

ORDINANCE 583

CITY OF LACEY

AN ORDINANCE ADOPTING NEW ZONING REGULATIONS FOR THE CITY IN ACCORDANCE WITH THE CITY'S COMPREHENSIVE PLAN AND REPEALING CHAPTER 14.28 AND TITLE 16 OF THE LACEY MUNICIPAL CODE

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

Section 1. Chapter 14.28 and Title 16 and each of its chapters, all contained within the Lacey Municipal Code, are hereby repealed.

Section 2. The following land use and zoning regulations are hereby adopted for the City of Lacey:

TABLE OF CONTENTS

<u>Section Number</u>		<u>Page</u>
.01	Title and Intent	1
.02	Administration and Enforcement	4
.03	Site Plan Review Procedure	5
.04	Amendments and Rezones	9
.05	Limited Zone District (L)	11
.06	Conditional Use and Special Use Permits	13
.07	Variances	15
.08	Nonconforming Uses	16
.09	Definitions	18
.10	Environmental Performance Standards	30
.11	Environmentally Sensitive Areas	35
.12	Low Density Residential District	38
.13	Moderate Density Residential District	42
.14	High Density Residential District	46
.15	Agricultural District	50
.16	Planned Residential Development	52
.17	Mobile Homes	61
.18	Core Commercial	67
.19	General Commercial	71
.20	Limited Business	76
.21	Office Commercial	79
.22	Neighborhood Commercial	82
.23	Light Industrial/Commercial	86
.24	Industrial	91
.25	Mineral Extraction	95
.26	Open Space/Institutional	97
.27	Special Uses	101
.28	Home Occupations	108
.29	Off-Street Parking and Loading Requirements	111
.30	Fees	122
.31	Signs	123
.32	Violations	125

.01 TITLE AND INTENT

A. This Ordinance shall be known as the Zoning Ordinance of the City of Lacey.

B. Statement of Intent

It is the intent of this Ordinance to:

1. Facilitate orderly growth and development of the City of Lacey, consistent with the policies, goals and objectives of the Lacey Development Plan.
2. Protect the health and general welfare of the City's residents.
3. Promote sound economic development and protect property values.
4. Preserve and protect vital aspects of the natural environment.
5. Designate land use districts and provide for compatibility between the several districts.
6. Provide flexible regulations and controls for the intensity and character of land use.
7. Provide for the administration and enforcement of the regulations.

C. Minimum Requirements

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and general welfare. Nothing in this Ordinance is intended to impair, annul or abrogate any easement, covenant or other agreements between parties, public or private; however, whenever the requirements of this Ordinance are at variance with the requirements of any lawfully adopted rules, regulations, ordinances, the most restrictive or those imposing the higher standards shall govern.

Provided further that within the shorelines of the City of Lacey as defined in the Shoreline Management Act, the provisions of the Shoreline Management Act and the Lacey Master Program shall govern, provided however, that the substantive regulations of this ordinance shall be applicable where they are more restrictive than those of the Shoreline Management Act or the Lacey Master Program.

D. Land Use or Zoning Districts

1. To carry out the purpose of this Ordinance, the City is divided into the following districts:
 - a. Residential - Low Density

- b. Residential - Moderate Density
- c. Residential - High Density
- d. Agricultural
- e. Core Commercial
- f. General Commercial
- g. Office Commercial
- h. Limited Business
- i. Neighborhood Commercial
- j. Light Industrial/Commercial
- k. Industrial
- l. Mineral Extraction
- m. Open Space/Institutional
- n. Environmentally Sensitive Areas (Overlay)
- o. Limited Zone (Overlay)

2. Zoning map.

- a. The districts are bounded as shown on a map entitled "Zoning Map - City of Lacey" and identified by the approving signatures of the Mayor and City Clerk, and is hereby adopted by reference and declared to be a part of this Ordinance and shall be located on file in the office of the City Clerk.
 - b. If changes are made on the zoning map, such changes shall be entered on the zoning map within five (5) days after amendment has been approved by the City Council. No amendment shall become effective until such change has been entered upon the zoning map.
3. Limited zone district. Wherever a particular zone district has the suffix (L) added thereto, that zone district classification creates a use district with special conditions and standards pertaining to the uses in that "limited" zone district. The special conditions and standards of the (L) district are to be invoked only after study and review of an official rezone request.
4. Interpretation of zoning district boundaries. When uncertainty exists as to the boundaries as shown on the zoning map, the Hearings Examiner shall interpret the boundaries, and the Examiner's interpretation shall be final.
5. 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.

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 (7) calendar days from the time of posting from a property owner or owners within a 300-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.

.02 ADMINISTRATION AND ENFORCEMENT

A. Administration and Enforcement

An enforcing officer designated by the City Manager, shall administer and enforce this Ordinance. If the enforcing officer finds that any of the provisions of this Ordinance are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall take any action authorized by this Ordinance to insure compliance with or to prevent violation of its provisions.

B. Building Permits Required

No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefor, issued by the enforcing officer. No building permit shall be issued by the enforcing officer unless the use:

1. Conforms to the requirements of this Ordinance; or
2. Has been approved by the Enforcing Officer, Site Plan Review Committee or the Hearings Examiner as a "similar or related" use as described in the several zoning districts; or
3. Has been approved by the City Council as a conditional or special use as defined in Section .27 of this Ordinance; or
4. Has been granted a variance by the Hearings Examiner.

.03 SITE PLAN REVIEW PROCEDURE

A. Filing and Hearing

Site plan review and approval shall be required prior to the use of land for the location of any commercial, industrial or public building or activity, and for the location of any building in which more than two dwelling units would be contained.

An application, in completed form, shall be filed for site plan review and approval with the Department of Public Works. An application shall not be in completed form under this section if it fails to contain any of the information and material required under paragraph D of this section of this ordinance.

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.

1. Review by the Site Plan Review Committee (SPRC)

- a. The Site Plan Review Committee (SPRC) shall have the prerogative of refusing to rule on a site plan review if in the opinion of the SPRC the site plan is sufficiently complex that it should be reviewed by the Hearings Examiner under the provision of subsection 2 of this section. All decisions to refuse ruling and refer to the Hearings Examiner shall be made by the SPRC within five (5) working days after an application in completed form is filed.
- b. The SPRC shall within fifteen (15) working days approve, disapprove, or approve with conditions any site plan submitted to it and accepted for review. The action taken by the SPRC will be submitted to the Building Official for subsequent action on the building permit application. Failure to act within the specified period shall constitute approval of the site plan and the applicant shall be entitled to apply for a building permit.

Any time required to develop and review an Environmental Impact Statement as required under the provisions of SEPA shall not be counted under the time constraints of this subsection.

The SPRC shall review a site plan and approve, or approve with conditions, site plans which conform to the standards, provisions and policies of the City of Lacey as expressed in its various adopted plans and ordinances including the Lacey Shoreline Master Program.

Whenever the SPRC disapproves a site plan, 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 decision of the SPRC shall be final unless appealed to the Hearings Examiner by the applicant, a person who believes that they have been negatively impacted by the SPRC decision, the Planning Commission, a city department, or other public agency by filing a written notice of appeal with the Planning Department within fifteen (15) days after the date of the decision being appealed.

2. Review by the Hearings Examiner

The land use Hearings Examiner shall, in accordance with Chapter 2.30, review site plan applications referred or appealed to the Examiner and approve, or approve with conditions, site plans which conform to the standards, provisions and policies of the City of Lacey as expressed in its various plans and ordinances including the Lacey Shoreline Master Program. Similarly, the Examiner shall disapprove site plans which do not conform to such standards, provisions and policies.

B. Appeal of Decision to City Council

1. Appeals of all site plan review decisions of the land use Hearings Examiner may be taken to the City Council in accordance with Section 2.30.160 of the Lacey Municipal Code.

The City Council shall, in accordance with Sections 2.30.170 and 2.30.180 of the Lacey Municipal Code, review a site plan and approve or approve with conditions if it finds the site plan conforms to the standards, provisions and policies of the City of Lacey as expressed in its various plans and ordinances including the Lacey Shoreline Master Program. Similarly, the City Council shall disapprove a site plan which it finds does not conform to such standards, provisions and policies.

2. The City Council shall not approve or disapprove a site plan different from that approved or disapproved by the Hearings Examiner. The intent of this section is to insure that the City Council and the Hearings Examiner make decisions based on the same set of plans. If the City Council receives a site plan different from that considered by the Hearings Examiner or by the SPRC, the site plan shall be referred to the Hearings Examiner or SPRC for further consideration.

C. Summary Site Plan

Prior to applying for site plan review, a developer may file with the SPRC a summary site plan, which shall contain in a rough and approximate manner all of the information required in the site plan application. The purpose of the summary site plan is to enable a developer filing the plan to obtain the advice of the SPRC as to the applicability of the intent,

standards and provisions of this chapter to the plan. After the filing of a summary site plan, the SPRC shall make available to the developer its written advice regarding the compatibility of the preliminary site plan with the intent, standards and provisions of this chapter.

D. Contents of Application

Each application for site plan review shall contain the following information in clear and intelligible form:

1. The title and location of the proposed development, together with the names, addresses and telephone numbers of the record owner or owners of the land and of the applicant, and, if applicable, the names, addresses and telephone numbers of any architect, planner, designer or engineer responsible for the preparation of the plan, and of any authorized representative of the applicant.
2. The proposed use or uses of the land and buildings.
3. A site plan drawing or drawings at a scale of not less than one inch for each fifty (50) feet which shall include or show:
 - a. The location of all existing and proposed structures, including, but not limited to, buildings, fences, culverts, bridges, roads and streets on the subject property.
 - b. The boundaries of the property proposed to be developed.
 - c. All proposed and existing buildings and setback lines.
 - d. All areas, if any, to be preserved as buffers or to be dedicated to a public, private or community use or for open space under the provisions of this or any other city ordinance, information regarding percentage of area covered, locations and general types of landscaping.
 - e. All existing and proposed easements.
 - f. The locations of all existing and proposed utility structures and lines.
 - g. The storm water drainage systems for existing and proposed structures.
 - h. All means of vehicular and pedestrian ingress and egress to and from the site and the size and location of driveways, streets and roads.
 - i. The location and design of off-street parking areas showing their size and locations of internal circulation and parking spaces.

- j. The location of all loading spaces, including, but not limited to, loading platforms and loading docks where trucks will load or unload.
 - k. Location and area, in square feet, of all signs.
4. Topographic map or maps which delineate contours, both existing and proposed, at intervals of two (2) feet, and which locate existing lakes, streams and forested areas.
 5. The existing zoning district of the proposed development site and any other zoning district within three hundred (300) feet of the site.
 6. All special districts, including, but not limited to fire, school and water districts, in which the proposed development shall be located and all such districts within three hundred (300) feet of the proposed development.
 7. The proposed number of square feet in paved or covered surfaces, whether covered by buildings, driveways, parking lots, or any other structure covering land; and the total amount of square feet in the entire proposed development site.
 8. The proposed number of dwelling units and number of bedrooms in the development.
 9. The proposed number of square feet in gross floor area for each commercial and industrial use.
 10. A description of each proposed commercial and industrial use.
 11. The written recommendations of the Health Department, the Building Department, Engineering Department and Fire Department as to any portion of the site plan application covering areas within their respective jurisdictions.

E. Additional Information for Review

The SPRC, Hearings Examiner or City Council may require the applicant to submit any additional information or material which it finds is necessary for the proper review and hearing of the application.

F. Amendment of Site Plan

A site plan granted approval by the SPRC, Hearings Examiner or by the City Council may be amended by the same procedures provided under this ordinance for original site plan approval.

G. Performance Bond

It may be required as a condition of approval of a site plan that the applicant furnish a performance bond to the City to secure the applicant's obligation to complete the provisions and conditions of the site plan as approved.

.04 AMENDMENTS AND REZONES

A. Amendments

Whenever public necessity, convenience or general welfare requires, the provisions of this Ordinance may be amended.

1. Amendments--Initiation. Amendments of the text of this Ordinance or the zoning map may be initiated by:
 - a. A verified application of one or more owners of property which is proposed to be reclassified, filed with the Planning Department; or
 - b. The adoption of a motion by the City Council requesting the Hearings Examiner to set the matter for hearing and recommendation; or
 - c. A recommendation by the Planning Commission to the City Council.
2. Amendments or rezones--application forms. The Planning Department shall prescribe the forms to be used for amendments or rezones. The Planning Department may prepare and provide blanks for such purposes and prescribe the type of information to be provided. No application shall be accepted unless it complies with such requirements.
3. Amendments and rezones--public hearings. At least one public hearing on any proposed amendment or rezone shall be held by the Hearings Examiner.
4. Amendments and rezones--notice of public hearing. Notice of public hearing shall be published in a newspaper of general circulation in the City and by written notice, addressed through the United States mail, to all property owners as recorded in the Thurston County Assessor's Office, within three hundred (300) feet of subject property, at least ten (10) days before hearing. In addition, at least ten (10) days prior to the hearing, notice of said hearing shall be posted in the following places: on the property; at a public street intersection near the property; and at City Hall.
5. Amendments--reference to City Council. The Hearings Examiner's recommendation shall be presented for City Council consideration in open public meeting no sooner than ten (10) nor longer than twenty (20) working days from the date a decision constituting a recommendation is rendered. The City Council shall consider the matter based upon the written record before the Examiner, the Examiner's decision, and any written comments received by the City before closure of City offices on a date three (3) days prior to the date set for consideration by the City Council; provided, that the City Council may publicly request additional specific information from the applicant, the Examiner, or City or County departments; and, provided further, if

the City Council determines that further testimony or argument other than such specific information requested is necessary prior to action by such body, the matter shall either be returned to the Examiner or a public hearing shall be scheduled before the City Council for the receipt of such testimony or argument.

6. Amendments--action by City Council. The City Council may accept, modify or reject the Examiner's decision, or any findings or conclusions therein, or may remand the decision to the Examiner for further hearing. A decision by the City Council to modify, reject or remand shall be supported by findings and conclusions.

The action of the City Council in approving or rejecting a decision of the Examiner shall be final and conclusive unless within thirty (30) days from the date of such action an aggrieved party obtains a writ of certiorari from the Thurston County Superior Court for the purpose of review of the action taken; provided, that appeals from a decision to grant, deny or rescind a shoreline permit shall be governed by the provisions of RCW Chapter 90.58.

.05 LIMITED ZONE DISTRICT (L)

- A. Generally. Conditions and performance standards limiting the conduct of permitted uses may be required in Moderate Density Residential, High Density Residential, Agricultural, Core Commercial, General Commercial, Limited Business, Office Commercial, Neighborhood Commercial, Light Industrial/Commercial, Industrial and Mineral Extraction zone districts or parts thereof where necessary to achieve compatibility of development with surrounding properties. Whenever such conditions or performance standards are applied to a zone district or part thereof, said area shall be designated on the zoning map with the suffix (L) added to its zone classification and shall be a limited zone district.
- B. Review of Proposed Rezone by Land Use Hearings Examiner. Upon receipt of a request to rezone property into a zone district listed in Section A, the Land Use Hearings Examiner shall study and review the proposed development to be accommodated within such property, especially in light of present and probable future development of surrounding properties. When in the judgment of the Hearings Examiner, the proposed development could be incompatible with such surrounding properties, the Hearings Examiner may recommend to the City Council conditions and standards for such proposed development. Use of the provisions of the limited zone district may not be petitioned for. Where no conditions and standards are set, the requirements of the basic zone district shall apply.
- C. Conditions and Standards Applicable to Proposed Zone. The following types of conditions and standards may be recommended by the Land Use Hearings Examiner and applied to the proposed development as conditional to the granting of a proposed rezone:
1. Screening. Reasonable requirements for visual screening of activities and areas of the proposed development from the surrounding properties may be established.
 2. Nuisance Characteristics. Reasonable requirements to minimize the effect of noise, dust, odors and similar nuisance characteristics generated by the development and carrying to surrounding properties may be established.
 3. Landscaping. Reasonable requirements for plantings and maintenance or similar treatment to make the proposed development consistent with the general attractiveness of the development of surrounding properties may be established.
 4. Signs and Lighting. Reasonable requirements to prevent unusual amounts or intensities of light from escaping the subject property and to assure that signs are compatible with surrounding properties may be established.
 5. Off-Street Parking and Loading. Reasonable requirements regulating the amount, location and treatment of on-site vehicular traffic and

storage areas and facilities may be established.

6. Development Limitations. Reasonable limitations may be established on the use to which the property may be put and on the time period in which the proposed development may be initiated and/or completed. Unless an extension is granted by the City Council, the rezone shall lapse and the property shall revert to the former zone district after ninety (90) days have elapsed following expiration of a time period limitation on the initiation of the proposed development.
 7. Access and Traffic. Reasonable limitations may be placed upon access to and from the property from abutting roadways and reasonable requirements imposed to lessen or modify the impact of traffic to and from said development on the surrounding roadways.
- D. Special Conditions. If the City establishes special conditions and standards under the limited zone as conditional to the granting of the requested rezone, approval of the rezone shall establish the special conditions and standards as running with the land for the duration of such zoning classification on the property.
- E. Performance Bond. The City may require a performance bond to assure that all conditions and standards are met in the proposed development.
- F. Prior Limited Rezones
1. All uses approved in a limited zoned district prior to the passage of this ordinance shall remain a valid use of the property notwithstanding a change to a more restrictive zoning classification by the passage of this ordinance.
 2. All property located within a limited zoned district prior to the passage of this ordinance shall be allowed those additional uses permitted within the new zoning classification of said property under the terms of this ordinance.
 3. All limitations and conditions imposed upon properties located in a limited zoned district prior to the passage of this ordinance, not relating to the type of uses, shall remain in effect notwithstanding a change in the underlying zoning classification by the passage of this ordinance.

.06 CONDITIONAL USE AND SPECIAL USE PERMITS

A. When Granted

A conditional use or special use permit may be granted by the City Council, after public hearing and review, for those uses requiring such permits as provided for in this Ordinance.

1. Application form. A written application for a conditional or special use permit shall be submitted to the Planning Department on forms as prescribed by the Planning Department, and shall include such information as requested thereon. No application shall be accepted unless it complies with such requirements.
2. Public hearing. At least one public hearing on any proposed conditional or special use permit shall be held by the Hearings Examiner.
3. Notice of public hearing. Notice of public hearing shall be the same as in Section .04 of this Ordinance.
4. Action by the Hearings Examiner. In reviewing a conditional or special use permit, the Hearings Examiner shall impose all requirements for such use, as prescribed in this Ordinance and other conditions and safeguards as are necessary to secure adequate protection for the locality in which the use is to be permitted. The Hearings Examiner shall recommend a time limit within which action for which the conditional or special use is required shall be begun or completed, or both.
5. City Council Consideration. The Hearings Examiner's recommendation shall be presented for City Council consideration in open public meeting no sooner than ten (10) nor longer than twenty (20) working days from the date a decision constituting a recommendation is rendered. The City Council shall consider the matter based upon the written record before the Examiner, the Examiner's decision, and any written comments received by the City before closure of City offices on a date three (3) days prior to the date set for consideration by the City Council; provided, that the City Council may publicly request additional specific information from the applicant, the Examiner, or City or County departments; and, provided further, if the City Council determines that further testimony or argument other than such specific information requested is necessary prior to action by such body, the matter shall either be returned to the Examiner or a public hearing shall be scheduled before the City Council for the receipt of such testimony or argument.
6. City Council Action. The City Council may accept, modify or reject the Examiner's decision, or any findings or conclusions therein, or may remand the decision to the Examiner for further hearing. A decision by the City Council to modify, reject or remand shall be supported by findings and conclusions.

The action of the City Council in approving or rejecting a decision of the Examiner shall be final and conclusive unless within thirty (30) days from the date of such action an aggrieved party obtains a writ of certiorari from the Thurston County Superior Court for the purpose of review of the action taken; provided, that appeals from a decision to grant, deny or rescind a shoreline permit shall be governed by the provisions of RCW Chapter 90.58.

.07 VARIANCES

A. When Granted

If because of special circumstances applicable to subject property due to size, shape, topography, location or surroundings, the strict application of this Ordinance is found to deprive subject property of rights and privileges enjoyed by other properties in the vicinity and under identical zone classification, the Hearings Examiner may grant a variance in accordance with the provisions for variances in Chapter 2.40 of the Lacey Municipal Code.

.08 NONCONFORMING USES

A. Intent

1. Within the districts established by this Ordinance, there exist lots and structures which were lawful prior to the date of adoption of this Ordinance, but which would be prohibited, regulated, or restricted under the terms of this Ordinance. It is the intent of this Section to permit these nonconformities to continue until they are removed. It is further the intent that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district except as provided for in paragraph 3 below.
2. Nonconforming uses are declared by this Ordinance to be incompatible with permitted uses in the districts involved. A nonconforming use of a structure, and land in combination shall not be extended or enlarged after the effective date of this Ordinance, by attachment on a building or premises, or by the addition of other uses, of a nature which would be prohibited generally in the district involved.
3. To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the date of adoption of this Ordinance, and upon which actual building construction has been carried on diligently. Actual construction is defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation or demolition shall be deemed to be actual construction, provided that work shall be carried on diligently.

B. Nonconforming Lots of Record

1. In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record prior to the date of adoption of this Ordinance, notwithstanding limitations imposed by other provisions of this Ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership.
2. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through action of the Hearings Examiner.

3. If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record prior to the date of adoption of this Ordinance, and if all or part of the lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance, and no portion of the parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Ordinance, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this Ordinance.

C. Abandonment or Discontinuance

A nonconforming use shall be deemed abandoned by discontinuance or abandonment for a period of eighteen months, and any subsequent future use of such land or buildings shall be in conformity with the provisions of this Ordinance.

.09 DEFINITIONS

A. Statement of Intent

It is the intent of this section to:

1. Promote consistency and precision in the interpretation of this Ordinance.
2. Define (and illustrate, where necessary) certain words, terms and phrases in the interest of reducing to a minimum the misunderstanding which may occur in the absence of such definition.

B. General Rules Regarding Use of Language and Interpretation

1. Words, terms and phrases not specifically defined in this section or in other sections of the Ordinance (where more special terms may be defined) shall have the meaning as defined in any recognized, standard dictionary of the English language.
2. Words, terms and phrases defined herein may have meanings more specific than their meanings in common usage, standard dictionaries or other ordinances.
3. The meaning and construction of words and phrases, as set forth in this section shall apply throughout this Ordinance except where the context of such words or phrases clearly indicates a different meaning or construction.
4. Rules of construction:
 - a. Illustration - in case of any difference of meaning or implication between the text of any provision and any illustration, the text shall control.
 - b. Shall and May - "shall" is always mandatory and not discretionary. "May" is discretionary.
 - c. Tenses and Numbers - words used in the present tense include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.
 - d. Conjunctions - unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
 - (1) "And" indicates that all connected items or provisions shall apply.
 - (2) "Or" indicates that the connected items or provisions may apply singly or in any combination.

(3) "Either . . . or" indicates that the connected items or provisions shall apply singly but not in combination.

e. Gender - the masculine gender "he" includes the feminine gender "she," and the feminine gender "she" includes the masculine gender "he."

5. General terms:

a. "Planning Commission" means the City Planning Commission of the City of Lacey.

b. "Hearings Examiner" means the Hearings Examiner of the City of Lacey.

c. "City" means the City of Lacey.

d. "County" means Thurston County.

e. "Federal" means the Government of the United States.

f. "State" means the State of Washington.

g. "Lacey Development Plan," or L.D.P., means the Comprehensive Land Use Plan of the City of Lacey as adopted, and as amended from time to time.

h. "Section" means any of the various sections of this Zoning Ordinance unless otherwise clearly indicated by the context.

C. Definitions

In addition to the words and terms defined in this listing, several sections of this Ordinance contain definitions specifically related to those sections. In the event of conflict between definitions in this list and those shown in other sections of this Ordinance the definition in the other section shall govern within the context of the section within which it appears.

Abutting: Having a common boundary except that parcels having no common boundary other than a common corner shall not be considered abutting.

Accessory Building or Use: A use, building, or structure, or portion of a building, devoted to an activity or use subordinate to the principal use of the premises, but located on the same lot as the principal use.

Accessory Living Quarters: Living quarters, which may include kitchen facilities, within an accessory building or the main building for the sole use of persons employed on the premises and not rented or otherwise used as a separate dwelling.

Accessory Use: A use customarily incidental and/or subordinate to the principal use of the land or building site, or to a building or other structure located on the same building site as the accessory use.

Acres (or Acreage), Gross: The total area of a parcel of land, may be expressed in square feet or fractions of an acre.

Acres (or Acreage), Net: The area of a parcel of land, less the area devoted to streets, roads or alleys, public or private; may be expressed in square feet or fractions of an acre.

Alley: A public or private way not more than twenty (20) feet wide permanently reserved as a secondary means of access to abutting property.

Amendment: Any change, modification, deletion, or addition to the wording, text or substance of the Zoning Ordinance, or any change, modification, deletion, or addition to the application of the Zoning Ordinance to property within the City, including any alteration in the boundaries of a zone, when adopted by ordinance passed by the City Council.

Attic Story: Any story situated wholly or partly in the roof, so designated, arranged or built as to be used for business, storage, or habitation. An attic story shall be counted as a story.

Automobile Wrecking: The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of five (5) or more motor vehicles which for a period exceeding thirty (30) days have not been capable of operating under their own power, and from which parts have been or are to be removed for reuse or sale shall constitute prima facie evidence of an automobile wrecking yard.

Basement: That portion of a building between floor and ceiling, which is partly below and partly above the finished grade, but so located that the vertical distance from the finished grade to the floor below is less than the vertical distance from the finished grade to the ceiling. If a basement has a ceiling height of seven feet or more, it shall be considered a story unless it is used exclusively for parking, storage, and/or housing of mechanical or central heating equipment. (See illustration at end of this section. See also, Cellar.)

Boarding or Rooming House: A dwelling unit having only one kitchen, and used for the lodging (with or without meals) for compensation, of not more than five (5) persons in addition to the related family members or operator of such dwelling unit.

Buffer: An area of land 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 any adverse impacts of one on the other.

Buildable Area: That portion of the land that remains after the required yards have been excluded from the building site.

Building: Any structure built for the support, shelter or enclosure of persons, animals, chattels, or property of any kind.

Building Coverage: The amount or percentage of ground area covered or occupied by a building or buildings; usually expressed in square feet or percentage of land on the lot, and measured horizontally at the foundation. (See also, Development Coverage.)

Building Height: The vertical distance from average grade level to the highest point of a building or structure, excluding any chimney, antenna or similar appurtenance. (See illustration at end of this section.)

Building Line: A line within the buildable area, normally considered the outside of the foundation wall.

Cellars: That portion of a building between floor and ceiling which is wholly or partly below the finished grade, and is so located that the vertical distance from the finished grade to the floor below is equal to, or greater than the vertical distance from the finished grade to the ceiling. (See illustration at the end of this section. See also, Basement.)

Conditional Uses: Certain uses which because of special requirements, unusual character, size or shape, infrequent occurrence or possible detrimental effects on surrounding property and for other similar reasons may be allowed in certain use districts only by the granting of a conditional use permit by the City Council.

Density: 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.

Development Coverage: The amount or percentage of ground area covered by impervious surfaces (i.e., surfaces which do not absorb moisture, specifically rain water). Therefore, impervious surfaces include rooftops and all paved surfaces such as parking areas, roads, driveways, walkways and the like.

Dwelling: A building, or portion thereof designed exclusively for residential purposes, including one family, two family, multiple family or apartment dwellings and mobile homes.

Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, cooking and sanitation.

Easement: A recorded right of interest in the land of another, which entitles the holder thereof to some use, privilege or benefit out of or over said land.

Enforcing Officer: The City Manager or the person designated by the City Manager to enforce the provisions of this Ordinance.

Family: An individual; or two (2) or more persons living together in a dwelling unit as a single housekeeping unit.

Floor Area: The sum of the gross horizontal area of the floor or floors measured from the exterior faces of the exterior walls, including elevator shafts and stairwells on each floor and all horizontal areas having a ceiling height of seven (7) feet or more, but excluding all parking and loading spaces, cellars, unroofed areas, roofed areas open on two (2) sides, areas having ceiling height of less than seven (7) feet and basements used exclusively for storage or housing of mechanical or central heating equipment.

Grade, Average: The average of the natural or existing topography at the center of all exterior walls of a building or structure to be placed on a site.

Home Occupation: See Section .28.

Hotel: Any building containing six (6) or more guest rooms where lodging, with or without meals, is provided for compensation, and where no provisions are made for cooking in any individual room or suite.

Kennel: Any place where more than six (6) dogs and/or cats, or other canines or felines, beyond the age of four (4) months, are kept.

Lot: A platted or unplatted parcel of land unoccupied, occupied or intended to be occupied by a principal use or building and accessory buildings, together with all yards, open spaces and setbacks required by this Ordinance.

Lot Area: The total land space or area contained within the boundary lines of any lot, tract or parcel of land; may be expressed in square feet or acres.

Lot Line, Front: That boundary of a lot which is located along an existing or dedicated public street, or, where no public street exists, along a public right-of-way or private way.

Lot Line, Rear: The lot line which is opposite and most distant from the front lot line, except in the case of a triangular or pie shaped lot, it shall mean a straight line ten (10) feet in length which: (1) is parallel to the front lot line; or, (2) intersects the two (2) other lot lines at points most distant from the front lot line.

Lot Depth: The horizontal distance between the front lot line and the rear lot line measured within the lot boundaries.

Lot Width: The horizontal distance between side lot lines measured at right angles to the lines comprising the depth of the lot at a point midway between the front lot line and the rear lot line.

Lot, Corner: A lot that abuts two (2) or more intersecting streets.

Lot, Interior: A lot that has frontage on one (1) street only.

Lot, Through: A lot that fronts on two (2) parallel or nearly parallel streets. (See illustration at end of this section.)

Mobile Home: See Section .17.

Mobile Home Park: See Section .17.

Mobile Home Subdivision: See Section .17.

Motel: A building or group of buildings containing guest rooms which may or may not contain cooking facilities, and where lodging with or without meals is provided for compensation. Motels are designed to accommodate the automobile tourist or transient, and parking spaces or garages are conveniently located near each guest room.

Nonconforming Building or Structure: A building, structure, or portion thereof that was legally in existence, either constructed or altered prior to the effective date of this Ordinance, which does not conform with the requirements of this Ordinance.

Nonconforming Lot: A parcel of land, in separate ownership, and of record prior to the effective date of this Ordinance, which does not conform with the dimensional or area requirements of this Ordinance.

Nonconforming Use: An activity in a structure or on a tract of land that was legally in existence prior to the effective date of this Ordinance, which does not conform with the use regulations of the use district in which it is located.

Open Space: That portion of a lot or parcel not developed or built upon or occupied by buildings, parking areas, driveways and the like; generally the front, rear and side yards of a lot.

Open Space, Common: That portion of lot or parcel not developed, built upon or occupied by buildings, parking areas, driveways and the like; other than minimal appurtenances such as walkways designed and intended to make such open space usable and accessible, and the use of which is intended for and accessible to all of the persons residing in the development of which the open space is a part.

Open Space, Usable: Undeveloped or unbuilt portions of land designed and maintained in a manner which makes said open space accessible and usable by and for the persons for whom the space is intended.

Parcel: A contiguous quantity of land in the possession of, or owned by, or recorded as the property of, the same person.

Parking Area: An open area, other than a street or alley, which contains one (1) or more parking spaces, and the aisles which provide access to such spaces.

Parking Space: An unobstructed space or area other than a street or alley which is permanently reserved and maintained for the parking of one (1) motor vehicle.

Person: An individual or any group of individuals, acting as a unit, whether or not legally constituted as an association, company, corporation, estate, family, partnership, syndicate, trust or other entity.

Premises: An area of land with its appurtenances and buildings which because of its unity of use may be regarded as the smallest conveyable unit.

Principal Use: The specific and primary purpose for which land or building is occupied, arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

Property Line: A line bounding and indicating the ownership, or intended ownership, of a parcel of land.

Shoreline: A line determined by the "ordinary high water mark" as defined in the Shoreline Management Act of 1971, as follows:

"'Ordinary high water mark' on all lakes, streams, and tidal water is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on the effective date of this chapter or as it may naturally change thereafter: PROVIDED, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining saltwater shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water."
(Or as shown by markings of water surface contaminants on rocks, bulkheads, pilings or other relatively permanent structure or natural feature.)

Street, Flanking: A street, alley or right-of-way other than the one on which a corner lot has its main frontage.

Street, Major: A state highway, county road or city thoroughfare designated as a primary, or secondary, or collector, arterial in the City's Six-Year Street Program and/or the Circulation Plan of the Lacey Development Plan.

Street, Minor: A street or road designated as a local access street.

Structure: Anything erected, the use of which has fixed location on or in the ground, or attachment to something having fixed location on the land, including but not limited to buildings, fences, signs and walls.

Use District: A specific zoned area or district designated on the official zone map. Such area is subject to all the regulations applicable to the district that are contained in this Ordinance.

Variance: A modification of the regulations because of the unusual nature, shape, exceptional topographic conditions, or extraordinary situation or conditions connected with a specific piece of property, where the literal enforcement of this title would pose undue hardship unnecessary in carrying out the spirit of this title.

Yard: An open space unoccupied to the sky of uniform depth or width which lies between the property line and building line, or between the shoreline and the building line. The inside boundary shall be considered parallel to the nearest property line.

Yard, Front: A yard extending across the full width of the lot from one property line to another and measured as to depth at the least horizontal distance between street line and the exterior wall.

Yard, Rear: A yard extending from one property line to another except in the case of corner building sites when the rear yard shall extend from the interior side property line to the opposite side yard. Yard is measured as to depth at the least horizontal distance between the rear site line and the exterior wall.

Yard, Side: A yard extending from the front yard to the rear yard except in the case of corner building sites when the side yard on the flanking street shall extend to the rear property line.

Yard, Shoreline: A yard extending from the building line to the shoreline which qualifies as either a front or rear yard.

BUILDING HEIGHT DETERMINATION

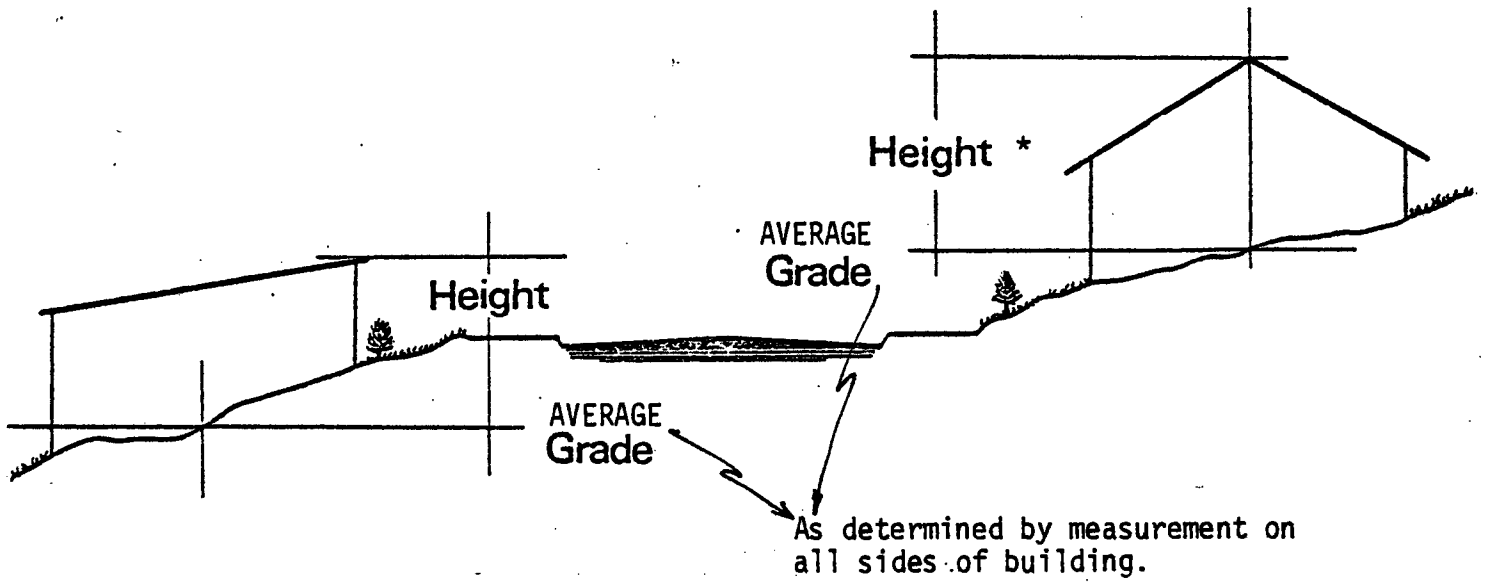
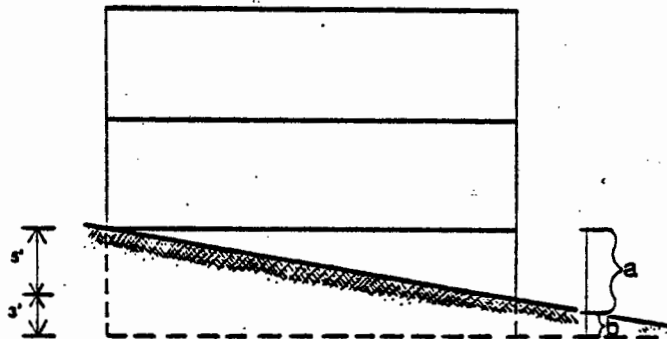


ILLUSTRATION - BASEMENT AND CELLAR

Basement

The vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling (i.e., b is less than a).



Cellar

The vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling (i.e., b is greater than a).

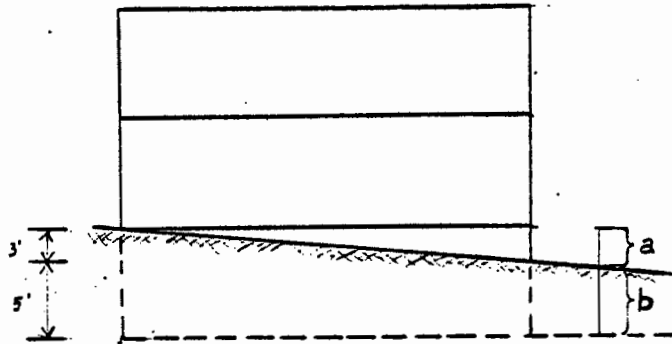
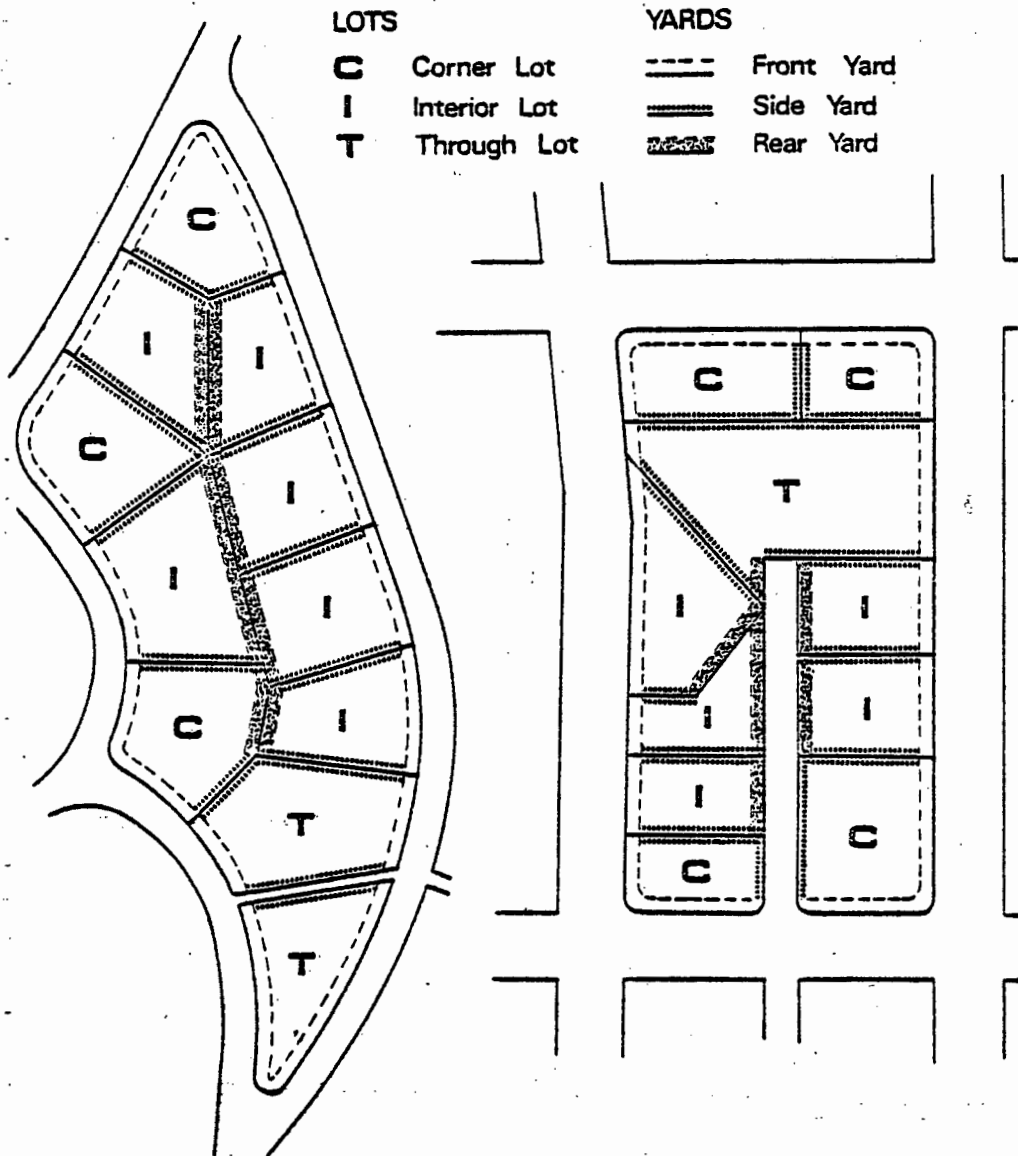
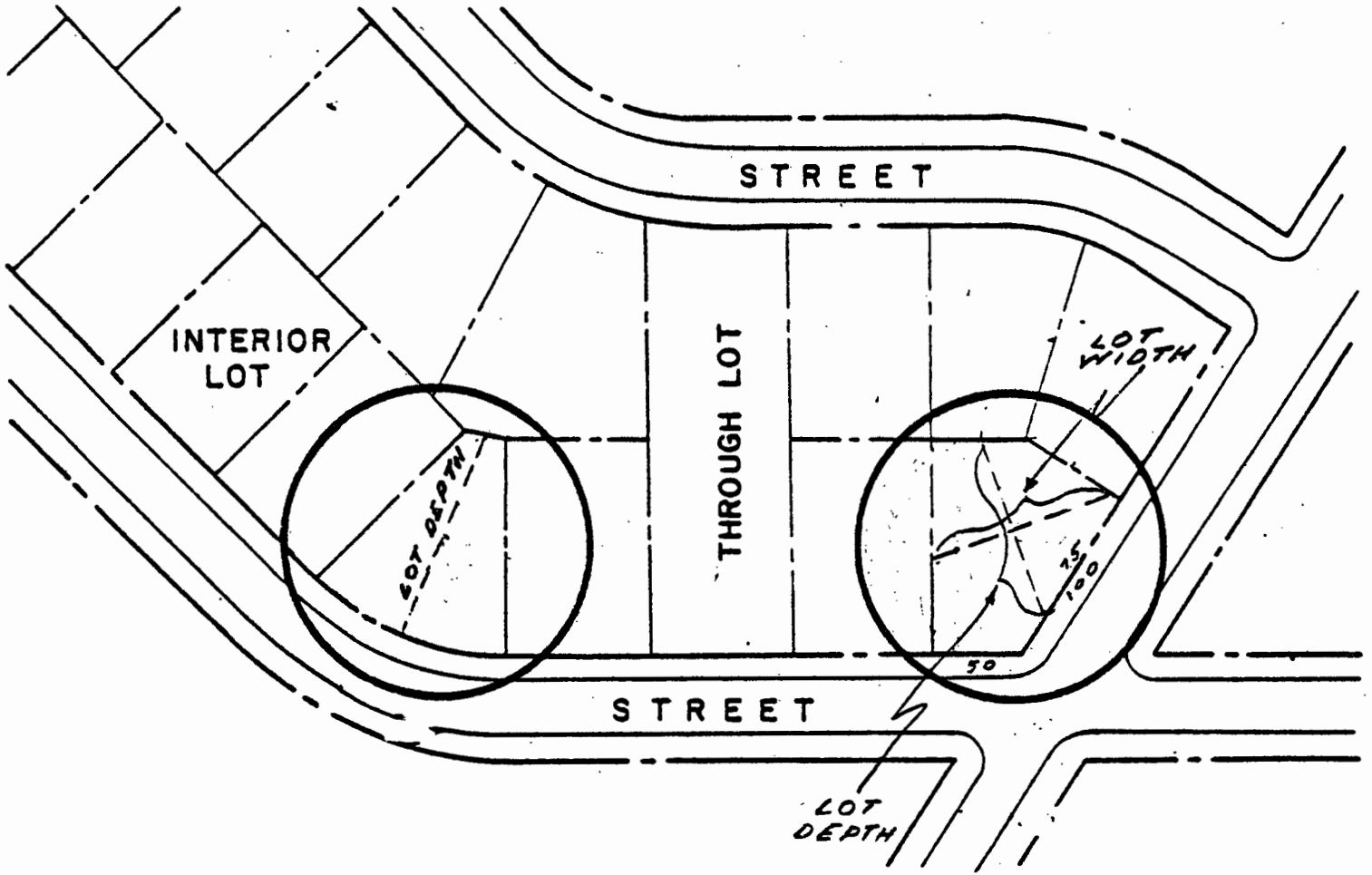


ILLUSTRATION - LOTS AND YARDS



HOW TO DETERMINE LOT WIDTH AND LOT DEPTH



.10 ENVIRONMENTAL PERFORMANCE STANDARDS

A. Statement of Intent

It is the intent of this section to:

1. Protect public health and general welfare.
2. Establish minimum standards for the control of environmental pollution.
3. Minimize the adverse effects of contaminants which may result from the use of land by any activity or person.

B. Environmental Performance Standards

It shall be the responsibility of the operator and/or the proprietor of any permitted use to provide such reasonable evidence and technical data as the enforcing officer may require to demonstrate that the use or activity is or will be in compliance with the performance standards of this section.

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

1. Noise:

- a. The maximum allowable noise levels as measured at the property line of noise impacted uses or activities shall be those set forth in the Washington Administrative Code, Chap. 173-60, titled "Maximum Environmental Noise Levels," which chapter is hereby incorporated by reference.
- b. The "Environmental Designation for Noise Abatement" (EDNA) for the several land use classifications of this Ordinance shall be as follows:

All living areas (single-family, multifamily, etc.)	A
All commercial areas	B
All public/institutional areas	A
Light industrial, industrial, mineral extraction	C
- c. Noise levels of any sound source, when measured in the manner and locations prescribed in (WAC 173-60) shall not exceed the values shown in Table N.

TABLE N

PERMITTED SOUND LEVELS IN RECEIVING EDNA¹ CLASSES
FROM EDNA CLASS C (INDUSTRIAL) SOURCE

LAND USE CLASSIFICATION OR DISTRICT	EDNA CLASS OF RECEPTOR	MAXIMUM SOUND LEVEL* (dB(A))	DURATION IN ANY ONE-HOUR PERIOD (min)	APPLICABLE HOURS***
SINGLE-FAMILY MULTIFAMILY PUBLIC/INSTITUTIONAL	A	60	Continually	7am - 10pm
	A	65	15	
	A	70	5	
	A	75	1½	
	A	50	Continually	7am - 10pm
	A	55	15	10pm - 7am
	A	60	5	
A	65	1½	10pm - 7am	
COMMERCIAL	B	65	Continually	A11
	B	70	15	
	B	75	5	
	B	80	1½	
LIGHT INDUSTRIAL INDUSTRIAL MINERAL EXTRACTION	C	70	Continually	A11
	C	75	15	
	C	80	5	
	C	85	1½	

*Source: Chapter 173-60, Washington Administrative Code
"Maximum Environmental Noise Levels".

**Total not to exceed 15 minutes in any one hour.

***The lower noise levels in EDNA A apply on all hours
of the weekends and holidays.

¹Environmental Designation for Noise Abatement.

2. Emissions

- a. Air pollution shall be controlled by the operator and/or proprietor of any land use or activity permitted by this section.

The ambient air quality standards specified in Regulation I of the Olympia Air Pollution Control Agency, (OAPCA), shall apply to all air contaminants listed therein.

- b. Toxic substances shall be kept to concentrations not exceeding one-fiftieth (1/50) of interior standards by use of the best available control methods and technology in all phases of plant operation and handling of materials, and by an active commitment to good housekeeping practices.

Toxic substances not listed in Reg. I of OAPCA, but released into the air shall be limited in accordance with the most current publication entitled Threshold Limit Values, of the American Conference of Governmental Hygienists.

- c. Liquid wastes shall be disposed of through local sanitary sewer systems only upon approval of affected public sewer authorities.
- d. Liquid or solid wastes unacceptable to public sewer authorities shall be disposed of on a regular basis in keeping with the best operating characteristics of the industry, and in compliance with the regulations and requirements of local, regional, state or federal agencies having jurisdiction in waste disposal and environmental health and safety.

- e. Heat and Glare:

Any operation producing intense heat or glare shall be performed within an enclosure so as to completely obscure such operation from view from any point along the property line.

- f. Radioactive Materials and Radiation Devices:

The use, storage, transportation and disposal of all radioactive materials and radiation machines shall be subject to the regulatory jurisdiction and control of the Radiation Control Agency of the Washington State Department of Social and Health Services as amended.

- g. Vibration and Concussion:

No use shall cause earth vibrations or concussions detectable without the aid of instruments beyond its lot lines, with the exception of the temporary vibration produced as a result of construction activity. Such temporary construction activity shall be restricted to the hours between 7:00 a.m. and 6:00 p.m.

3. Ground and soil contamination:

- a. Materials used or produced in any manufacturing process shall be handled in such a manner as to prevent ground or soil pollution which destroys or endangers the support of natural vegetation or which may contaminate underground aquifers, or other natural drainage systems.

4. Storage and appearance:

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 homes, lumber, gardening materials, nursery stock and the like, or on the site of 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 4a and b above, 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 (30) 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.

C. Other Ordinances Applicable

All uses in every zoning district shall be in compliance with Chapter 14.26 and Chapter 14.32 of the Lacey Municipal Code pertaining to the Shoreline Master Program and land clearing, respectively.

D. Enforcement

1. In the enforcement of this section, the enforcing officer may require the operator or owner of an existing or proposed activity or use to submit reasonable evidence and technical data to demonstrate that the use or activity is or will be in compliance with the performance standards of this section.
2. The enforcing officer may undertake independent studies and engage such technical assistance as may be needed for such studies or to evaluate data or information submitted by an applicant in connection with the performance standards of any activity.
3. The developer, operator or proprietor shall pay for or reimburse the City for the costs incurred in the conduct of such tests as the City may require and for costs incurred by the City to engage technical consultants for review and interpretation of data and findings submitted by or on behalf of the developer, operator or proprietor.

.11 ENVIRONMENTALLY SENSITIVE AREAS

A. Statement of Intent

It is the intent of this section to:

1. Prevent or minimize permanent and/or costly damage to areas identified as especially sensitive to the adverse impact of human activities. Human activities having potentially adverse impacts include but are not limited to the following:
 - a. Use by pedestrians, motorized vehicles, or domestic animals;
 - b. Construction of buildings or other structures, including roads;
 - c. Activities which may or may not be related to construction such as earth grading, land clearing and filling, crop planting, stream diversion or use of streams and other water bodies for disposal of foreign products or materials or the inappropriate transportation or storage of same.
2. Provide maximize protection to the natural environment in the interest of human health and enjoyment. The natural environment includes earth, vegetative, air, water and wildlife resources.
3. Provide for a review procedure, on a case by case basis, when construction or other human activity is proposed for any parcel of land within or reasonably close to the boundaries of environmentally sensitive areas as designated in a generalized manner on that map titled Lacey Proposed Land Use - Map 5, which map is a part of the Lacey Development Plan, or an overlay delineating environmentally sensitive areas - adopted as part of the zoning map.
4. Authorize the enforcement officer, SPRC and/or the Hearings Examiner to require appropriate persons, corporations or agencies to make certain tests and to take reasonable measures to mitigate unavoidable damage or alterations to environmentally sensitive areas when construction or other intensive human activity is proposed therein.

B. Types of Uses Permitted

1. Specific types permitted - Permitted uses are:
 - a. Those of the underlying zone, except that density, building and development coverage and other design features may be more restrictive than those of the same district lying outside the environmentally sensitive area. (See development standards, below.)
 - b. Recreation except those types which would require intensive development such as tennis courts or other facilities requiring

paving or compaction of soils; i.e., passive recreation such as walking, picnicking and the like are permitted.

- c. Agricultural uses provided that a special use permit shall be required to insure protection of waterways and wetlands from the adverse effects of animal wastes, fertilizers, herbicides and pesticides.
 - d. Noncommercial fish and wildlife management, ecological education, nature trails.
 - e. Residential uses limited to one dwelling unit for every two acres, unless upon review of site plans, greater density is approved and development requirements are met to mitigate adverse impacts on environmentally sensitive areas.
2. Control of uses - All uses shall be subject to Site Plan Review and environmental impact review.

C. Prohibited Uses Are

Those which can be shown by documented scientific evidence to permanently alter the environment's eco-systems.

D. Development Standards

The development standards shall be those of the underlying district except that more restrictive requirements may be imposed by the Site Plan Review Committee consistent with the intent of this section.

1. Environmental impacts:

- a. An environmental assessment shall be made by the Site Plan Review Committee of all new construction, additions or expansions for which any building or construction permit is required.

Toward this end an environmental checklist shall be required in connection with all applications for building permits in areas designated as environmentally sensitive.

If the environmental assessment results in a declaration of nonsignificance, and no environmental impact statement is required, the enforcing officer may, nevertheless, make reasonable requirements designed to mitigate potentially undesirable or hazardous effects identified in the environmental checklist.

If the environmental assessment results in the requirement of an environmental impact statement, the procedure and review process provided for in Chapter 14.24 of Lacey Municipal Code shall be followed.

- b. Development proposals and their review in this district shall take into account the following factors in particular:
- soil and/or geologic limitations for septic tanks, roads, or any other construction
 - natural drainage systems including marshes, bogs, and waterways
 - slopes, and the effect of altering them as a result of construction or other intensive activity
 - water quality of surface waters and aquifers.
- c. Design standards - design standards in environmentally sensitive areas shall be those of the underlying district except that where conditions justify it, the City or its officers may require, in addition to the minimum standards of the underlying district, more stringent:
- building and development coverage
 - setbacks
 - size of lots and development sites
 - height limits
 - density limits
 - restoration of ground cover and vegetation.
- d. The City or its officers may require that certain tests and other analytical studies be made prior to approval of development proposals or the granting of building permits in order that any environmental impact can be evaluated; and may require that mitigating steps be taken prior to, during, or after construction in order that adverse effects can be minimized, or compensated for through such steps.
- e. The developer, operator or proprietor shall pay for or reimburse the City for the costs incurred in the conduct of such tests as the City may require and for the costs incurred by the City to engage technical consultants for review and interpretation of data and findings submitted by or on behalf of the developer, operator or proprietor.

.12 LOW DENSITY RESIDENTIAL DISTRICT

A. Statement of Intent

It is the intent of this section to:

1. Enhance the residential quality of the City by providing a high standard of development for single-family residential areas.
2. Designate certain areas in which single-family structures on individual lots are the exclusive type of dwelling unit.
3. Guide residential development to those areas where (a) public sewers are in place prior to residential building construction, or (b) where sewers can be extended at minimal cost to the City, or (c) where new technology in the processing of domestic sewerage makes residential development in unsewered areas environmentally acceptable.
4. Guide development of residential areas in such manner as to encourage and plan for the availability of public services and community facilities such as utilities, police and fire protection, streets, schools, parks and recreation.

B. Types of Uses Permitted

1. Specific types permitted:

- a. Single-family structures on individual lots at approximately four (4) dwelling units per net acre.
- b. Planned residential developments as provided in Section .16.

2. Other or related uses permitted:

- a. Accessory buildings or structures clearly incidental to the residential use of the lot such as storage of personal property or for the pursuit of avocational interests.
- b. Agricultural uses not involving retail sales on the premises.
- c. Home occupations as provided in Section .28.
- d. Secondary dwelling unit in single-family structures:

A secondary dwelling unit may be created on a single-family lot for the exclusive use of persons related by blood or marriage to the owner/occupant of the property. The secondary dwelling unit may consist of one or more rooms, including kitchen and cooking facilities; and may be created by conversion of, or addition to, either the main residence on the lot or legal accessory building; provided that:

- (1) Such conversion or addition shall not increase the maximum allowable building or development coverage of the lot;
- (2) Said conversion or addition shall comply with all rules and regulations of the building, plumbing, fire and other applicable codes;
- (3) A building permit and other applicable permits shall be obtained prior to construction of such conversion or addition.

- d. Special uses as provided in Section .27 of this ordinance, subject to site plan review.
- e. 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.

3. Prohibited uses:

- a. Kennels are prohibited.
- b. Uses other than those identified or described under "types of uses permitted," are prohibited.

C. Development Standards

1. Environmental performance standards:

- a. Permitted uses shall create no noise, emissions, odors or other nuisances which are demonstrably disruptive or disturbing to other residences in the area, or which are of a quality or quantity not normally associated with residential use.
- b. Encourage the construction of accessory buildings in such a manner as to make them complementary to the basic architectural character of the main building on the lot, or appropriate to the accessory use.
- c. Agricultural uses shall be limited as follows:
 - (1) On lots or parcels of one acre or more, poultry and or livestock may be kept provided that the number of head of livestock shall not exceed one for each half acre of lot area, and not more than twenty (20) birds or fowl per acre; and that barns or other structures for the housing or sheltering thereof be set back not less than thirty-five (35) feet from all property lines.
- d. Special uses shall comply with the development standards described for such uses in Section .27 of this ordinance.

- e. All uses shall comply with the applicable environmental performance standards of Section .10 of this Ordinance.

2. Design standards

- a. Size and shape of lots:

	<u>For New Lots</u>	<u>For Lots of Record</u>
(1) Minimum lot area	9,600 sq. ft.**	7,200 sq. ft.*
(2) Minimum lot width	80 ft.	60 ft.
(3) Minimum lot depth	80 ft.	N.A.
(4) Minimum front yard		
On minor street	25 ft.	25 ft.
On major street	35 ft.	35 ft.
On flanking streets	15 ft.	10 ft.
(5) Minimum side yards		
Minimum on one side	8 ft.	5 ft.
Minimum total - both sides	16 ft.	12 ft.
(6) Minimum rear yard	25 ft.	25 ft.
(7) Maximum building coverage for a single use or occupancy.		

<u>Lot Area</u>	<u>Maximum % Bldg. Coverage</u>	
.25 acre or less	30%	35%
Over .25 acre, but less than 1.0 acre	25%	--
Over 1.0 acre, but less than 3.0 acres	20%	--
3.0 acres or more	15%	--

- (8) Maximum development coverage for a single use or occupancy:

<u>Lot Area</u>	<u>Maximum % Dev. Coverage</u>	
.25 acre or less	45%	N.A
Over .25 acre but less than 1.0 acre	35%	--
Over 1.0 acre but less than 3.0 acres	25%	--
3.0 acres or more	20%	--

*Or 7,000 if on public sewer and water

**12,500 sq. ft. if on septic tank subject to Health Department regulations and approval.

N.A. - Means Not Applicable.

(9) Maximum height of buildings

Main building	35 feet
Accessory building	16 feet

- b. Off-street parking shall be provided in accordance with Section .29 of this Ordinance.
- c. Landscaping is required for the purpose of minimizing surface water runoff and diversion, prevent soil erosion, and promote the aesthetic character of the community.

Natural vegetation, ground cover, stands of trees or shrubs existing prior to development of the site may be acceptable to meet the landscaping requirement.

Areas which have been cleared of vegetation or ground cover prior to or during construction, and which are not otherwise developed, shall be landscaped with trees, shrubs and suitable ground cover. Suitable materials for ground cover are those which permit rain water infiltration of the soil and may include sod, ivy, bark, noncompacted gravel and the like.

- d. Storm water runoff - All storm water runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the City and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.36 of the Lacey Municipal Code pertaining to community facilities.

.13 MODERATE DENSITY RESIDENTIAL DISTRICT

A. Statement of Intent

It is the intent of this section to:

1. Enhance the residential quality of the City by providing a high standard of development for residential areas of moderate density.
2. Permit a greater variety of housing types than are permitted in the low density residential district.
3. Permit a higher density of development as a means of achieving more economical housing.
4. Guide moderate density residential development to those areas where (a) public sewers are in place prior to residential building construction; or (b) where sewers can be extended at minimal cost to the City; or (c) where new technology in the processing of domestic sewerage makes residential development in unsewered areas environmentally acceptable.
5. Guide development of residential areas in such manner as to encourage and plan for the availability of public services and community facilities such as utilities, police and fire protection, streets, schools, parks and recreation.
6. Preserve within developments as much open space and related amenities as possible.

B. Types of Uses Permitted

1. Specific types permitted:

- a. Any residential use not exceeding approximately eight (8) dwelling units per net acre.
- b. Duplexes and other multifamily housing types provided they do not exceed the density requirements of this district, and comply with the setback requirements of this section.
- c. Single-family structures on individual lots.
- d. Planned residential development in which the dwelling unit density does not exceed the density of this district except for the density bonus permitted in PRD developments.

2. Other or related uses permitted:

- a. 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.

- b. Agricultural uses not involving retail sales on the premises.
- c. Home occupations as provided in Section .28 of this Ordinance.
- d. Special uses as provided in Section .27 of this Ordinance, subject to site plan review.
- e. 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.

3. Prohibited uses:

- a. Kennels are prohibited.
- b. Uses other than those identified or described under "types of uses permitted" are prohibited.

C. Development Standards

1. Environmental Performance Standards:

- a. Permitted uses shall create no noise, emissions, odors or other nuisances which are demonstrably disruptive or disturbing to other residences in the area, or which are of a quality or quantity not normally associated with residential use.
- b. Accessory buildings shall be complementary to the basic architectural character of the main building on the lot, or appropriate to the accessory use.
- c. Agricultural uses shall be limited as follows:
 - (1) On lots or parcels of one acre or more, poultry and/or livestock may be kept provided that the number of head of livestock shall not exceed one for each half acre of lot area, and not more than twenty (20) birds or fowl per acre; and that barns or other structures for the housing or sheltering thereof be set back not less than thirty-five (35) feet from all property lines.
- d. Special uses shall comply with the development standards described for such uses in Section .27 of this Ordinance.
- e. All uses shall comply with the applicable environmental performance standards of Section .10 of this Ordinance.

2. Design standards

a. Size and shape of lots:

	<u>Lots</u>	<u>For Single-Family Lots Only</u>
(1) Minimum lot area	9,000 sq. ft.**	6,000 sq. ft.
(2) Minimum lot width	80 ft.	60 ft.
(3) Minimum lot depth	80 ft.	80 ft.
(4) Minimum front yard		
On minor street	25 ft.	15 ft.
On major street	35 ft.	20 ft.
On flanking streets	15 ft.	10 ft.
(5) Minimum side yards		
Minimum on one side	8 ft.	5 ft.
Minimum total - both sides	16 ft.	15 ft.
(6) Minimum rear yard	25 ft.	20 ft.
(7) Maximum building area and development coverage for a single use or occupancy:		

**12,500 sq. ft. if on septic tank, subject to Health Department regulations and approval.

<u>Lot Area</u>	<u>Maximum % Bldg. Covg.</u>	<u>Maximum % Devel. Covg.</u>
.25 acre or less	30%	45%
Over .25 acre, but less than 1.0 acre	25%	35%
Over 1.0 acre, but less than 3.0 acres	20%	25%
3.0 acres, or more	15%	20%
(8) Maximum height		
Main building	35 ft.	
Accessory building	16 ft.	

b. Off-street parking shall be provided in accordance with Section .29 of this Ordinance.

c. Landscaping is required for the purpose of minimizing surface water runoff and diversion, prevent soil erosion, and promote the aesthetic character of the community.

Natural vegetation, ground cover, stands of trees or shrubs existing prior to development of the site may be acceptable to meet the landscaping requirement.

Areas which have been cleared of vegetation or ground cover prior to or during construction, and which are not otherwise developed, shall be landscaped with trees, shrubs and suitable ground cover. Suitable materials for ground cover are those which permit rain water infiltration of the soil and may include sod, ivy, bark, noncompacted gravel and the like.

- d. Storm water runoff - All storm water runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the City and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.36 of the Lacey Municipal Code pertaining to community facilities.

.14 HIGH DENSITY RESIDENTIAL DISTRICT

A. Statement of Intent:

It is the intent of this section to:

1. Enhance the residential quality of the City by providing a high standard of development for residential areas of high density.
2. Designate certain areas where high density residential development may be located.
3. Make high density residential developments available to those persons who may prefer such housing because of personal or financial circumstances.
4. Guide high density residential development to those areas where (a) public sewers are in place prior to residential building construction; or (b) where sewers can be extended at minimal cost to the City; or (c) where new technology in the processing of domestic sewerage makes residential development in unsewered areas environmentally acceptable.
5. Guide development of residential areas in such manner as to encourage and plan for the availability of public services and community facilities such as utilities, police and fire protection, streets, schools, parks and recreation.
6. Preserve within developments open space and related amenities.

B. Types of Uses Permitted

1. Specific types permitted:

- a. Any residential use not exceeding approximately twenty (20) dwelling units per net acre.
- b. Duplexes and other multifamily housing provided they do not exceed the density requirements of this district, and comply with the setback requirements of this section.
- c. Planned residential developments in which the dwelling unit density does not exceed the density of this district except for the density bonus permitted in PRD Developments.

2. Other or related uses permitted:

- a. 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.

- b. Agricultural uses not involving retail sales on the premises.
- c. Home occupations as provided in Section .28 of this Ordinance.
- d. Special uses as provided in Section .27 of this Ordinance, subject to site plan review.
- e. 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.

C. Development Standards

1. Environmental Performance Standards:

- a. Permitted uses shall create no noise, emissions, odors or other nuisances which are demonstrably disruptive or disturbing to other residences in the area, or which are of a quality or quantity not normally associated with residential use.
- b. Accessory buildings shall be complementary to the basic architectural character of the main building on the lot, or appropriate to the accessory use.
- c. Agricultural uses shall be limited as follows:
 - (1) On lots or parcels of one acre or more, poultry and/or livestock may be kept provided that the number of head of livestock shall not exceed one for each half acre of lot area, and not more than twenty (20) birds or fowl per acre; and that barns or other structures for the housing or sheltering thereof be set back not less than thirty-five (35) feet from all property lines.
- d. Special uses shall comply with the development standards described for such uses in Section .27 of this Ordinance.
- e. All uses shall comply with the applicable environmental performance standards of Section .10 of this Ordinance.

2. Design standards:

- a. Size and shape of lots:

(1) Minimum lot area

For New
Lots

9,000 sq. ft.**

	<u>For New Lots</u>
(2) Minimum lot width	80 ft.
(3) Minimum lot depth	80 ft.
(4) Minimum front yard	
On minor street	25 ft.
On major street	35 ft.
On flanking streets	15 ft.
(5) Minimum side yards	
Minimum on one side	10 ft.
Minimum total - both sides	20 ft.
(6) Minimum rear yard	25 ft.
(7) Maximum building coverage for a single use or occupancy:	

<u>Lot Area</u>	<u>Maximum % Bldg. Coverage</u>
.25 acre or less	30%
Over .25 acre, but less than 1.0 acre	25%
Over 1.0 acre, but less than 3.0 acres	20%
3.0 acres or more	15%

(8) Maximum development coverage for a single use or occupancy:

<u>Lot Area</u>	<u>Maximum % Dev. Coverage</u>
.25 acre or less	45%
Over .25 acre but less than 1.0 acre	35%

**12,500 sq. ft. if on septic tank, subject to Health District regulations and approval.

<u>Lot Area</u>	<u>Maximum % Dev. Coverage</u>
Over 1.0 acre but less than 3.0 acres	25%
3.0 acres or more	20%

(9) Maximum height of buildings

Main building	80 ft. or 8 stories
Accessory building	16 ft.

- b. Off-street parking shall be provided in accordance with Section .29 of this Ordinance.
- c. Open space - All open space remaining shall be usable for the occupants of the structure. Usable open space may consist of passive or active recreation space. Parking space and driveways are not considered to be useable open space.
- d. Landscaping is required for the purpose of minimizing surface water runoff and diversion, prevent soil erosion, and promote the aesthetic character of the community.

Natural vegetation, ground cover, stands of trees or shrubs existing prior to development of the site may be acceptable to meet the landscaping requirement.

Areas which have been cleared of vegetation or ground cover prior to or during construction, and which are not otherwise developed, shall be landscaped with trees, shrubs and suitable ground cover. Suitable materials for ground cover are those which permit rain water infiltration of the soil and may include sod, ivy, bark, noncompacted gravel and the like.

- e. Storm water runoff - All storm water runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the City and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.36 of the Lacey Municipal Code pertaining to community facilities.

.15 AGRICULTURAL DISTRICT

A. Statement of Intent

It is the intent of this District to:

1. Encourage the preservation of good agricultural uses for their value as economic assets as well as their value as open space.
2. Facilitate the orderly transition from agricultural to more intensive residential use if and when such agricultural uses are no longer feasible for economic or technical reasons.
3. Have available an appropriate zoning district which may be applied to areas of agricultural land which may be annexed to the City at some future time.

B. Types of Uses Permitted

1. Specific Types Permitted:

- a. Production of crops and livestock including but not limited to the following:
 - (1) All horticultural crops including tree farms, green houses and nurseries.
 - (2) Livestock production including grazing, dairying, poultry and egg production, and riding stables.
 - (3) Processing and packaging of produce and animal products, including slaughtering, limited to crops and animals produced on the premises.
- b. Single-family structures, not exceeding one (1) per five (5) acres.

2. Other or Related Uses:

- a. Accessory buildings or structures clearly related to the basic use of the premises such as storage of personal property, vehicles, equipment and supplies.
- b. Stands or sheds for the sale of agricultural products produced on the premises.
- c. Mobile homes for persons related to or employed in the agricultural pursuits of the premises.
- d. Home occupations as provided in Section .28 of this Ordinance.
- e. Special uses and provided in Section .27 of this Ordinance.

3. Prohibited Uses:

- a. Feed lots
- b. Animal product reduction facilities
- c. Slaughter houses or processing plants or facilities larger than those required for the crops or animals grown on the site.

C. Development Standards

1. Environmental Performance Standards:

All uses in this district shall comply with the Environmental Performance Standards of Section .10 of this Ordinance.

2. Design Standards:

- a. Minimum lot area: 5 acres
- b. Minimum lot width at public R/W line:
 - Single-family lots - 80 ft.
 - Other uses - 25% of lot depth
- c. Setbacks for residential structures and all accessory buildings:
 - Minimum front yard on minor street - 25 ft.
 - Minimum front yard on major street - 35 ft.
 - Minimum side yards - 8 ft.
 - Minimum rear yards - 25 ft.
- d. Setbacks for structures or enclosures housing animals or poultry:
 - Minimum setback from front street line - 100 ft.
 - Minimum setback from side and rear property lines or from a flanking street line - 50 ft.
- e. Maximum building area and development coverage for a single use or occupancy is:

<u>Lot Area</u>	<u>Max % Bldg Covg</u>	<u>Max % Devel Covg</u>
5.0 acres or more	15%	25%
- f. Maximum height; residential building 35 feet, accessory building 16 feet; barns, silos and the like 50 feet.

.16 PLANNED RESIDENTIAL DEVELOPMENT

A. Statement of Intent

It is the intent of this section to:

1. Encourage imaginative design and the creation of permanent open space by permitting greater flexibility in zoning requirements than is generally permitted by other sections of this ordinance.
2. Preserve or create environmental amenities superior to those generally found in conventional developments.
3. Create or preserve usable open space for the enjoyment of the occupants.
4. Preserve to the greatest possible extent, the natural characteristics of the land, including topography, natural vegetation, waterways, views, etc.
5. Encourage development of a variety of housing types.
6. Provide for maximum efficiency in the layout of streets, utility networks, and other public improvements.
7. Provide a guide for developers and City officials in meeting the purpose and provisions of this section.

B. Definitions - Certain words and phrases as herein defined shall govern the interpretation of this section.

1. Planned residential developments: Any development of land approved and developed in accordance with the terms of this Ordinance, including a plat or subdivision of such land.
2. Common open space: A parcel or parcels of land or a combination of land and water, within the site designed and intended for the use or enjoyment of residents of a Planned Residential Development. Common open space does not include land occupied by buildings, roads, driveways, required parking areas, or the required yards for buildings or structures.
3. Home owners association: An incorporated, nonprofit organization operating under recorded land agreements through which (a) each lot owner is automatically a member; (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining common property; and (c) a charge, if unpaid, becomes a lien against the property.
4. Residential development: Any development designed and intended for residential use regardless of the type of building in which such residence is located; i.e. conventional single-family dwellings, townhouses, duplexes, fourplexes, or apartment houses.

C. Where Permitted - Planned Residential Development may be permitted in the following land use districts consistent with the development standards in Section F hereof:

1. Low Density Residential District.
2. Moderate Density Residential District.
3. High Density Residential District.
4. Mobile Home Residential District.

D. Types of Uses Permitted

1. Specific types permitted: In a Planned Residential Development, the following uses are permitted, provided that they meet the standards and criteria established in this Ordinance:
 - a. Those uses permitted as a matter of right in the underlying zone.
 - b. Residential developments of all types as defined in this Ordinance.
 - c. As a secondary use, neighborhood commercial may be permitted in a PRD (in moderate and high density districts) subject to the limitations set forth in Section F-7.
2. Other or related uses permitted:
 - a. Accessory uses specifically geared to the needs or the residents of the PRD such as motor vehicle or boat storage structures, or structures related to open space use, subject to the building and development coverage limitations set forth in the "Design Standards" hereof.
 - b. Special uses as provided in Section .27 of this Ordinance.
 - c. Home occupations is provided in Section .28 of this Ordinance.

E. Relationship of this Section to Other Ordinance Provisions

1. Zoning requirements: The provisions of the zoning ordinance pertaining to land use of the underlying zoning district shall govern the use of land in a Planned Residential Development.

The specific set back, lot size, height limits and other dimensional requirements are waived, and the regulations for PRD's shall be those indicated in the section on "Design Standards."

2. Platting requirements: A PRD shall be exempt from the specific design requirements of the subdivision ordinance, except that when any parcel of land in a PRD is intended for individual ownership, sale or public dedication, the platting and procedural requirements of the subdivision ordinance and applicable State laws pertaining to the subdivision and conveyancing of land and the preparation of maps shall be followed.
3. Public hearing required: For both preliminary and final applications for PRD's, public hearings shall be held and notices thereof given as provided for rezoning applications.

F. Development Standards

The following standards shall govern the interpretation and administration of this section:

1. Relationship of PRD site to adjacent areas - The design of a Planned Residential Development shall take into account the relationship of the site to the surrounding areas. The perimeter of the PRD shall be so designed as to minimize undesirable impact of the PRD on adjacent properties and, conversely, to minimize undesirable impact of adjacent land use and development characteristics on the PRD.
2. Site acreage minimum - The minimum site for a Planned Residential Development shall be a full block or a portion of a block if it was a numbered block in the original plat of the City, or a numbered block of a subdivision recorded prior to the adoption of this ordinance. For all previously unplatted areas, the minimum site shall be three (3) acres.
3. Access to public right-of-way - The major internal street serving the PRD shall be connected to at least one major arterial, secondary arterial or collector street.
4. Minimum lot size - The minimum lot size provisions of other sections of the zoning ordinance are waived in a Planned Residential Development.
5. Setback and side yard requirements:
 - a. Setbacks from the exterior boundary line of the PRD area shall be comparable to or compatible with those of the existing development of adjacent properties, or, if adjacent properties are undeveloped, the type of development which may reasonably be expected on such properties given the existing zoning of such properties or the projections of the Comprehensive Plan. In no event shall such setback be less than twenty (20) feet.
 - b. Setbacks or side yards between buildings - The standard setbacks and yard requirements between buildings may be waived in a PRD. Buildings may have common walls and, therefore, built to the property line as in townhouse construction.

Wherever buildings are separated, a minimum distance of ten (10) feet shall be maintained between such buildings.

6. Off-street parking - Off-street parking shall be provided in a PRD in the same ratios for types of buildings and uses as required for the underlying zoning district, and as described in Section .28 of this Ordinance.

7. Secondary use limitations:

- a. Commercial uses are subject to site plan review procedures and shall be provided for in the original, finally approved version of the PRD application for the development within which the commercial use is to be integrated. "Original," as is used in this subsection, refers to the PRD application as it existed at the time of its final approval by the City Council.
- b. The gross floor area of the commercial use shall not exceed the product of thirty (30) square feet multiplied by the number of dwelling units within the development.

The purpose of restricting commercial development is to prevent the PRD process from being used as a vehicle for rezoning to commercial use which may not be at all related to the commercial needs of the area. Once a relatively large number of dwelling units have been completed or occupied, the need for such commercial development may be justified.

- c. Construction of at least fifty (50%) percent of the residences in the PRD must be completed before any building permits will be issued for the construction of commercial uses.

8. Design standards:

a. Open space required:

- (1) Common open space: Each Planned Residential Development shall provide not less than thirty (30%) percent of the gross land area for common open space which shall be either:

- Held in single ownership where such ownership assumes full responsibility for maintenance and operation; or
- Held in common ownership by all of the owners in the development area; or
- Dedicated for public use, if acceptable to the City.

- (2) Common open space may be designed to provide either active or passive recreation.
- (3) Common open space may contain such complementary structures and improvements as are necessary and appropriate for the

benefit and enjoyment of residents of the PRD, provided that the building coverage of such building or structure combined with the building coverage of the residential structures shall not exceed the maximum permitted by the underlying zone.

(a) Private open space - Three hundred (300) square feet private, usable open space having a minimum of fifteen (15) feet in depth shall be provided for each ground level dwelling unit in a PRD. Such private open space is to serve as a buffer between dwelling units and common open space.

(b) Land area and dwelling unit computations - Open space, street area, etc., are computed as follows:

- 1) Street right-of-way - Streets in a PRD shall be computed at twenty (20%) percent percent of the gross land area, regardless of the amount of land actually used for streets in the final design.
- 2) Density and development formula - In a PRD, the City may authorize a dwelling unit density not more than; in the Low Density District - 15%, in the Moderate Density District - 20%, in the High Density District - 25%; than that permitted by the underlying zone, rounded to the nearest whole number, provided that the environmental amenities sought by this ordinance are met.

The computation of the number of dwelling units permitted, and other space requirements shall be as follows:

$$DU = \frac{N}{M} \times 1.2 \text{ (1.2 is the incentive factor)}$$

G Is gross land area in square feet

S Is street area (i.e. 20% of G) in square feet

DU Is number of dwelling units

M Is minimum lot size of the underlying zone, or minimum land area per dwelling unit

N Is net buildable site (G-S) in square feet

EXAMPLE: In a hypothetical five (5) acre site in the moderate density residential district, 32 dwelling units are permitted under conventional development procedures, assuming a minimum lot area of five thousand four hundred forty-five

(5,445) square feet, no dedication for other public use, and twenty (20%) percent of the land area dedicated for public right-of-way. The calculations are as follows:

G = 5 acres = 217,800 sq. ft., gross land area
S = 20% of G = 43,560 sq. ft. of public R.O.W.
G-S = 172,240 sq. ft.

$$DU = \frac{172,240}{5,445} = 31.6 = \underline{32 \text{ dwelling units}}$$

On the same five (5) acre site, under PRD procedure, 38 dwellings are permitted using the formula shown below:

$$DU = \frac{N}{M} \times 1.2$$

N = G-S = 217,800 - 43,560 = 172,240 sq. ft.
M = 5,445 sq. ft. minimum lot area

$$DU = \frac{172,240}{5,445} \times 1.2 = 37.9 = \underline{38 \text{ dwelling units}}$$

- 3) Maximum coverage - Building coverage and development of the site shall not exceed the percentage permitted by the underlying zone.
- 4) Landscaping required - All common open space shall be landscaped in accordance with the landscaping plan submitted by the applicant and approved by the Hearings Examiner. Natural landscape features which are to be preserved, such as existing trees, drainage ways, rock outcroppings, etc. may be accepted as part of the landscaping plan when, in the judgement of the Hearings Examiner, such natural features contribute to the attractiveness of the proposed development.

G. Application Procedure for Preliminary Review and Approval

1. Who may apply: Any owner or group of owners of property acting jointly, or a developer authorized to act as agent for an owner or group of owners, may submit an application for PRD development.

All PRD applications shall be reviewed and approved or disapproved as provided for conditional or special use applications in Section .06 of this Ordinance.

2. Documentation required with application: An application for PRD development shall include the following:

- a. Vicinity sketch showing the location of the site and its rela-

tionship to surrounding areas, including existing streets, driveways, major physiographic features such as, railroads, lakes, streams, shorelines, schools, parks, and other prominent features.

b. A map or maps of the site at a scale not smaller than one hundred (100) feet to the inch, showing all the information required for a preliminary plat plus the following:

- (1) Site boundaries.
- (2) Streets bounding or abutting the site.
- (3) Proposed building including dimensions, identification of types and the number of dwelling units in each residential type.
- (4) Location and dimensions of open spaces.
- (5) Existing and proposed contours.
- (6) Parking facilities, their design, size and capacity.
- (7) Circulation plan--vehicular and pedestrian, and points of ingress and egress from the site, and their relationship to ingress and egress of neighborhood properties.
- (8) Existing buildings and indication of future use or disposition.
- (9) Landscaping plan.

c. In addition to the graphic materials, the developer shall submit a written statement providing the following information:

- (1) Program for development including estimated staging or timing of development, including build-out data to be submitted to the City and to the North Thurston School District for each year during the construction period.
- (2) Proposed ownership pattern upon completion of development.
- (3) Basic content of restrictive covenants.
- (4) Provisions to assure permanence and maintenance of common open space through Homeowners Association formation, condominium development or other means acceptable to the City.
- (5) Statement or tabulation of dwelling unit densities proposed.
- (6) Statement describing the relationship of the proposed PRD to the Lacey Development Plan.

H. Application Procedure for Final Review and Approval

1. Time for filing application: An application for final review and approval shall be filed by the applicant within twelve months of the date on which preliminary approval was given by the Hearings Examiner. An extension not exceeding six (6) months may be granted by the Hearings Examiner. If application for final approval is not made within twelve (12) months or within the time for which an extension has been granted, the Plan shall be considered abandoned, and the development of the property shall be subject to the normal requirements and limitations of the underlying zone and the subdivision ordinance.
2. Final approval for part of a PRD: An application for final review and approval may be filed for part of a PRD area for which preliminary approval has been granted by the Hearings Examiner. A final plan for a part of a PRD shall provide the same proportion of open space and the same overall dwelling unit density as the overall preliminary plan.

If that portion of the PRD for which final approval is requested does not provide such open space, the developer shall file in escrow a quit-claim deed in favor of the City for such additional land area adjacent and accessible to the site, and of sufficient size to provide the open space required to meet the standards of this ordinance. In the event that the developer abandons the remaining portions of the PRD, the escrow agent shall deliver the quit-claim deed to the City or to such other public or private entity as the City may direct.

NOTE: FINAL APPROVAL OF A PRD DEVELOPMENT PLAN SHALL NOT BE CONSTRUED TO BE FINAL PLAT APPROVAL. PLAT APPROVAL IS A SEPARATE ACTION AND SHALL BE IN COMPLIANCE WITH STATE AND LOCAL SUBDIVISION AND PLATTING REGULATIONS. (AS STATED IN PARAGRAPH E-2 OF THIS SECTION.)

3. Documentation required: A final PRD map shall show the same information and the data required of regular plats as required by the subdivision ordinance. In addition, the map shall show all such special features and dimensions required by the Hearings Examiner as a condition for preliminary approval.

In addition to the above, the application shall be accompanied by such other documentation, information and data not lending itself to graphic presentation such as restrictive covenants, incorporation papers and bylaws of Home Owners Associations, dedications of easements, rights-of-way, and other conditions specifically required by the Hearings Examiner for the particular PRD.

I. Administration and Enforcement

1. Building permits and other permits required for the construction or development of property under the provisions of this section shall be issued only when in the opinion of the enforcing official, the work

to be performed meets the requirements of the final plan and program elements of the PRD.

2. Minor and major adjustments:

- a. Minor adjustments may be made and approved by the enforcing official when a building permit is issued. Minor adjustments are those which may affect the precise dimensions or siting of buildings, but which do not affect the basic character or arrangement of buildings approved in the final plan, nor the density of the development or the open space requirements. Such dimensional adjustments shall not vary more than ten (10%) percent from the original.
 - b. Major adjustments are those which, in the opinion of the enforcing officer, substantially change the basic design, density, open space or other requirements of the Planned Residential Development. When, in the opinion of the enforcing officer, a change constitutes a major adjustment, no building or other permit shall be issued without prior review and approval by the Hearing Examiner of such adjustment.
3. Hearings on PRD applications: Public hearings and notice of such hearings shall be held in accordance with the procedures applicable to amendments to the zoning ordinance.
4. Duration of control: The regulations and controls of the Planned Residential Development Ordinance in effect at the time of authorization of a PRD project shall remain in full force and effect for the life of the project.
5. Parties bound: Once the preliminary development plan is approved, all persons and parties, their successors, heirs, or assigns, who own, have, or will have by virtue of purchase, inheritance or assignment, any interest in the real property within the proposed PRD, shall be bound by the conditions attending the approval of the development and the provisions of this ordinance.
6. Construction to begin: Construction of the PRD project shall begin within one year from the date of the final approval of the plan.

An extension of time for beginning construction may be requested in writing by the applicant, and such extension not exceeding six (6) months may be granted by the Council. If construction is not begun within one year or within the time for which an extension has been granted, the plan shall be considered abandoned, and the development of the property shall be subject to the normal requirements and limitations of the underlying zone and the subdivision ordinance.

.17 MOBILE HOMES

A. Statement of Intent

It is the intent of this section to:

1. Permit the location of mobile homes as a permanent form of dwelling unit in certain districts and as an accessory use or a temporary use in certain other districts.
2. Provide standards for the development and use of mobile homes appropriate to their location and their use as permanent, accessory or temporary facilities.
3. Designate appropriate locations for such dwelling units.
4. Ensure a high quality of development for such dwelling units to the end that the occupants of mobile homes and the community as a whole are protected from potentially adverse impact of such development or use.
5. Provide for City review of proposed mobile home parks and subdivisions.
6. Make a distinction between mobile home parks and mobile home subdivisions, and their development and occupancy characteristics.

DEFINITION:

- a. The term "mobile home park" shall mean an area of land, in single ownership, on which ground space is made available for the location of mobile homes (or trailers) on a month-to-month or yearly lease basis. Said mobile homes would, generally, be owned by the occupants who pay a fee for the use of the ground space. The mobile home units remain essentially portable and may be moved from time to time.
- b. The term "mobile home subdivision" shall mean an area of land, platted in accordance with the subdivision or platting regulations of the City and the State of Washington, in which each parcel or lot is designed and intended to be owned in fee by a person or persons also owning and occupying the mobile home structure situated on said lot. The mobile home units remain essentially fixed on permanent foundations and, generally, are moved onto the site in their entirety or in sections only at the time of initial construction. Structures in mobile home subdivisions shall meet current HUD or UBC construction standards.
- c. Mobile Home - A vehicular, portable structure(s) built on a chassis designed to be used as a residential dwelling, and which is not designed to be permanently affixed to a foundation and containing plumbing, waste disposal and electrical systems similar to conventional homes.

B. Where Permitted:

Mobile homes are permitted as follows:

1. As a primary use in a mobile home subdivision of not less than five (5) nor more than forty (40) acres in the:
 - a. Low density residential district.
 - b. Moderate density residential district.
 - c. Agricultural district.
 - d. As part of a planned residential development as provided for in Section .16 of this Ordinance.
2. As a primary use in a mobile home park of not less than three (3) acres nor more than twenty (20) acres. Mobile home parks shall be permitted in the following districts:
 - a. Moderate density residential district.
 - b. High density residential district.
 - c. General commercial district.
3. As an accessory use for security or maintenance personnel in the following districts, subject to site plan review:
 - a. General commercial district.
 - b. Light industrial/commercial district.
 - c. Industrial district.
 - d. Mineral extraction district.
 - e. Open space/institutional district.
4. As temporary or emergency use in:
 - a. 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 (90) days beyond completion of construction. A thirty (30) 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.
 - b. Any district as an emergency facility when operated by or for a public agency.

- c. 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.

C. Where Prohibited

1. Mobile homes as a primary use are prohibited in or on:
 - a. Areas platted, designed and intended for conventional residential development.
 - b. Any site not officially designated or recognized as a mobile home park or subdivision, or a part of a planned residential development.
2. Mobile homes are prohibited as an accessory use in any land use district not identified in paragraph B-3, above.

D. Development Standards

1. Mobile home subdivisions shall comply with the same minimum performance and design standards of conventional housing in the zoning districts in which they are permitted. However, mobile homes shall not be constructed or used as duplexes.
2. A complete and detailed plot plan shall be submitted to the Planning Department. The plot plan shall include the following information and such other information as the Planning Department may reasonably require to determine the acceptability of the proposed development.
 - a. Location and dimensions of all lots.
 - b. Roads, internal street system, and driveways.
 - c. Common open space, community facilities.
 - d. Utility lines, including water, sewer, electrical and any others contemplated.
 - e. Landscaping and screening plan for exterior boundaries.
3. Design standards for mobile home subdivisions:
 - a. Minimum site for mobile home subdivisions - five (5) acres.
Maximum site for mobile home subdivisions - forty (40) acres.

b. Size and shape of lots:

	<u>In Low Density Districts</u>	<u>In Moderate Density Districts</u>
(1) Minimum lot area	9,600 sq. ft.	6,000 sq. ft.
(2) Minimum lot width	80 ft.	60 ft.
(3) Minimum lot depth	80 ft.	80 ft.
(4) Minimum front yard		
On minor streets	25 ft.	15 ft.
On major streets	35 ft.	20 ft.
On flanking streets	15 ft.	10 ft.
(5) Minimum side yards		
Minimum on one side	8 ft.	5 ft.
Minimum total - both sides	16 ft.	15 ft.
(6) Minimum rear yard	25 ft.	20 ft.
(7) Maximum building coverage	30%	30%

c. Off-street parking shall be provided in accordance with Section .29 of this Ordinance.

d. Open space - open space for common use of all residents of the subdivision shall be provided; such space shall be accessible to and usable by the residents of the subdivision for passive or active recreation. Parking space and driveways are not considered to be usable open space.

e. Accessory buildings - Accessory buildings on individual lots shall comply with the regulations for such buildings as provided in the zoning district in which the subdivision is located.

4. Design standards for mobile home parks:

a. Minimum site for a mobile home park - three (3) acres
 Maximum site for a mobile home park - twenty (20) acres
 Maximum number of mobile homes per acre - 8

b. Size and shape of individual mobile home sites:

(1) Minimum space area	4,000 sq. ft.
(2) Minimum width	40 ft.
(3) Minimum depth	80 ft.

(4) Minimum setback from street
or access road 20 ft.

(5) Maximum development coverage of space: 50%

(6) Not less than fifteen (15) feet of space shall be maintained between mobile home units or any part thereof, nor shall any mobile home unit be closer than fifteen (15) feet from any other building in the park, or from the exterior property line bounding the park.

c. Off-street parking - shall be provided in accordance with Section .29 of this Ordinance.

d. Open space - Common open space or spaces equal to not less than five hundred (500) square feet for each mobile home shall be provided in such shape and location as to be available and usable to all residents of the mobile home park. Such space may be for passive or active recreation. Parking space, driveways and access streets are not considered to be usable open space.

e. Accessory buildings and structures -

(1) Buildings or structures accessory to individual mobile homes are permitted, including enclosed carports provided that the total development coverage of the space shall not exceed the development coverage permitted in paragraph 5-b, above (i.e., 50%).

(2) Buildings or structures accessory to the mobile home park as a whole, and intended for the use of all mobile home occupants are permitted, provided the building area not exceed one-fourth (1/4) of the common open space area.

f. Landscaping and screening - 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.

When required, such screening may consist of densely planted vegetation not less than four (4) feet in height at the time of planting, or a solid fence, six (6) feet in height, or a combination of fencing and vegetation which achieves the same screening effect.

Landscaping is also required in all setback areas and open space. Landscaping may consist of suitable ground cover shrubs and trees. Natural vegetation or stands of trees existing prior to development of the site may be acceptable to meet the landscape requirements.

Visual interruption with appropriate vegetation between mobile home units may also be required to relieve visual monotony.

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 home park.

All trees, flowers, lawns and other landscaping features shall be maintained in a healthy growing condition at all times.

g. Ingress and egress -

- (1) Each mobile home site shall have access from an interior drive or roadway only.
- (2) Access to the mobile home park shall be limited to not more than one driveway from a public street or road for each two hundred (200) feet of frontage.

h. Interior street dimensions - All interior streets of the park shall have dimensions as follows:

- (1) One-way traffic - 12 feet.
- (2) Two-way traffic - 20 feet.
- (3) Street with parking permitted - Seven (7) feet additional for each side on which parking is permitted.

i. Surfacing - The following areas shall be hard-surfaced to a standard of construction acceptable to the City Engineer:

- (1) That portion of each mobile home site covered by the mobile home.
- (2) All streets, roads, driveways and pedestrian walkways.

Carports and parking areas may be gravel.

j. Storm water runoff - All storm water runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the City and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.36 of the Lacey Municipal Code pertaining to community facilities.

.18 CORE COMMERCIAL DISTRICTS

A. Statement of Intent

It is the intent of this section to:

1. Encourage and permit the development of a core area (or areas) of commercial uses which serve a wide geographic market area with a broad and diverse range of goods and services.
2. Limit location of such core area(s) to sites having safe and efficient access to major transportation routes; and limit uses to those types which depend on and encourage pedestrian access for most successful operation.
3. Provide for development standards which will enhance the efficient operation of said area(s), and to achieve minimum adverse impact on the community as a whole, especially on adjacent properties having different land use characteristics.

B. Types of Uses Permitted

1. Specific types permitted - Permitted uses are those which provide direct retail sales and services to consumers. Such uses and services include but are not limited to the following:
 - a. Food and Beverage sales of all types whether consumed on or off premises.
 - b. General Merchandising and Retailing - By individual specialty shops or "department" stores such as: clothing, shoes, sporting goods, hardware, jewelry, books and cards, toys and hobby, music and art, furniture and appliances, and establishments which provide cleaning, repair and maintenance of apparel and equipment.
 - c. Personal and professional services - Barber and beauty shops, medical, dental, chiropractic, optometric and related types of services, legal, banking, insurance, real estate and/or security brokers; service stations and motor vehicle repair and maintenance.
 - d. Theaters and entertainment services
 - (1) Theaters for the production and viewing of "live performances" of plays, concerts, recitals, etc.; or the viewing of performances filmed, taped or projected through any medium.
 - (2) 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.

- e. Residential-High Density, provided it meets the development standards set forth in Section .14 of this Ordinance.
2. Similar or related uses permitted - and criteria for determination of similarity or relatedness.
 - a. Uses similar to, or related to, those listed in Sections B-1 above, 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 section or the policies of the Lacey Development 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 area.
 - (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.
3. Special Uses - May be permitted as provided for in Section .27 of this Ordinance.
4. Types of uses prohibited - Uses other than those identified or described in sub-section B-1, 2 and 3 of this section are prohibited.

C. Development Standards

Development standards shall take into account both the Environmental impact of the proposed use and the Design standards of this section.

Permitted uses as well as similar or related and special uses shall comply with the standards of this land use district.

1. Environmental performance standards:
 - a. It shall be the responsibility of the operator and/or the proprietor of any permitted use to provide such evidence and technical data as the enforcing officer may require to demonstrate that the use or activity is or will be in compliance with the Environmental Performance Standards of Section .10 of this Ordinance.

Failure of the enforcing officer to require such information shall not be construed as relieving the operator and/or the proprietor from compliance with the Environmental Performance Standards of this Ordinance.
 - b. An environmental impact assessment shall be made by the Site Plan Review Committee in accordance with the procedures contained in Section .03 of this Ordinance.

2. Design standards:

a. Size and shape of site:

Minimum size of any parcel to be developed in this district shall be one (1.0) acre. For interior lots (i.e., with frontage on only one street) frontage on public right-of-way shall not exceed the lot depth by more than twenty (20%) percent.

For corner lot (i.e., with frontage on two intersecting streets) the frontage on one street may exceed the frontage on the intersecting street by not more than one hundred (100%) percent.

b. Location of buildings or structures on site - if adjacent parcels are in same zoning district or in another commercial or industrial district:

Setbacks from side property lines--15 feet

Setbacks from rear property lines--15 feet

Setbacks from front property lines shall be in accordance with paragraph "d." below.

c. Relationship to adjacent areas:

Parcels or lots which share a common boundary with properties in a residential or public/institutional district shall, in addition to the rear or side setbacks required above, provide a ten (10) foot strip for landscaping along said common boundary.

d. Relationship to public right-of-way:

(1) Setbacks from public right-of-way shall comply with the requirements of the Off-Street Parking Section of this Ordinance, Section .29.

(2) Ingress and egress to and from the site shall be limited to one driveway for each two hundred (200) feet of frontage.

Where only one driveway serves a site, said driveway shall not be less than twenty-five (25) feet nor more than thirty-six (36) feet wide.

All driveways shall be not less than one hundred fifty (150) feet from intersecting right-of-way lines, measured from the centerline of the driveway.

Curbs and gutters or permanently fixed bollards shall be provided to limit other vehicular access to the site.

(3) Off-street parking shall be provided in accordance with Section .29 of this Ordinance.

e. Maximum height of buildings: 80 feet or 8 stories.

f. Landscaping:

- (1) All required minimum yard areas shall be landscaped with suitable ground cover and deciduous or evergreen trees, not to be less than forty (40%) percent of each yard area and the sum total of which must equal fifteen (15%) percent of the site.

Suitable ground cover may be grass, ivy, bark, river rock, and the like.

Natural vegetation or stands of trees existing prior to development of the site may be acceptable to meet all or part of the landscape requirements.

The exterior edges of yards which abut a residential district shall be densely planted with site screening vegetation having a minimum height of four feet at the time of planting. Screening can be in lieu of the forty (40%) percent requirement for that yard area only, and if in excess of forty (40%) percent will not affect the percentage rate of other yard areas.

- (2) The perimeters of all 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 site.
- (3) All trees, flowers, lawns and other landscaping features shall be maintained in a healthy growing condition at all times.
- (4) A plot plan of all proposed landscaping shall be submitted along with the site plan for review by the City.

g. Storm water runoff - All storm water runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the City and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.36 of the Lacey Municipal Code pertaining to community facilities.

.19 GENERAL COMMERCIAL DISTRICT

A. Statement of Intent

It is the intent of this section to:

1. Permit, in designated areas, commercial uses and activities which depend more heavily on convenient vehicular access than pedestrian access; and which do not require locations in other commercial districts, or which may be inappropriate in other commercial districts.
2. Limit location of general commercial areas to sites having safe and efficient access to major transportation routes.
3. Identify the types of commercial uses appropriate or acceptable in the general commercial district.
4. Provide development standards to enhance the efficient operation of these districts; and to achieve minimum adverse impact on the community as a whole, especially on adjacent properties having different land use characteristics.

B. Types of Uses Permitted

1. Specific types permitted in this district are those commercial activities which are more dependent on direct vehicular access than the activities permitted in other districts.
 - a. Sales and/or servicing of:
 - (1) appliances and home furnishings
 - (2) automotive equipment
 - (3) boats and marine equipment
 - (4) building contractors; including plumbing, electrical, etc.
 - (5) campers, mobile homes and trailers
 - (6) car washes and service stations
 - (7) farm equipment and supplies
 - (8) lumber yards and hardware
 - (9) laundry and dry cleaning--both commercial and self-service.
 - b. Eating and drinking places, including drive-ins.

- c. Commercial recreation, such as:
 - (1) 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.
 - (2) drive-in theaters.
- 2. Similar or related uses permitted:
 - a. Distributive business establishments such as wholesaling, warehousing, including for example:
 - (1) mail order warehouses
 - (2) automotive parts wholesalers
 - (3) hotels and motels
 - (4) transient facilities for short-term stay (e.g., overnight two (2) weeks) of recreational vehicles
 - (5) mobile home parks.
 - b. Other, unlisted, similar or related uses - and criteria for determination of similarity or relatedness.
 - (1) Uses similar to, or related to, those listed in Section B-1 above, 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 section or the policies of the Lacey Development Plan.
 - (2) The Criteria for such finding of similarity shall include but not be limited to the following:
 - (a) That the proposed use is appropriate in this district.
 - (b) That the development standards for permitted uses can be met by the proposed use.
 - (c) That the public need is served by the proposed use.
- 3. Special uses - may be permitted as provided for in Section .27 of this Ordinance.
- 4. Types of uses prohibited:

Unless specifically listed as a permitted or similar use in this district, the following uses and types of uses are prohibited.

a. Those uses which are provided for in the following land use districts:

- (1) residential, low density
- (2) residential, moderate density
- (3) residential, high density
- (4) mobile home subdivisions
- (5) public institutional
- (6) industrial
- (7) light industrial
- (8) mineral extraction.

b. Other prohibited uses:

- (1) Auto wrecking yards including junk, scrap metal, and other material salvage operations.
- (2) Storage of explosive or materials of such character or in such quantities as to constitute a significantly greater hazard to persons, property or environmental health than that posed by materials commonly used or stored in the ordinary retail and service establishments permitted in this district.

C. Development Standards

1. Environmental performance standards:

a. It shall be the responsibility of the operator and/or the proprietor of any permitted use to provide such evidence and technical data as the enforcing officer may require to demonstrate that the use or activity is or will be in compliance with the Environmental Performance Standards of Section .10 of this Ordinance.

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

b. An environmental impact assessment shall be made by the Site Plan Review Committee in accordance with the procedures contained in Section .03 of this Ordinance.

2. Design standards:

a. Size and shape of site:

- (1) Minimum size of any parcel to be developed in this district shall be ten thousand (10,000) square feet.
- (2) Maximum building coverage - 30%

b. Location of buildings or structures on site - if adjacent parcels are in same zoning district or in another commercial or industrial district:

Setbacks from side property lines--15 feet
Setbacks from rear property lines--15 feet
Setbacks from front property lines shall be in accordance with paragraph "d." below.

c. Relationship to adjacent areas:

Parcels or lots which share a common boundary with properties in a residential or public/institutional district shall, in addition to the rear or side setbacks required above, provide a ten (10) foot strip for landscaping along said common boundary.

d. Relationship to public right-of-way:

- (1) Setbacks from public right-of-way shall comply with the requirements of the Off-Street Parking Section of this Ordinance, Section .29.
- (2) Ingress and egress to and from the site shall be limited to one driveway for each two hundred (200) feet of frontage.

Where only one driveway serves a site, said driveway shall not be less than twenty-five (25) feet nor more than thirty-six (36) feet wide.

All driveways shall be not less than one hundred fifty (150) feet from intersecting right-of-way lines, measured from the centerline of the driveway.

Curbs and gutters or permanently fixed bollards shall be provided to limit other vehicular access to the site.

- (3) Off-street parking shall be provided in accordance with Section .29 of this Ordinance.

e. Maximum height of buildings: 40 feet.

f. Landscaping:

- (1) All required minimum yard areas shall be landscaped with suitable ground cover and deciduous or evergreen trees, not to be less than forty (40%) percent of each yard area and the sum total of which must equal fifteen (15%) percent of the site.

Suitable ground cover may be grass, ivy, bark, river rock, and the like.

Natural vegetation or stands of trees existing prior to development of the site may be acceptable to meet all or part of the landscape requirements.

The exterior edges of yards which abut a residential district shall be densely planted with site screening vegetation having a minimum height of four feet at the time of planting. Screening can be in lieu of the forty (40%) percent requirement for that yard area only, and if in excess of forty (40%) percent will not affect the percentage rate of other yard areas.

- (2) The perimeters of all 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 site.
- (3) All trees, flowers, lawns and other landscaping features shall be maintained in a healthy growing condition at all times.
- (4) A plot plan of all proposed landscaping shall be submitted along with the site plan for review by the City.

- g. Storm water runoff - All storm water runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the City and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.36 of the Lacey Municipal Code pertaining to community facilities.

.20 LIMITED BUSINESS

A. Statement of Intent

It is the intent of this section to:

1. Permit the development of areas devoted to certain mixed uses of land which are found to be reasonably compatible, such as moderate density residential, offices and limited types of commercial activity.
2. Provide certain site development standards in order that conflicts of space demand, parking, access, and other adverse environmental impact of one type of use on other types of use in the same area be kept to a level mutually acceptable to proprietors, occupants and the public.

B. Types of Uses Permitted

1. Specific types of uses

- a. Residential-Moderate Density not exceeding approximately eight (8) dwelling units per net acre.
- b. Convenience Commercial establishments such as:
 - (1) Small retail establishments, such as grocery stores, pharmacies, television and appliance and small specialty shops.
 - (2) Small professional and business services, including, but not limited to real estate and security brokers, insurance, accountants, attorneys, engineers, medical, dental and optical.
 - (3) Personal services such as barber, beauty shops and bakeries.

2. Similar or related uses permitted - and criteria for determination of similarity or relatedness.

- a. Uses similar to, or related to, those listed in Section B-1 above, 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 section or the policies of the land development 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 area.
 - (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.

3. Special uses - May be permitted as provided for in Section .27 of this Ordinance.
4. Types of use prohibited - Uses other than those identified or described in sub-sections B-1, 2 and 3 of this section are prohibited.

C. Development Standards

1. Environmental performance standards:

- a. It shall be the responsibility of the operator and/or the proprietor of any permitted use to provide such reasonable evidence and technical data as the enforcing officer may require to demonstrate that the use or activity is or will be in compliance with the Environmental Performance Standards of Section .10 of this Ordinance.

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

- b. General character - Developments in this district shall be characterized by small scale development of individual properties, reasonable compatibility with residential character, low traffic generation, limited hours of operation (6:00 a.m. to 10:00 p.m.), and convenient pedestrian access.
- c. Storage - Outside storage of any kind is prohibited.

2. Design standards:

a. Design and shape of site:

- (1) Minimum lot area -- 6,000 sq. ft.
- (2) Minimum lot width -- 60 ft.
- (3) Minimum side yard -- 5 ft.
- (4) Minimum rear yard -- 15 ft.
- (5) Minimum front yard -- as per setback requirements in Off-Street Parking section of this Ordinance.
- (6) Maximum building coverage -- 40%
Maximum development coverage -- 70%
- (7) Maximum building height -- 40 ft.

b. Off-street parking shall be provided in accordance with Section .29 of this Ordinance.

c. Landscaping:

- (1) All required minimum yard areas shall be landscaped with suitable ground cover and deciduous or evergreen trees, not to be less than forty (40%) percent of each yard area and the sum total of which must equal fifteen (15%) percent of the site.

Suitable ground cover may be grass, ivy, bark, river rock, and the like.

Natural vegetation or stands of trees existing prior to development of the site may be acceptable to meet all or part of the landscape requirements.

The exterior edges of yards which abut a residential district shall be densely planted with site screening vegetation having a minimum height of four feet at the time of planting. Screening can be in lieu of the forty (40%) percent requirement for that yard area only, and if in excess of forty (40%) percent will not affect the percentage rate of other yard areas.

- (2) The perimeters of all 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 site.
- (3) All trees, flowers, lawns and other landscaping features shall be maintained in a healthy growing condition at all times.
- (4) A plot plan of all proposed landscaping shall be submitted along with the site plan for review by the City.

d. Storm water runoff - All storm water runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the City and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.36 of the Lacey Municipal Code pertaining to community facilities.

.21 OFFICE COMMERCIAL

A. Statement of Intent

It is the intent of this section to:

1. Provide opportunities for the development of concentrated office complexes in appropriate areas.
2. To designate areas in which professional and business offices can function with minimum interference to and from retail business establishments.
3. Create an attractive setting adjacent to other types of business or commercial areas.
4. Serve as a transition or buffer area between living areas and other types of land use.

B. Types of Uses Permitted

1. Specific types permitted

- a. Corporate headquarters or regional administrative offices of commercial, financial, charitable, fraternal or governmental institutions.
- b. Smaller offices offering direct business or professional services to consumer-clients, including, but not limited to: real estate and security brokers, insurance, accountants, attorneys, engineers, medical, dental and optical.

2. Similar or related uses permitted - and criteria for determination of similarity or relatedness:

- a. Uses similar to, or related to, those listed in Sections B-1 above, 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 section or the policies of the land development 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 area.
 - (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.

3. Special uses - may be permitted as provided for in Section .27 of this Ordinance.
4. Types of uses prohibited - Uses other than those identified or described in sub-section B-1, 2 and 3 of this section are prohibited.

C. Development Standards

1. Environmental performance standards:

- a. It shall be the responsibility of the operator and/or the proprietor of any permitted use to provide such reasonable evidence and technical data as the enforcing officer may require to demonstrate that the use or activity is or will be in compliance with the Environmental Performance Standards of Section .10 of this Ordinance.

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

2. Design standards

- a. Size and shape of site:

- (1) Minimum lot area -- 10,000 sq. ft.
- (2) Minimum lot width -- 70 ft.
- (3) Minimum side yard -- 10 ft.
- (4) Minimum rear yard -- 20 ft.
- (5) Minimum front yard -- as per setback requirements in Off-Street Parking section of this Ordinance.
- (6) Maximum building coverage -- 40%
- (7) Maximum development coverage -- 70%
- (8) Maximum building height -- 40 ft.

- b. Off-street parking shall be provided in accordance with Section .29 of this Ordinance.

- c. Landscaping:

- (1) All required minimum yard areas shall be landscaped with suitable ground cover and deciduous or evergreen trees, not to be less than forty (40%) percent of each yard area and the sum total of which must equal fifteen (15%) percent of the site.

Suitable ground cover may be grass, ivy, bark, river rock, and the like.

Natural vegetation or stands of trees existing prior to development of the site may be acceptable to meet all or part of the landscape requirements.

The exterior edges of yards which abut a residential district shall be densely planted with site screening vegetation having a minimum height of four feet at the time of planting. Screening can be in lieu of the forty (40%) percent requirement for that yard area only, and if in excess of forty (40%) percent will not affect the percentage rate of other yard areas.

- (2) The perimeters of all 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 site.
 - (3) All trees, flowers, lawns and other landscaping features shall be maintained in a healthy growing condition at all times.
 - (4) A plot plan of all proposed landscaping shall be submitted along with the site plan for review by the City.
- d. Storm water runoff - All storm water runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the City and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.36 of the Lacey Municipal Code pertaining to community facilities.

.22 NEIGHBORHOOD COMMERCIAL

A. Statement of Intent

It is the intent of this section to:

1. Provide the opportunity for the development of small commercial facilities in residential areas catering to the day-to-day needs of consumers for a limited range of convenience goods and services.
2. Limit such commercial facilities as to size of site, bulk of structures, and to such locations as to serve a relatively large number of persons in a relatively small geographic area. To that end, pedestrian accessibility shall be a major criterion in the location of neighborhood commercial facilities.
3. Limit such development to areas where local economic demand, local citizen acceptance and appropriate design solutions assure compatibility with the neighborhood.

B. Types of Uses Permitted

1. Specific uses permitted

Convenience stores that sell food or drugs. Gasoline may be sold in conjunction with a convenience store, provided there is no more than one (1) gas pump island containing not more than four (4) dispensing nozzles.

2. Similar or related uses permitted

All other uses are prohibited in this district.

C. Development Standards

1. Environmental performance standards:

- a. It shall be the responsibility of the operator and/or the proprietor of any permitted use to provide such reasonable evidence and technical data as the enforcing officer may require to demonstrate that the use or activity is or will be in compliance with the Environmental Performance Standards of Section .10 of this Ordinance.

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

- b. General character - Developments in this district shall be characterized by small buildings, low traffic generation, considerable

walk-in trade, moderate lighting, quiet operations and little or no night activity. Operating hours shall be limited to the hours between 6:00 a.m. and 10:00 p.m.

- c. Location - Neighborhood commercial districts shall not be located within less than a one-half (1/2) mile radius from another neighborhood commercial district or any other commercial district providing similar services or facilities.
- d. Storage - Outside storage shall comply with the requirements of Section .10 of this Ordinance.

2. Design Standards

- a. Size and shape of site:

Minimum lot size for the development of a site in this classification shall be seven thousand (7,000) square feet, or the minimum lot size of the residential area adjacent to the site, whichever is greater.

Maximum size for a site containing one or more of the permitted uses shall be one (1) acre.

The shape of parcels shall be multiples of residential lots permitted in the adjacent residential areas.

- b. Size of buildings:

- (1) Maximum gross floor area of building for single use - 3,000 square feet, (unless maximum building coverage of lots permits less).
- (2) Maximum gross floor area of building for combination use - 6,000 square feet.
- (3) Maximum building coverage - 30%.
- (4) Maximum development coverage - 60%.
- (5) Maximum building height - 35 feet.
- (6) Setbacks -

Front - 20 feet
Rear - 15 feet
Side - 10 feet

- c. Relationship to public right-of-way:

Land classified in this district shall be located on an arterial and preferably on a collector cross street, with access from minor streets.

(1) Ingress and Egress:

Access to a site which is a corner lot shall be limited to one driveway on each of the intersecting streets.

Access to a site which is an interior lot shall be limited to one driveway unless the Site Plan Review Committee approves two driveways--one for entering and one for leaving the site.

d. Off-street parking:

- (1) One off-street parking space for each five hundred (500) square feet of gross floor area shall be provided.
- (2) Parking spaces may be used for loading zones in this district, provided that loading operations shall not obstruct driveways.
- (3) Buildings and parking spaces are to be so arranged as to make it unnecessary for vehicles to back out into the public right-of-way.
- (4) There shall be no parking in any side or rear yard abutting a residential district.

e. Landscaping:

- (1) All required yard areas shall be landscaped with lawn, shrubs, flowers, and deciduous and evergreen trees, not to be less than forty (40%) percent of each yard area and the sum total of which must equal fifteen (15%) percent of the site.

The exterior edges of yards shall be densely planted with site screening vegetation having a minimum height of four feet at the time of planting. Screening can be in lieu of the forty (40%) percent requirement for that yard area only, and if in excess of forty (40%) percent will not affect the percentage rate of other yard areas.

- (2) The perimeters of all 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 site.
- (3) All trees, flowers, lawns and other landscaping features shall be maintained in a healthy growing condition at all times.
- (4) A plot plan of all proposed landscaping shall be submitted along with the site plan for review by the Site Plan Review Committee.

- f. Storm water runoff - All storm water runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the City and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.36 of the Lacey Municipal Code pertaining to community facilities.

.23 LIGHT INDUSTRIAL/COMMERCIAL DISTRICT

A. Statement of Intent

It is the intent of this section to:

1. Provide for the development of areas in which certain types of industrial activities may be located.
2. Permit in the same areas such commercial uses as may be compatible with the industrial activities.
3. Protect light industrial/commercial areas from other uses which may interfere with the purpose and efficient functioning of said areas.
4. Protect living areas from adverse or damaging impact of any kind emanating or resulting from activities in the light industrial/commercial areas.
5. Provide criteria for the location and standards for the development of said areas.

B. Types of Uses Permitted

1. Specific types permitted:

- a. 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.
- b. Such goods or products may include, but are not limited to:
 - (1) Mechanical, automotive, marine and contractors'/builders equipment and supplies.
 - (2) Electrical and electronic equipment or products.
 - (3) Warehousing and storage of equipment, commodities and products.

2. Similar, related or compatible uses permitted - and criteria for determination of similarity, relatedness or compatibility.

- a. Uses similar to, or related to, or compatible with those listed or described in Section B-1, above, 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 section or the policies of the Lacey Development Plan.

- b. The Criteria for such finding of similarity, etc., shall include but not be limited to the following:
 - (1) That the proposed use is appropriate in this area.
 - (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. Commercial uses or activities which complement the permitted uses such as:
 - (1) Service stations
 - (2) Hardware stores
 - d. Commercial uses which, although not essential to the successful functioning of these areas, do not create significant interference or conflict with the permitted activities; they may include:
 - (1) Restaurants, including drive-in
 - (2) Motels
 - (3) Business, professional and personal services (e.g., banks, accounting services, barber shops)
 - (4) Taxidermy
 - (5) Veterinary clinics (limited to small animals)
 - e. 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.
 - f. Firemen's sleeping quarters in fire houses.
3. Special uses - May be permitted as provided for in Section .27 of this Ordinance.
4. Prohibited uses

The following uses and similar uses or activities, as determined by the enforcing officer or the Site Plan Review Committee are prohibited:

- a. All uses or activities which would require extraordinary equipment, devices or technology for the control of odors, dust, fumes, smoke, noise or other wastes and/or by-products which, if uncontrolled, would contaminate the environment to a degree unacceptable by contemporary community standards; or which would

exceed the acceptable limits established by competent and recognized public and quasi-public agencies for the protection of industrial and/or environmental health.

Examples of prohibited uses are:

- (1) Animal slaughtering.
 - (2) Care and/or sale of livestock, poultry or similar animals.
 - (3) Storage, manufacture or sale of highly volatile or otherwise extremely hazardous substances or materials.
- b. Residential uses other than those described in paragraph 2-e, above.
 - c. Uses for which adequate provision is made in other sections of this Ordinance.

C. Development Standards

1. Environmental performance standards:

It shall be the responsibility of the operator and/or the proprietor of any permitted use to provide such reasonable evidence and technical data as the enforcing officer may require to demonstrate that the use or activity is or will be in compliance with the Environmental Performance Standards of Section .10 of this Ordinance.

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

2. Design standards:

a. Minimum site requirements

- (1) Lot area - 10,000 square feet.
- (2) Lot width - 100 feet.
- (3) Side yard setback - 15 feet or 25 feet if abutting a residential area.
- (4) Rear yard setback - 25 feet.
- (5) Front yard setback - 20 feet or as required in Section .28 (Off-Street Parking and Loading).

b. Maximum building allowance.

(1) Development coverage - 70% of site.

(2) Height -

<u>Lot Area</u>	<u>Max. Bldg. Height</u>
Less than 1 acre	35 feet
1 to 2 acres	45 feet
More than 2 acres	60 feet

(3) Floor area - 1 square foot of floor area per foot of land area.

c. Off-street parking shall be provided in accordance with Section .29 of this Ordinance.

d. Landscaping:

(1) All required minimum yard areas shall be landscaped with suitable ground cover and deciduous or evergreen trees, not to be less than forty (40%) percent of each yard area and the sum total of which must equal fifteen (15%) percent of the site.

Suitable ground cover may be grass, ivy, bark, river rock, and the like.

Natural vegetation or stands of trees existing prior to development of the site may be acceptable to meet all or part of the landscape requirements.

The exterior edges of yards which abut a residential district shall be densely planted with site screening vegetation having a minimum height of four feet at the time of planting. Screening can be in lieu of the forty (40%) percent requirement for that yard area only, and if in excess of forty (40%) percent will not affect the percentage rate of other yard areas.

(2) The perimeters of all 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 site.

(3) All trees, flowers, lawns and other landscaping features shall be maintained in a healthy growing condition at all times.

(4) A plot plan of all proposed landscaping shall be submitted along with the site plan for review by the City.

- e. Storm water runoff - All storm water runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the City and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.36 of the Lacey Municipal Code pertaining to community facilities.

.23 INDUSTRIAL DISTRICT

A. Statement of Intent:

It is the intent of this section to:

1. Permit in limited and appropriate areas, a variety of industrial uses or activities which would be unacceptable if located in other areas.
2. Keep said industrial activities within reasonable scale and character of the City.
3. Protect industrial areas from such other uses as may interfere with the purpose and efficient functioning of said areas.
4. Protect living areas and other non-industrial areas from adverse or damaging impact of any kind emanating or resulting from industrial areas.
5. Provide criteria for location and standards for development of industrial areas.

B. Types of Uses Permitted

1. Specific types permitted:

Permitted are those types of industrial activities which can be accomplished within the performance standards established by this Ordinance.

Any industrial activity for which performance standards are not included in this ordinance shall comply with the standards established by recognized public or quasi-public agencies for the protection of industrial or environmental health. (The standards shall be those in effect at the time that a building permit is issued.)

Examples of permitted uses are as follows:

- a. All industrial activities involving the manufacture, assembly, processing, 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.
- b. The production, sale or bulk storage of materials or products.
- c. Warehousing and open storage.
- d. Food processing.
- e. Fabrication of furniture, appliances.

2. Similar or related uses permitted - and criteria for determination of similarity or relatedness.

- a. Uses similar to, or related to, or compatible with those listed or described in Section B-1, above, 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 section or the policies of the Lacey Development Plan.
- b. The Criteria for such finding of similarity, etc., shall include but not be limited to the following:
 - (1) That the proposed use is appropriate in this area.
 - (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. Eating and drinking places within an industrial building or as an accessory use, and catering primarily to the people working in the area.
- 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.

3. Special uses - May be permitted as provided for in Section .26 of this Ordinance.

4. Prohibited uses

- a. Residential uses other than those described in paragraph 2d, above.
- b. Uses for which adequate provision is made in other zoning districts of this Ordinance.
- c. Uses which produce clearly offensive or objectionable odors such as animal slaughtering, rendering or animal products, chemical or biochemical processes such as the manufacture of petrochemicals.

C. Development Standards

1. Environmental performance standards:

It shall be the responsibility of the operator and/or the proprietor of any permitted use to provide such reasonable evidence and technical

data as the enforcing officer may require to demonstrate that the use or activity is or will be in compliance with the Environmental Performance Standards of Section .10 of this Ordinance.

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

2. Design standards

a. Size and shape of site:

Minimum size of any parcel to be developed in this district shall be five (5) acres, except for uses existing prior to the adoption of this ordinance; frontage on a public right-of-way shall not exceed the depth of the lot.

b. Minimum site requirement:

- (1) Lot area - 5 acres.
- (2) Lot width - 300 feet.
- (3) Side yard setback - 25 feet or 50 feet if abutting a residential area.
- (4) Rear yard setback - 25 feet or 50 feet if abutting a residential area.
- (5) Front yard setback - 20 feet or as required in Section .28 (Off-Street Parking and Loading).
- (6) Relationship to adjacent parcels in the same classification:

Setbacks between buildings in separate ownership are exempt from the side and rear setback requirements cited in 2-b, above, but shall comply with the side and rear setback requirements of the fire and building codes.

c. Maximum building requirements:

- (1) Development coverage - 75% of the site.
- (2) Height of buildings - 60 feet.
- (3) Floor area - 1 square foot of floor area per foot of land area.

d. Off-street parking shall be provided in accordance with Section .29 of this Ordinance.

e. Landscaping:

- (1) All required minimum yard areas shall be landscaped with suitable ground cover and deciduous or evergreen trees, not to be less than forty (40%) percent of each yard area and the sum total of which must equal fifteen (15%) percent of the site.

Suitable ground cover may be grass, ivy, bark, river rock, and the like.

Natural vegetation or stands of trees existing prior to development of the site may be acceptable to meet all or part of the landscape requirements.

The exterior edges of yards which abut a residential district shall be densely planted with site screening vegetation having a minimum height of four feet at the time of planting. Screening can be in lieu of the forty (40%) percent requirement for that yard area only, and if in excess of forty (40%) percent will not affect the percentage rate of other yard areas.

- (2) The perimeters of all 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 site.
- (3) All trees, flowers, lawns and other landscaping features shall be maintained in a healthy growing condition at all times.
- (4) A plot plan of all proposed landscaping shall be submitted along with the site plan for review by the City.

- f. Storm water runoff - All storm water runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the City and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.36 of the Lacey Municipal Code pertaining to community facilities.

.25 MINERAL EXTRACTION DISTRICT

A. Statement of Intent

It is the intent of this section to:

1. Acknowledge the existence of specific sites of mineral extraction activities which were in operation prior to the adoption of this Ordinance.
2. Protect said site from conflicting uses.
3. Protect areas of different use characteristics, but adjacent to, or within a certain proximity of said site from adverse effects of mineral extracting activities.
4. Provide for the orderly planning for future use of mineral extraction sites at such time as the mineral resources are exhausted or their extraction ceases to be economically justified.

B. Types of Uses Permitted

1. Specific types permitted:

Only those activities reasonably related to the continuing extraction of mineral deposits and existing prior to the adoption of this Ordinance.

2. Prohibited uses: All other uses are prohibited while mineral extraction is actively pursued.

3. Future uses: Whenever mineral extraction sites are exhausted or their extraction ceases to be economically justified, or are discontinued for any other reason, the site shall be restored to a condition which will:

- a. Support regeneration of natural vegetative growth by the reintroduction of topsoil and appropriate seeding and fertilizing.
- b. Eliminate or reduce to a reasonable minimum level the erosion of soil by the action of winds or water runoff.

Future use of such sites shall be subject to site plan review and environmental impact assessment, and may require an environmental impact statement. The review and assessment shall take into account:

- a. The overall needs of the community.
- b. The use of land and zoning in the general vicinity of the site.

- c. The adaptability of the site for the proposed use.
- d. The availability of utilities, adequate traffic ways.
- e. Such other factors as the Site Plan Review Committee and/or the Hearings Examiner may recognize as being reasonably related to the proposal for a new use of the site.

C. Development Standards

1. Environmental performance standards:

- a. It shall be the responsibility of the operator and/or the proprietor of any future use to provide such reasonable evidence and technical data as the enforcing officer may require to demonstrate that the use or activity is or will be in compliance with the Environmental Performance Standards of Section .09 of this Ordinance.

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

.26 OPEN SPACE/INSTITUTIONAL DISTRICT

A. Statement of Intent

It is the intent of this section to:

1. Protect and preserve certain areas of land devoted to existing and future use for civic, cultural, educational and similar facilities.
2. Provide for the social needs of the community as those needs relate to public services, open space and institutions whether publicly or privately sponsored.
3. Enhance the identity and image of the community as a desirable place for human growth and development.
4. Provide opportunities and facilities for the various activities and needs of a diverse and dynamic population.
5. Provide and protect parks, open space and other natural, physical assets of the community to improve the aesthetic and functional features of the community.

B. Types of Uses Permitted

1. Specific types permitted - Permitted uses are those which provide a public service or fill a public need as described in the statement of intent. Such uses include but are not limited to the following:
 - a. Parks, greenbelts and open space for active or passive recreation or enjoyment. (NOTE: Whenever a park or open space is created as an integral part of a subdivision, such park or open space shall be designated an Open Space/Institutional District on the official zoning map.)
 - b. Government buildings or offices such as city hall, fire stations, schools and colleges, hospitals, community meeting or recreation halls.
 - c. Libraries, museums, or similar cultural facilities.
 - d. Churches.
 - e. Residential uses as an incidental use to the permitted use such as caretaker's quarters, or as an accessory use to institutional facilities such as housing for students, staff or faculty of colleges, hospitals and the like.
2. Similar or related uses - and criteria for determination of similarity or relatedness.

- a. Uses similar to, or related to, those listed in Sections B-1 above, 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 section or the policies of the land development 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 area.
 - (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.
3. Special uses - may be permitted as provided for in Section .27 of this Ordinance.
4. Types of uses prohibited - uses other than those identified or described in subsections B-1, 2 and 3 of this section are prohibited.

C. Development Standards

Development standards shall take into account both the Environmental impact of the proposed use and the Design standards of this section.

Permitted uses as well as similar or related and special uses shall comply with the standards of this land use district.

1. Environmental impact:

An environmental assessment shall be made by the Site Plan Review Committee of all new construction, additions or expansions for which a building permit is required.

Toward this end an environmental checklist shall be required in connection with all applications for building permits in this district.

If the environmental assessment results in a declaration of nonsignificance, and no environmental impact statement is required, the enforcing officer may, nevertheless, make reasonable requirements designed to mitigate potentially undesirable or hazardous effects identified in the environmental checklist.

If the environmental assessment results in the requirement of an environmental impact statement, the procedure and review process provided for in Chapter 14.24 of the Lacey Municipal Code.

2. Design standards:

- a. Size and shape of site: The minimum size and shape of the site

shall be appropriate to the proposed use of said site and its relationship to abutting properties and traffic patterns in the vicinity of the site.

b. Height and site coverage:

- (1) Maximum height of buildings - 80 feet.
- (2) Maximum building coverage - 35% of site.
- (3) Maximum development coverage - 70% of site.

c. Setback requirements:

- (1) If adjacent properties are in the same or in a less restrictive land use district:

--side yard minimum 15 feet
--rear yard minimum 15 feet

- (2) If adjacent properties are in any residential district:

--side yard minimum 25 feet
--rear yard minimum 25 feet

Provided, further, that the entire twenty-five (25) foot depth shall be landscaped.

- (3) Setbacks from right-of-way:

(a) If property fronts on a minor street or private street or drive - 25 feet.

(b) If property fronts on major street - 35 feet.

- d. Ingress and egress to and from the site shall be limited to one driveway for each two hundred (200) feet of frontage.

Where only one driveway serves a site, said driveway shall not be less than twenty-five (25) feet nor more than thirty-five (35) feet wide.

All driveways shall be not less than one hundred fifty (150) feet from intersecting right-of-way lines, measured from the centerline of the driveway.

Curbs and gutters or permanently fixed bollards shall be provided to limit other vehicular access to the site.

- e. Off-street parking shall be provided in accordance with Section .29 of this Ordinance.

- f. Landscaping - The preservation or enhancement of existing native plant materials shall be the predominant characteristic of landscape treatment in this district. Where new plant materials are needed to comply with the screening or aesthetic requirements of this section, the materials shall be of species native or complementary to or compatible with the species native to the Pacific Northwest.

Landscaping is also required in all setback areas and open space. Landscaping may consist of suitable ground cover shrubs and trees. Suitable ground cover may be grass, ivy, bark, river rock, and the like. Natural vegetation or stands of trees existing prior to development of the site may be acceptable to meet all or part of the landscape requirements.

The perimeters of common parking areas shall be landscaped in such a way as to create a diversion between streets and parking, driveways, or streets around entrances or exits of the site.

All trees, flowers, lawns and other landscaping features shall be maintained in a healthy growing condition at all times.

- g. Storm water runoff - All storm water runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the City and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.36 of the Lacey Municipal Code pertaining to community facilities.

.27 SPECIAL USES

Activities or Facilities Not Classified or Described in Other Use Districts of this Ordinance

A. Statement of Intent

It is the intent of this section to:

1. Provide for the location of certain types of uses, services and facilities which, because of their unique characteristics, cannot (or should not) be limited to or automatically included in specific land use classification districts.
2. Permit essential services and facilities which are needed or may be needed by or in the community, but the exact nature, scale, or location of which cannot be foreseen or predicted.
3. Establish development standards for such uses and facilities in order that properties adjacent to such uses, especially properties which are of clearly different character from the use or uses identified in this section, are reasonably protected from adverse effects or impact of these special uses.
4. To authorize the enforcement officer and/or the City to impose reasonable conditions, restrictions and development requirements on special uses as he/they may deem appropriate for a special use in any given land use district.
5. Provide for a review process which will enable City officials, the general public and proponents of special uses to evaluate the need, location, scale and development characteristics of said uses and their impact on adjacent properties and the community as a whole, to the end that such uses may be approved, modified, or disapproved fairly and objectively.
6. It relieves the ordinance and its enforcement officials from the burden of trying to identify every district in which a specific and unique use should be included as a "Conditional" use.
7. Just as other sections of this ordinance try to achieve flexibility by describing rather than listing permitted uses in each district, this section should contribute to the desired flexibility by recognizing the limits of predictability.
8. It further enhances flexibility since the development standards for a particular use may vary depending upon the specific location for which it is proposed.)

B. Types of Uses Permitted

1. Specific types permitted in accordance with the intent of this section, and subject to reasonable conditions imposed by the enforcing officer and/or Site Plan Review Committee are categorized and identified as follows:

a. Personal or community service facilities such as:

- (1) Child care, including nursery schools, pre-schools and day care centers.
- (2) Funeral parlors, mortuaries and crematoria.
- (3) Senior citizen centers.
- (4) Residential care facilities (group homes for physically or mentally disabled persons) as provided in Sub-Section D of this Ordinance.
- (5) Nursing homes; convalescent care facilities.
- (6) Cemeteries.

b. Places of public assembly, including:

- (1) Churches (or other places of worship).
- (2) Sports arenas or stadia.
- (3) Fraternal organizations and lodges.
- (4) Private clubs.

c. Public utilities and their appurtenances such as:

- (1) Electrical sub-stations.
- (2) Pumping, lift stations or similar regulatory appurtenances for the transmission or distribution of electricity, natural gas, water and sewage, oil or steam, and storage tanks for any of the above, including water towers.
- (3) Solid waste disposal facilities, including transfer stations, incinerators and sanitary landfills.
- (4) Radio, television or telephone stations, exchanges, transmitting, receiving or relay structures.

d. Public safety and emergency response facilities:

- (1) Police stations.

- (2) Fire stations.
- (3) Emergency medical centers.
- (4) Hospital.

e. Public and private transport/maintenance facilities:

- (1) Airports, landing strips, heliports or helipads, including waterborne craft.
- (2) Marinas, docks, piers, or breakwater devises, regardless of size or purpose.
- (3) Railroad terminals, switching facilities, maintenance or repair shops, and spurs.
- (4) Bus terminals, storage or maintenance facilities.
- (5) Automobile parking facilities or structures other than those specifically required in Section .28 of this Ordinance in connection with permitted uses.
- (6) Corporation yards.

2. Similar or related uses permitted - Uses or activites which are not described or otherwise identified in this section or in the several land use districts of this ordinance shall be treated as a special use and reviewed in the same manner as the special uses described or identified herein.
3. Control of uses - Special uses shall be subject to site plan review and environmental impact review.

C. Development Standards

1. Environmental performance standards:

- a. Special uses shall comply with the environmental performance standards as described in Section .09 of this Ordinance; and may be required to comply with stricter standards upon a finding by the City that stricter standards are necessary and reasonable to protect adjacent properties or the health or general welfare of the community.
- b. Specific requirements are established in this section for certain special uses. In the event that the specific requirements are found to be in conflict with the requirements of the use district in which the special use is to be located, the requirements of this section shall govern.

2. Design standards:

- a. The design standards for permitted uses in a given district shall be the initial base of reference in determining the design standards for special uses in the same district.
- b. The enforcing officer and/or the Site Plan Review Committee is authorized to alter or vary the design of the district for a special use when such alteration or variation is found to be reasonable to protect adjacent properties or the health or general welfare of the community.
- c. Design standards which may be altered or varied for special uses include but are not necessarily limited to the following:
 - (1) Size and shape of lots (i.e., minimum area, width, depth, set-backs and building heights).
 - (2) Maximum building coverage.
 - (3) Maximum development coverage.
 - (4) Off-street parking and loading.
 - (5) Landscaping, buffering and screening.
- d. All development requirements established for a special use in a given district shall be documented in appropriate written and/or graphic form so as to provide a permanent public record to assure compliance prior to, during and after construction of the special use.

D. Specific Requirements for Certain Special Uses

1. Residential care facilities (group homes)

a. Definitions:

The following terms, as used in this section, are defined as follows:

- (1) "Foster home" means a dwelling unit in which foster care is provided for unrelated children as part of the family and the dwelling unit is governed by the state foster care home licensing provisions and conducted in accordance with state requirements.
- (2) "Group home" means a home for handicapped, physically disabled or developmentally disabled or dependent persons providing facilities residentially oriented in a homelike environment directed to allow a degree of community participation and human dignity not provided in an institutional atmosphere.

- (3) "Residential care facility" means a licensed establishment operated with twenty-four (24) hour supervision for the purpose of serving those persons, who by reason of their special circumstances, require care while living as a single housekeeping unit and/or in a supportive "family" environment. Residential care facilities for the purposes of this title, may include group homes, foster homes, congregate care facilities and the like, but shall not include correctional facilities.
- (4) "Residents" are those persons who, because of special circumstances, require care and/or a supportive family situation in a residential environment.
- (5) "Care" is defined as room and board and the provision of planned programs of counseling therapy or other social services to groups of persons of similar circumstances. Planned treatment shall not include any program which requires on-premise medical care by either a physician or a nurse.

b. Where permitted:

A residential care facility composed of six or fewer residents, exclusive of the owner, operator or staff, shall be permitted as a matter of right in the following districts:

- low density residential district
- moderate density residential district

- (1) Those residential care facilities allowed in residential zone districts of the city as a permitted use and without following the special use procedure shall meet the following requirements:
 - (a) A residential care facility shall be composed of six or fewer residents, exclusive of the owner, operators or staff.
 - (b) All residential care facilities must comply with state licensing regulations, building and fire codes.
 - (c) Such residential care facilities shall meet all of the regulations of the zone district in which it is located, including but not limited to, yard and setback requirements, lot coverage and parking.
 - (d) A residential care facility shall not be located within one-fourth (1/4) mile radius of another residential care facility. The administration of this standard shall rest with the city building official.

- c. A residential facility composed of more than six (6) but less than twenty (20) residents shall require a special use permit, regardless of the district for which it is proposed.
- (1) All applications for residential care facilities as a special use and all residential care facilities granted a special use permit shall meet the following requirements.
 - (2) Special use applications - In addition to the information required by the terms of Section .27 regarding special use applications, such applications for residential care facilities shall also include the following:
 - (a) Legal description and address of the proposed facility.
 - (b) The number of automobiles to be operated from the residential care facility and the number of off-street parking spaces to be provided and an estimate of the parking required for visitors to the facility.
 - (c) A brief description of the building and/or remodeling plans for the facility.
 - (d) The number of resident and nonresident staff contemplated for the facility with a description of the day-to-day supervision provided for said staff and including a statement of the house rules governing the facility.
 - (e) Description of the program of the facility including the goals, treatment methodology, anticipated length of stay of residents, and the types of problems being treated.
 - (f) The number and type of persons for whom care is being provided, including the type of disability suffered by said residents, the average age of the residents and other pertinent information.
- d. Requirements for all facilities - All residential care facilities allowed as a special use shall meet the following standards:
- (1) The residential care facility shall include not more than twenty (20) residents, exclusive of owners/operators and/or staff.
 - (2) The authorization for such a use shall be subject to the issuance of a license and/or certification by all appropriate local, state and/or federal agencies and said use shall be discontinued when any such required license or certification is withdrawn or expired.

- (3) Except as stricter standards may be required by this chapter, the lot and yard coverage requirements of the zone in which the facility is to be located shall apply.
- (4) The minimum open space to be located on the site shall be determined according to the following guidelines, and whichever provides for the greatest area shall be required:
 - (a) the open space requirements of the district in which the facility is to be located; or
 - (b) the provision of 300 square feet for each resident exceeding the number permitted by right, which is six (6).

For the purposes of this section, driveways, parking areas and required setback yards shall not be covered with impervious surfaces, except in the case of a tennis court, swimming pool, or similar recreational uses which require a special surface.

- (5) The minimum off-street parking shall consist of one space for each vehicle permanently located at the facility or operated on a daily basis in connection with the facility either by residents or visitors.
- (6) The use of the property as a residential care facility shall not result in a concentration of social service facilities that would result in an unreasonable interference with the enjoyment of neighboring property or substantially interfere with the residential character of the neighborhood.

e. Additional requirements by City - Upon approving a special use application, the City shall impose the following requirements:

- (1) Limit the transferability of the special use by limiting the permit to allow service to a specific number and class of individuals. Any change in the specific number and class of individuals shall require a new special use approval.
- (2) Restrict the number of vehicles permanently located at the facility or operated on a daily basis in connection with the facility.
- (3) Require additional review of any subsequent remodeling of the facility which determination of the need for Hearings Examiner review shall be made by the Planning Director in consultation with the building official.
- (4) Impose such other conditions or terms as may be deemed appropriate and in the public interest to prevent unreasonable interference with the use and enjoyment of public or private neighborhood property.

.28 HOME OCCUPATIONS

A. Statement of Intent

It is the intent of this section to:

1. Permit residents of the community a broad choice in the use of their homes as a place of livelihood and the production or supplementing of personal/family income.
2. Protect residential areas from potential adverse impact of activities defined as home occupations.
3. Establish criteria and development standards for the use of residential structures or dwelling units for home occupations.

B. Definition

1. Home Occupation: Any activity conducted for financial gain or profit in a dwelling unit, and which activity is not generally or customarily characteristic of activities for which dwelling units are intended or designed.
2. Such activity is clearly incidental or secondary to the residential use of a dwelling unit; and is conducted only by persons residing in the dwelling unit.
3. Garage sales is not defined as a home occupation. (See Chapter 5.34, Lacey Municipal Code.)

C. General Requirements

1. Home occupations shall occupy not more than twenty-five (25%) percent of the total floor area of the residence. In no event shall such occupancy exceed four hundred (400) square feet, nor shall an accessory building for such home occupation exceed four hundred (400) square feet, nor shall the total floor area in the residence and/or an accessory building exceed four hundred (400) square feet.
2. Any occupation which may produce waste products of a quality or quantity not normally associated with residential use shall not qualify as a home occupation.
3. Home occupations shall comply with all other local, state, or federal regulations pertinent to the activity pursued, and the requirements or permission granted or implied by this section shall not be construed as an exemption from such regulations.
4. Vehicle repair, alteration or rebuilding shall not be permitted as a home occupation.

5. Any person engaging in a home occupation shall register as a business under Chapter 5.12 of the Lacey Municipal Code, and shall be subject to the provisions of the Business and Occupants Tax levied by Chapter 3.02 of the Lacey Municipal Code.

D. Where Permitted

1. Home occupations are permitted as a matter of right in any residential district provided that:
 - a. No exterior structural alterations are made to accommodate the occupation.
 - b. No merchandise or stock in trade is sold or displayed on any exterior portion of the premises.
 - c. No equipment or material is stored, altered or repaired on any exterior portion of the premises.
 - d. No person or persons other than bona fide residents of the dwelling unit are employed in the home occupation.
2. A home occupation which fails to comply with all the preceding provisions shall require a conditional use permit.

E. Development and Performance Standards

1. Home occupations shall emit no noise, air pollutants, waste products or other effects detrimental to the environment or the neighborhood beyond those normally emanating from residential use.
2. Home occupations which require a conditional use permit shall comply with the following conditions:
 - a. Exterior structural alterations or additions or the use of accessory buildings for home occupations shall be so designed and built as to maintain or preserve the residential character of the premises. In no event shall such structural alterations or additions exceed the development standards permitted for structures in the zoning district in which the premises are situated.
 - b. Traffic generated by home occupations shall not exceed two commercial vehicles per week.

Parking of customers' or clients' vehicles shall create no hazard or unusual congestion.
 - c. Off-street parking spaces shall not be reduced in size or number, below the minimum required in the district, nor used for any purpose other than parking.

- d. When merchandise, material or equipment is stored, altered, repaired or displayed, such storage, alterations, repairs or displays shall be entirely within the residential structure or in an accessory building which meets the criteria of paragraph b., above, except as provided in paragraph 4 of section .09 of this Ordinance.
- e. Employment of no more than two (2) persons who are not bonafide residents of the premises is prohibited.

F. Violations and Complaints

- 1. The enforcing officer shall be responsible for the enforcement of this section and for the correction of any violations.

The enforcing officer shall act on his own initiative when violations are detected or suspected by him; and shall take appropriate investigative and corrective actions, when warranted, if a complaint is filed in writing by any person who feels aggrieved or damaged by such alleged violation.

.29 OFF-STREET PARKING AND LOADING REQUIREMENTS

A. Statement of Intent

It is the intent of this section to:

1. Assure that space is provided for the parking, loading and unloading of motor vehicles on the site of premises or uses which attract said motor vehicles.
2. Provide minimum standards of space and parking arrangements, and for the movement of motor vehicles into and out of such spaces.
3. Avoid or reduce traffic congestion on public streets by:
 - a. keeping the need for on-street parking to a minimum; and
 - b. controlling access to sites.
4. Enhance safety for pedestrians and motor vehicle operators.
5. Encourage the creation of an esthetically pleasing and functionally adequate system of off-street parking and loading facilities.

B. General Requirements

1. 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.
2. Minimum 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.
3. 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.
4. 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.

C. Minimum Requirements

1. The requirements for off-street parking and loading facilities and

their design shall be regarded as the minimum; however, the owner, developer, or operator of the premises for which the parking facilities are intended shall be responsible for providing adequate amounts and arrangement of space for the particular premises even though such space or its arrangement is in excess of the minimum set forth in this Ordinance.

2. The requirements for any use not listed herein shall be those of the listed use most similar to the listed use. When similarity is not apparent, the enforcing officer and/or the Site Plan Review Committee shall determine the minimum for the unlisted use.
3. For special uses, as identified and described in Section .27 of this Ordinance, the parking requirement shall be as provided in that section or as determined by the Site Plan Review Committee.

4.	<u>Residential Uses</u>	<u>Number of Spaces Per Dwelling Unit</u>
	Single-family homes	2
	Duplexes	2
	Multiple-family structures	2* (see a & b)
	Plus two-tenths (.2) space per dwelling unit in buildings containing five (5) or more dwelling units	

- *a. Housing intended for exclusive use of, and occupied by, senior citizens shall provide one space for every three dwelling units plus two-tenths (.2) space per dwelling unit in buildings containing five (5) or more dwelling units.
- *b. Housing in which the dwelling units are characterized by one room enclosing all activities (sometimes referred to as "bachelor" or "efficiency" units) shall provide one and one-half (1½) parking space for each dwelling unit, plus two-tenths (.2) space per dwelling unit in buildings containing five or more dwelling units.

c.	<u>Mobile Homes</u>	<u>Number of Spaces Per Dwelling Unit</u>
	In mobile home <u>subdivisions</u>	2
	In mobile home <u>parks</u>	1½

In mobile home parks the parking spaces in excess of one per mobile home may be grouped in shared parking areas.

5. Commercial Uses
 - a. In the several commercial districts off-street parking requirements shall be as shown herein, 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.

Shared parking agreements are acceptable only if the physical relationship between the premises makes such sharing possible and results in superior design in terms of layout, access, reduced curb cuts and the like.

- b. In the following list the parking requirements of specific uses listed shall be adhered to, shared agreements or single ownership control notwithstanding.

- c. NOTE: Some parking requirements are expressed in terms of a ratio of parking area in relation to gross floor area (G.F.A.) in the building.

Therefore, two (2) sq. ft./sq. ft. of G.F.A. means that a five thousand (5,000) sq. ft. building would have to provide ten thousand (10,000) sq. ft. of parking area.

The minimum number of parking spaces is then determined by dividing the square footage of the parking area by three hundred (300). In a ten thousand (10,000) sq. ft. area, thirty-three (33) spaces would be required.

The three hundred (300) sq. ft. per car allows for access drives, aisles and landscaping areas, since the dimensions of each space is approximately 9 x 20 or one hundred eighty (180) sq. ft. The number of spaces may also be increased in excess of the minimum required, depending on size and shape of site and the arrangement of spaces in the area.

Type of Use
Or District

Minimum Parking
Requirements

(Note: G.F.A. means gross floor area.)

Core Commercial District	5.5 spaces per 1,000 sq. ft. of G.F.A.
General Commercial District	2 sq. ft./sq. ft. of G.F.A.
Limited Business District	1 space/300 sq. ft. of G.F.A.
Office Commercial	1 space/400 sq. ft. of G.F.A.
Neighborhood Commercial District	1 space/500 sq. ft. of G.F.A.

d. Specific uses

Food and Drug Stores

(Less than 5000 sq. ft.)
(5000 sq. ft. or more)

2 sq. ft./sq. ft. of G.F.A.
1 sq. ft./sq. ft. of G.F.A.

Business and Professional Offices

(With on-site customer services)
(Without on-site customer services)

1 space/400 sq. ft. of G.F.A.
1 space/800 sq. ft. of G.F.A.

Medical and Dental Offices

1 space/150 sq. ft. of G.F.A.

Service Stations

1 space/employee + 1 per
service bay

Motel and Hotels

1 space/guest room

Bowling Alleys

5 spaces/alley

Billiard Halls

2 spaces/table

Mortuaries

5 spaces plus 1 per 25 sq. ft.
of assembly room area

6. Industrial Uses

a. General

- (1) One space per employee based on the greatest number of employees on a single shift, plus;
- (2) One square foot parking per square foot of display or retail area, plus;
- (3) One space for each vehicle owned, leased or operated by the company.

b. Specific uses

Type of
Use

Minimum Parking
Requirements

Warehouses

1 space/1000 sq. ft. G.F.A.
plus 1 space/400 sq. ft. of G.F.A.
used for offices or display

D. Off-street Loading

Off-street loading shall be required for all commercial establishments.

which are engaged in the retailing or wholesaling of merchandise requiring regular delivery such as food retailers, lumber yards, hardware stores, department stores and the like.

<u>Total Gross Floor Area of Building(s)</u>	<u>Space Required</u>
Less than 5,000 sq. ft.	1
5,000 sq. ft. to 25,000 sq. ft.	2
25,000 sq. ft. to 50,000 sq. ft.	3
Each additional 50,000 sq. ft. or fraction thereof in excess of 25,000 sq. ft.	1 additional

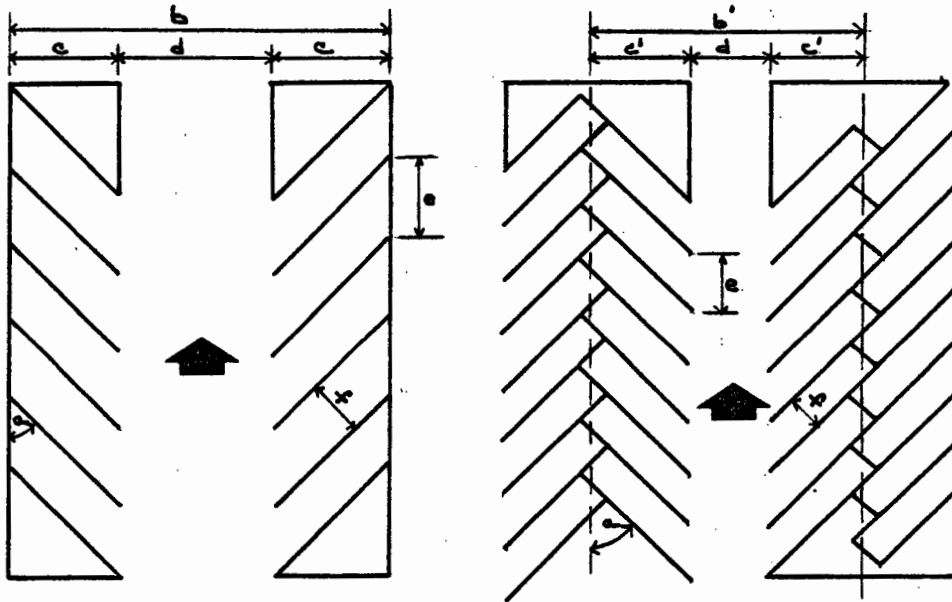
All off-street loading and unloading spaces shall be of adequate size and with adequate access thereto to accommodate a vehicle forty-five (45) feet in length, eight (8) feet in width, and fourteen (14) feet in height. Each loading space shall be surfaced with an asphalt, concrete or similar pavement 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.

E. Development Standards

1. Parking lot construction shall comply with Section 14.16.030 of the Lacey Municipal Code.
2. Parking area design:
 - a. 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.
 - b. Backing out prohibited - In all commercial and industrial developments and in all residential buildings containing five (5) 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.
 - c. 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 Figures 1, 2, and 3 of this Section.
 - d. Small Car Parking Spaces - In all parking facilities containing twenty-five (25) or more parking spaces, a maximum of twenty-five (25%) percent of the required parking spaces may be reduced in size for the use of small cars, provided these spaces shall be clearly identified with a sign permanently affixed immediately in front of each space containing the notation, "Compacts Only." Spaces designed for small cars may be reduced in size to a minimum of seven and one-half (7½) feet in width and fifteen (15) feet in length.

Where feasible, all small car spaces shall be located in one or more contiguous areas and/or adjacent to ingress/egress points within parking facilities. Location of compact car parking spaces shall not create traffic congestion or impede traffic flows.

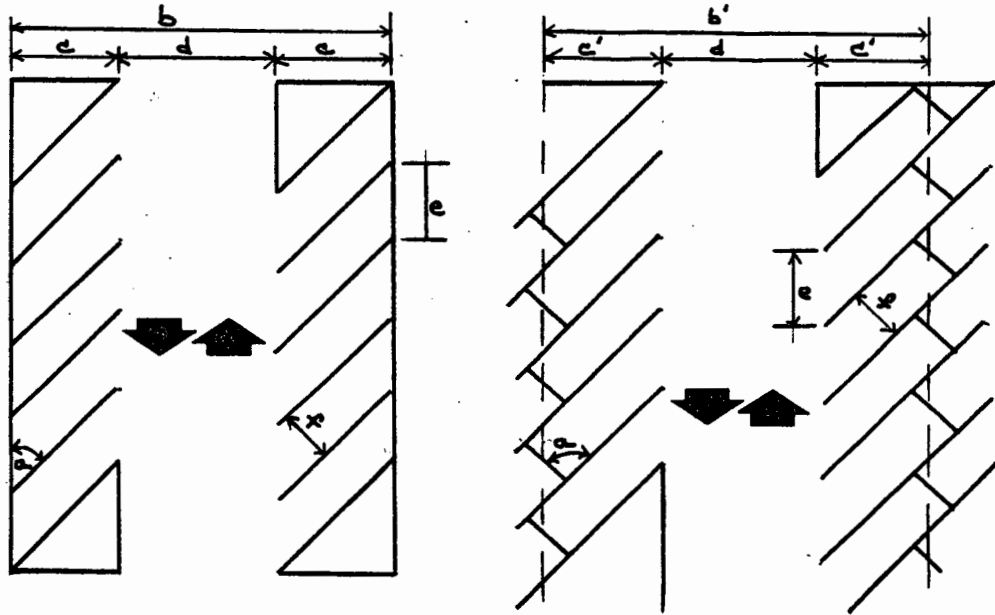
FIGURE #1



ONE WAY TRAFFIC

	a	b	c	d	e	f	b'	c'
	0°	28'	8'	12'	23'	8'		
	35°	48'	18'	12'	14.8'	8.5'	41'	14.5'
	40°	49'	18.5'	12'	13.2'	8.5'	42'	15'
	45°	50'	19'	12'	12'	8.5'	43'	15.5'
	50°	51'	19.5'	12'	11.1'	8.5'	45'	16.5'
	55°	53'	20'	13'	10.4'	8.5'	48'	17.5'
	60°	55'	20'	15'	9.8'	8.5'	50'	17.5'
	65°	57'	20'	17'	9.7'	8.8'	53'	18'
	70°	59'	20'	19'	9.6'	9'	56'	18.5'
COMPACT CAR PARKING	45°		17'	11'		9'		
	60°		16.7'	14'		8.7'		
	75°		16.3'	17.4'		7.8'		
	90°		15'	20'		7.5'		

FIGURE #2

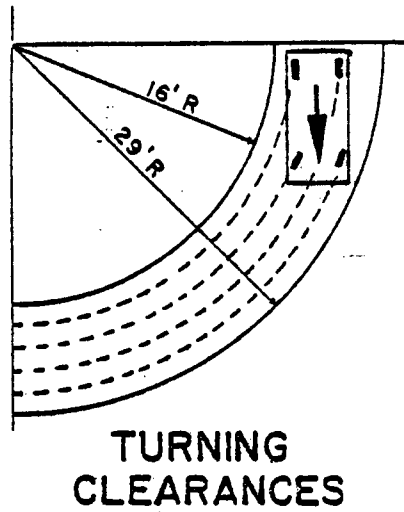
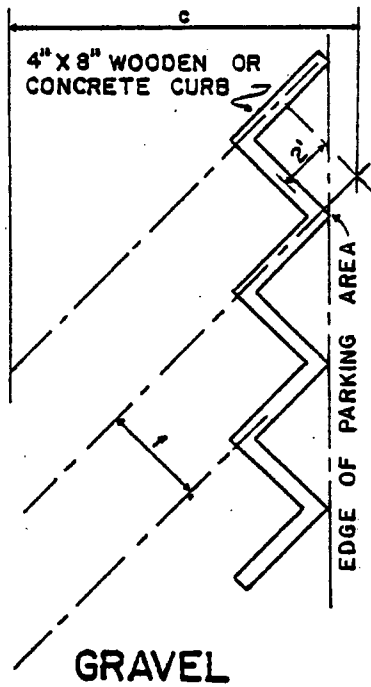
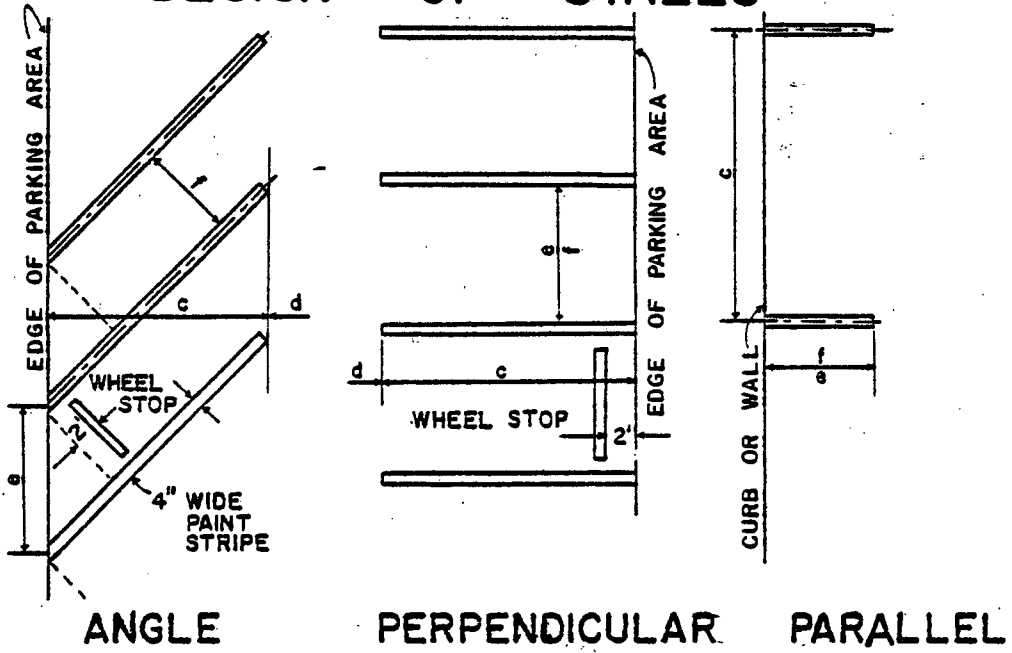


TWO-WAY TRAFFIC

	a	b	c	d	e	f	b'	c'
	0°	36'	8'	20'	23'	8'		
	35°	56'	18'	20'	14.8'	8.5'	49'	14.5'
	40°	57'	18.5'	20'	13.2'	8.5'	50'	15'
	45°	58'	19'	20'	12'	8.5'	51'	15.5'
	50°	59'	19.5'	20'	11.1'	8.5'	53'	16.5'
	55°	60'	20'	20'	10.4'	8.5'	55'	17.5'
	60°	60'	20'	20'	9.8'	8.5'	55'	17.5'
	65°	60'	20'	20'	9.7'	8.8'	56'	18'
	70°	60'	20'	20'	9.6'	9'	57'	18.5'
	90°	64'	20'	24'	9'	9'		
COMPACT CAR PARKING	45°		17'	20'		9'		
	60°		16.7'	20'		8.7'		
	75°		16.3'	20'		7.8'		
	90°		15'	20'		7.5'		

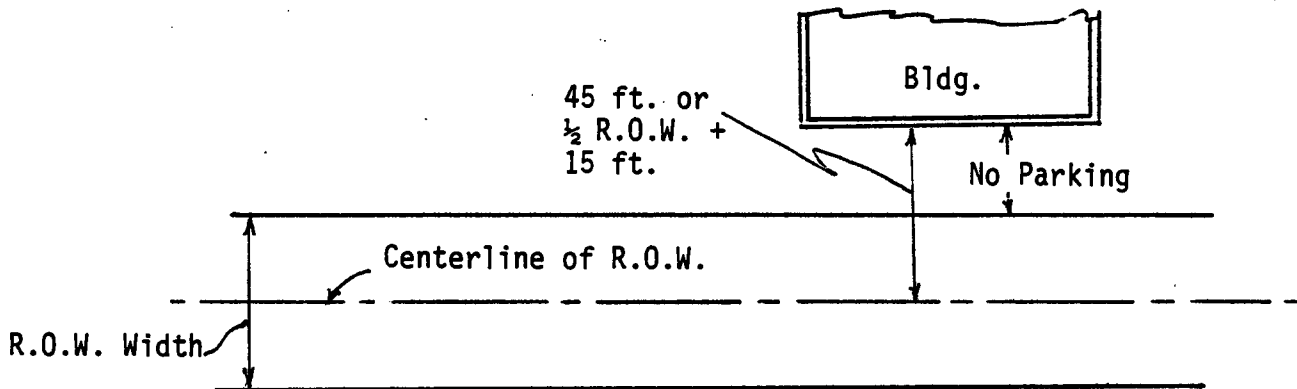
FIGURE #3

DESIGN OF STALLS



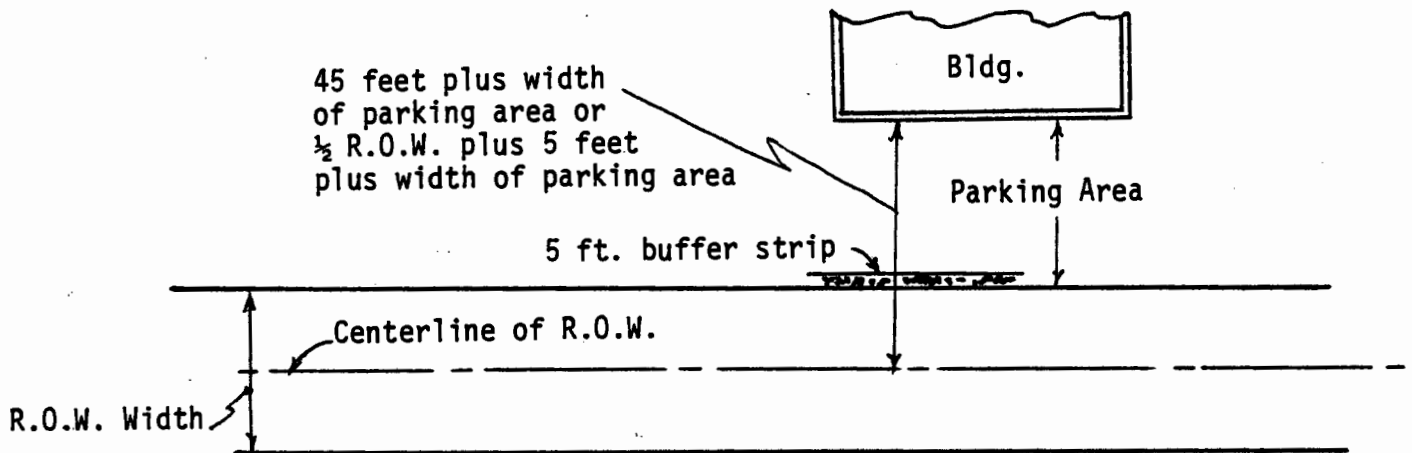
e. Setback of buildings from public right-of-way -

- (1) When parking is not to be provided between the building and the right-of-way line, the building setback shall be:
 - (a) 45 feet from the centerline of the right-of-way; or
 - (b) Half the right-of-way width plus 15 feet, whichever is greater.



- (2) When parking is to be provided between the building and the right-of-way line, the building setback shall be:
 - (a) 45* feet from the centerline of the right-of-way; or
 - (b) Half the right-of-way width plus 5 feet*, whichever is greater; plus
 - (c) The distance needed for appropriate parking and internal circulation as shown in the design standards of this Section.

* (Five feet is for planted buffer strip along R.O.W. line.)



- f. All parking areas for more than four vehicles shall be surfaced with 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.
- g. Storm water runoff - All storm water runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the City and shall be subject to its review and approval, and shall, moreover, comply with Chapter 15.36 of the Lacey Municipal Code pertaining to community facilities.

.30 FEES

A. Designated. The following fees shall be paid upon the filing of a petition or application and such fees shall not be refundable for any reason. Until all fees have been paid in full, no action shall be taken on the petition or application.

Conditional use permits or special use permits	\$150.00
Amendments and rezones	200.00
Planned residential development application	
Preliminary	400.00 plus \$4.00 per acre
Final	200.00
Site Plan Review	
By Committee	30.00
By Hearings Examiner	200.00

.31 SIGNS

A. Residential

1. General Provisions. All signs in residential districts shall be flush-mounted and shall only be indirectly lighted.
2. Single-Family. There shall be no more than one (1) sign per dwelling, not to exceed two (2) square feet in area.
3. Duplex. There shall be no more than one (1) sign per unit, not to exceed two (2) square feet in area.
4. Multifamily. There shall be one (1) sign, not to exceed six (6) square feet per multifamily complex.

B. Commercial Districts

1. General Provisions

- a. No signs shall protrude over any public right-of-way.
 - b. No sign shall be lighted, placed or erected in such a manner as to cause confusion with any traffic direction signs, traffic signals and street name signs.
 - c. No flashing light signs shall be allowed.
 - d. No signs shall be placed as to cause visual obstruction of a public right-of-way.
 - e. All signs erected shall conform to any applicable building code and/or Washington State Statutes.
2. Core Commercial District. Signs may be located on the premises with the use they are identifying. No sign shall be more than thirty-five (35) feet above the finished grade. The square area shall not exceed two hundred (200) square feet.
 3. General Commercial and Light Industrial/Commercial. Signs in these districts shall be as follows:
 - a. Maximum length - thirty-five (35) feet
 - b. Maximum height - forty (40) feet
 - c. Maximum area - three hundred (300) square feet.
 4. Limited Business, Office Commercial and Neighborhood Commercial. No sign shall exceed more than thirty-two (32) square feet in area nor shall be more than thirty (30) feet high. The sign shall either be

attached to the main building or freestanding on site within fifty (50) feet of the main building. No sign shall be erected or placed on the roof of a building.

C. Industrial District. Signs in the Industrial District shall be the same as the provisions in Section B-3.

D. Open Space/Institutional District. No sign shall exceed six (6) square feet and shall not be more than fifteen (15) feet high.

E. Billboards

1. Billboards shall only be allowed in the General Commercial, Light Industrial/Commercial and the Industrial Districts, except by special permit after review by the Hearings Examiner.
2. No billboards shall be located on any roof of any building.
3. All billboards shall be erected according to any applicable building code and/or Washington State Statutes.

.32 VIOLATIONS

A. Violation Deemed Misdemeanor--Aiding Violation--Additional Action By City

1. Violation of the provisions of this title or failure to comply with any of its requirements shall constitute a misdemeanor and such violation shall be punished as provided by the statutes of the State of Washington for the commission of a misdemeanor. Each day such violation continues shall be considered a separate offense.
2. The owner or tenant of any building, structure, premises, or part thereof, any any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.
3. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

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

26th day of June, 1980.

CITY COUNCIL

By Karen R. Fraser
Mayor

Passed: 6-26-80

Published: 7-16-80

Attest:

Timothy McGuire
City Clerk

Approved as to Form:

[Signature]
City Attorney