose of this chapter, have the meaning defined therein.

- A. Accessory Dwelling. A year-round housing unit not exceeding eight hundred fifty square feet, with cooking facilities, sanitary facilities, and an independent means of access, either attached to a single-family unit or located on the same lot as a single-family unit.
- B. Alley. A public or private way or easement permanently reserved as a means of access to abutting property generally running down the middle of a block of lots, intended for access to the rear of adjacent lots and designed to standards of an "alley" as described in the Lacey Development Guidelines.
- C. Bay. A regularly repeated unit on a building elevation defined by columns, pilasters, or other vertical elements, or defined by a given number of windows or openings.
- D. Belt Course (also string course or horizontal course). A projecting horizontal band on an exterior wall marking the separation between floors or levels.
- E. Blank Wall. An exterior building wall with no openings and generally constructed of a single material, uniform texture, and on a single plane.
- F. Boulevard. A major road with a planted median in the center of two lanes, with greenways on both outside edges.

G. Buffer. An area of land, natural vegetation, or a structure used or created for the purpose of insulating or separating a structure or land use from other uses or structures in such manner as to reduce or mitigate adverse impacts of one on the other.

H. Build-up Line. An alignment which dictates an average height to the cornice line or to the roof edge line on a street or space.

I. Building Scale. The relationship between the mass of a building and its surroundings, including the width of street, open space, and mass of surrounding buildings.

J. Column. A vertical pillar or shaft, usually structural.

K. Common Open Space. A parcel, or parcels, of land, an area of water, or a combination of land and water including floodplain and wetland areas (consistent with LMC 14.28.370(B)) within a development site designed and intended for the use and enjoyment of residents of the development and, where designated, the community at large. The area of parking facilities serving the activities in the common open space may be included in the required area computations. Common open space shall not include:

1. The land area of lots allocated for single family dwellings and duplex dwellings, front yards, side yards, and rear yards, whether or not the dwellings are sold or rented.
2. The land area of lots allocated for apartment and townhouse dwellings, including front yards, side yards, rear yards, interior yards, and off street parking facilities whether or not the dwellings are sold or rented.
3. The land area of lots allocated for total commercial use, including front yards, side yards, rear yards, and parking facilities whether or not the commercial facilities are sold or rented.
4. The land area of lots allocated for semi-public uses, community clubs and community facilities, including open space for playgrounds and athletic fields which are a part of the principal use and may not be open to the general public of the village center; and front yards, side yards, rear yards, and other open space around the buildings; and parking facilities whether or not the schools and churches are sold or rented.
5. Street rights-of-way, planter strips along streets, driveways, off-street parking, and service areas.

- L. Community Green. Open space in the form of a park area or old-fashioned town square that is designed to be a major focus for the village center, usually centralized and surrounded by commercial or high density uses.
- M. Context. The character of the buildings, streetscape, and neighborhood which surround a given building or site.
- N. Cornice. The top part of an entablature, usually molded and projecting.
- O. Cupola. A small roof tower, usually rising from the roof ridge.
- P. Curtain Wall. A light, non-structural outer wall of a building in the form of a metal grid with infill panels of glass and other materials.
- Q. Design Review. A process where design characteristics of a project are reviewed for consistency with goals of the Comprehensive Plan and this chapter for proper neighborhood, site and building design. In the context of this chapter, design review therefore includes review of neighborhood design for general issues such as layout of uses, connectivity of neighborhood areas, neighborhood focus points, and creation of a sense of place. It also includes review of specific plats for similar issues and more localized and specific issues such as relationship of the plat to adjacent plats in the context of the neighborhood plan (master plan), consistency of plat layout and design to neighborhood themes, specific placement and design of key uses or buildings, and requirements for general building design and characteristics within the plat. Design review also includes specific site and building design details; its facade and roof treatment, building style, orientation to sun and compatibility with plat conditions, etc. Design review requirements by nature of this definition will be implemented over the course of a village center's three stage review process, including more general neighborhood design review at the master planning stage, somewhat more specific area review at the plat stage, and a site and building specific design review at the building permit stage. All design review processes shall be implemented concurrently with normal master plan, plat and site plan review and timing requirements.
- R. Director. The director of the city community and economic development department or his/her designee.
- S. Elevation. An exterior facade of a structure, or its head-on view, or representation drawn with no vanishing point, and used primarily for construction.

- T. Environmental Constraints. Features, natural resources, or land characteristics identified in the city's Environmental Protection and Resource Conservation Plan that are sensitive to improvements and may require conservation measures or the application of creative development techniques to prevent degradation of the environment, or may require limited development, or in certain instances may preclude development.
- U. Facade. A building face or wall.
- V. Fenestration. Window and other openings on a building facade.
- W. Focal Point. (See Visual Termination).
- X. Front Yard Setback. The required distance between a building and the fronting street right-of-way line.
- Y. Gable. The triangular wall section at the ends of a pitched or gambrel roof.
- Z. Gateway. A principal point of entrance into a district or neighborhood.
- AA. Gateway Building. A building located at a gateway and which dramatically marks this entrance or transition through massing, extended height, use of arches or colonnades, or other distinguishing features.
- BB. Human Scale. The relationship between the dimensions of a building, structure, street, open space, or streetscape element and the average dimensions of the human body.
- CC. Lane. A private street or easement located through the interior of blocks and providing vehicular and service access to the side or rear of properties (also referred to as "alley").
- DD. Linkage. A line of communication or access, such as a pathway, arcade, bridge, lane, etc., linking two areas or neighborhoods which are either distinct or separated by a physical feature (e.g., a railroad line, major arterial) or a natural feature (e.g., a river, stream).
- EE. Lintel. A horizontal beam over an opening in a masonry wall, either structural or decorative.
- FF. Main Street (Commercial Area). A street containing a mix of uses, including the village center's greatest concentration of commercial development. This area, together with the community green and elementary school, shall form the focus of the neo-traditional neighborhood.
- GG. Masonry. Wall building material, such as brick or stone, which is laid up in small units.
- HH. Massing. The three-dimensional bulk of a structure: height, width, and depth.



II. Modified Grid Street Pattern. An interconnected system of streets which is primarily a rectilinear grid in pattern; however, modified in street layout and block shape as to avoid a monotonous repetition of the basic street/block grid pattern. Blocks are normally a length of two hundred to five hundred feet.

JJ. Neo-traditional Neighborhood. A pedestrian-oriented neighborhood, with variable lot width and sizes, a mix of dwelling unit types, on-street parking, and non-residential uses generally located along a main street commercial area or fronting on a community green. The size of the neighborhood is approximately a five-minute walk from the core.

KK. Open Space. (See Common Open Space).

LL. Pilaster. A column partially embedded in a wall, usually non-structural.

MM. Pitch. The angle of slope of a roof or berm.

NN. Planter Strip. A planting area located within the public right-of-way, typically located between the curb and the sidewalk, and planted with ground cover and trees.

OO. Portico. An open-sided porch or walkway with a roof attached to a building sheltering an entrance or serving as a semi-enclosed space.

PP. Proportion. The relationship or ratio between two dimensions, e.g., width of street to height of building wall, or width to height of window.

QQ. Public Viewshed. That which is reasonably visible, under average conditions, to the average observer located on any public land or right-of-way, or on any common open space or semi-public open space which is normally accessible to the general public.

RR. Quoins. Corner treatment for exterior walls, either in masonry or frame buildings.

SS. Residential Density. The number of dwelling units in relation to the total land area proposed to be used for residential purposes, not including wetlands. This can also apply to the specific lot on which a building(s) is sited. It can be measured in dwelling units per acre (DU/A) or in floor area ratios (FAR).

TT. Rhythm. The effect obtained through repetition of architectural elements such as building footprints, height, roof lines, or side yard setbacks; of streetscape elements, such as decorative lamp posts; or of natural elements, such as street trees.

UU. Rhythm of Solids to Voids. The relationship between the solid portions of a building facade and the voids formed by doors, windows, other openings and recesses. May also refer

to the relationship between building mass (solids) and side yard setbacks (voids) along a street.

VV. Roof Type. Roof types referred to are mansard, hip, flat, gambrel, gable, shed.

WW. Semi-Public Recreation Area. (See Recreation Area).

XX. Public Sidewalk. A paved path provided for pedestrian use and usually located at the side of a road within a right-of-way. In residential areas it is separated from the street by a planter strip.

YY. Street Furniture. Functional elements of the streetscape, including but not limited to benches, trash receptacles, planters, telephone booths, kiosks, sign posts, street lights, bollards, and removable enclosures.

ZZ. Streetscape. The built and planted elements of a street which define its character.

AAA. String Course. (See Belt Course).

BBB. Texture. A surface finish.

CCC. Townhouse. A one-family dwelling unit which is part of a group of two or more such units separated by a common party wall having no doors, windows or other provisions for human passage or visibility. Each one-dwelling unit shall be attached by not more than two party walls.

DDD. Vested. A legal status given an application providing that the application will be processed and acted upon under the rules and regulations existing at the time such status is granted.

EEE. Viewshed. (See Public Viewshed).

FFF. Visual Preference Survey (VPS). A process by which communities have participated in evaluating the existing environment and in developing a common vision for the future.

GGG. Visual Termination. A point, surface, building, or structure terminating a vista or view, often at the end of a straight street or coinciding with a bend.

Section 99. Section 16.59.050 of the Lacey Municipal Code is hereby amended as follows:

**16.59.050 Permitted uses.**

The following uses are permitted in a village center, subject to all the applicable development standards and requirements.

A. The following residential uses:

1. single family detached dwellings
2. duplex dwellings
3. townhouse dwellings
4. apartment dwellings
5. accessory dwellings
6. residential uses for persons with special needs.

B. Public and semi-public uses, including parks and playgrounds and structures typically constructed as part of this type of facility.

C. Community clubs.

D. Community facilities.

E. Day care centers.

F. Elderly day care center/congregate care and nursing homes. Such units should not be counted against the multifamily/single family mix.

G. Churches.

H. Golf courses.

I. Agricultural uses.

J. Public and semi-public recreational uses.

K. Equestrian uses, by conditional use permit.

L. Cemeteries.

M. Bed and breakfast establishments.

N. Accessory Uses. The following accessory uses are permitted in a village center, subject to all the applicable development standards and requirements:

1. Normal residential accessory uses.
2. Home occupations meeting requirements of Chapter 16.69 LMC, providing the following additional conditions apply:

a. In addition to the family occupying the dwelling containing the home occupation, there shall not be more than one outside employee in the home office unless a conditional use permit is obtained pursuant to requirements of Chapter 16.69 LMC.

b. The employee and clients may park in on-street curbside parking spaces. Parking occurring on the lot containing the home occupation shall be limited.

O. Permitted Uses in Both Community Commercial or Neighborhood Commercial Components

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

Cafeteria

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 (c)  
Gift store  
Graphic arts and printing services  
Grocery and produce  
Hardware store and garden supply  
Health club, gym  
Home furnishings  
Instruction studio  
Jewelry  
Laundromat  
Light manufacturing (c)\*\*  
Meat and fish shops  
Medical ~~and dental services~~offices  
Music and dance studios  
Novelty  
Nursery and garden supply  
Office supplies  
Personal services  
Pet store  
Photo shops  
Post office  
Pre-existing residences  
Professional offices  
Radio, TV, music store  
Residential\*  
Restaurant (except drive-thru facilities not permitted in Neighborhood Commercial)  
Schools-commercial

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 fifty seats (c)  
Toy store  
Travel and other agencies  
Variety store  
Veterinarian  
Video rental

(c) Conditional uses, subject to special review and approval, provided no conditional use is required where such use is identified for the site in the master plan.

\* Apartments may be permitted above retail. Such units shall not count against calculations of a required multifamily/single family mix.

\*\* Light manufacturing uses may be permitted only if administrative offices address the street and the use is consistent with character of area, and provided further the square footage shall be less than twenty thousand square feet.

\*\*\* Uses similar to uses listed above may be approved by the site plan review committee upon finding such use is consistent with the intent of this chapter and in the best interest of the village center residents.

Section 100. Section 16.60.030 of the Lacey Municipal Code is hereby amended as follows:

**16.60.030 Where permitted.**

Planned residential development may be permitted in the following land use districts consistent with the development standards in LMC 16.60.060 through 16.60.140:

- A. Low density residential district;
- B. Moderate density residential district;
- C. High density residential district;
- ~~D. Mobile home residential district.~~

Section 101. Section 16.63.030 of the Lacey Municipal Code is hereby amended as follows:

**16.63.030 Permitted where.**

~~Mobile and manufactured~~Manufactured homes are permitted as follows:

- A. As a primary use in a mobile ~~or manufactured~~ home subdivision of not less than five nor more than forty acres in ~~all~~ residential districts.
- B. As a primary use in a ~~mobile or~~ manufactured home park of not less than three acres nor more than twenty acres. ~~Mobile or manufactured~~Manufactured home parks may be permitted in ~~all~~ residential districts after receiving a conditional use permit.
- C. As an accessory use for security or maintenance personnel in the following districts, subject to site plan review:
  - 1. General commercial district;
  - 2. Light industrial/commercial district;
  - 3. ~~Industrial~~Light industrial district;
  - 4. Mineral extraction district;
  - 5. Open space/institutional district.
- D. As temporary or emergency use in:
  - 1. Any district as part of a construction project for office use of construction personnel or temporary living quarters for security personnel for a period extending not more than ninety days beyond completion of construction. A thirty day extension may be granted by the city manager upon written request of the developer and upon the manager's finding that such request for extension is reasonable and in the public interest;
  - 2. Any district as an emergency facility when operated by or for a public agency;

3. In the open space/institutional district where a community need is demonstrated by a public agency such as temporary classrooms or for security personnel on school grounds.

Section 102. Section 16.63.050 of the Lacey Municipal Code is hereby amended as follows:

**16.63.050 Development standards--Plot plan requirements.**

A complete and detailed plot plan shall be submitted to the community and economic development department. The plot plan shall include the following information and such other information as the department may reasonably require to determine the acceptability of the proposed development:

1. Location and dimensions of all lots;
2. Roads, internal street system, and driveways;
3. Common open space, community facilities;
4. Utility lines, including water, sewer, electrical and any others contemplated;
5. Landscaping and screening plan for exterior boundaries.

Section 103. Section 16.63.120 of the Lacey Municipal Code is hereby amended as follows:

**16.63.120 Manufactured home park design standards--Site requirements.**

The size and shape of individual manufactured home sites shall be in accordance with the following:

- A. Minimum space area, four thousand square feet;
- B. Minimum width, forty feet;
- C. Minimum depth, eighty feet;
- D. Minimum setback from street or access road, ten feet with a ~~ten foot planter and~~ rear load access; fifteen feet with ~~standard planter and no alleys~~ front load access;
- E. Maximum development coverage of space, fifty percent;
- F. Side yard setback five feet.
- G. Rear yard setback fifteen feet.



Section 104. Section 16.63.160 of the Lacey Municipal Code is hereby amended as follows:

**16.63.160 Manufactured home park design standards--Landscaping and screening.**

- A. Visual screening and/or landscaping may be required in those developments where such screening is deemed necessary and reasonable by the enforcing officer and/or the hearings examiner.
- B. When required, such screening may consist of densely planted vegetation not less than four feet in height at the time of planting, or a solid fence, six feet in height, or a combination of fencing and vegetation which achieves the same screening effect.
- C. Landscaping is also required in all setback areas and open space. All requirements of Chapter 16.80 LMC shall be satisfied.
- D. Visual interruption with appropriate vegetation between manufactured home units may also be required to relieve visual monotony.
- E. The perimeters of common parking areas shall be landscaped in such a way as to create a diversion between streets and parking areas, at the same time not obstructing the view of any walkways, driveways, or streets around entrances or exits to the ~~mobile~~ manufactured home park.
- F. All trees, flowers, lawns and other landscaping features shall be maintained in a healthy growing condition at all times.

Section 105. Section 16.64.020 of the Lacey Municipal Code is hereby amended as follows:

**16.64.020 Applicable procedures.**

A homeless encampment permit is an administrative determination as identified in Section 1C.030 (Limited Administrative Review) of the City of Lacey Development Guidelines and Public Works Standards. In addition to the requirements for administrative determinations found in Section 1C.030 of the Development Guidelines and Public Works Standards the following additional procedures apply:

- A. Advance Notice Required. The host agency shall notify the city of the proposed homeless encampment a minimum of thirty days in advance of the proposed date of

establishment for the homeless encampment. The advance notification shall contain the following information:

1. Date. The date the homeless encampment intends to begin operation;
2. Length. The length of time expected for operation;
3. Residents. The maximum number of residents proposed;
4. Location. The host location;
5. Host Name. The name of the host agency; and
6. Site Plan. The location, dimensions, and layout of the encampment on site.

B. North Thurston Public Schools Notified. Upon receipt of an application the director shall send a copy of the application to the administrative offices of the North Thurston Public Schools for its review and consideration.

C. Public Meeting Required. The host agency shall conduct at least one public information meeting within or as close as possible to the neighborhood where the proposed homeless encampment will be located. The meeting shall be held a minimum of fourteen days prior to the issuance of the temporary use permit. The time and location of the meeting shall be agreed upon between the city and host agency. All property owners and all organizations, businesses, or persons that lease/rent property within three hundred feet of the proposed homeless encampment site shall be notified by the host agency a minimum of fourteen days in advance of the meeting. Notification may be by mail, phone, or personal contact.

D. Signs Required. In addition to the notification described above, the applicant shall provide notice of the application by posting two signs or placards on the site, or in a location immediately adjacent to the site, that provide visibility to motorists using adjacent streets. Timing for placing signs shall coincide with other notification requirements described above. The director of community and economic development shall establish standards for size, color, layout, design, placement, and timing of installation and removal of the signs or placards.

E. Plan for Reporting Transition Results. Included in the application shall be a plan for reporting the results of transitioning residents to permanent housing. The plan shall provide for a review of how long residents needed to use the camp for housing and when residents graduated to permanent housing or left the camp for other temporary housing. The intent shall

be to have this information to consider the success of the encampment in handling residents' housing needs on a temporary basis and providing a hand up for the purpose of finding more permanent housing opportunities. This information may be used by the council in considering the longevity and continuation of the homeless shelter ordinance.

Section 106. Section 16.64.030 of the Lacey Municipal Code is hereby amended as follows:

**16.64.030 Requirements for approval.**

The community and economic development director or designee may issue a temporary and revocable permit for a homeless encampment subject to the following criteria and requirements:

A. Site Criteria.

1. Ownership. The host agency shall submit documentation that it owns or has a leasehold interest in the subject property;
2. Size. The property must be sufficient in size to accommodate the residents and, for outside encampments, must have necessary on-site facilities including but not limited to the following:
  - a. Food tent and host tent;
  - b. Sanitary toilets in the number required to meet capacity guidelines;
  - c. Hand washing facilities by the toilets and by any food areas; and
  - d. Refuse receptacles.
3. Water Source. The host agency shall provide an adequate water source to the homeless encampment as approved by the city.
4. Sensitive Areas. No homeless encampment shall be located within a sensitive or critical area or its buffer as defined under LMC Title 14.
5. Permanent Structures. No new permanent structures shall be constructed for the homeless encampment.
6. Limitation on Residents. No more than forty residents shall be allowed. The city may further limit the number of residents as site conditions dictate.

7. Parking. Adequate on-site parking shall be provided for the homeless encampment. No off-site parking will be allowed. Parking space for the number of vehicles used by homeless encampment residents and staff shall be provided. If the homeless encampment is located on a site with another use, it shall be shown that the homeless encampment will not create an undue shortage of on-site parking for the other use(s) on the property.

8. Public Transportation. Whenever possible, the homeless encampment should be located within a quarter mile of a bus stop with service seven days per week. If not located within a quarter mile of a bus stop, the host agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).

9. Screening. The homeless encampment shall be adequately buffered and screened to be site obscuring from adjacent right-of-way and residential properties. Screening shall be a minimum height of six feet and may include, but is not limited to, a combination of fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the city.

10. Privacy for Sanitary Facilities. All sanitary portable toilets shall be screened from adjacent properties and rights-of-way. The type of screening shall be approved by the city and may include, but is not limited to, a combination of fencing and/or landscaping.

11. Distance Requirements to Sensitive Land Uses. Because a homeless encampment is a non-traditional living arrangement and therefore provides less privacy and more complex living arrangements than traditional homes, a distance requirement that provides visual separation and buffering from other sensitive land use activities is considered appropriate. To satisfy this concern, no shelter shall be permitted within three hundred feet of a licensed child daycare facility or any public or private pre-school or elementary, middle, or high school. However, in the event that a daycare or school is located within the property of a potential host agency, this requirement may be waived by the director if the owner of the daycare or school principal agrees to the waiving of the distance requirement.

#### B. Security.

1. Operations and Security Plan. An operations and security plan for the homeless encampment shall be submitted to the city at the time of application.

2. Code of Conduct. The host agency shall ensure that the homeless encampment has an enforceable code of conduct which, at a minimum, prohibits alcohol, nonprescribed drugs, weapons, violence, and open fires. The code of conduct should also address any other issues related to camp and neighborhood safety. A copy of the code of conduct shall be submitted to the city at the time of application.

3. In addition to the above standards, the host agency may adopt and enforce additional code of conduct conditions not otherwise inconsistent with this section.

C. Accommodating the Homeless Encampment Residents Indoors. In cases where the host agency and the camp residents determine it is practical or necessary to accommodate the camp inside existing church structures, the church shall have the option of making such a request to the city. Upon receiving a request to host the camp inside of existing buildings, the community and economic development director or designee may issue a temporary and revocable permit for an indoor encampment subject to the following criteria and requirements:

1. Compliance with Building Codes. An indoor encampment shall comply with the requirements of the city's building codes. However, pursuant to RCW 19.27.042, the building official shall have the authority to exempt code deficiencies so long as such deficiencies pose no threat to human life, health, or safety.

2. Building Criteria. The buildings proposed for use shall be of sufficient size to accommodate the residents and must have necessary on-site facilities including but not limited to the following:

- a. Adequate water supply;
- b. Sanitary toilets in the number required to meet capacity guidelines;
- c. Hand washing facilities by the toilets and food areas;
- d. Refuse receptacles; and
- e. Kitchen facilities for food preparation;
- f. All applicable health standards for providing and using such facilities shall be satisfied as required by the health department.

Section 107. Section 16.64.040 of the Lacey Municipal Code is hereby amended as follows:

**16.64.040 Community and economic development director's decision.**

The community and economic development director shall review the proposal for compliance with the provisions of this chapter and all other applicable law. Said review shall ensure that the health, safety and welfare of the citizens of the city are preserved, and shall provide an expedient and reasonable land use review process for decisions and interpretations of this chapter. The director may modify the submittal requirement as deemed appropriate. The director shall notify the host agency of his or her decision to approve, modify, or deny the application within a timely manner, but not prior to fourteen days after the public meeting.

Section 108. Section 16.64.080 of the Lacey Municipal Code is hereby amended as follows?

**16.64.080 Revocation.**

Upon determination that there has been a violation of any approval criteria or condition of application or that the host agency has failed to take action against a resident who violates the terms and conditions of the permit or has committed violence, the director of community and economic development may give written notice to the permit holder describing the alleged violation. Within fourteen days of the mailing of notice of violation, the permit holder shall show cause why the permit shall not be revoked. At the end of the fourteen-day period, the director shall sustain or revoke the permit. When a temporary homeless encampment permit is revoked, the director shall notify the permit holder by certified mail of the revocation and the findings upon which the revocation is based. Appeals of decisions to revoke a temporary homeless encampment permit shall be to Thurston County Superior Court.

Section 109. Section 16.65.010 of the Lacey Municipal Code is hereby amended as follows:

**16.65.010 Definitions.**

For purposes of this title, the following terms shall be defined as follows:

A. "Child day care" means the providing of supplemental parental care and supervision for a child or children who are not related to the provider, on a regular basis for less than twenty-four hours a day and under license by the Washington State Department of Social and Health Services. The term does not include babysitting services of a casual, non-recurring nature or in the child's own home. The term is further not intended to include cooperative, reciprocative child care by a group of parents in their respective homes.

B. "Child care facility" means a building or structure in which an agency, person or persons regularly provide care for a group of children for periods of less than twenty-four hours a day. Child day care facilities include family day care homes, and child day care centers regulated by the Washington State Department of Social and Health Services, as presently defined in Chapter 74.15 RCW and WAC 388-73-422 as such statute or regulations may hereafter be amended.

C. ~~"Family home child care" means a facility licensed by the state where child care is provided for twelve or fewer children in the family living quarters where the licensee resides as provided in RCW 43.215.010(1)(c). "Family day care home" means a facility in the family residence of the licensee who regularly provides direct care for twelve or fewer children, within an age range of birth through eleven years for periods of less than twenty-four hours.~~

D. "Child day care center" means a facility providing regularly scheduled care for a group of thirteen or more children within an age range of one month through twelve years, for periods of less than twenty-four hours.

Section 110. Section 16.65.020 of the Lacey Municipal Code is hereby amended as follows:

**16.65.020 Family ~~day care homes~~ home child care.**

~~A family day care~~ Family home child care shall be permitted in all zoning districts of the city ~~wherein within a residential structures are permitted~~ dwelling, subject to the following conditions:

A. Such homes shall comply with all building, fire safety and health codes and obtain a business license from the city for such a business;

B. The lot size, building size, setback and lot coverage shall conform to the standards of the zoning district in which it is located unless such structure is a legal nonconforming structure;

- C. Such use shall meet the parking requirements of Chapter 16.72 LMC relating to off-street parking and loading;
- D. Each family ~~day care~~-home child care facility shall be limited to one flush-wall sign having a maximum area of two square feet;
- E. No structural or decorative alteration which will alter the single-family character of an existing or proposed residential structure or be incompatible with surrounding residences will be allowed.

Section 111. Section 16.65.030 of the Lacey Municipal Code is hereby amended as follows:

**16.65.030 Child day care centers.**

A child day care center, licensed by the state of Washington as provided for herein, shall be permitted under the conditions set forth in this section after registration with the city as provided in this chapter, subject to the following conditions:

- A. A child day care center, proposed to be established in any residentially zoned district, light industrial district, light industrial/commercial district, ~~industrial district~~, mineral extraction district or the Lacey Historic Neighborhood shall only be allowed after the issuance of a conditional use permit pursuant to Chapter 16.66 LMC. A child day care center proposed for any other district of the city shall be allowed in the manner specified for such district and subject to the terms of LMC 16.65.030.
- B. All child day care centers, whether required to have a conditional use permit or not, shall comply with all building, fire safety, traffic safety, health code, business licensing, setback, screening, landscaping, parking, signage, lot size, building size and lot coverage requirements of this code including any requirements specific to the district in which said center is located.
- C. No child day care center shall be located in a private family residence unless the portion of the residence to which the children have access is separate from the usual living quarters of the family or is used exclusively for the children during the hours the center is in operation.

Section 112. Section 16.66.080 of the Lacey Municipal Code is hereby amended as follows:



**16.66.080 Application form.**

A written application for a conditional use permit shall be submitted to the community and economic development department on forms as prescribed by the community and economic development department, and shall include such information as requested thereon. No application shall be accepted unless it complies with such requirements.

Section 113. Section 16.67.040 of the Lacey Municipal Code is hereby amended as follows:

**16.67.040 General standards for adult entertainment facilities.**

Adult arcades, adult bookstores, adult novelty stores, adult video stores and similar uses, and adult live entertainment centers shall conform to the following general standards.

- A. All on-site parking areas and premise entries of adult entertainment uses shall be illuminated from dusk until one hour past closing hours of operation with a lighting system which provides an average maintained horizontal illumination of one foot candle of light on the parking strips and/or walkways. An on-premise exterior lighting plan shall be presented to and approved by the department of public works prior to the operation of any such use.
- B. All parking must be visible from the fronting street. Access to the exterior rear of the building shall be denied to any persons other than employees or public officials during the performance of their respective duties and tasks by means of fencing as approved by the department of community and economic development.
- C. In addition to all on-premise sign requirement of Chapter 16.75 LMC, the following signing provisions shall be followed:
  - 1. There shall be no electronic reader boards or changing message center signs;
  - 2. All adult entertainment facilities shall have facades, exteriors, and exits which must be indistinguishable from surrounding buildings. Illustrations depicting partially or totally nude males and/or females shall not be posted or painted on any exterior wall of the building used for such businesses or on any door or apparatus attached to such building.
- D. All standards of the underlying zone.
- E. Reasonable conditions necessary to properly mitigate bona fide secondary impacts identified during the site plan or conditional use permit review process.

F. All adult entertainment facilities shall be required to comply with the requirements of Chapter 14.23 LMC to promote compatibility with surrounding land uses in both commercial and the light industrial zones.

Section 114. Section 16.68.025 of the Lacey Municipal Code is hereby amended as follows:

**16.68.025 Review process.**

- A. All requests to locate wireless communication facilities in Lacey shall receive site plan review approval pursuant to Section 1C.040 of the City of Lacey Development Guidelines and Public Works Standards or conditional use permit approval pursuant to Section 1C.050 of the City of Lacey Development Guidelines and Public Works Standards.
- B. Wireless communication facilities proposed for co-location or location on existing commercial buildings or public structures or public property shall require approval through the site plan review process of Chapter 16.84 LMC.
- C. Wireless communication facilities proposed as free-standing support structures shall require conditional use permit approval pursuant to Section 1C.050 of the City of Lacey Development Guidelines and Public Works Standards.
- D. Third party review of submittal requirements. Because of the complexity of technical data and analysis required for adequate review of proposals, a third party may be contacted for review and analysis of such applications, particularly where disputes arise regarding the capability of meeting city goals, standards or policies in siting these facilities. The third party analysis will be at the discretion of the Community and Economic Development Director and will be at the expense of the applicant. The cost of such analysis will be agreed to and paid prior to processing or any action on the permit application.

Section 115. Section 16.70.020 of the Lacey Municipal Code is hereby amended as follows:

**16.70.020 Definitions.**

- A. "Approving authority" means the site plan review committee or the director according to the provisions of LMC 16.70.030(B) (process for approval).

- B. “Director” shall refer to the director of the community and economic development department, or his or her designee, that is responsible for administration of limited administrative review pursuant to Section 1C of the Development Guidelines and Public Works Standards.
- C. “Designated food vehicle zone” is an area within a street designated for location of a food vehicles(s) by the director of public works.
- D. “Food vehicle” means a licensed and operable motor vehicle or trailer used to serve, vend, or provide food or nonalcoholic beverages for human consumption from a fixed location or along a route in a public place.
- E. “Handcrafted goods” means goods produced or created by the vendor from raw or basic materials.
- F. “Original art” means art crafted by the vendor or by artists the vendor acts as agent to on consignment of the art work.
- G. “Outdoor shopping center activities and events” means activities normally taking place in parking lots of shopping centers from time to time on a temporary basis. Activities include, but are not limited to, promotions or special showings and sale of boats and recreation vehicles or miscellaneous activities such as pony rides and carnival activities. Such activities attract consumers to the shopping center, both the traveling public and pedestrians in the area, and add flavor to the shopping experience. Activities do not significantly impede parking or circulation at the site or adversely affect permanent businesses in the area.
- H. “Outdoor food court” means one location (parking lot, plaza, or lot) where more than four street merchants selling food have located offering a choice of foods and vendors.
- I. “Public place” means public right-of-way and the space above or beneath its surface, whether or not opened or improved, including streets, avenues, ways, boulevards, drives, places, alleys, sidewalks, planting strips, squares, triangles, and plazas that are not privately owned.
- J. “Retail stand” means a vending cart, street merchant structure, food vehicle or temporary seasonal structure used for retail sale of approved street merchant merchandise. The retail stand is operated from a fixed location within a parking lot, pedestrian plaza, public property, or right-of-way and designed and sized to be readily moved.

- K. "Street fair, outdoor food court or market" means a location where multiple street merchants and activities are organized as one function, including but not limited to one site, lot or parking lot designed or converted to accommodate multiple street vendors on a permanent or seasonal basis, the Lacey Fun Fair or a seasonal farmers' market.
- L. "Street merchant" means a merchant selling goods from a fixed location within a parking lot, pedestrian plaza, public property or right-of-way using a vending cart, food vehicle, street merchant structure or temporary seasonal structure.
- M. "Street merchant structure" means a structure typically larger than a vending cart that is not intended to be moved by one vendor. Such structure is intended to be set up and stationary in one location, is less than 200 square feet and is not permanently affixed to its location by a permanent foundation. Examples include an espresso stand, year-round fruit and vegetable stand, or other similar building intended to be used for street merchant activity as defined in this chapter.
- N. "Temporary/seasonal retail stand" means a stand to sell seasonal retail items on a temporary basis. These include fireworks stands, if allowed, Christmas tree stands and local agricultural fruit stands.
- O. "Vending cart" means a movable cart that is used to serve, vend, or provide food, nonalcoholic beverages, or flowers.

Section 116. Section 16.70.040 of the Lacey Municipal Code is hereby amended as follows:

**16.70.040 Design and development standards for retail stands.**

Retail stands shall generally comply with the following requirements:

- A. Vending carts will normally not be more than sixty square feet provided the approving authority may approve any size of vending cart it determines meets the spirit and intent of this chapter.
- B. A street merchant structure shall not be more than two hundred square feet in size.
- C. A canopy or umbrella may be included with a retail stand. The canopy or umbrella shall be of vinyl, canvas, or similar durable material. All parts of such umbrella or canopy must have a minimum of seven feet of vertical clearance to the ground.

D. Retail stand materials shall be low maintenance and cleanable, preferably painted and of noncorrosive metal.

E. Temporary/seasonal retail stands may be of the size necessary to carry out their temporary operations as approved by the approving authority.

F. Each retail stand shall be a self-contained unit; provided, however, that self-contained electrical power generators are not permitted unless the approving authority determines noise impacts can be mitigated. Utility service connections may be permitted at permanent street merchant pads at the discretion of the city. Electrical service connections may be permitted by a property owner leasing space to a street merchant or by the adjacent property owner and when the following requirements are met:

1. Electrical lines are not allowed overhead or lying on the sidewalk.
2. The outlet location must be placed outside the walkways which are accessible to public and private use.
3. Length of electrical hookup must be within fifteen feet of the stand.
4. No extension cords will be allowed.
5. Hookup must be permanently wired to the retail stand and meet National Electrical Code requirements as to type, size and grounding, terminating in an approved outside weatherproof type receptacle.
6. Each retail stand shall require an electrical permit unless previously approved, and will require inspection prior to operation of the stand.

G. Advertising signs may only be placed on the cart. Provided, street merchants selling food or nonalcoholic beverages within pedestrian plazas may have one sandwich board sign ~~with a menu and prices~~ which would be limited to two feet wide and four feet high. Such sandwich board sign must be located within the pedestrian plaza and oriented to pedestrians at the site.

H. All required licenses and permits issued by the city of Lacey must be displayed in a prominent, visible manner.

I. It is the responsibility of the applicant to obtain necessary health department licenses and to adhere to best practices for food handling when undertaking street merchant activities involving the preparation and serving of food.

J. All persons conducting a retail stand business within the city must keep the site clean and orderly at all times and pick up any refuse or debris and clean up liquid spillage deposited by any person using the business location. Additionally, all such persons shall provide a refuse container for litter. This container shall be of a design approved by the city and must be emptied on a regular basis.

K. Support equipment and accessories shall generally be self-contained within the retail stand. Support equipment and accessories must not be placed so as to impede pedestrian or vehicular traffic or distract from the pedestrian experience.

L. Retail stands selling food within a pedestrian plaza may have accessory seating and tables. Retail stands selling art and crafts may have merchandise displays set up adjacent to the retail stand for pedestrian view only. ~~Art~~ The location of art and craft displays shall be approved by the approving authority only when it determines such accessories will enhance the pedestrian experience at the site and be compatible with the intent of the zone and neighborhood in which it is located.

~~M. Noise-making devices designed to attract attention and loud shouting or yelling to attract attention are prohibited.~~

~~NM.~~ All persons conducting a retail stand business shall obey any order of a police officer to temporarily move such retail stand to avoid congestion or obstruction of the surrounding area for pedestrian and/or vehicular traffic.

~~ON.~~ All retail stands shall have fire extinguisher(s) available according to currently adopted fire code requirements.

~~PO.~~ Sustainable and creative designs are encouraged.

~~QP.~~ Street merchant designs that are fun and add interest to the street are encouraged.

Section 117. Section 16.70.060 of the Lacey Municipal Code is hereby amended as follows:

**16.70.060 Specific location standards.**

A. No retail stand shall be placed within one hundred feet or fronting a property of a business which specializes in an item that the retail stand offers for sale unless the applicant owns the establishment or has written consent from the proprietor of the establishment, e.g., a

retail stand selling ice cream may not be located within one hundred feet of an established ice cream parlor. This one-hundred-foot distance restriction shall be measured using the distance of the route of access between the two uses (the route someone would walk or drive).

B. The distance requirement of subsection A of this section may be reduced or waived if the street merchant is locating adjacent to a key pedestrian intersection and in a designated pedestrian plaza designed to accommodate a street merchant, or other circumstance related to the context of the application that make a lesser buffer appropriate to meet the intent of this chapter.

C. Each retail stand shall be placed so it does not obstruct or impede pedestrian or vehicular traffic.

D. Each retail stand shall be limited to one assigned its approved locations. ~~In the event that two or more applications for the same location are received, the general locational standards of this chapter shall be used to determine which application, if approved, shall be assigned the location. Only one permit may be issued for each approved location and, normally, no permit will be issued for a location within fifty feet of another approved location which already has a permit issued. Provided the approving authority may vary from this standard where it finds that the pedestrian volume can support multiple vendors and the pedestrian experience will be enhanced by a closer location of retail stands. The distance requirement does not apply to a site designated as a street merchant food court (where a site is designed to accommodate a variety of street merchants to provide food choices) or outdoor street market (to accommodate multiple street merchants with a variety of wares), in an area of high volume pedestrian use.~~

E. Only one retail stand site shall be approved for each pedestrian plaza or pocket park or parking lot unless the approving authority finds that additional stand(s) would be consistent with the intent of this chapter to promote the pedestrian experience and will not adversely impact pedestrian or vehicular circulation or be detrimental to the intent and vision for the surrounding zone.

F. Any retail stand located in a parking lot shall comply with the following minimum standards:

1. The retail stand shall not block entrances and exits to the parking lot or fire exit doors of any buildings;

2. Retail stands should normally not occur in parking spaces directly in front of entrances or windows of the building;
3. The retail stand shall comply with all other applicable city ordinances.
- G. No retail stand shall be located within eight feet of an abutting property.

Section 118. Section 16.72.020 of the Lacey Municipal Code is hereby amended as follows:

**16.72.020 General requirements.**

- A. Off-street parking spaces and driveways shall not be used at any time for purposes other than their intended use, i.e., the temporary storage of motor vehicles used by persons visiting or having business to conduct on the premises for which the parking is provided. Provided, however, the site plan review committee may approve other uses it deems reasonable that will not adversely impact parking requirements for the primary use of the property such as street merchant pads, temporary seasonal merchandise displays, pedestrian refuge islands, and pocket parks for pedestrian seating and use.
- B. Parking space required and intended for use by occupants or users of specific premises shall not be leased or rented to others, nor shall such space be made unavailable through other means to the users for whom the parking spaces are intended. This, however, does not preclude shared parking arrangements approved by the city or other activities approved by the site plan review committee.
- C. Except where specifically permitted in certain zoning districts, off-street parking spaces shall not be used for loading or unloading of commercial vehicles larger than those vehicles for which the parking spaces are intended.
- D. Whenever a building or a piece of land is put to a use different from the immediately preceding use, or when a building is remodeled, reconstructed or expanded, adequate off-street parking shall be provided consistent with the new use, reconstruction or expansion of the premises.
- E. Proposed large projects that are defined as major employers or worksites (RCW 70.94.524) shall provide an assessment of the cost of parking space separate from the cost of



the area used for building purposes. This information will help the applicant, the city of Lacey and Intercity Transit evaluate opportunities for parking reduction and TDM strategies.

Section 119. There is hereby added to the Lacey Municipal Code a new section, 16.72.025, which shall read as follows:

16.72.025 Maintenance.

A. It shall be the responsibility of the property owner to ensure that all off-street parking spaces and areas required by this Chapter are maintained for the duration of the improvement or use requiring the parking area.

B. All parking facilities, including curbs, directional markings, handicapped symbols, landscaping, pavement, signs, striping, and wheel stops, shall be permanently maintained by the property owner/tenant in good repair, free of litter and debris, potholes, obstructions, and stored material.

C. Drive aisles, approach lanes, and maneuvering areas shall be marked and maintained with directional arrows and striping to expedite traffic movement. Any area not intended for parking shall be signed as such, or in areas where curb exists, the curb may be painted red in lieu of signs.

Section 120. Section 16.72.030 of the Lacey Municipal Code is hereby amended as follows:

**16.72.030 District parking requirements.**

A. The requirements for any use not listed herein shall be those of the listed use most similar to the unlisted use. When similarity is not apparent, the enforcing officer and/or the site plan review committee shall determine the minimum and maximum for the unlisted use.

B. For conditional uses, as identified and described in Chapter 16.66 LMC, the parking requirement shall be as provided in that chapter or as determined by the site plan review committee.

C. Residential District. Off-street parking requirements for residential districts are located in Table 16T-13.

D. Commercial, Community Office and Industrial Uses.

1. General Parking Standards--Parking Standard Table.

a. In the several commercial, industrial, community office, and mixed use districts, off-street parking requirements shall be as shown in Table 16T-13; provided, that all of the property is controlled by a single person or corporation, or written agreements for shared parking, acceptable to the city, are filed with the enforcing officer.

b. Phased Reduction of Maximum Parking Standards. One technique for transportation demand management (TDM) is to reduce maximum allowable parking spaces. This can be done by slowly phasing down the maximum allowable number of parking spaces over a period of years. This technique has advantages of reducing vehicle trips and conserving urban commercial land that can be used for other purposes. However, this technique has the potential to have a significant adverse impact on the jurisdiction's economic development if other reasonable forms of alternative transportation are not available. This technique should be periodically revisited to consider its viability but should not be implemented until its viability for Lacey is established.

c. Minimum Optional Guidelines and Maximum Standards. To promote parking reduction, the optional minimum guideline serves as a suggested parking number but is not mandatory for automobiles except for single-family residential development. Applicants will be encouraged to provide less automobile parking than the minimum listed whenever possible based upon TDM available on-street parking, potential shared parking within walking distance and other factors. The minimum number listed for bicycle parking shall be provided as indicated in the table for both commercial and residential development.

The number of parking spaces needed to serve a project must be demonstrated to the site plan review committee based upon a parking plan considering TDM techniques and other relevant factors. Upon justification to the satisfaction of the committee, whatever number of parking spaces agreed upon shall be the number required, and this shall be an enforceable condition of the approval.

The maximum parking standards may be increased if the site plan review committee finds compelling reasons to do so. Such determination shall be at the sole discretion of the committee based upon such factors as unique site or use requirements, historical data of a

particular use or other relevant factors indicating additional parking is necessary to properly serve a use or uses at a site.

Shared parking agreements are encouraged if the physical relationship between the premises is within convenient walking distance and makes such sharing possible.

2. If more parking spaces than the maximum permitted by Table 16T-13 exist on the subject property, an owner/developer may lease those excess spaces or convert excess spaces into LID facilities where feasible, such as permeable paving or bioretention, until conformance with Table 16T-13 is reached.

a. Shared parking is particularly encouraged when:

(1) The total number of parking spaces provided is sufficient to meet expected demand; or

(2) The uses are operating during different hours and number of spaces needed for all uses at any one time are satisfied. If permitted, the total number of spaces for a shared arrangement should be no greater than the maximum number of spaces permitted for all uses operating at the same time.

b. Where adjoining parking facilities of two or more ownerships are developed and designed as one parking facility, a reduction of required parking spaces may be permitted based upon the increased potential opportunity for shared parking and other parking reduction techniques.

c. The continuation of joint or shared facilities should be assured by a sufficient legal document such as a covenant or reciprocal easement agreement or by participation in a local improvement district or parking association. Joint or shared parking associated with multi-tenant retail and commercial uses will be considered to be a shared parking facility. Lease agreements will satisfy the requirement for a sufficient legal document. However, any new tenant whose parking requirement reduces the total parking available in the shared parking facility below seventy-five percent of the requirements for all uses sharing the facility will be required to provide additional parking.

d. For large projects where a traffic study is required under Chapter 14.21 LMC (Traffic Mitigation and Concurrency) and the proposal has one hundred or more employees, a comprehensive TDM strategy may be proposed to achieve a reduction in minimum parking listed in the parking table. Additionally, a bonus credit towards transportation impact fees may be awarded for reducing parking area pursuant to this section. The reduction in parking

permitted and the incentive bonus shall be commensurate with the permanence, effectiveness and demonstrated reduction in off-street parking demand effectuated by such alternative programs.

Alternative programs that may be considered by the enforcing officer and/or site plan review committee under this provision include, but are not limited to, the following:

- (1) Private vanpool operation;
- (2) Transit/vanpool fare subsidy;
- (3) Imposition of a charge for parking;
- (4) Provision of subscription bus services;
- (5) Flexible work hour schedule;
- (6) Capital improvements for transit services;
- (7) Preferential parking for carpools/vanpools;
- (8) Participation in the ride-matching program;
- (9) Reduction of parking fees for carpools and vanpools;
- (10) Establishment of a transportation coordinator position to implement carpool, vanpool and transit programs;
- (11) Bicycle parking facilities including associated shower and changing facilities;
- (12) Compressed work week;
- (13) Telecommuting;
- (14) Advancements in technology including autonomous vehicles;
- (15) Other techniques and strategies approved by the site plan review committee.

e. Parking reduction under this subsection (D)(2) must provide information regarding the administration of the program to the site plan review committee. The information must include:

- (1) Address each individual TDM strategy as part of the transportation impact analysis;
- (2) Provide the city with an estimate of peak hour employees as part of their site plan review application and traffic impact analysis;
- (3) Provide estimated parking occupancy rates for the development as part of the transportation impact analysis showing average weekday use;
- (4) Demonstrate how TDM strategies will be used to minimize the need for parking.

3. The city is hereby authorized to develop parking requirements specific to certain geographic locations or districts rather than individual sites by pooling parking supply in desired locations. Any parking requirements established as part of these programs may deviate from the typical standards contained herein and would be binding on the properties within these locations.

E. Transportation Demand Management Incentives. The site plan review committee shall determine whether the applicant can receive a traffic impact mitigation fee reduction for implementation of TDM strategies that reduce parking needs. Such incentives will be as listed in the following schedule as well as any traffic mitigation credit allowed under LMC 14.21.030. The incentive bonus is as follows:

1. Any developer who builds at the minimum amount of parking allowed shall receive a five percent trip reduction in the calculation of traffic impacts.
2. Any developer who builds at or below the minimum and includes significant strategies from subsection (D)(2)(d) of this section is eligible for an additional five percent trip reduction bonus.
3. Additional bonuses will be allowed under the provisions of LMC 14.21.030.

**TABLE 16T-13**

Use	Unit Measure	Optional Min	Max	Required Bicycle Parking Spaces
<b>BUSINESS PARK</b>				
General business park <sup>1</sup>	Per 1,000 square feet	2	4	See offices
<b>COMMERCIAL</b>				
Banks	Per 1,000 gross square feet	2	3	See offices
Billiard halls	Per table	1	2	1 per 20 auto stalls.

TABLE 16T-13

Use	Unit Measure	Optional Min	Max	Required Bicycle Parking Spaces
				Minimum of 4
Bowling alleys	Per alley	3	5	1 per 20 auto stalls. Minimum of 4
Commercial recreation	Per 1,000 square feet	3	5	1 per 20 auto stalls. Minimum of 4
Daycare, preschools, nursery schools	Per teacher plus one drop-off loading area per 7 students	0.5	1	1 per 25 auto stalls. Minimum of 1
Hotels, motels	Per room or suite	1	2	See retail
Medical and dental clinic and offices	Per 1,000 square feet of GFA	2	4	See offices
Mini storage	Per 100 units or a minimum of 3 spaces plus 2 for permanent on-site managers	1		None
Mortuaries, funeral homes	Per 4 seats	1	2	None
Neighborhood commercial shopping area	Per 1,000 square feet	1	2	See retail
Office building	Per 1,000 square feet of GFA			1 per 15 auto

TABLE 16T-13

Use	Unit Measure	Optional Min	Max	Required Bicycle Parking Spaces
	<ul style="list-style-type: none"> <li>• With on-site customer service</li> <li>• Without on-site customer service</li> </ul>	2 1.5	4 3	stalls. Minimum of 2
Regional shopping centers, food and drug stores	Per 1,000 square feet of GFA	3	6	See retail
Restaurants	Per 100 square feet of dining area	1	4	See retail
Retail	Per 1,000 gross square feet	3	6	1 per 20 auto stalls. Minimum of 2
Retail in mixed use development <sup>2</sup>	Per 1,000 gross square feet	2	4	See retail
Service stations (mini marts are retail uses)	Per employee plus per service bay	0.5	1	None
<b>INDUSTRIAL</b>				
General industrial	Greatest number of employees on a single shift plus one square foot of parking for each square foot of display area plus one space for each vehicle owned, leased or operated by the company	0.5	1	See offices
Warehouse	Per 1,000 square feet of GFA plus Per 400 square feet of GFA used	1 1		None

TABLE 16T-13

Use	Unit Measure	Optional Min	Max	Required Bicycle Parking Spaces
	for office or display area			
<b>INSTITUTIONAL</b>				
Convalescent facilities, nursing homes	Per 2 patient beds	1	3	See offices
Hospital	Per bed	0.5	1	See offices
Libraries	Per 200 square feet of GFA	0.5	1	1 per 20 auto stalls. Minimum of 2
Schools, elementary and junior high	Per classroom and office	1	1.5	1 per classroom
Schools, senior high	Per classroom and office plus per each 5 students of designated capacity	1	2	1 per five auto stalls. Minimum of 2
<b>PLACES OF ASSEMBLY</b>				
Places of assembly without fixed seats	Per 1,000 square feet of GFA <sup>3</sup>	10	11	1 per 25 auto stalls. Minimum of 2
Places of worship	Per 4 seats	1	2	1 per 40 auto stalls. Minimum of 4
Stadiums,	Per 4 seats of the permitted	1	1.5	1 per 25 auto



TABLE 16T-13

Use	Unit Measure	Optional Min	Max	Required Bicycle Parking Spaces
auditoriums, gymnasiums, theaters <sup>4</sup>	assembly occupants.			stalls. Minimum of 4
<b>RESIDENTIAL</b>				
Accessory dwelling unit	Per dwelling unit	1		None
Single-family	Per dwelling unit	2 <sup>6</sup>		None
Duplexes	Per dwelling unit	2		None
Multifamily structures	Per dwelling unit	1.5		1 per 10 auto stalls. 2 minimum per building
<b>Mobile</b> <b>Manufactured</b> home subdivision	Per dwelling unit	2		None
<b>Mobile</b> <b>Manufactured home</b> parks <sup>5</sup>	Per dwelling unit	1.5		None
Rooming houses, lodging houses, bachelor or efficiency units	Per occupant	1	3	None
Senior citizen	Per 3 dwelling units	1	2	See

TABLE 16T-13

Use	Unit Measure	Optional Min	Max	Required Bicycle Parking Spaces
apartments				multifamily

1 When calculating need, a lower ratio of five-tenths per one thousand square feet of GFA can be justified when a covenant is attached to the property that limits the occupancy load to ninety-five percent of the parking stalls available. In addition, the SPRC may authorize a parking ratio up to five spaces per one thousand square feet of GFA if the need can be demonstrated.

2 If retail space in a mixed-use development exceeds forty percent of the gross floor area of the development, the retail use parking requirements of this section apply to the entire space.

3 Gross square feet does not include enclosed or covered areas used for off-street parking or loading, mechanical floor areas or covered public spaces.

4 School and/or public facility parking spaces may be used provided the facilities are on the same or contiguous parcels within three hundred feet of the theater or auditorium.

5 In mobile-manufactured home parks, the parking spaces in excess of one per mobile manufactured home may be grouped in shared parking areas.

6 For single-family residential development, a minimum of two parking spaces is required.

The following notes apply to all of the above uses:

- Minimum automobile spaces listed in the table are optional guidelines provided in LMC 16.72.030(D)(1)(c) (optional minimum guidelines). Minimum parking spaces for bike parking are mandatory.
- Parking ratios for mixed use development projects shall be determined by calculating the percentage of GFA by use multiplied by the appropriate parking ratio for each use plus a five percent parking reduction for two uses, ten percent parking reduction for three uses and fifteen percent parking reduction for four or more uses.

- Parking spaces provided as part of the above/below grade parking amenity identified in Table 14T-12 shall be exempt from all maximum parking requirements.
- All major employers or major worksites, as defined by RCW 70.94.524, shall designate at least five percent of auto spaces as carpool spaces. These spaces must be located as close to the main employee entrance as possible and shall be called out on the site plan.
- Where adjacent roads are designed for on-street parking and approved by the public works director, parking credit may be given for on-street parking.

Section 121. Section 16.72.050 of the Lacey Municipal Code is hereby amended as follows:

**16.72.050 Development standards.**

- A. Parking lot construction shall comply with LMC 14.19.030.
- B. Parking area design shall include:
  1. Ingress and Egress. The location of all points of ingress and egress to parking areas shall be subject to the review and approval of the city engineer.
  2. Backing Out Prohibited. In all commercial and industrial developments and in all residential buildings containing five or more dwelling units, parking areas shall be so arranged as to make it unnecessary for a vehicle to back out into any street or public right-of-way.
  3. Parking Spaces--Access and Dimensions. Adequate provision shall be made for individual ingress and egress by vehicles to all parking stalls at all times by means of unobstructed maneuvering aisles. Maneuvering aisles and parking stall dimensions shall be as shown in Tables 16T-18, 16T-19, and 16T-20.
  4. Surfacing. All parking areas for more than four vehicles shall be surfaced with permeable paving surfaces in conformance with the current City of Lacey Stormwater Design Manual, asphalt, concrete or similar pavement so as to provide a surface that is durable and dust free and shall be so graded and drained as to properly dispose of all surface water.
  5. Stormwater management is required and shall comply with the current City of Lacey Stormwater Design Manual and shall be subject to the city's review and approval, and shall, moreover, comply with Chapter 15.22 LMC pertaining to community facilities.

6. Parking shall be designed and constructed for a minimum of thirty percent and a maximum of fifty percent of the required number of spaces for compact size cars. An applicant must clearly identify all spaces designed and constructed for compact car use. The enforcing officer and/or site plan review committee may approve the design and designation of ~~more than fifty percent~~the required percentage of ~~the~~ spaces for use by compact cars if the applicant demonstrates that no adverse impact will result.
7. Parking area for land uses located outside the city shall be prohibited.
8. Convenient and safe pedestrian access shall be provided. At a minimum, pedestrian features shall include:
  - a. Raised crosswalks with color and texture (preferably brick or brick-like) where pedestrian access crosses automobile access lanes.
  - b. Pedestrian lanes shall be designed with texture and color, preferably brick or brick-like accents.
  - c. Planter areas and vegetated LID facilities shall be designed in consideration of pedestrian access to provide separation from automobile access lanes, to help identify areas for pedestrian access and to make pedestrian access more comfortable and inviting.
  - d. Pedestrian access shall be designed through a consideration of on-site activity as well as uses and destination sites that are located in the surrounding area. Where parking areas for other destination sites are adjacent to the site, linkage should be provided so customers from one site will not have to get in a car and drive to the next.
  - e. Lighting shall be provided along designated pedestrian routes to enhance safe walking conditions and to deter crime. Lighting shall be adequate, focused and shielded to illuminate pedestrian paths and to prevent light impacts to adjacent properties. Lights provided for a parking lot shall be designed to provide coverage for both vehicles and pedestrians and may be of a scale appropriate to both. Where pedestrian routes leave a parking lot, pedestrian scale lighting shall be used.
9. An owner/developer may install parking spaces in phases if a phased schedule has been approved by the enforcing officer and/or site plan review committee. This schedule must specifically indicate when the parking will be provided. The enforcing officer and/or site plan review committee may permit the use of temporary parking areas with appropriate screening

as part of a phasing schedule. In addition, the enforcing officer and/or site plan review committee may require a performance assurance device to insure conformance with the requirements of Ordinance 1130.

10. When adequate vehicular access to an approved lot or development is available from a side street, no such access shall be permitted from the front street. Where lots have double frontage, if vehicular access from a side street or a street of lower functional classification is not available, such access shall be from the street anticipated to carry the least amount of traffic or the street that would have the least conflict with pedestrian traffic.

11. Parking Area and Circulation Design.

a. The city public works department shall have the authority to fix the location, width and manner of approach of vehicular ingress or egress from a building or parking area to a public street and to alter existing ingress and egress as may be required to control street traffic in the interest of public safety and general welfare.

b. Internal circulation of the lot shall be so designed as to minimize conflicts with pedestrians with priority given to pedestrians considering convenience, comfort, safety and security. In-and-out driving time, idling time and time spent looking for a parking space should be a consideration, but should not influence design parameters that reduce pedestrian functionality.

c. Parking areas shall include landscaping as required by Chapter 16.80 LMC. Landscaping shall be designed to provide both functional and aesthetic benefits, be designed to ensure safety for drivers and pedestrians, and avoid creating security dangers for customers or employees.

d. Parking circulation and design shall meet requirements for public transportation and pedestrians under LMC 14.23.084.

C. Bicycle Design Standards.

1. The minimum bicycle rack shall be grouped into four parking stalls for ease of visibility to the public. Bicycle facilities shall be shared among adjoining establishments.

2. Bicycle racks which only support a bicycle front or rear wheel are not permitted. The rack shall be securely mounted to the ground and covered and provide two points of support on the frame to prevent locked bicycles from falling over.

3. Bicycle parking spaces shall be two feet by six feet with no less than a seven-foot overhead and a five-foot maneuvering aisle behind each row of bicycle parking.
4. A bicycle parking area shall be separated from a motor vehicle parking area by a barrier, post or bollard, or by at least five feet of open space behind the maneuvering area.
5. Bicycle facilities shall be located no further from a public entrance than the nearest non-handicapped parking stall.
6. If public bicycle parking is not clearly visible from the main entrance, then directional signs shall be provided.
7. All major employers or major worksites, as defined by RCW 70.94.524, shall provide ~~a minimum of one shower and changing facility per gender~~ bicycle parking facilities, lockers, changing areas, and showers for employees who bicycle or walk to work.

Section 122. Section 16.73.035 of the Lacey Municipal Code is hereby amended as follows:

**16.73.035 Process for Review.**

- A. New residential construction: If associated with new residential construction, installation of a charging station shall be processed in association with the underlying permit(s).
- B. Retrofitting single family residential: If retrofitting a single family home for a charging station, an electrical permit shall be required.
- C. Retrofitting a commercial site, multifamily residential or community site in a residential land division:
  1. SPR required if impacts identified: If the Director of Community and Economic Development determines that retrofitting for a charging station(s) in an existing commercial, multifamily, or community site in a residential land division, could significantly impact parking, landscaping, signing, drainage or other public interest concerns, that proposal will be reviewed and approved through the City Site Plan Review (SPR) process (Chapter 16.84 LMC).
  2. Exempted if no impacts identified: If the Director of Community and Economic Development determines a retrofit will not adversely impact any issues of public interest, the proposal may be exempted from SPR requirements.

3. Site plan required for evaluation: To determine if the application will be processed through SPR or exempted, the applicant shall submit a site plan showing the location and scope of the proposal.
  4. Electrical permit required: All applications, exempted or requiring SPR, shall also require an electrical permit.
- D. Battery exchange: If the facility includes a battery exchange station, or is associated with a new commercial activity requiring SPR approval, the application shall be reviewed and approved through SPR (Chapter 16.84 LMC).

Section 123. Section 16.75.040 of the Lacey Municipal Code is hereby amended as follows:

**16.75.040 Administration.**

A. Permits and Fees Required.

1. Subject to the exemptions set forth in LMC 16.75.030(C), no sign governed by the provisions of this code shall be erected, altered or relocated by any person, firm or corporation without a permit issued by the city.
2. Fees for sign permits shall be established by resolution of the city council.
3. Sign permits are subject to limited administrative review pursuant to Section 1C of the Development Guidelines and Public Works Standards (<http://www.ci.lacey.wa.us/city-government/city-departments/public-works/plans-and-documents/library/development-guidelines>). Exception: For applications that include a departure, see subsection C of this section.

B. Permit Applications. Applications for permits shall contain the name and address of the owner and user of the sign, the name and address of the owner of the property on which the sign is to be located, the location of the sign structure, drawings or photographs showing the design and dimensions of the sign and details of its proposed placement and such other pertinent information as the administrator of this code may require to ensure compliance with this code and other applicable ordinances. Permit applications shall be available for inspection by the public upon request. Upon completion of a permit application, the application should

be acted on within two weeks unless there is a requirement for further time associated with an underlying land use application.

C. Departures. This chapter provides for a number of specific departure opportunities to sign design standards. The purpose is to provide applicants with the option of proposing alternative design treatments provided such departures meet the applicable departure criteria set forth for the applicable particular departure opportunity. Specifically:

1. Departures are voluntary. This provision allows the flexibility for applicants to propose alternative designs on a voluntary basis.
2. Applicability. Departure opportunities are available only to specific standards that allow for departures.
3. Procedures. Permit applications that include departure requests are subject to limited administrative review pursuant to Section 1C of the Development Guidelines and Public Works Standards. Departure requests, at the discretion of the administrator, may be referred to the hearing examiner.
4. Approval Criteria. Project applicants must successfully demonstrate to the administrator how the proposed departure meets the applicable criteria that apply to the specific standard.
5. Documentation. The administrator shall issue a written decision including findings documenting how the departure meets or exceeds the applicable criteria.

D. Administrator.

1. Appointment--Powers and Duties Generally. The administrator of this code shall be the director of community and economic development. The administrator is authorized and directed to enforce and carry out all provisions of this code, both in letter and spirit, with vigilance and with all due speed. To that end, the administrator is authorized to formulate procedures consistent with the purposes of this code. The administrator is further empowered to delegate the duties and powers granted to and imposed upon the director of community and economic development under this code. As used in this code, "administrator of this code" or "administrator" shall include the director of community and economic development's authorized representative.
2. Inspection Authority. The administrator is empowered to enter or inspect any building, structure or premises in the city upon which, or in connection with which, a sign, as defined



by this code, is located, for the purpose of inspection of the sign, its structural and electrical connections and to ensure compliance with the provisions of this code. Such inspections shall be carried out during business hours, unless an emergency exists.

Section 124. Section 16.75.070 of the Lacey Municipal Code is hereby amended as follows:

**16.75.070 Permitted signs.**

This section identifies the permitted types of signs by use and/or district.

A. Permitted Types of Signs by Use and/or District.

**Table 16.75.070**

Permitted types of signs by use and/or district. An "X" in the table indicates that the particular type of sign is allowed for the applicable land use and/or zone. See applicable sign type provisions in LMC 16.75.080 for possible exceptions to the provisions below.

Land Use and/or Zone	SIGN TYPE					
	Freestanding LMC <a href="#">16.75.080(A)</a>	Wall Sign LMC <a href="#">16.75.080(B)</a>	Marquee/ Awning LMC <a href="#">16.75.080(C)</a>	Projecting Sign LMC <a href="#">16.75.080(D)</a>	Under- Canopy LMC <a href="#">16.75.080(E)</a>	Internal Wayfinding LMC <a href="#">16.75.080(F)</a>
<b>Nonresidential Uses</b>						
Any nonresidential use	X	X	X	X	X	X
Multi-occupancy building	X	X	X	X	X	X
Multi-building complex	X	X	X	X	X	X
Large	X	X	X	X	X	X

	SIGN TYPE					
Land Use and/or Zone	Freestanding LMC <u>16.75.0</u> <u>80(A)</u>	Wall Sign LMC <u>16.75.0</u> <u>80(B)</u>	Marquee/ Awning LMC <u>16.75.0</u> <u>80(C)</u>	Projecting Sign LMC <u>16.75.0</u> <u>80(D)</u>	Under- Canopy LMC <u>16.75.0</u> <u>80(E)</u>	Internal Wayfinding LMC <u>16.75.0</u> <u>80(F)</u>
shopping center						
Freeway-oriented business	X	X	X	X	X	X
<b>Residential Uses</b>						
Single-family subdivision	X <sub>-</sub> *					
Mixed residential or multifamily complex	X	X <sub>-</sub>				X <sub>-</sub>
Home occupation		X <sub>-</sub> *				
Mobile Manufactured home subdivisions and	X <sub>-</sub> *	X <sub>-</sub> *				

	SIGN TYPE					
Land Use and/or Zone	Freestanding	Wall Sign	Marquee/ Awning	Projecting Sign	Under- Canopy	Internal Wayfinding
	LMC <a href="#">16.75.080(A)</a>	LMC <a href="#">16.75.080(B)</a>	LMC <a href="#">16.75.080(C)</a>	LMC <a href="#">16.75.080(D)</a>	LMC <a href="#">16.75.080(E)</a>	LMC <a href="#">16.75.080(F)</a>
parks						

X = Permitted sign

**\* Subject to the standards contained in LMC 16.75.090**

B. One bulletin board limited to fifty square feet in area is allowed for each public, charitable or religious institution where the same are located on the premises of said institution. A sign permit is required.

Section 125. Section 16.75.080 of the Lacey Municipal Code is hereby amended as follows:

**16.75.080 Sign type standards.**

A. Freestanding Signs.

1. Visualization Required. All applicants for freestanding signs associated with multi-tenant commercial centers and individual nonresidential uses over five thousand square feet shall include a photo simulation of the proposed sign from at least two prominent public viewpoints. Applicants may use photographs or Google Earth or other clearly legible online street view resource to superimpose their proposed sign. See Figure 16.75.080(A)(1) below for an example.



Figure 16.75.080(A)(1). Examples of the types of sign visualizations that are useful to determine compliance with the standards herein. The left image uses Google Earth as a base to which to illustrate the proposed sign. The right image uses an actual photograph and superimposes the proposed sign.

2. Sign Form. Freestanding signs shall be designed so they appear firmly anchored to the ground. This includes:
  - a. Monument signs, as defined in LMC 16.75.020(Y).
  - b. Signs where the base (where the sign structure meets the ground plane) is at least forty percent of the width of the total sign width. Departures per LMC 16.75.040(C) will be considered provided the sign includes design features that visually anchor it to the ground and the design of the sign meets other applicable standards.



Figure 16.75.080(A)(2). Minimum ground anchoring provisions for freestanding signs.

3. Permitted Number of Signs. One sign is permitted per frontage, per property. Additional freestanding signs shall be permitted per Table 16.75.080(A)(3) below.

**Table 16.75.080(A)(3)**

For properties with more than five hundred feet of frontage, additional freestanding signs are permitted per the separation standards below.

Applicable Speed Limit	Minimum Separation
Less than 35 mph	150'
35--45 mph	200'



Figure 16.75.080(A)(3). An example of a shopping center with a large frontage where multiple freestanding signs are allowed. The fronting street has a posted speed limit of thirty-five miles per hour, which requires a minimum sign separation of two hundred feet.

4. **Materials and Design.** Freestanding signs shall be designed as an integrated architectural feature of the site. Specifically:
  - a. **Framing.** Freestanding signs must include design elements that effectively frame the sign on both sides (see Figures 16.75.080(A)(4)(c-1) and (c-2) for acceptable examples). Alternatively, signs that have a substantial framing element on one side, as illustrated in the examples in Figure 16.75.080(A)(4)(c-3), will meet this provision. Departures per LMC 16.75.040(C) will be considered provided the design meets other provisions herein and integrates a distinctive, one-of-a-kind design that contributes to the visual character of the area.
  - b. **Materials and Design.** Freestanding signs shall include durable high quality materials and a design that relates to and/or complements the design of on-site buildings and/or is coordinated with other site design elements (such as distinctive lighting, monuments, wayfinding signs). Figures 16.75.080(A)(4)(c-1) through (c-3) below all meet this requirement.
  - c. **Top/Middle/Bottom.** Freestanding signs shall integrate a top, middle, and bottom element. The top could include a distinctive sign cap and/or include the name of a multi-tenant center. The middle can include a consistent framing technique for an individual sign or multiple signs in a multi-tenant center. The bottom could include a

distinctive base design with special materials and/or design. See the figures below for examples that meet this requirement. These components are less critical for signs less than six feet tall, and thus exempt from this provision.

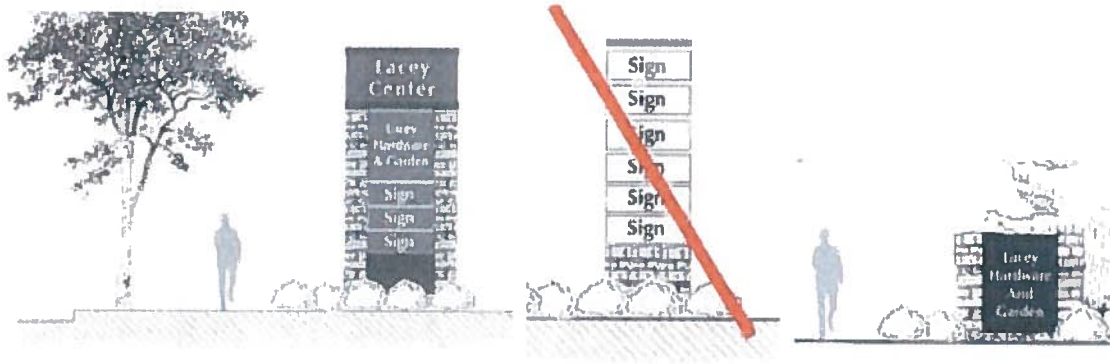


Figure 16.75.080(A)(4)(c-1). Illustrating acceptable and unacceptable freestanding sign examples. The left image utilizes clearly identifiable top, middle, and bottom elements and meets the framing provision. The middle image includes a base, but insufficient top or framing element. The shorter sign to the right includes framing but is exempt from the top, middle, and bottom elements.

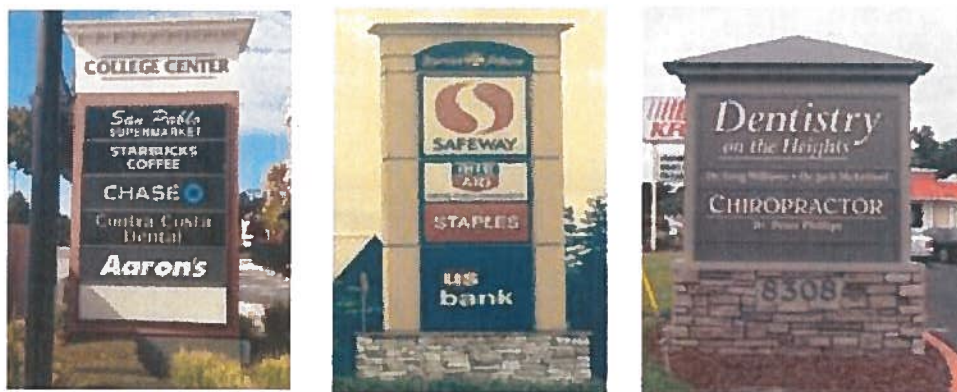


Figure 16.75.080(A)(4)(c-2). Each of these three signs includes a frame and top/middle/bottom components, and features high quality materials that relate to and/or

complement the design of on-site buildings and/or is coordinated with other site design elements.



Figure 16.75.080(A)(4)(c-3). These signs feature substantial framing elements on one side, and thus meet the design provisions herein.



Figure 16.75.080(A)(4)(c-4). Unacceptable signs. The far left sign includes a base and a frame, but no identifiable top. The middle and right signs fail to meet any of the design provisions above.

5. Location and Landscaping.



- a. **Setback.** All freestanding signs shall be located at least five feet from a public ROW unless a greater setback is specified herein.
- b. **Landscaping.** All signs shall include landscaping around the base of freestanding signs to enhance the character of street frontages. Specifically, at least one square foot of landscaped area shall be provided per one square foot of sign area. Utilize plants and a maintenance program to minimize conflicts with the sign.
- c. **Base Height Provision.** The copy of all signage shall be at least one foot above grade. The purpose is to allow vertical space for the required landscape elements and enhance the visibility of sign copy. See Figure 16.75.080(A)(5).



Figure 16.75.080(A)(5). Minimum base height for sign copy.

- 6. **Maximum Size and Height.** Table 16.75.080(A)(6) illustrates the maximum allowable sign area and height for all freestanding signs, except such signs for freeway-oriented businesses, as set forth in subsection (A)(10) of this section.

**Table 16.75.080(A)(6). Maximum freestanding sign height and area.**

<b>Total ROW Frontage of Parcel (on each street)</b>	<b>Allowable Sign Area (white/very light background)</b>	<b>Allowable Sign Area (shaded or dark background)</b>	<b>Maximum Height (white/very light background)</b>	<b>Maximum Height (shaded or dark background)</b>
< 200 Feet	24 sq. ft.	40 sq. ft.	6 feet	7 feet
200--399 Feet	36 sq. ft.	54 sq. ft.	7 feet	8 feet
400--599 Feet	50 sq. ft.	70 sq. ft.	8 feet	9 feet
600--799 Feet	60 sq. ft.	80 sq. ft.	8 feet	10 feet
800--999 Feet	66 sq. ft.	88 sq. ft.	9 feet	12 feet
1,000 Feet and >	72 sq. ft.	96 sq. ft.	9 feet	15 feet

Supplemental freestanding sign provisions:

a. Signs that employ shaded, opaque or dark background and light colored lettering for at least fifty percent of the sign copy are allowed larger sign areas, as they are found to be less visually intrusive than signs incorporating white or very light-colored background. Using a CMYK color chart, signs that employ color numbers that add up to at least twenty (collectively) shall be considered as “shaded.” For example:

C=0, M=0, Y=0, K=20 = Shaded

C=10, M=0, Y=0, K=10 = Shaded

C=10, M=0, Y=0, K=0 = Not considered to be shaded

See Figure 16.75.080(A)(6)(a) below for examples.



Figure 16.75.080(A)(6)(a). The black, dark, and shaded signs above qualify for the extra sign area and height specified in the shaded columns of Table 16.75.080(A)(6). The sign on the right with the white background is allowed (but doesn't qualify for the "bonus" sign area and height) and subject to the sign area/height in the unshaded columns above in Table 16.75.080(A)(6).

- b. Departures. Applicants seeking a larger and/or taller sign may apply for a departure per LMC 16.75.040(C) to allow for sign height and area up to fifty percent greater than specified above. In order to qualify for a departure, signs shall include a distinctive one-of-a-kind design that includes a high quality mixture of materials.



Figure 16.75.080(A)(6)(b). The sign on the left is an example of a sign that meets basic standards, whereas the sign on the right uses a distinctive one-of-a-kind design and would qualify for a departure.

- c. Center names for multi-tenant commercial centers (centers that include two or more tenants) are exempt from allowable sign area calculations specified above, provided the center name is distinct from the names of any tenants (for example, Joe's Center would be too closely related to a tenant named Joe's Books). Freestanding signs incorporating center names are allowed fifteen percent greater sign height than specified above.



Figure 16.75.080(A)(6)(c). Examples of sign integrating center names (exempt from sign area calculations).

d. For those properties where more than one freestanding sign is allowed on a particular frontage per subsection (A)(3) of this section, one sign may be installed per standards specified per the total ROW frontage of the parcel. The size and height of additional signs are based on the separation from the larger primary sign or other supplemental sign. For example, if a second sign is six hundred fifty feet from the larger primary sign, then it shall meet the standards for a sign that includes six hundred through seven hundred ninety-nine feet of total ROW frontage of parcel as set forth in the table above.

e. Large commercial shopping center signs and freeway-oriented signs (see subsections (A)(9) and (10) of this section) are exempt from the standards above.

7. Digital Signage Integration. Digital signage elements may be integrated into any freestanding sign permitted in this subsection, subject to the following provisions:

a. Up to fifty percent of allowed sign copy area may be used for digital directory purposes. This would allow a multi-tenant center to rotate the names of businesses used in the freestanding signs, allowing greater visibility opportunities for individual businesses in the center.

b. Up to thirty-three percent of allowed sign copy area may be used for changing message purposes. For single tenant signs, up to fifty percent of the allowed sign copy area may be used for changing message purposes.

c. Where both a digital directory and changing message signage is included on one freestanding sign, such elements may collectively be used for up to sixty-seven percent of the total allowed sign copy area.



Figure 16.75.080(A)(7). The sign above features digital directory signage (Tahitian Pearls, which occupies thirty-three percent of the sign copy) and digital signage that features changeable messages (bottom thirty-three percent of sign copy). The combined digital signage represents the maximum sixty-seven percent of the total sign copy area.

d. Any form of technology may be used for the sign elements described herein, provided they meet the following provisions:

(1) Maintain a ten-second minimum dwell time for the directory and any images. Changes in directory and images shall be a simple fade with a maximum transition time of two seconds. Animation, movement or video imaging is prohibited.

(2) Brightness Limits.

(a) Integrate automatic dimming capability that adjusts to the brightness of ambient light at all times of the day and night;

(b) Daytime, based on the time from sunrise to sunset as calculated for Lacey, WA: five thousand maximum nits (a measure of luminance that will keep signage balanced with surrounding landscape); and

(c) Nighttime, based on the time from sunset to sunrise as calculated for Lacey, WA: one hundred fifty maximum nits (a measure of luminance comparable to typical nighttime signage and in line with the Illuminating Engineering Society of North America (IESNA)).

(3) Light Trespass Standards. Adopt a trespass limit of one-tenth foot-candle at the property line of any park or residential property.

(4) Digital imagery may be used provided it meets the provisions of subsection (A)(7)(d)(1) of this section.

e. Program Required. Applicants proposing any forms of signage described above shall submit a program of their sign proposal describing how it will meet the applicable standards.

#### 8. Clutter Management Standards.

a. Purpose. To reduce visual clutter along commercial corridors and improve sign legibility.

b. Applicability. The following standards apply to nondigital signage. The provisions shall serve as recommendations to be encouraged (not required) for digital signage copy to enhance legibility and minimize visual clutter.

c. Sign Information Allowances. The provisions herein use the street graphics approach to place limits on the amount of information used on signs based on applicable speed limit of the fronting street. Table 16.75.080(A)(8)(b) below identifies the permitted items of information that are allowed on a sign. Each word or graphic is considered an item of information. Each grouping of numbers is considered an item of information (for example, 867-5309 is considered two items of

information). Shopping center names not related to an individual business are exempt from the information limit provisions herein.

**Table 16.75.080(A)(8)(b). Sign information allowance table.**

Speed Limit	Items of Information				
	Sign Area				
	Up to 24 sf	24--35.9 sf	36--49.9 sf	50--80 sf	80 sf +
25 mph	18	20	22	26	30
30 mph	14	16	20	22	25
35 mph	12	14	16	18	20
40 mph	10	11	12	14	15
Freeway	10	10	10	10	10

Departures per LMC 16.75.040(C) will be considered allowing up to thirty-three percent more pieces of information on a sign provided the applicant demonstrates that the design of the sign in its context, is legible and successfully employs techniques to minimize visual clutter.



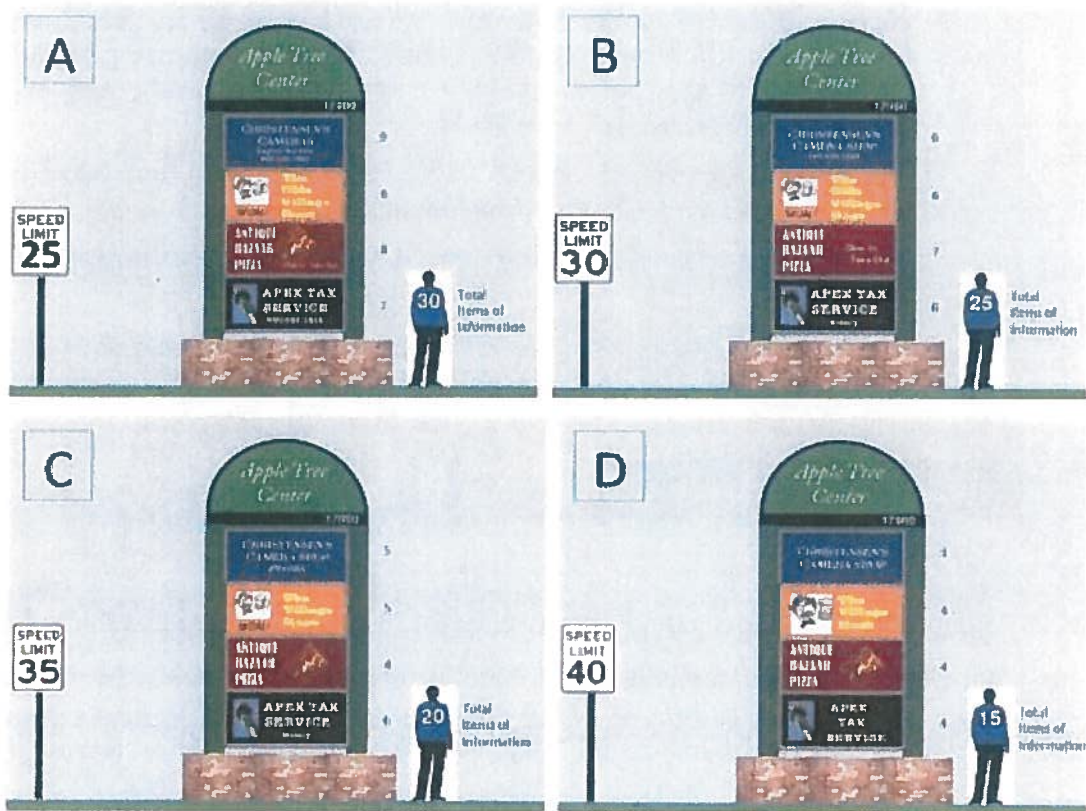


Figure 16.75.080(A)(8)(b-1). Illustrating signs that conform to the sign information allowance provisions.



Figure 16.75.080(A)(8)(b-2). An example of a twenty-four-square-foot sign in a thirty-five-mile-per-hour zone meeting the maximum twelve pieces of information requirement. Note that the center name “Lacey Place” does not count as an item of information.

9. Freestanding Signs for Large Shopping Centers. A shopping center or other large commercial complex constituting a commercial subdivision or subject to a binding site plan and being more than thirty acres in size and more than three hundred fifty thousand square feet in gross floor area of buildings is permitted one shopping center or commercial complex sign not exceeding thirty feet in height and three hundred square feet in sign area. If the site has a sign for a freeway-oriented business as permitted in subsection (A)(10) of this section that can be seen and provides reasonable identification from all arterial frontages adjacent to the site, that sign shall count as the shopping center or commercial complex sign and no such additional signs shall be permitted. Provided, however, if the administrator determines that the freeway-oriented sign does not provide reasonable identification from other arterial streets, both a shopping center or commercial complex sign and a freeway-oriented sign may be permitted. Signs under this provision will have a monument style. Provided, the community and economic development director shall have the authority to approve a modified sign design if, due to height or

other design considerations, such a monument sign would be impractical or inappropriate. All such signs must be located at least twenty feet from all property lines and rights-of-way and subject to other applicable freestanding sign provisions above.

10. Freestanding Signs for Freeway-Oriented Businesses. Shopping centers and commercial complexes with significant freeway frontage are permitted freeway-oriented signs under the following criteria:

- a. Such shopping centers or other commercial complexes must have a minimum of one thousand one hundred feet of frontage along a freeway. A frontage road or other right-of-way between the site and the freeway does not disqualify the site. Further, such shopping center or commercial complex must constitute a commercial subdivision or be subject to a binding site plan and must also be more than thirty acres in size and have more than three hundred fifty thousand square feet of gross floor area of buildings.
- b. Such shopping centers may place one sign on the property for every one thousand one hundred feet of freeway frontage not to exceed three total signs for the individual shopping center.
- c. A freeway-oriented sign shall not exceed thirty feet in height from the roadway curb elevation or development natural grade, whichever is higher. A freeway-oriented sign shall not exceed three hundred square feet in sign area. Such sign must be located at least twenty feet from all property lines and rights-of-way.

Departures per LMC 16.75.040(C) to the size and height of such freeway-oriented signs will be considered provided they meet the following criteria:

- (1) Sign incorporates a distinctive one-of-a-kind design that complements the architectural design of the center building(s).
- (2) Sign employs opaque or dark sign background with light colored lettering.

(3) Sign is generally no taller than is physically necessary to be clearly visible from Interstate 5 traffic given the context of the site utilizing view corridors and gaps in the tree canopy to blend in with the natural and built environment.

d. Signs qualifying as freeway-oriented signs may be in addition to non-freeway-oriented signs identifying businesses.

e. Signs shall be fully enclosed with no exposed conduits or switchgear and any transformers associated with the sign shall be landscaped from view by the public.

11. Address Numbers. Legible address numbers are required on all freestanding signs. Such address numbers are exempt from sign area standards.

## B. Wall Signs.

### 1. Permitted Number of Signs.

a. Tenants are allowed a maximum of one wall sign per facade that is visible from a street or customer parking lot.

b. Businesses may include additional smaller signs describing the types of products and/or services that the business offers, provided the sign areas collectively comply with maximum size requirements.

c. Commercial tenants on upper levels may include a wall sign placed on facade above the business provided the permitted sign area shall be shared with tenant below and the location/design meets the applicable standards in this subsection.

### 2. Location and Design.

a. Wall signs shall be centered, proportional, and shaped to the architectural features of the buildings. Signage shall not exceed two-thirds of the width of the articulation interval (i.e. space between columns) or of the individual storefront dimension. This standard also applies to upper level businesses.

b. Wall signs shall not cover windows, building trim, an existing building name sign, or special ornamentation features. Preferred areas for installation of wall signs include blank areas above canopies, areas between vertical piers or columns, blank areas on a gabled roof, or upper reaches of a false fronted building.

c. Stacked words on wall signs are permitted. Generally, the primary business name should be provided on one line (though exceptions are permitted if they meet other applicable standards herein), with additional text on rows above and/or below providing supporting information about the business in smaller fonts.

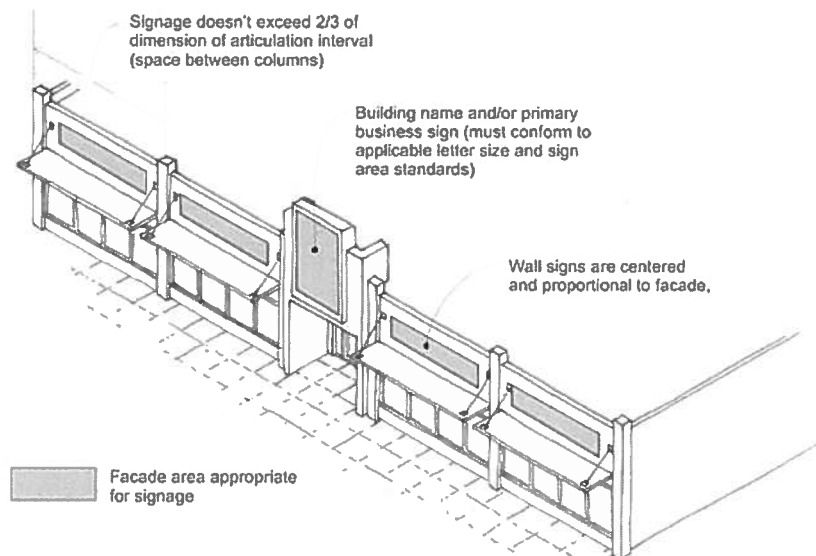


Figure 16.75.080(B)(2). Wall sign standards.

3. Maximum Size--Individual Retailers--Sign Area. Table 16.75.080(B)(3) below provides standards for the maximum amount of wall, canopy, or awning signage on each building elevation. For building elevations that include signage for upper level businesses, the standards shall apply to the entire building elevation.

**Table 16.75.080(B)(3). Sign area standards for wall, canopy, or awning signs for each building elevation.**

<b>Architectural building elevation wall area</b>	<b>Maximum sign surface area (for that wall area)</b>
Below 200 sf	25% of the facade
200--349 sf	22.5% of the facade
350--499 sf	20% of the facade
500--999 sf	17.5% of the facade
999--1,499 sf	15% of the facade
1,500--1,999 sf	12.5% of the facade
Over 2,000 sf	10% of the facade

Departures per LMC 16.75.040(C) for larger signs will be considered provided the sign does not feature internal lighting and meets other applicable standards herein.



Figure 16.75.080(B)(3-1). Acceptable wall sign examples. Note the different styles of signs and use of stacked (both left images) and supplemental text (lower left).



Figure 16.75.080(B)(3-2). More acceptable wall sign examples. In the right image, the signs are centered on the articulation elements of the facade.



Figure 16.75.080(B)(3-3). Unacceptable wall sign example. Most or all of these signs clearly exceed two-thirds of the width of their respective storefronts.

4. Maximum Height. Wall signs may not extend above the building parapet, soffit, the eave line or the roof of the building.
5. Mounting.
  - a. Building signs should be mounted plumb with the building, with a maximum protrusion of one foot unless the sign incorporates sculptural elements or architectural devices.



b. The sign frame shall be concealed or integrated into the building's architectural character in terms of form, color, and materials.

6. Building Name Signs. Signs that advertise the name of the building and not associated with the name of any individual business are exempt from the sign area standards set forth in Table 16.75.080(B)(3) above.

Standards. Signs shall be placed near the top of the facade and generally centered on the architectural features of the building. Departures per LMC 16.75.040(C) will be considered provided the sign is located in a place that is independent from individual businesses on the building and helps to provide identity for the particular building.



Figure 16.75.080(B)(6). Building name signs. The left image is a good example. The image on the right shows an unacceptable example where new signage blocks the original building name sign (circled on top).

C. Marquee and Awning Signs. Marquee or awning signs may be used in place of permitted wall signs (except where otherwise specified herein), provided they meet the following conditions:

1. Permitted Number of Signs. Tenants are allowed a maximum of one marquee or awning sign per facade that is visible from a street or customer parking lot. Exception:

Where an individual business uses multiple awnings or marquees, additional signs may be included on these provided they meet other applicable standards herein.

2. Sign Area. See Table 16.75.080(B)(3) above for maximum sign area.
3. Sign Width. Signage shall not exceed two-thirds of individual awning or marquee width.
4. Letter Height. The lettering height shall be proportional to the architectural features of the building. For example, it shall not be so large that it blocks windows or other significant architectural features of the building.
5. Vertical Clearance. Signs shall be placed a minimum of eight feet above the sidewalk or walkway.
6. Location. Marquee signs may be placed on the front, above, or below the marquee.
7. Content. For individual storefronts that include multiple awnings or marquees, secondary business signage may be included on the additional signs. For example, where the primary sign might advertise the name of a bakery, the secondary signs could advertise coffee, ice cream or other types of products sold by the business, provided they are sized smaller than the primary business sign and meet other standards herein.

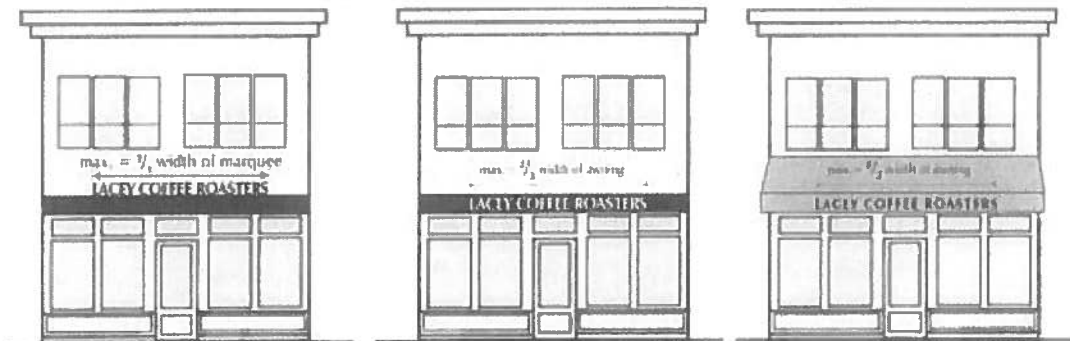


Figure 16.75.080(C)(6-1). Marquee and awning sign examples and standards.



Figure 16.75.080(C)(6-2). Marquee and awning sign examples.

D. Projecting Signs. Projecting signs meeting the following conditions are allowed for commercial uses adjacent to and facing a street. They may be used in addition to wall, marquee, and/or awning signs provided they meet the applicable standards below.

1. Permitted Number of Signs.

a. Projecting Signs. Tenants are allowed a maximum of one projecting sign per facade that is visible from a street or customer parking lot. Departures per LMC 16.75.040(C) for additional projecting signs may be permitted along a building elevation provided:

- (1) They are separated enough to avoid visual clutter, and don't conflict with wall, marquee, and/or awning signs or other significant architectural features of the building.
- (2) Additional sign(s) are noticeably smaller in size than the primary business identification projecting sign.
- (3) Additional sign(s) advertise other products or aspects of the business and are not merely a second business sign.

- b. Projecting Banner Signs. Multiple projecting banner signs may be integrated on the building provided they are aligned with facade articulation elements (such as vertical columns or piers). See Figure 16.75.080(D-4) for an example.
2. Sign Area. Projecting signs are not based on sign area standards, but on the dimensional standards below. Projecting signs may be either vertically or horizontally oriented. Projecting banner signs must all be vertically oriented.
- a. Projection.
    - (1) Horizontally oriented signs: no more than eight feet;
    - (2) Vertically oriented signs: no more than forty-two inches for single-story buildings; no more than five feet for multi-story buildings;
    - (3) Signs may project into public rights-of-way for storefront buildings, but shall not extend over the curb into the travel lane.
  - b. Height.
    - (1) Horizontally oriented signs: no more than three feet;
    - (2) Vertically oriented signs: shall not extend above the building parapet, soffit, the eave line or the roof of the building, except for theaters, hotels, large-scale retail uses (over fifty thousand square feet floor area), place names for large retail centers (over seventy-five thousand square feet floor area), or places of public assembly.
  - c. Departures per LMC 16.75.040(C) to the provisions in subsections (D)(2)(a) and (b) of this section will be considered provided the sign design is compatible with the design of the building in terms of location, scale, and design elements, doesn't create a public safety hazard, and provides a positive contribution to the streetscape.
3. Vertical Clearance. Signs shall be placed a minimum of eight feet above the sidewalk or walkway.

4. Location. Projecting signs shall not be located directly over windows or in conflict with other signs or architectural features of the building.

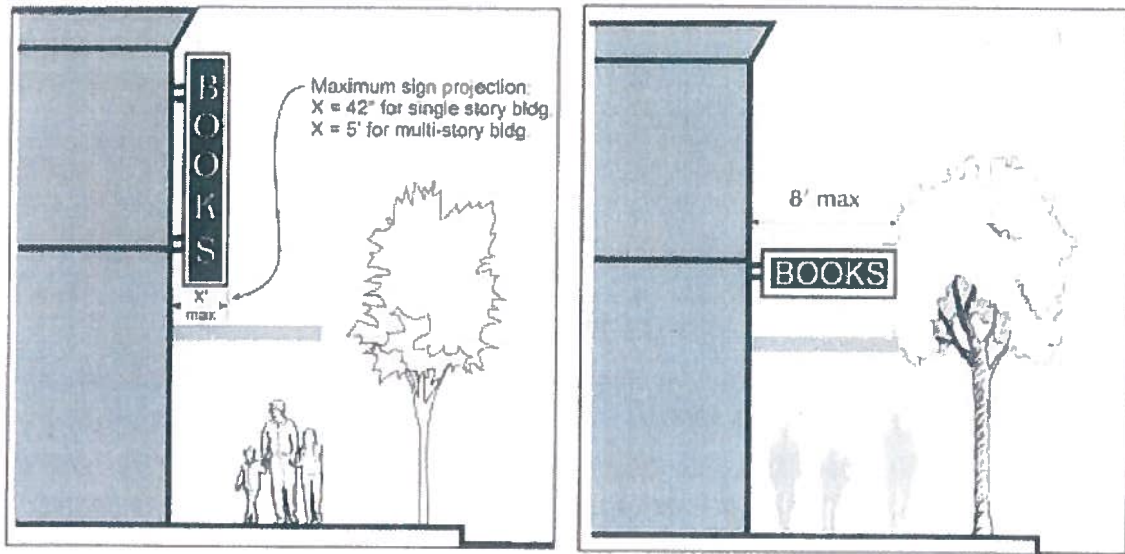


Figure 16.75.080(D-1). Standards for vertically (left) and horizontally oriented (right) projecting signs.

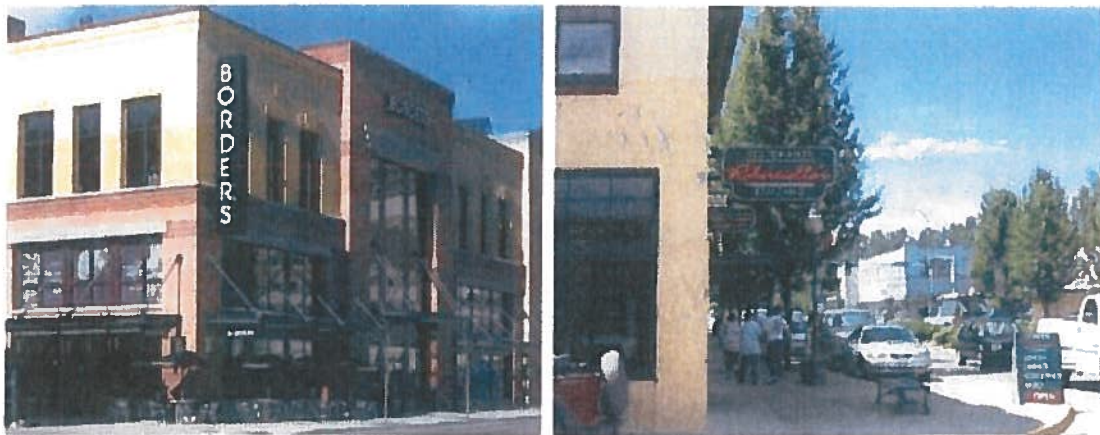


Figure 16.75.080(D-2). Projecting sign examples. The example on right includes two complementary projecting signs that are separated enough that they don't conflict or cause

visual clutter. The second sign is smaller and advertises the lounge that's within the restaurant.



Figure 16.75.080(D-3). Unacceptable projecting signs. Examples both include signs that project over the roofline. In the right example there are far too many signs. The extra signs also conflict visually and create unwanted sign clutter.



Figure 16.75.080(D-4). Projecting banner sign examples. Note how the signs are aligned with the vertical piers of each building and feature consistent bracket design.

E. Under-Canopy Signs. Under-canopy signs are placed under awnings, marquees or canopies and placed perpendicular to the storefronts and thus oriented to pedestrians on the sidewalk or an internal walkway. Applicable standards:

1. Permitted Number of Signs. Tenants are allowed a maximum of one marquee or awning sign per facade that is visible from a street or customer parking lot. Exception: For businesses with multiple entries onto a sidewalk or walkway, one under-canopy sign shall be permitted for each entrance.
2. Sign Width. Under-canopy shall have one foot minimum between the sign and the outer edge of the marquee, awning, or canopy and between the sign and the building facade.
3. Sign Height. Under-canopy signs shall not exceed two feet in height.
4. Vertical Clearance. Signs shall be placed a minimum of eight feet above the sidewalk or walkway.

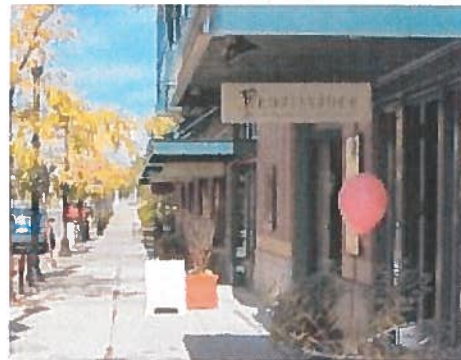
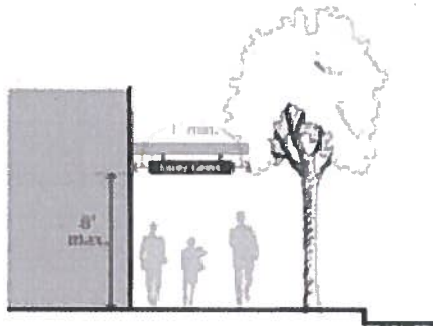


Figure 16.75.080(E). Under-canopy standards and example.

F. Internal Wayfinding Signs.

1. Purpose. To aid visitors in finding the location of a business, use or building.

2. Sign Content. Signs may include only the name of the business, use, or building together with the directional guidance information.
3. Location. Signs may be located on internal walkways or landscape islands provided they don't inhibit pedestrian movement along the pathway.
4. Size. Signs may be up to five feet in height and contain no more than fifteen square feet in sign area.
5. Design. Signs shall be designed in a uniform manner (within individual subdivision or center) using consistent background color typeface colors. Dark background colors with light colored text are preferred. See Figure 16.75.080(F) for an example.



Figure 16.75.080(F). Internal circulation sign examples. Note the consistent design themes using dark backgrounds with light colored text.

Section 126. Section 16.75.090 of the Lacey Municipal Code is hereby amended as follows:

**16.75.090 Residential district sign standards.**

A. Nonresidential Uses within Residential Districts. Each use is permitted one monument sign as described in Table 16.75.080(A)(6). Internally lit signs in residential districts are prohibited.



B. Home Occupations. Home occupation signs relate to home occupation as defined in the zoning ordinance. The sign shall be flush-mounted and shall not exceed two square feet in area, and cannot be internally illuminated, but may be indirectly illuminated.

C. Single-Family Subdivisions and ~~Mobile or~~ Manufactured Home Parks or Subdivisions. Two signs may be permitted per entrance from an access street, provided said signs do not exceed eighteen square feet in sign area each and five feet in height. Such signs can be low profile monument- or fence-mounted, and can be placed anywhere on the property along access streets, not necessarily at entrances.

D. Multifamily Complex. ~~Multifamily complexes shall be permitted free-standing, wall, and internal wayfinding signage in accordance with LMC 16.75.080. Each multifamily complex is permitted one sign per entrance from an access street provided said signs do not exceed twenty four square feet in sign area each and six feet in height. Rental information such as contact name and phone number can be included as a subservient portion of this sign. Such signs can be a monument or fence mounted.~~

Section 127. Section 16.75.100 of the Lacey Municipal Code is hereby amended as follows:

**16.75.100 Temporary signs.**

The following signs are classified as temporary (nonpermanent). Temporary signs are permitted subject to the applicable limitations:

A. Construction Signs. A sign permit is required. Such signs may be displayed only after a building permit is obtained and during the period of construction on the construction site. Only one such sign is permitted per construction project for each public street upon which the project fronts. The applicable limits are as follows:

1. In all zones other than single-family residential zones, no construction sign shall exceed thirty-two square feet in sign area (printed copy on one side only) or ten feet in height, nor be located closer than ten feet from the property line or closer than thirty feet from the property line of the abutting owner.

2. In single-family residential zones, no construction sign shall exceed thirty-two square feet in sign area (printed copy on one side only) or ten feet in height, nor be located closer than ten feet from the property line of the abutting owner.

B. Grand Opening Displays. No sign permit is required. Such temporary signs, posters, banners, strings of lights, clusters of flags, balloons or other air or gas filled figures, and searchlights are permitted for a period of seven days only to announce the opening of a completely new enterprise or the opening of an enterprise under new management. All such materials shall be removed immediately upon the expiration of seven days. Such displays are permitted only in districts where the enterprise so advertised is allowed under district zoning regulations. Searchlights may be permitted by any business or enterprise provided the beam of light does not flash against any building or does not sweep an arc of forty-five degrees from vertical.

C. Special Event Signs.

1. Public Special Event.

- a. Special event signage as defined in LMC 16.75.020(MM) is allowed subject to the standards contained in this chapter.
- b. No sign permit is required.
- c. Period of Display. Such signs may be displayed thirty days prior to an event and must be removed within seven days after the event's conclusion.
- d. Standards. Such temporary signs shall not be larger than four square feet. Said signs shall not be located in the right-of-way, posted or attached to telephone poles, power poles or other public utility facilities. The event committee for which the sign is displayed shall be responsible for its removal and subject to the penalties as provided in this code. Searchlights may be permitted by any business or enterprise provided the beam of light does not flash against any building or does not sweep an arc of forty-five degrees from vertical.

2. Business Sales Event.

- a. A sign permit is required, specifying event periods and other information ensuring conformance with the standards herein.
- b. Period of Display. No more than thirty days in a calendar year. This may include up to four events in a calendar year provided the total number of days the sales event signage is displayed for does not exceed thirty.
- c. Standards. Sales event signage may include posters, banners, strings of lights, clusters of flags, balloons or other air or gas filled figures. Such displays are permitted only in districts where the enterprise so advertised is allowed under district zoning regulations.

D. Real Estate Signs. No sign permit is required. All exterior real estate signs must be of wood or plastic or other durable material. The permitted signs, with applicable limits, are as follows:

1. Residential "For Sale" and "Sold" Signs. Such signs shall be limited to one sign per street frontage not to exceed five square feet in sign area, placed wholly on the property for sale, and not to exceed a height of seven feet.
2. Residential Directional "Open House" Signs. Such signs shall be limited to one sign per street frontage on the premises for sale and three off-premises signs. However, if a real estate broker has more than one house open for inspection in a single development or subdivision, he/she is limited to four off-premises "open house" signs in the entire development or subdivision. Such signs are permitted only during daylight hours and when the real estate broker is in attendance at the property for sale. No such sign shall exceed five square feet in sign area.
3. Undeveloped Commercial and Industrial Property "For Sale or Rent" Signs. One sign per street frontage advertising undeveloped commercial and industrial property for sale or rent. The sign shall not exceed thirty-two square feet in sign area and seven feet in height.
4. Developed Commercial and Industrial Property "For Sale or Rent" Signs. One sign per street frontage advertising a commercial or industrial building for rent or sale is

permitted while the building is actually for rent or sale. If one face of the building is less than ten feet from the building line, the sign shall be placed on the building or in a window. The sign shall not exceed seven feet in height and, if freestanding, shall be located more than fifteen feet from any abutting property line or a public right-of-way line. Said sign shall not exceed thirty-two square feet in sign area.

5. Undeveloped Residential Property "For Sale" Signs. One sign per street frontage advertising undeveloped residential property for sale is permitted not exceeding thirty-two square feet in sign area. Said sign must be placed more than thirty feet from the abutting owner's property line and may not exceed a height of seven feet.

6. Subdivisions approved after the effective date of the ordinance codified in this chapter are permitted one cluster of flag poles (not to exceed five flag poles) in front of sales offices to advertise the new development.

E. Political Signs. No sign permit is required. Political signs or posters may be placed upon private property only and shall not be larger than ten square feet of sign area and shall not be posted or attached to telephone poles, power poles or other public utility facilities. Such signs must be removed seven days after the election in which the candidate or issue advertised on a sign has been determined. For a successful candidate in a primary election the sign may remain until the final election, but shall be removed within seven days after the election. The candidate or committee for which the sign is displayed shall be responsible for its removal and/or is subject to the penalties as provided in this code.

F. Community Banners or Cloth Signs. Such signs may be permitted and extend across a public street by permission of the city manager or appointed representative. Such signs may only be placed at city designated locations and erected by city personnel.

G. Banners. Such signs may be permitted on private property. Banners may be used to advertise a sale, other special events, or for new businesses waiting for a permanent sign. Notification to the city is required prior to hanging the banner. This notification shall include acknowledgement of the banner requirements, the dates the banner will be used and location

of the banner. Businesses are only allowed one banner per wall with a maximum of two banners per business at any one time. All banners must comply with the following:

1. Maintenance Standards. All banners must be legible, made of durable materials, and must be well maintained.
2. Time Limitation. Banners are limited to two thirty-day placements per calendar year.
3. Location on Property. Banners must be located completely on a wall, and tacked down on four corners. Banner size shall be regulated to a maximum of ten percent of the architectural elevation per wall.

H. Sandwich Board Signs. Only businesses that cater to pedestrians such as: restaurants, retail businesses that sell clothing, gifts, accessories, small markets, or other similar uses as determined by the director of community and economic development shall be allowed to have sandwich board signs. Such signs shall only be pedestrian oriented in nature and businesses will only be allowed a maximum of one sandwich board sign. These signs are subject to the following conditions:

1. Notification. Notification to the city is required prior to displaying a sandwich board sign. This notification shall include acknowledgement of the sandwich board sign requirements, list of materials used, and rendering of the sign, including the dimensions. Liability for all sandwich board signs placed in the right-of-way is that of the business placing the sign.
2. Size. The area of the sign shall not exceed nine square feet per side in size and shall not be wider than three feet.
3. Maintenance Standards. Signs shall be constructed out of materials able to withstand typical Northwest weather. Such materials may be metal, finished wood, chalkboard, white board or plastic; signs and copy shall be of professional quality. Owners of sandwich board signs shall be required to keep their signs in a legible, intact, and well maintained manner.

4. Display Time. Signs may only be displayed during business hours. If business hours continue past daylight hours, precautions should be taken to place the sign in a location where it is readily visible after dark. This shall not be construed to allow the wiring of a sign for lighting.

5. Location. Signs may be located no further than twelve feet from the entrance to the business. Such signs shall not be placed in a location which is within the vision triangle or any location which will impede vehicular traffic. Further, such signs shall not be placed in a manner which will block or otherwise obstruct the safe use of sidewalks, building entrances or stairs by pedestrians, including pedestrians who are visually impaired or otherwise handicapped.

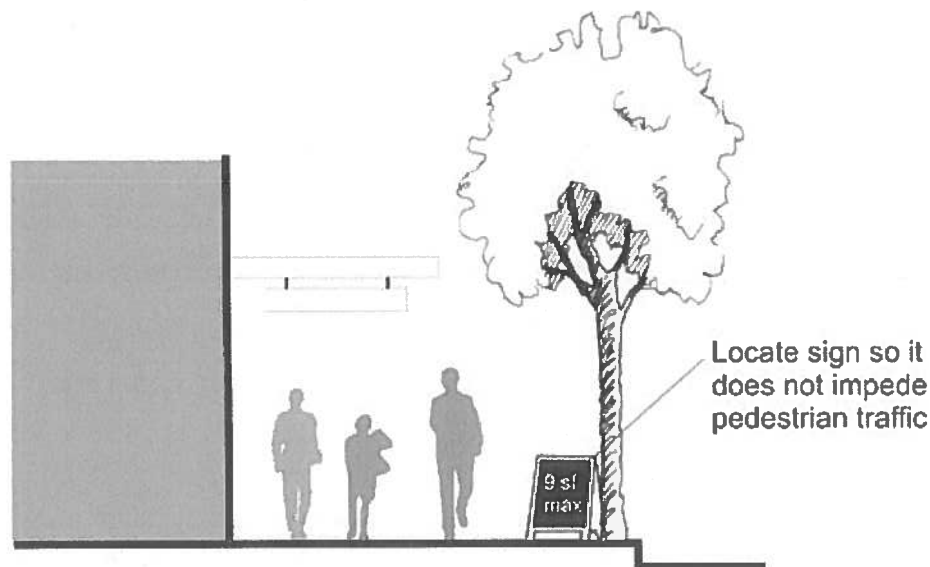


Figure 16.75.100(H-1). Sandwich board sign standards.

Exception. For multi-tenant centers where most businesses are located more than twelve feet from the public ROW, center owners or their representatives may apply for a permit to depart from this standard, provided the following provisions are met:

- a. A maximum of one sign per one hundred feet of ROW frontage;

- b. Signs may be placed in the public ROW on one side of sidewalk in a manner that allows a minimum of five feet of horizontal clearance for pedestrians.

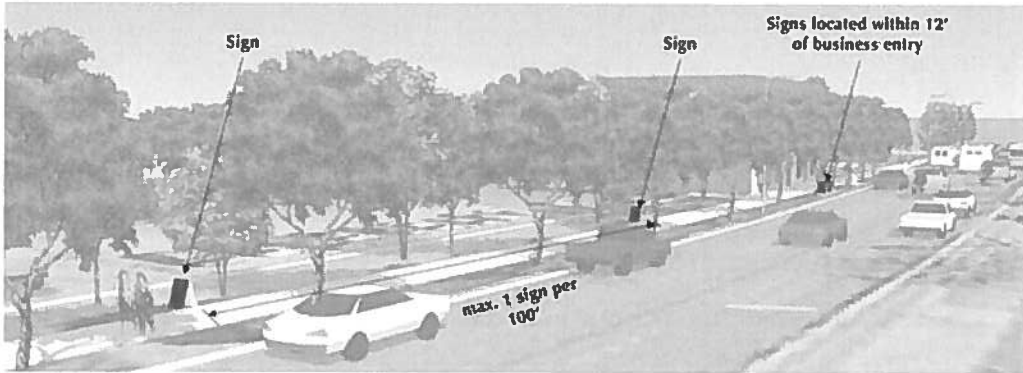


Figure 16.75.100(H-2). Illustrating sandwich board sign provisions. The first two signs on the left are more than twelve feet from their respective business entries, but allowed per the exception provision above. The cluster of sandwich board signs in the distance to the right are all within twelve feet of their respective business entries.

I. Feather Signs. Feather signs are prohibited except where used for a grand opening event and/or business sales event (subsections B and (C)(2) of this section) or by permit for multi-tenant centers meeting the criteria below.

- a. Applicants: multi-tenant center owners or their representatives. Number of signs permitted: a maximum of one sign per one hundred feet of ROW frontage;
- b. Location of Signs. Signs may be placed outside the public ROW on the back side of the sidewalk, as shown in Figure 16.75.100(I).
- c. Maximum height of signs: thirteen feet.
- d. The use of consistent size and shape of feather signs is encouraged where more than one sign is permitted.



Figure 16.75.100(I). Where permitted for multi-tenant centers, feather signs shall be placed at intervals of no more than one sign per one hundred lineal feet of frontage and located behind the sidewalk.

J. Garage Sale (Yard Sales, Moving Sales, Patio Sales). No sign permit is required. Such sign shall be limited to one sign on the premises and three off-premises signs. No such sign shall exceed four square feet in sign area. The sign or signs may be displayed only during the sale and must be removed the day the sale ends. The person or persons for which the sign or signs are displayed shall be responsible for its removal and/or is subject to the penalties as provided in this code.

K. Seasonal Sales. No sign permit is required. Vendors who receive a temporary business license as defined in LMC 5.12.015 for seasonal or temporary sales activities (e.g., Christmas trees) are permitted one sign not to exceed twenty square feet in sign area. This sign shall be mounted to the booth or trailer used for temporary sales.

Section 128. Section 16.80.050 of the Lacey Municipal Code is hereby amended as follows:

**16.80.050 Types of landscaping.**

A. All residential and non-residential projects shall be required to provide landscaping that satisfies the functions and specific requirements of this section.

B. Type I.



1. Purpose. Type I landscaping is intended to provide a very dense sight barrier and physical buffer to significantly separate conflicting uses and land use districts and to enhance the visual character of the city.

2. Description.

a. All plant materials and living ground cover must be selected and maintained so that the entire landscape area will be covered within three years.

b. Provide a minimum of one conifer at least seven feet tall for every one hundred fifty square feet arranged in a manner to obstruct views into the property. Permitted conifer species are those with the ability to develop a minimum branching width of eight feet within five years. Sufficient soil must be provided to enable growth of trees to maturity. Structural solutions may be required when necessary to support trees with limited soil availability.

c. Provide shrubs at a rate of one shrub per twenty square feet of landscaped area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet.

d. Ground cover shall cover the remainder of the landscape strip within three years.

e. A minimum of fifteen feet of width shall be required when Type I landscaping design is utilized.

f. Fences, walls, and/or earthen berms may supplement landscape materials, except where they are inconsistent with other community design goals, policies, and standards in the Lacey Comprehensive Plan or Municipal Code.

g. Any other alternative mix of plantings can be considered provided the intent of the Type I landscaping type is satisfied.

h. Vegetated LID facilities that satisfy the intent of Type I landscaping are allowed to count towards landscaping requirements.

i. Landscaping shall be native and drought tolerant with exception of trees on the city's street tree list.

C. Type II.

1. Purpose. Type II landscaping is intended to provide visual separation of uses from streets, and visual separation of compatible uses so as to soften the appearance of streets, parking areas and building elevation. This landscaping is used around the perimeter of a site and

adjacent to buildings and may be mixed with a Type III landscaping to provide interest along parking lot pedestrian corridors.

2. Description.

- a. All plant materials and living ground cover must be selected and maintained so that the entire landscape area will be covered within three years.
- b. Provide at least one tree per three hundred square feet of landscaped area. At least fifty percent of the trees must be conifers. Trees may be clustered to avoid blocking views between windows and public spaces and/or private yard areas where desirable. Permitted tree species are those with the ability to develop a minimum branching width of eight feet within five years.
- c. Provide shrubs at a rate of one shrub per twenty square feet of landscaped area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet.
- d. Trees shall be a minimum of two inches in caliper measured six inches above the base at planting and shrubs must be capable of growing to a minimum of four feet in height, within five years. Sufficient soil must be provided to enable growth of trees to maturity. Structural solutions may be required when necessary to support trees with limited soil availability.
- e. Provide ground cover to cover the remainder of the planting strip within three years.
- f. Any other alternative mix of plantings can be considered provided the intent of the Type II landscaping type is satisfied.
- g. When Type II landscaping is used to provide partial screening between uses, a minimum planting area of eight feet in width shall be provided. When Type II landscaping is used adjacent to a building, a minimum five-foot planting area shall be provided.
- h. Vegetated LID facilities that satisfy the intent of Type II landscaping are allowed to count towards landscaping requirements.
- i. Landscaping shall be native and drought tolerant with exception of trees on the city's street tree list.

D. Type III.

1. Purpose. Type III landscaping is intended to provide visual relief where clear sight is desired. This landscaping type is utilized along pedestrian corridors and walks for separation

of pedestrians from streets and parking areas while providing an attractive setting and overstory canopy.

2. Description.

- a. This type of landscaping consists of street trees for a large overstory canopy along streets and pedestrian corridors and grass or other approved vegetation for ground cover.
- b. Ground cover or low shrubs developed for conditions of the Northwest shall be planted. Turf grass is desirable in planting strips where on-street parking is present. Low shrubs are desirable in areas without on-street parking to provide both visual and physical separation between moving traffic and pedestrians.
- c. Place trees to create a canopy in desired locations without obstructing necessary view corridors.
- d. Street trees along arterials and collectors shall be those species described in the city's urban beautification program. Trees used along local access streets or pedestrian walks through parking lots shall be a species approved by the community and economic development department and shall be chosen for attractiveness, rooting habits, disease and pest resistance, and habitat value. All trees shall be a minimum of two inches in caliper measured six inches above the base at planting. Decorative protection may be placed around trees. Sufficient soil must be provided to enable growth of trees to maturity. Structural solutions may be required when necessary to support trees with limited soil availability.
- e. Provide ground cover to cover the remainder of the planting strip within three years.
- f. Earthen berms with grass or other vegetative ground cover and other design features may be worked into landscaping, provided the resultant effect of providing a pedestrian friendly environment and visual relief where clear site is required can be achieved.
- g. The minimum width for Type III landscaping shall be six feet to provide adequate rooting area for large street trees and to provide adequate streetscape. A four-foot width may be used through parking area pedestrian walks where accent trees are used and less width is required.
- h. Vegetated LID facilities that satisfy the intent of Type II landscaping are allowed to count towards landscaping requirements.
- i. Landscaping shall be native and drought tolerant with exception of trees on the city's street tree list.

E. Type IV.

1. Purpose. To provide visual relief and shade in parking areas.

2. Description.

a. Required Amount.

(1) If the parking area contains no more than twenty-five parking spaces, at least thirty-five square feet of landscape development must be provided for each parking stall proposed.

(2) If the parking area contains more than twenty-five spaces, at least fifty square feet of landscape development must be provided for each parking stall proposed.

b. Design.

(1) The minimum width for Type IV landscaping shall be six feet to provide adequate rooting area for large street trees and to provide adequate streetscape. A four-foot width may be used through parking area pedestrian walks where accent trees are used and less width is required.

(2) Each planting area should contain at least one tree. Planting areas shall be provided with the maximum number of trees possible given recommended spacing for species type.

Deciduous trees shall have a minimum size of two inches in caliper measured six inches above the base and shall have the ability to reach a mature height of at least thirty-five feet.

Conifers shall have a minimum height of seven feet at planting. Up to one hundred percent of the trees proposed for the parking area may be deciduous. A minimum of seventy percent must be deciduous. Sufficient soil must be provided to enable growth of trees to maturity. Structural solutions may be required when necessary to support trees with limited soil availability. No parking stall shall be located more than fifty feet from a tree.

(3) Provide shrubs at a rate of one shrub per twenty square feet of landscaped area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet. Up to fifty percent of shrubs may be deciduous.

(4) Provide ground cover to cover the remainder of the planting strip within three years.

(5) A landscaped area must be placed at the interior end of each parking row in a multiple lane parking area. This area must be at least eight feet wide and must extend the length of the adjacent parking stall.

(6) Landscaping islands must be placed in every parking row with a maximum spacing of at least one island every seven parking spaces. Said islands shall be a minimum of eight feet in width and shall extend a minimum length of ten feet. Provided, that the site plan review committee may approve of a different configuration in order to provide a more attractive and functional design consistent with the intent of this chapter to promote aesthetic values and a pedestrian-friendly parking lot.

(7) Up to one hundred percent of the trees proposed for the parking area may be deciduous. A minimum of seventy percent must be deciduous.

(8) Landscaping islands and landscape portions of pedestrian corridors may be used for drainage treatment and given credit on drainage calculations under Chapter 5 of the Development Guidelines. However, the primary purpose shall remain landscaping and health of trees and ground cover and aesthetic character shall not be compromised. Additionally in no case shall the grade between the parking lot surface edge and the landscape island or pedestrian corridor surfaces be greater than six inches when a swale concept is utilized and it is intended to meet minimum landscaping space requirements.

(9) Vegetated LID facilities that satisfy the intent of Type IV landscaping are allowed to count towards landscaping requirements.

(10) Landscaping shall be native and drought tolerant with exception of trees on the city's street tree list.

F. Single-Family Residential. Landscaping is required for the purpose of minimizing surface water runoff and diversion, preventing soil erosion, and promoting the aesthetic character of the community. Native vegetation, ground cover, stands of trees or shrubs existing prior to development of the site may be acceptable to meet the landscaping requirement. All areas subject to clearing and grading that have not been covered by impervious surface, incorporated into a drainage facility or engineered as structural fill or slope shall be amended in accordance with the current City of Lacey Stormwater Design Manual and then landscaped with trees, native and drought tolerant shrubs and suitable native and drought tolerant ground cover. Suitable materials for ground cover are those which permit rain water infiltration of the soil and may include sod, shrubs, trees, and/or other native planting materials. Amended soils

shall comply with the current City of Lacey Stormwater Design Manual. Single-family residential shall also comply with the provisions of LMC 14.32.066.

Section 129. Section 16.80.080 of the Lacey Municipal Code is hereby amended as follows:

**16.80.080 Maintenance of plant materials.**

A. It shall be the responsibility of the property owner/developer to ensure the provision of healthy, growing landscaping. The property owner shall replace any unhealthy or dead plant materials in conformance with the approved landscape development proposal and shall maintain all landscape material.

B. Unless entirely landscaped with significant trees preserved under LMC 16.80.040, all areas where new landscaping is being required, excepting new single family lots, shall be provided with irrigation systems designed by a licensed landscape architect, Washington-certified nurseryperson, Washington-certified landscaper or professional engineer. Said irrigation systems shall be designed, installed and operated to maintain the plant materials to the standards detailed in subsection A of this section. The city may waive landscape irrigation provided an alternative method to irrigate the plantings for three years is approved by the city and a maintenance assurance device in the amount of one hundred percent of the replacement cost of the landscape materials is provided.

C. The city shall require a maintenance assurance device to insure compliance with the requirements of this chapter. The value of a maintenance assurance device must equal at least twenty percent of the replacement cost of the landscape materials, and shall be utilized by the city to perform any necessary maintenance, and to reimburse the city for documented administrative costs associated with action on the device. The maintenance assurance shall be for a minimum period of two years from the completion of planting; however for Type I landscaping, the period shall be three years. The community and economic development director may adjust the period of maintenance assurances on a case-by-case basis. A separate financial guarantee for maintenance associated with landscaping in the right-of-way and stormwater facilities shall be submitted to the public works department in accordance with Section 3.090 of the Development Guidelines and Public Works Standards.

D. The city may accept, as an alternative to a maintenance assurance device, a contractual agreement or bond between the owner/developer and a licensed landscape architect, Washington-certified nurseryperson, or Washington-certified landscaper, along with a rider or endorsement specifically identifying the city as a party to the agreement for purposes of enforcement. Nothing in this alternative shall be interpreted to in any way modify the conditions of subsection B of this section.

E. If a maintenance assurance device or evidence of a similar device is required under subsections B and C of this section, the property owner shall provide the city with an irrevocable notarized agreement granting the city and its agents the right to enter the property and perform any necessary work.

F. Upon completion of the two-year maintenance period (three years for Type I landscaping), and if maintenance is not required, the city shall promptly release the maintenance assurance device or evidence thereof.

G. All trees, plant materials and landscaped areas shall receive sufficient water to be kept in a healthy and growing manner.

Section 130. Section 16.80.090 of the Lacey Municipal Code is hereby amended as follows:

**16.80.090 Performance assurance.**

A. The city may accept, as an alternative to a performance assurance device, a contractual agreement or bond between the owner/developer and a licensed landscape architect, Washington- certified nurseryperson, or Washington- certified landscaper, along with a rider or endorsement specifically identifying the city as a party to the agreement for purposes of enforcement. Nothing in this alternative shall be interpreted to in any way modify the conditions of LMC 16.80.090(A).

B. If a performance assurance device or evidence of a similar device is required under LMC 16.80.090(A) and (B), the enforcing officer shall determine the specific type of assurance device required in order to insure completion of the required landscaping in accordance with the approved landscaping plan. The value of this device must equal one hundred fifty percent of the estimated cost of the landscaping to be performed, and shall be utilized by the city to

perform any necessary work, and to reimburse the city for documented administrative costs associated with action on the device. If costs incurred by the city exceed the amount provided by the assurance device, the property owner shall reimburse the city in full, or the city may file a lien against the subject property for the amount of any deficit.

C. The performance assurance shall be held for a maximum period of one year from the date of acceptance by the city until the landscaping has been installed to the satisfaction of the community and economic development director. Any landscaping not installed after the period of one year shall be grounds for the city to utilize the device to install the necessary landscaping.

CD. If a performance assurance device or evidence of a similar device is required under LMC 16.80.090(A) and (B), the property owner shall provide the city with an irrevocable notarized agreement granting the city and its agents the right to enter the property and perform any required work remaining undone at the expiration of the assurance device.

DE. Upon completion of the required landscaping by the property owner, at or prior to expiration of the assurance device, the city shall promptly release the performance assurance device or evidence thereof.

Section 131. Section 16.82.020 of the Lacey Municipal Code is hereby amended as follows:

**16.82.020 Development standards.**

A. Any person intending to propose a development agreement shall first meet with the director of community and economic development or their designee for purposes of understanding the parameters of the proposal and applicable procedures.

B. In order to encourage innovative land use techniques and to further achieve public benefits, a development agreement adopted pursuant to this chapter may impose development standards that differ from the standards of the Lacey Municipal Code and the Lacey Development Guidelines and Public Works Standards which would otherwise be applicable to a proposed development. Examples of development standards that may differ include infrastructure requirements, street standards, performance standards, and duration of approvals. All development standards imposed must achieve public benefits, respond to



changing community needs, and require modifications which provide the functional equivalent or adequately achieve the purposes of otherwise applicable city standards. Any development standard imposed by the development agreement must be consistent with and further the stated intent of the Comprehensive Plan.

C. The development standards as approved through a development agreement shall apply to and govern the development and implementation of the subject site in lieu of any conflicting or different standards or requirements elsewhere in the Lacey Municipal Code. A development agreement shall reserve authority to impose new or different regulations to the extent required by serious threat to public health and safety.

D. Notwithstanding the foregoing, the International Building Code, International Fire Code, and other construction codes in effect in the state of Washington, and as adopted by the city of Lacey, on the date of filing a fully complete building permit application or other construction application for a building on the subject site shall apply; except that no changes to such codes taking effect after the date of the development agreement shall require redesign or modification of then-existing project utilities, facilities, or other infrastructure that were installed in accordance with the development agreement.

Section 132. Section 16.84.010 of the Lacey Municipal Code is hereby amended as follows:

**16.84.010 Site plan review required, application and committee membership.**

- A. Site plan review and approval shall be required for any of the following activities.
1. The use of land for the location of any commercial, industrial or public building or activity, and for the location of any building containing more than two dwelling units or lot with more than one residential structure other than a permitted accessory dwelling.
  2. A change of land use at an existing site or structure when the new activity requires either a change of occupancy according to the Building Code or is a change of land use according to the Standard Industrial Classification code and, in the opinion of the community and economic development director, results in an intensification of land use and will require new development conditions to comply with existing regulations. This provision may not apply to malls (buildings with ten or more tenants sharing common parking) where original conditions

to establish the mall complex anticipated a range of tenants and existing facilities and where it can be shown existing infrastructure can accommodate the new intensified use.

3. Expansion of an existing commercial, industrial, public or multifamily structure or use. Provided residential duplexes are exempt.

4. A remodel of an existing structure where the remodel is fifty percent or more of the assessed valuation of existing structures. The remodel value shall be calculated according to methodology described in Chapter 14.04 LMC adopting the Building Code. The value of existing structures shall be the most recent value assigned by the County Assessor. The fifty percent threshold shall be cumulative over the most recent five years, including calculations of all previously exempt remodels, but shall not include life/safety improvements or normal maintenance not requiring a building permit. Remodels of residential duplex, triplex, and quadraplex shall be exempt from site plan review.

5. Uses and activities within designated environmentally sensitive areas or their buffers pursuant to the requirements of LMC Title 14.

B. An application, in completed form, shall be filed for site plan review and approval with the department of community and economic development. An application shall not be in completed form under this section if it fails to contain any of the information and material required under LMC 16.84.060.

C. The site plan review committee shall consist of the following members: Lacey staff planner, who shall serve as chairman; city manager; and the city director of public works, or their designees in their temporary absence.

Section 133. Section 16.84.080 of the Lacey Municipal Code is hereby amended as follows:

**16.84.080 Amendment of site plan.**

A site plan granted approval by the SPRC, hearings examiner or by the city council may be amended. If, in the opinion of the director of community and economic development, the modifications are considered minor, no additional review process shall be required. If the modifications are considered significant by the director of community and economic

development, then the site plan shall be modified by the same procedures provided under LMC 16.84.020(A).

Section 134. Section 16.84.110 of the Lacey Municipal Code is hereby repealed.

Section 135. Section 16.96.010 of the Lacey Municipal Code is hereby amended as follows:

**16.96.010 Amendments in land use cases.**

Whenever public necessity, convenience or general welfare requires, the provisions of this title or the zoning map may be amended in conjunction with individual land use applications in accordance with the following procedures:

A. Amendments--Initiation. Amendments of the text of this title or the zoning map may be initiated in such cases by:

1. A verified application of one or more owners of property which is proposed to be reclassified, filed with the community and economic development department; or
2. The adoption of a motion by the city council requesting the hearings examiner or planning commission to set the matter for hearing and recommendation.
3. A recommendation by the planning commission to the city council.
4. Initiation of an amendment through the joint planning process between the city of Lacey and Thurston County.

B. Amendments or Rezones-Process. All amendments or rezones shall be processed in accordance with Section 1C.060 of the City of Lacey Development Guidelines and Public Works Standards.

C. Amendments--Reference to City Council. The hearings examiner or planning commission's recommendation shall be presented for city council consideration in accordance with Section 1C.060 of the City of Lacey Development Guidelines and Public Works Standards.

Section 136. Table 14T-08 of the Lacey Municipal Code is hereby repealed.

Section 137. Table 14T-09 of the Lacey Municipal Code is hereby repealed.

Section 138. Table 16T-05 of the Lacey Municipal Code is hereby repealed.

Section 139. Section 1B.050 of the development guidelines and public works standards is hereby amended as follows:

**1B.050 Determination of Completeness**

A. Within twenty-eight (28) days after receiving an application, the department shall complete the Application Submittal Review and provide the applicant a written determination that the application is complete or incomplete.

B. An application shall be determined complete only when it contains all of the following information and materials:

1. A fully completed and signed application.
2. Applicable review fees as prescribed by the City of Lacey fee schedule.
3. All information and materials described on the applicable application form.
4. A fully completed and signed environmental checklist for projects subject to review under the State Environmental Policy Act.
5. A scaleable plot plan prepared by a licensed engineer, surveyor or certified planner, disclosing all existing and proposed structures and features applicable to the desired development; for example, parking, landscaping, preliminary drainage plans with supporting calculations, signage, setbacks, etc.
6. Any additional information and materials identified at the Pre-submission Meeting or required by applicable development standards, plans, policies or any other federal, state or local laws.
7. Any supplemental information or special studies identified by the department.

C. For applications determined to be incomplete, the department shall identify, in writing, the specific requirements, information or materials necessary to constitute a complete application. Within fourteen (14) days after its receipt of the requested requirements, information or materials, the department shall issue a Determination of Completeness or identify the additional requirements, information, or materials still necessary for completeness. An application becomes invalid and shall be resubmitted if, within twelve (12) months of written notice, all materials requested within the notice have not been submitted.

D. A Determination of Completeness shall identify, to the extent known, other local, state or federal agencies that may have jurisdiction over some aspect of the application.

E. A Determination of Completeness shall not preclude the department from requesting additional information or studies, if additional information is required or a change in the proposed development occurs. An application becomes invalid and shall be resubmitted if, within twelve (12) months of written notice of additional information required, all materials requested within the notice have not been submitted.


Section 140. 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 141. 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 142. 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 17th day of  
JANUARY, 2019.

CITY COUNCIL

By:   
Mayor



SUMMARY FOR PUBLICATION

ORDINANCE NO 1539

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on January 17, 2019, Ordinance No. 1539, entitled "AN ORDINANCE RELATED TO BUILDING, CONSTRUCTION AND ZONING CODES, REPEALING CHAPTERS 16.42 AND 16.51 AND SECTIONS 16.06.671, 16.06.674, AND 16.84.110 AND TABLES 14T-08, 14T-09, AND 16T-05, AND ADDING SECTIONS 16.03.045, 16.03.080, 16.04.085, 16.06.142, 16.06.258, 16.06.278, 16.06.312, 16.06.325, 16.06.352, 16.06.375, 16.06.567, 16.06.622, 16.06.679, AND 16.72.025, AND AMENDING SECTIONS 14.02.010, 14.02.030, 14.04.015, 14.17.020, 14.23.020, 14.23.035, 14.23.040, 14.23.050, 14.23.060, 14.23.070, 14.23.071, 14.23.072, 14.23.073, 14.23.074, 14.23.080, 14.23.082, 14.23.084, 14.23.086, 14.24.030, 14.32.030, 14.32.060, 14.40.040, 14.40.060, 2.30.120, 16.03.015, 16.03.016, 16.03.030, 16.03.050, 16.03.055, 16.03.070, 16.06.095, 16.06.260, 16.06.280, 16.06.310, 16.06.374, 16.06.390, 16.06.374, 16.06.390, 16.06.496B, 16.06.532, 16.06.626, 16.06.767, 16.06.800, 16.09.020, 16.09.050, 16.14.020, 16.14.090, 16.15.050, 16.15.070, 16.18.020, 16.18.040, 16.18.070, 16.21.014, 16.21.020, 16.23.020, 16.23.024, 16.23.025, 16.24.020, 16.24.030, 16.24.040, 16.24.050, 16.24.070, 16.24.090, 16.24.110, 16.25.020, 16.25.030, 16.25.090, 16.27.020, 16.27.060, 16.34.020, 16.36.020, 16.37.070, 16.39.020, 16.40.010, 16.40.020, 16.41.010, 16.43.020, 16.43.110, 16.44.050, 16.44.060, 16.53.080, 16.57.060, 16.59.020, 16.59.050, 16.60.030, 16.63.030, 16.63.050, 16.63.120, 16.63.160, 16.64.020, 16.64.030, 16.64.040, 16.64.080, 16.65.110, 16.65.020, 16.65.030, 16.66.080, 16.67.040, 16.68.025, 16.70.020, 16.70.040, 16.70.060, 16.72.020, 16.72.040, 16.72.050, 16.73.035, 16.75.040, 16.75.070, 16.75.080, 16.75.090, 16.75.100, 16.80.050, 16.80.080, 16.80.090, 16.82.020, 16.84.010, 16.84.080, AND 16.96.010 ALL OF THE LACEY MUNICIPAL CODE, AND AMENDING SECTION 1B.050 OF THE CITY'S DEVELOPMENT GUIDELINES AND PUBLIC WORKS STANDARDS AND APPROVING A SUMMARY FOR PUBLICATION."

The main points of the Ordinance are described as follows:

1. The Ordinance makes housekeeping amendments to Titles 14 and 16 of the Lacey Municipal Code.
2. The Ordinance amends section 1B.050 of the City's Development Guidelines and Public Works Standards.
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: January 21, 2019.

