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ORDINANCE 758

CITY OF LACEY

AN ORDINANCE ADDING NEW ZONING DISTRICTS TO THE ZONING CODE OF THE CITY, PROVIDING FOR PLANNED INDUSTRIAL PARK DEVELOPMENTS AND FOR PLANNED COMMUNITY REVIEW AND APPROVAL AND ADDING NEW CHAPTERS TO THE LACEY MUNICIPAL CODE

WHEREAS, the city council, after hearings and recommendation, adopted by Resolution 580 the Extraterritorial Planning Element of the Lacey Comprehensive Plan, and it is necessary in order to carry out the goals and policies of said planning element that certain new zoning districts and zoning concepts be added to the zoning code of the City of Lacey, and

WHEREAS, the planning commission has reviewed after public hearing and recommended to the city council the new zoning districts contained herein and the additional concepts of regulations for planned industrial park developments and for the review and approval of proposed planned communities, and

WHEREAS, it is the intent of the city council that upon annexation of the area covered by said Extraterritorial Planning Element, the land use in the area shall be governed by said element and will have designated zoning districts and regulations in accordance with the chapters adopted by this ordinance, and

WHEREAS, the zoning districts and regulatory concepts adopted by this ordinance will be in effect throughout the city and may be applied in such areas as shall be determined by further official action when said action is in compliance with the city's comprehensive plan, now, therefore

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

Section 1. There is hereby added to the Lacey Municipal Code, Chapters 16.10, 16.11, 16.28, 16.34, 16.40, 16.43 and 16.44, all to read as follows, provided, however, that the section number and title listing at the beginning of each of said chapters are printed for illustrative purposes only and shall not be considered as part of the adopting ordinance:

CHAPTER 16.10

RURAL RESIDENTIAL--1 DWELLING UNIT PER NET ACRE
(RR 1/1)

Sections:

- 16.10.010 Intent
- 16.10.020 Permitted Uses
- 16.10.030 Prohibited Uses
- 16.10.040 Environmental Performance Standards
- 16.10.050 Lot Area
- 16.10.060 Off-Street Parking
- 16.10.070 Landscaping
- 16.10.080 Stormwater Runoff

16.10.010 Intent. It is the intent of this chapter to:

- A. Enhance the residential quality of the City by providing a high standard of development for rural residential areas.
- B. Designate certain areas in which single-family structures on individual lots are the exclusive type of dwelling unit within rural areas.
- C. Guide residential development to those areas where new technology in the processing of domestic sewerage makes residential development in unsewered areas environmentally acceptable.
- D. To preserve the rural residential character of an area that has a predominance of low intensity of uses.
- E. To prevent extensive urbanization in areas with soil having moderate or severe limitations for intensive development, such as steep slopes and/or water courses or waterfront areas where erosion, earth slippage and water runoff may occur.

16.10.020 Permitted Uses.

- A. Specific types permitted in the Rural Residential--1 Dwelling Unit Per Acre District:
 - 1. Single-family structures on individual lots at one (1) dwelling unit per net acre.
 - 2. Planned residential developments as provided in Chapter 16.60.
- B. Other or related uses permitted:
 - 1. Accessory building or structures clearly incidental to the residential use of the lot such as storage of personal property or for the pursuit of avocational interests.

2. Agricultural uses not involving retail sales on the premises.
3. Home occupations as provided in Chapter 16.69.
4. 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:
 - a. Said conversion or addition shall not increase the maximum allowable building or development coverage of the lot.
 - b. Said conversion or addition shall comply with all rules and regulations of the building, plumbing, fire and other applicable codes.
 - c. A building permit and other applicable permits shall be obtained prior to construction of such conversion or addition.
5. Special uses as provided in Chapter 16.66 of this title subject to site plan review.
6. 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.

16.10.030 Prohibited Uses.

- A. Kennels are prohibited.
- B. Uses other than those identified or described in Section 16.10.020 are prohibited.

16.10.040 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. The construction of accessory buildings shall be encouraged 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 (1) acre or more, poultry and/or livestock may be kept provided that the number of head of livestock shall not exceed one (1) for each half ($\frac{1}{2}$) 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 Chapter 16.66 of this title.
- E. All uses shall comply with the applicable environmental performance standards of Chapter 16.57 of this title.

16.10.050 Lot Area. The size and shape of lots shall be as follows provided they adhere to the density requirements:

- A. Minimum lot area, one (1) acre**
- B. Minimum lot width, one hundred (100) feet
- C. Minimum setback from property line for front yard:
 - On minor street, thirty-five (35) feet
 - On major street, forty-five (45) feet
 - On flanking streets, twenty-five (25) feet
- D. Minimum setback from property line for side yards:
 - Minimum on one side, ten (10) feet
 - Minimum total both sides, twenty (20) feet
- E. Minimum setback from property line for rear yard, twenty-five (25) feet
- F. Maximum building coverage, thirty percent (30%)
- G. Maximum development coverage, forty-five percent (45%)
- H. Maximum height of buildings:
 - Main building, thirty-five (35) feet
 - Accessory buildings, sixteen (16) feet
 - Barns, silos and the like, fifty (50) feet.
- I. Accessory buildings:
 - All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than one hundred twenty (120) square feet, the following setbacks are permitted:
 - Front yard, twenty-five (25) feet
 - Side yard:
 - One side, five (5) feet

Total both sides, twelve (12) feet
Rear yard, five (5) feet

**Lots not on City water and sewer are subject to Health Department regulations and approval.

16.10.060 Off-Street Parking. Off-street parking shall be provided in accordance with Chapter 16.72 of this title.

16.10.070 Landscaping. Landscaping is required for the purpose of minimizing surface water runoff and diversion, preventing soil erosion, and promoting 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.

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

CHAPTER 16.11

RURAL RESIDENTIAL--2 DWELLING UNITS PER NET ACRE
(RR 2/1)

Sections:

- 16.11.010 Intent
- 16.11.020 Permitted Uses
- 16.11.030 Prohibited Uses
- 16.11.040 Environmental Performance Standards
- 16.11.050 Lot Area
- 16.11.060 Off-Street Parking
- 16.11.070 Landscaping
- 16.11.080 Stormwater Runoff

16.11.010 Intent. It is the intent of this chapter to:

- A. Enhance the residential quality of the City by providing a high standard of development for semi-rural residential areas.
- B. Designate certain areas in which single-family structures on individual lots are the exclusive type of dwelling unit.
- C. To enhance and preserve the semi-rural residential character of an area.
- D. To provide transition areas between higher density suburban areas and low density rural areas.

16.11.020 Permitted Uses.

- A. Specific types permitted in the Rural Residential--2 Dwelling Units Per Acre District:
 - 1. Single-family structures on individual lots at approximately two (2) dwelling units per net acre.
 - 2. Planned residential developments as provided in Chapter 16.60.
- B. Other or related uses permitted:
 - 1. Accessory building or structures clearly incidental to the residential use of the lot such as storage of personal property or for the pursuit of avocational interests.
 - 2. Agricultural uses not involving retail sales on the premises.
 - 3. Home occupations as provided in Chapter 16.69.
 - 4. 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:

- a. Said conversion or addition shall not increase the maximum allowable building or development coverage of the lot.
 - b. Said conversion or addition shall comply with all rules and regulations of the building, plumbing, fire and other applicable codes.
 - c. A building permit and other applicable permits shall be obtained prior to construction of such conversion or addition.
5. Special uses as provided in Chapter 16.66 of this title subject to site plan review.
 6. 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.

16.11.030 Prohibited Uses.

- A. Kennels are prohibited.
- B. Uses other than those identified or described in Section 16.11.020 are prohibited.

16.11.040 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. The construction of accessory buildings shall be encouraged 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 (1) acre or more, poultry and/or livestock may be kept provided that the number of head of livestock shall not exceed one (1) for each half ($\frac{1}{2}$) 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 Chapter 16.66 of this title.
- E. All uses shall comply with the applicable environmental performance standards of Chapter 16.57 of this title.

16.11.050 Lot Area. The size and shape of lots shall be as follows provided they adhere to the density requirements:

- A. Minimum lot area, twenty thousand (20,000) square feet**
- B. Minimum lot width, eighty (80) feet
- C. Minimum setback from property line for front yard:
 - On minor street, twenty-five (25) feet
 - On major street, thirty-five (35) feet
 - On flanking streets, twenty-five (25) feet
- D. Minimum setback from property line for side yards:
 - Minimum on one side, ten (10) feet
 - Minimum total both sides, twenty (20) feet
- E. Minimum setback from property line for rear yard, twenty-five (25) feet
- F. Maximum building coverage, thirty percent (30%)
- G. Maximum development coverage, forty-five percent (45%)
- H. Maximum height of buildings:
 - Main building, thirty-five (35) feet
 - Accessory buildings, sixteen (16) feet
 - Barns, silos and the like, fifty (50) feet
- I. Accessory buildings:
 - All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than one hundred twenty (120) square feet, the following setbacks are permitted:
 - Front yard, twenty-five (25) feet
 - Side yard:
 - One side, five (5) feet
 - Total both sides, twelve (12) feet
 - Rear yard, five (5) feet

**Lots not on City water and sewer are subject to Health Department regulations and approval.

16.11.060 Off-Street Parking. Off-street parking shall be provided in accordance with Chapter 16.72 of this title.

16.11.070 Landscaping. Landscaping is required for the purpose of minimizing surface water runoff and diversion, preventing soil erosion, and promoting 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.

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

CHAPTER 16.28
HIGHWAY COMMERCIAL DISTRICT

Sections:

- 16.28.010 Intent
- 16.28.020 Permitted Uses
- 16.28.030 Prohibited Uses
- 16.28.040 Environmental Performance Standards
- 16.28.050 Site Area
- 16.28.060 Building Location
- 16.28.070 Ingress and Egress
- 16.28.080 Off-Street Parking
- 16.28.090 Height
- 16.28.100 Landscaping
- 16.28.110 Stormwater Runoff

16.28.010 Intent. It is the intent of this chapter to:

- A. Provide for the location of the facilities and services needed by the traveling public.
- B. Permit commercial uses and activities which depend more heavily on convenient vehicular access than pedestrian access.
- C. Limit location to sites having safe and efficient access to major transportation routes.
- D. Identify the types of commercial uses appropriate or acceptable in the Highway Commercial District.
- E. 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.

16.28.020 Permitted Uses.

- A. Specific types of uses permitted in this district are those commercial activities which are more dependent on direct vehicular access than the activities permitted in other districts, including the following:
 - 1. Private and public parking lots, parking garages and accessory servicing
 - 2. Restaurants
 - 3. Service stations, including repair

4. Hotels and motor hotels
 5. Convenience stores for the traveling public
 6. Sales and/or servicing of:
 - a. Automobile and automotive equipment
 - b. Boats and marine equipment
 - c. Campers, mobile homes and trailers.
 7. Distributive business establishments indicating wholesaling and warehousing.
- B. Similar or related uses permitted and criteria for determination of similarity or relatedness, as follows:
1. Uses similar to, or related to, those listed in Subsection "A" 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 chapter 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.
- C. Special uses may be permitted as provided for in Chapter 16.66 of this title.

16.28.030 Prohibited Uses. Uses other than those identified or described in Section 16.28.020 of this chapter are prohibited, including but not limited to:

- A. Auto wrecking yards including junk, scrap metal, and other material salvage operations including recycling centers.
- B. 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.

16.28.040 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 Chapter 16.57 of this title.

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 title.

- B. An environmental impact assessment shall be made by the Site Plan Review Committee in accordance with the procedures contained in Chapter 16.84 of this title.

16.28.050 Site Area. The size and shape of sites shall be as follows:

- A. Minimum size of any parcel to be developed in this district shall be twenty thousand (20,000) square feet.
- B. Maximum building coverage shall be forty percent (40%).

16.28.060 Building Location. Location of buildings or structures on site, if adjacent parcels are in same zoning district or in another commercial or industrial district, shall be as follows (refer to Section 16.28.110 for amount of setback landscaping required):

- A. Setbacks from side property lines, fifteen (15) feet
- B. Setbacks from rear property lines, fifteen (15) feet
- C. Setbacks from front property lines, fifteen (15) feet.

16.28.070 Ingress and Egress. 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.

16.28.080 Off-Street Parking. Off-street parking shall be provided in accordance with Chapter 16.72 of this title.

16.28.090 Height. Maximum height of buildings shall be forty (40) feet.

16.28.100 Landscaping.

A. Yard Setback Landscaping. All required minimum yard setback areas shall be landscaped with suitable ground cover and deciduous or evergreen trees, not to be less than:

1. Front yard - fifteen (15) feet
2. Side yard(s) - six (6) feet
3. Rear yard - six (6) feet.

The sum total of the site shall have no less than fifteen percent (15%) landscaping. Landscaping must be included within the interior of the lot. 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. All deciduous trees shall have a minimum of one-and-one-half inch (1½") caliper measured six inches (6") above existing grade, and all evergreen trees shall be six (6) to eight (8) feet tall at time of planting.

B. Adjacent Areas. Parcels or lots which share a common boundary with properties in a residential or open space/institutional district shall, in lieu of the rear or side yard setbacks required in Section 16.28.060, provide a sixteen (16) foot strip for landscaping along said common boundary.

The exterior edge(s) of the common boundaries shall be densely planted with site screening vegetation having a minimum height of four (4) feet at the time of planting.

C. 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.

D. Refuse

1. Refuse container screening shall be required and be of a material and design compatible with the overall architectural theme of the associated structure, shall be at least as high as the refuse container, and shall in no case be less than six (6) feet high.
2. No refuse container shall be permitted between a street and the front of a building.
3. Refuse collection areas shall be designed to contain all refuse generated on site and deposited between collections. Deposited refuse shall not be visible from outside the refuse enclosure.

E. Plot Plan

1. A plot plan of the proposed landscaping and screening shall be submitted before building permits are issued. The Plan may be incorporated into plans submitted for Site Plan Review.

2. Plan Requirements. The site plan shall be accurately drawn, using an appropriate engineering or architect scale, and showing the following:
 - a. Boundaries and dimensions of the site.
 - b. Location and identification of all streets, alleys and easements on or abutting the site.
 - c. Location and approximately dimension of all conforming structures within one hundred (100) feet of the site on abutting properties.
 - d. Proposed location and dimensions of all on-site buildings.
 - e. Existing and proposed topography at a maximum of five (5) foot contours, or by an alternate method approved by the manager.
 - f. Proposed landscaping including location, species and size at time of planting.
 - g. Existing vegetation in general and identifying all evergreen and deciduous trees four (4) inches and greater in diameter measured at twenty-four (24) inches above grade level.
 - h. Details of any proposed architectural barriers.
 - i. Location of existing and proposed driveways and parking surfaces, curbs and sidewalks.

F. Installation and Security Requirements

1. Landscaping required pursuant to this chapter must be installed to the satisfaction of the enforcing officer, in accordance with the approved site plan, no later than three (3) months after issuance of a certificate of occupancy for the project. The enforcing officer may extend the time limit for compliance up to six (6) months after issuance of a certificate of occupancy when circumstances beyond the control of the applicant warrant an extension.
2. The enforcing officer may require performance bonds or other appropriate security, including letters of credit and set aside letters, to insure landscaping will be installed and maintained for one (1) year, according to the approved plan and specifications.

- G. Maintenance and Enforcement. All landscaped areas required by this code shall be planted according to accepted practice in good soil with a water source within seventy-five (75) feet (except for self-sustaining natural-type growth commonly occurring in the vicinity of the development), and maintained with respect to pruning, trimming, watering or other requirements to create an attractive appearance and a healthy growing condition. Dead, diseased, stolen or vandalized plantings shall be replaced within three (3) months. Property owners shall keep the planting area reasonably free of weeds and trash. Lack of maintenance shall constitute a violation of this code. The enforcing officer shall have the authority to enforce the standards set forth in this chapter and the conditions attached to all permits for development pursuant to application of this chapter, in accordance with the provisions of Chapter 16.102 of this title.

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

CHAPTER 16.34
COMMUNITY COMMERCIAL DISTRICT
(CCD)

Sections:

- 16.34.010 Intent
- 16.34.020 Permitted Uses
- 16.34.040 Prohibited Uses
- 16.34.050 Environmental Performance Standards
- 16.34.060 Site Area
- 16.34.070 Off-Street Parking
- 16.34.080 Landscaping
- 16.34.090 Stormwater Runoff

16.34.010 Intent. It is the intent of this chapter to:

- A. Provide for convenience type business and services which serve the needs of residents of the neighborhood and employees of the planned community, and which are located on a single unified site with common parking and a cluster of tenants.
- B. 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.

16.34.020 Permitted Uses.

- A. Specific types of uses permitted in the Community Commercial District include:
 - 1. Convenience commercial establishments such as:
 - a. Grocery stores and pharmacies.
 - b. Small retail establishments, such as television and appliance and small specialty shops.
 - c. Small professional and business services, including, but not limited to real estate and security brokers, insurance, accountants, attorneys, engineers, medical, dental and optical.
 - d. Personal services such as barber, beauty shops and bakeries.
 - e. Service stations, including self-service.
 - f. Restaurants, for seated customers only, including delicatessens.
 - g. Self-service, automatic laundries.

- B. Similar or related uses permitted, and criteria for determination of similarity or relatedness, are as follows:
1. Uses similar to, or related to, those listed in subsection A 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 chapter or the policies of the land development plan.
 2. The criteria for such finding of similarity shall include but not be limited to the following:
 - a. The proposed use is appropriate in this area.
 - b. The development standards for permitted uses can be met by the proposed use.
 - c. The public need is served by the proposed use.
- C. Special uses may be permitted as provided for in Chapter 16.66 of this title.

16.34.040 Prohibited Uses. Uses other than those identified or described in Section 16.34.030 of this chapter are prohibited.

16.34.050 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 Chapter 16.57 of this title.

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 title.

- B. General character of 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.

16.34.060 Site Area. The site shall contain more than one (1) use and have a design and shape as follows:

- A. Minimum site size, five (5) acres
Maximum site size, ten (10) acres
- B. Minimum lot width, two hundred (200) feet

- C. Minimum setback from property line for side yard, fifteen (15) feet
- D. Minimum setback from property line rear yard, fifteen (15) feet
- E. Minimum setback from property line front yard, fifteen (15) feet
- F. Maximum building coverage, forty percent (40%)
- G. Maximum development coverage, seventy percent (70%)
- H. Maximum building height, forty (40) feet.

16.34.070 Off-Street Parking. Off-street parking shall be provided in accordance with Chapter 16.72 of this title.

16.34.080 Landscaping.

- A. Yard Setback Landscaping. All required minimum yard setback areas shall be landscaped with suitable ground cover and deciduous or evergreen trees, not to be less than:

- 1. Front yard - fifteen (15) feet
- 2. Side yard(s) - six (6) feet
- 3. Rear yard - six (6) feet.

The sum total of the site shall have no less than fifteen percent (15%) landscaping. Landscaping must be included within the interior of the lot. 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. All deciduous trees shall have a minimum of one-and-one-half inch (1½") caliper measured six inches (6") above existing grade, and all evergreen trees shall be six (6) to eight (8) feet tall at time of planting.

- B. Adjacent Areas. Parcels or lots which share a common boundary with properties in a residential or open space/institutional district shall, in lieu of the rear or side yard setbacks required in Section 16.34.060, provide a sixteen (16) foot strip for landscaping along said common boundary.

The exterior edge(s) of the common boundaries shall be densely planted with site screening vegetation having a minimum height of four (4) feet at the time of planting.

- C. 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.

D. Refuse

1. Refuse container screening shall be required and be of a material and design compatible with the overall architectural theme of the associated structure, shall be at least as high as the refuse container, and shall in no case be less than six (6) feet high.
2. No refuse container shall be permitted between a street and the front of a building.
3. Refuse collection areas shall be designed to contain all refuse generated on site and deposited between collections. Deposited refuse shall not be visible from outside the refuse enclosure.

E. Plot Plan

1. A plot plan of the proposed landscaping and screening shall be submitted before building permits are issued. The Plan may be incorporated into plans submitted for Site Plan Review.
2. Plan Requirements. The site plan shall be accurately drawn, using an appropriate engineering or architect scale, and showing the following:
 - a. Boundaries and dimensions of the site.
 - b. Location and identification of all streets, alleys and easements on or abutting the site.
 - c. Location and approximately dimension of all conforming structures within one hundred (100) feet of the site on abutting properties.
 - d. Proposed location and dimensions of all on-site buildings.
 - e. Existing and proposed topography at a maximum of five (5) foot contours, or by an alternate method approved by the manager.
 - f. Proposed landscaping including location, species and size at time of planting.
 - g. Existing vegetation in general and identifying all evergreen and deciduous trees four (4) inches and greater in diameter measured at twenty-four (24) inches above grade level.
 - h. Details of any proposed architectural barriers.
 - i. Location of existing and proposed driveways and parking surfaces, curbs and sidewalks.

F. Installation and Security Requirements

1. Landscaping required pursuant to this chapter must be installed to the satisfaction of the enforcing officer, in accordance with the approved site plan, no later than three (3) months after issuance of a certificate of occupancy for the project. The enforcing officer may extend the time limit for compliance up to six (6) months after issuance of a certificate of occupancy when circumstances beyond the control of the applicant warrant an extension.

2. The enforcing officer may require performance bonds or other appropriate security, including letters of credit and set aside letters, to insure landscaping will be installed and maintained for one (1) year, according to the approved plan and specifications.

G. Maintenance and Enforcement. All landscaped areas required by this code shall be planted according to accepted practice in good soil with a water source within seventy-five (75) feet (except for self-sustaining natural-type growth commonly occurring in the vicinity of the development), and maintained with respect to pruning, trimming, watering or other requirements to create an attractive appearance and a healthy growing condition. Dead, diseased, stolen or vandalized plantings shall be replaced within three (3) months. Property owners shall keep the planting area reasonably free of weeds and trash. Lack of maintenance shall constitute a violation of this code. The enforcing officer shall have the authority to enforce the standards set forth in this chapter and the conditions attached to all permits for development pursuant to application of this chapter, in accordance with the provisions of Chapter 16.102 of this title.

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

CHAPTER 16.40
LIGHT INDUSTRIAL DISTRICT

Sections:

- 16.40.010 Intent
- 16.40.020 Permitted Uses
- 16.40.030 Prohibited Uses
- 16.40.040 Environmental Performance Standards
- 16.40.050 Site Requirements
- 16.40.060 Building Allowance
- 16.40.070 Off-Street Parking
- 16.40.080 Landscaping
- 16.40.090 Stormwater Runoff

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

- A. Provide for the development of areas in which certain types of light industrial activities may be located.
- B. Protect light industrial areas from other uses which may interfere with the purpose and efficient functioning of said areas.
- C. Protect adjacent areas from adverse or damaging impact of any kind emanating or resulting from activities in the light industrial areas.
- D. Provide criteria for the location and standards for the development of said areas.

16.40.020 Permitted Uses.

A. Specific types permitted in the Light Industrial District include:

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

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

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

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

Such products may include, but are not limited to:

- a. Sheet metal, cans, cable
 - b. Cloth, paper
 - c. Commercial bakery goods
 - d. Cosmetics
 - e. Dairy products
 - f. Scientific, medical and precision instruments and equipment.
3. Other Uses:
- a. Warehousing and storage of equipment, commodities and products
 - b. Laundry and dry cleaning plants
 - c. Mineral extraction subject to Chapter 16.45
 - d. Living or residential quarters as an accessory use such as guards' quarters in large establishments where such quarters are customarily provided for security and/or insurability of the premises
 - e. Firemen's sleeping quarters in fire houses.
4. Accessory uses clearly subordinate to, and an integral part of, the primary use of the property (i.e., plant cafeteria, recreation area).
- B. Similar or related uses permitted, and criteria for determination of similarity or relatedness as follows:
1. Uses similar to, or related to, or compatible with those listed or described in subsection "A" 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 chapter or the policies of the Lacey Development Plan.
 2. The criteria for such finding of similarity, etc., shall include but not be limited to the following:
 - a. The proposed use is appropriate in this area.
 - b. The development standards for permitted uses can be met by the proposed use.
 - c. The public need is served by the proposed use.
- C. Special uses may be permitted as provided for in Chapter 16.66 of this title.

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

- A. All uses or activities which would require extraordinary equipment, devices or technology for the control of odors, dust, fumes, smoke, noise or other wastes and/or by-products which, if uncontrolled, would contaminate the environment to a degree which would exceed the acceptable limits established by competent and recognized public and quasi-public agencies.
- B. Examples of prohibited uses are:
 - 1. Animal slaughtering
 - 2. Care and/or sale of livestock, poultry or similar animals
 - 3. Storage, manufacturing or sale of highly volatile or otherwise extremely hazardous substances or materials.

16.40.040 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 Chapter 16.57 of this title. In addition, any outside storage must have sight-obscuring screening around the storage area. All stored materials shall not exceed the height of the screening.

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 title.

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

- A. Lot area, twenty thousand (20,000) square feet.
- B. Lot width, one hundred (100) feet.
- C. Side yard setback, fifteen (15) feet.
- D. Rear yard setback, twenty-five (25) feet.
- E. Front yard setback, twenty (25) feet.
- F. Wherever buildings are separated, a minimum distance of ten (10) feet shall be maintained between such buildings.

16.40.060 Building Allowance. Maximum building allowance shall be as follows:

- A. Development coverage, seventy percent (70%) of site.
- B. Maximum building height, thirty-five (35) feet.

C. Maximum building coverage, forty percent (40%).

16.40.070 Off-Street Parking. Off-street parking shall be provided in accordance with Chapter 16.72 of this title.

16.40.080 Landscaping.

A. Yard Setback Landscaping. All required minimum yard setback areas shall be landscaped with suitable ground cover and deciduous or evergreen trees, not to be less than:

1. Front yard - fifteen (15) feet
2. Side yard(s) - six (6) feet
3. Rear yard - six (6) feet.

The sum total of the site shall have no less than fifteen percent (15%) landscaping. Landscaping must be included within the interior of the lot. 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. All deciduous trees shall have a minimum of one-and-one-half inch (1½") caliper measured six inches (6") above existing grade, and all evergreen trees shall be six (6) to eight (8) feet tall at time of planting.

B. Adjacent Areas. Parcels or lots which share a common boundary with properties in a residential or open space/institutional district shall, in lieu of the rear or side yard setbacks required in Section 16.40.060, provide a sixteen (16) foot strip for landscaping along said common boundary.

The exterior edge(s) of the common boundaries shall be densely planted with site screening vegetation having a minimum height of four (4) feet at the time of planting.

C. 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.

D. Refuse

1. Refuse container screening shall be required and be of a material and design compatible with the overall architectural theme of the associated structure, shall be at least as high as the refuse container, and shall in no case be less than six (6) feet high.
2. No refuse container shall be permitted between a street and the front of a building.
3. Refuse collection areas shall be designed to contain all refuse generated on site and deposited between collections. Deposited refuse shall not be visible from outside the refuse enclosure.

E. Plot Plan

1. A plot plan of the proposed landscaping and screening shall be submitted before building permits are issued. The Plan may be incorporated into plans submitted for Site Plan Review.
2. Plan Requirements. The site plan shall be accurately drawn, using an appropriate engineering or architect scale, and showing the following:
 - a. Boundaries and dimensions of the site.
 - b. Location and identification of all streets, alleys and easements on or abutting the site.
 - c. Location and approximately dimension of all conforming structures within one hundred (100) feet of the site on abutting properties.
 - d. Proposed location and dimensions of all on-site buildings.
 - e. Existing and proposed topography at a maximum of five (5) foot contours, or by an alternate method approved by the manager.
 - f. Proposed landscaping including location, species and size at time of planting.
 - g. Existing vegetation in general and identifying all evergreen and deciduous trees four (4) inches and greater in diameter measured at twenty-four (24) inches above grade level.
 - h. Details of any proposed architectural barriers.
 - i. Location of existing and proposed driveways and parking surfaces, curbs and sidewalks.

F. Installation and Security Requirements

1. Landscaping required pursuant to this chapter must be installed to the satisfaction of the enforcing officer, in accordance with the approved site plan, no later than three (3) months after issuance of a certificate of occupancy for the project. The enforcing officer may extend the time limit for compliance up to six (6) months after issuance of a certificate of occupancy when circumstances beyond the control of the applicant warrant an extension.
2. The enforcing officer may require performance bonds or other appropriate security, including letters of credit and set aside letters, to insure landscaping will be installed and maintained for one (1) year, according to the approved plan and specifications.

- G. Maintenance and Enforcement. All landscaped areas required by this code shall be planted according to accepted practice in good soil with a water source within seventy-five (75) feet (except for self-sustaining natural-type growth commonly occurring in the vicinity of the development), and maintained with respect to pruning, trimming, watering or other requirements to create an attractive appearance and a healthy growing condition. Dead, diseased, stolen or vandalized plantings shall be replaced within three (3) months. Property owners shall keep the planting area reasonably free of weeds and trash. Lack of maintenance shall constitute a violation of this code. The enforcing

officer shall have the authority to enforce the standards set forth in this chapter and the conditions attached to all permits for development pursuant to application of this chapter, in accordance with the provisions of Chapter 16.102 of this title.

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

CHAPTER 16.43

PLANNED INDUSTRIAL PARK DEVELOPMENTS
(OVERLAY)

Sections:

- 16.43.010 Intent
- 16.43.020 Where Permitted
- 16.43.030 Permitted Uses
- 16.43.040 Relationship to Other Ordinance Provisions
- 16.43.050 Development Standards
- 16.43.060 Environmental Performance Standards
- 16.43.070 Preliminary Review and Approval--Application--Eligibility and Procedure
- 16.43.080 Preliminary Review and Approval--Application--Required Documentation
- 16.43.090 Final Review and Approval--Application--Filing Time Limitation
- 16.43.100 Final Review and Approval--Application--Partial PID Area
- 16.43.110 Final Review and Approval--Application--Required Documentation
- 16.43.120 Permit Issuance
- 16.43.130 Adjustments
- 16.43.140 Duration of Control
- 16.43.150 Parties Bound
- 16.43.160 Commencement of Construction

16.43.010 Intent. It is the intent of this chapter to:

- A. Encourage imaginative design by permitting greater flexibility in zoning requirements than is generally permitted by other chapters of this title.
- B. Preserve or create environmental amenities superior to those generally found in conventional developments.
- C. To encourage comprehensive planning of large industrial sites in order to create a park-like environment.
- D. Preserve to the greatest possible extent the natural characteristics of the land, including topography, natural vegetation, waterways, views, etc.
- E. To establish development standards which provide compatibility with surrounding residential, commercial or other developments and offer protection from industrial blight.
- F. Provide for maximum efficiency in the layout of streets, utility networks, open space, landscaping requirements and other public improvements.
- G. Provide a guide for developers and City officials in meeting the purpose and provisions of this chapter.

16.43.020 Where Permitted. Planned Industrial Park Developments may be permitted in the following land use districts consistent with the development standards in Section 16.43.050:

- A. Light Industrial/Commercial
- B. Light Industrial
- C. Industrial

16.43.030 Permitted Uses. Subject to the provisions of this title, the following uses are permitted in Planned Industrial Developments:

- A. All uses permitted as a matter of right in the underlying district.
- B. Industrial-related commercial/office uses.

16.43.040 Relationship to Other Ordinance Provisions.

- A. 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 Industrial Development.

The specific set back, lot size, height limits, lot coverage and other dimensional requirements are waived, and the regulations for PID's shall be those indicated in Section 16.43.050.

- B. Platting Requirements. A PID shall be exempt from the specific design requirements of the subdivision ordinance, except that when any parcel of land in a PID 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.
- C. Public Hearing Required. Preliminary applications for PID shall require a public hearing with notice thereof to be given as provided in Chapter 16.96.

16.43.050 Development Standards. Site development plans shall conform with the following standards:

- A. Relationship of PID Site to Adjacent Areas. The design of a PID shall take into account the relationship of the site to the surrounding areas. The perimeter of the PID shall be so designed as to minimize undesirable impact of the PID on adjacent properties and, conversely, to minimize undesirable impact of adjacent land use and development characteristics on the PID.
- B. Site Acreage. The minimum site for a Planned Industrial Development shall be ten (10) acres.
- C. Access to Public Right-of-Way. Access serving the PID shall be subject to Chapter 16.73.

- D. Lot Size. The minimum lot size provisions of other chapters of the zoning title are waived in a Planned Industrial Development.
- E. Setback and Side Yard Requirements. Setbacks from the exterior boundary line of the PID 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 fifteen (15) feet.
- F. Off-Street Parking. Off-street parking shall be provided in a PID in the same ratios for types of buildings and uses as required for the underlying zoning district, and as described in Chapter 16.72 of this title.
- G. Height Limits. Height limits will be imposed if necessary to prevent detrimental effects upon the surrounding properties.
- H. Transportation Terminals. Transportation terminals shall not be located within one thousand (1,000) feet of any residential district, and any newly constructed roads or drives accessing terminal areas shall not be located within five hundred (500) feet of any residential district.
- I. Landscaping
1. Yard Setback Landscaping. All exterior minimum yard setback areas shall be landscaped with suitable ground cover and deciduous or evergreen trees, not to be less than:
 - a. Front yard - fifteen (15) feet
 - b. Side yard(s) - five (5) feet
 - c. Rear yard - five (5) feet.

The sum total of the site shall have no less than twenty percent (20%) landscaping. Landscaping must be included within the interior of the lot. 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. All deciduous trees shall have a minimum of one-and-one-half inch (1½") caliper measured six inches (6") above existing grade, and all evergreen trees shall be six (6) to eight (8) feet tall at time of planting.

2. Adjacent Areas. Parcels or lots which share a common boundary with properties in a residential or open space/institutional district shall, in lieu of the exterior boundary setback required in Section 16.43.050(E), provide a twenty-five (25) foot strip for landscaping along said common boundary.

The exterior edge(s) of the common boundaries shall be densely planted with site screening vegetation having a minimum height of four (4) feet at the time of planting.

3. 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.
4. Refuse
 - a. Refuse container screening shall be required and be of a material and design compatible with the overall architectural theme of the associated structure, shall be at least as high as the refuse container, and shall in no case be less than six (6) feet high.
 - b. No refuse container shall be permitted between a street and the front of a building.
 - c. Refuse collection areas shall be designed to contain all refuse generated on site and deposited between collections. Deposited refuse shall not be visible from outside the refuse enclosure.
5. Plot Plan
 - a. A plot plan of the proposed landscaping and screening shall be submitted before building permits are issued. The Plan may be incorporated into plans submitted for Site Plan Review or Hearings Examiner Review.
 - b. Plan Requirements. The site plan shall be accurately drawn, using an appropriate engineering or architect scale, and showing the following:
 - (1) Boundaries and dimensions of the site.
 - (2) Location and identification of all streets, alleys and easements on or abutting the site.
 - (3) Location and approximately dimension of all conforming structures within one hundred (100) feet of the site on abutting properties.
 - (4) Proposed location and dimensions of all on-site buildings.
 - (5) Existing and proposed topography at a maximum of five (5) foot contours, or by an alternate method approved by the manager.
 - (6) Proposed landscaping including location, species and size at time of planting.
 - (7) Existing vegetation in general and identifying all evergreen and deciduous trees four (4) inches and greater in diameter measured at twenty-four (24) inches above grade level.
 - (8) Details of any proposed architectural barriers.
 - (9) Location of existing and proposed driveways and parking surfaces, curbs and sidewalks.

6. Installation and Security Requirements

- a. Landscaping required pursuant to this chapter must be installed to the satisfaction of the enforcing officer, in accordance with the approved site plan, no later than three (3) months after issuance of a certificate of occupancy for the project. The enforcing officer may extend the time limit for compliance up to six (6) months after issuance of a certificate of occupancy when circumstances beyond the control of the applicant warrant an extension.
- b. The enforcing officer may require performance bonds or other appropriate security, including letters of credit and set aside letters, to insure landscaping will be installed and maintained for one (1) year, according to the approved plan and specifications.

6. Maintenance and Enforcement. All landscaped areas required by this code shall be planted according to accepted practice in good soil with a water source within seventy-five (75) feet (except for self-sustaining natural-type growth commonly occurring in the vicinity of the development), and maintained with respect to pruning, trimming, watering or other requirements to create an attractive appearance and a healthy growing condition. Dead, diseased, stolen or vandalized plantings shall be replaced within three (3) months. Property owners shall keep the planting area reasonably free of weeds and trash. Lack of maintenance shall constitute a violation of this code. The enforcing officer shall have the authority to enforce the standards set forth in this chapter and the conditions attached to all permits for development pursuant to application of this chapter, in accordance with the provisions of Chapter 16.102 of this title.

16.43.060 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 Chapter 16.57 of this title. In addition, any outside storage must have sight-obscuring screening around the storage area. All stored materials shall not exceed the height of the screening.

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 title.

16.43.070 Preliminary Review and Approval--Application--Eligibility and Procedure.

- A. 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 PID development.

B. Review Procedure

1. Proposed projects on sites less than twenty (20) acres shall be reviewed by the Site Plan Review Committee under Chapter 16.84 and in accordance with the development and performance standards of this chapter.
2. Proposed projects on sites of twenty (20) acres or more shall be reviewed by the Hearings Examiner as provided for conditional or special use applications in Chapter 16.87 and the development and performance standards of this chapter.

16.43.080 Preliminary Review and Approval--Application--Required Documentation. An application for PID development shall include the following:

- A. Vicinity sketch showing the location of the site and its relationship 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, setbacks, identification of types.
 4. Location and dimensions of open spaces.
 5. Existing and proposed contours including natural features.
 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 [as required in Section 16.43.050(1)(5)].
 10. Typical front and side elevations and exterior architectural treatments of the proposed units.
 11. Conceptual Utility Plan, including water, sewer, storm drainage and lighting.

- 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.
 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.

16.43.090 Final Review and Approval--Application--Filing Time Limitation. An application for final review and approval shall be filed by the applicant within eighteen (18) months of the date on which preliminary approval was given by the Site Plan Review Committee or the City Council. An extension not exceeding six (6) months may be granted by the Site Plan Review Committee for projects under ten (10) net acres or the Hearings Examiner for projects over ten (10) net acres. If application for final approval is not made within eighteen (18) 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.

16.43.100 Final Review and Approval--Application--Partial PID Area. An application for final review and approval may be filed for part of a PID area for which preliminary approval has been granted by the Site Plan Review Committee or the City Council. A final plan for a part of a PID shall provide the same proportion of open space and the same overall development coverage as the overall preliminary plan.

NOTE: Final approval of a PID 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.

16.43.110 Final Review and Approval--Application--Required Documentation. The applicant shall submit at least seven (7) copies of the final development plan of the proposed development to the Planning Department for its review. The final development plan shall comply with the conditions imposed on the preliminary development plan. In addition, if the development is being subdivided, the data required of regular plats as required by the subdivision ordinance must be submitted. The plan shall include the following:

- A. Final elevation and perspective drawings of project structures
- B. Final landscaping plan
- C. Final plans of and including profiles of the drainage, water, sewer, lighting, streets, and sidewalks or pathways

- D. Such other documentation, information and data not lending itself to graphic presentation such as restrictive covenants, dedications of easements, rights-of-way, and other conditions specifically required by the Hearings Examiner for the particular PID.

No final development plan shall be deemed acceptable for filing unless all of the above information is submitted in accurate and complete form sufficient for the purposes of Planning Department review. After receiving the final development plan, the Planning Department shall route the same to all appropriate City departments, and each department shall again submit to the Planning Department comments and recommendations.

If the City departments determine that the final map conforms fully with all applicable regulations and standards, the final map shall be presented to the City Council for final approval.

16.43.120 Permit Issuance. Building permits and other permits required for the construction or development of property under the provisions of this chapter 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 PID.

16.43.130 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 development coverage of the development or the open space requirements. Such dimensional adjustments shall not vary more than ten percent (10%) from the original.
- B. Major adjustments are those which, in the opinion of the enforcing officer, substantially change the basic design, coverage, open space or other requirements of the Planned Industrial 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.

16.43.140 Duration of Control. The regulations and controls of the Planned Industrial Development Ordinance in effect at the time of authorization of a PID project shall remain in full force and effect for the life of the project.

16.43.150 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 PID, shall be bound by the conditions attending the approval of the development and the provisions of this title.

16.43.160 Commencement of Construction. Construction of the PID project shall begin within eighteen (18) months 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.

CHAPTER 16.44

PLANNED COMMUNITY REVIEW

Sections:

- 16.44.010 Intent
- 16.44.020 Applicability
- 16.44.030 General Steps for Review and Approval
- 16.44.040 Conceptual Approval
- 16.44.050 Master Plan Approval
- 16.44.060 Timing of Master Plan Submittal
- 16.44.070 Approval of Specific Development Proposals
- 16.44.080 Implementation of Master Plan: Periodic Review
- 16.44.090 Administration and Enforcement

16.44.010 Intent. The purpose of the Planned Community process is to protect and improve the public health, safety and welfare by pursuing the following objectives:

- A. To ensure that future growth and development which occurs as the result of a Planned Community is in accord with the Development Plan and the planning policies of the City.
- B. To provide for large-scale projects that incorporate a full range of land uses, including major employment centers, with supporting housing, commercial services, and other facilities and services for the employees and residents of the project.
- C. To encourage innovations and creativity for the safe, efficient and economic use of land.
- D. To ensure and facilitate the provision of adequate public services such as transportation, water, sewage, storm drainage, electricity and open space.
- E. To encourage patterns of land use which decrease trip length of automobile travel and encourage trip consolidation, increased public access to mass transit, bicycle routes and other alternative modes of transportation.
- F. To improve the design, quality and character of new development so as to reduce energy consumption and demand, and to minimize adverse environmental impacts including degradation of wildlife habitat and important natural features in the area.
- G. To foster and ensure a rational pattern of relationship between residential, business and industrial uses so as to complement and minimize impacts on existing neighborhoods.
- H. To ensure coordination of commercial and industrial building designs which will be harmonious and blending with each other and the natural environment.

16.44.020 Applicability.

- A. Minimum Site Area. A minimum of five hundred (500) acres in a single ownership must be available for a Planned Community; smaller ownerships may be included in the proposal.
- B. Consent of Owner. The Planned Community designation may be applied only to lands whose owners have consented in writing to the designation.

16.44.030 General Steps for Review and Approval.

- A. The review and approval of a Planned Community shall consist of three steps:
 - 1. Conceptual approval of the Planned Community through Development Plan and zoning map amendment, with the zoning map amendment not effective until approval of the Master Plan for the site.
 - 2. Adoption of the master plan for the site.
 - 3. Approval of subdivisions or planned residential developments as may be appropriate.

16.44.040 Conceptual Approval.

- A. Purpose. The purpose of conceptual approval is to establish general land use policies to guide detailed planning for and development of the Planned Community. The conceptual plan shall identify the generalized land uses and services proposed for the site. Prior to site development, a Master Plan shall be approved consistent with the policies and conditions of conceptual approval.
- B. Review. Conceptual approval shall consist of an amendment to the Development Plan and an amendment to the official zoning map by the City Council upon recommendation by the Planning Commission. Notice of hearings on conceptual approval will be provided to all property owners within one thousand (1,000) feet of the subject site. The zoning map amendment shall be in conformance with the Development Plan, and shall be limited by the conditions in paragraphs "D" and "E" below.
- C. Form and Contents of Application for Conceptual Approval of the Planned Community. An application for conceptual approval shall include:
 - 1. Textual Information
 - a. Name, address, zip code and telephone number of applicant.
 - b. The names, addresses, zip codes and telephone numbers of all landowners within the subject property.
 - c. The names and addresses of all property owners within one thousand (1,000) feet of the site.

- d. The legal description and tax parcel number(s) of the subject property.
- e. The existing zoning and plan designation on the subject property.
- f. The acreage contained within the proposed Planned Community; the number of dwelling units permitted and proposed; and the number of dwelling units per acre of land permitted and proposed.
- g. The total acreage of nonresidential uses permitted and proposed, by type of use.
- h. Applicable school district(s), fire district(s) or departments, and other special purposes districts.
- i. The means by which the proposed Planned Community meets the objectives of Section 16.44.010.
- j. Proposed amendatory language for the applicable sub-area plan.
- k. Anticipated phasing of development.
- l. General description of options for source(s) of water supply, method(s) of sewage disposal, methods of storm water control, and means to handle hazardous materials and hazardous waste if applicable.
- m. When no environmental impact statement is provided, identify potential major anticipated adverse environmental impacts and general mitigating measures, including off-site improvements, which may be incorporated in a subsequent master plan.
- n. An explanation of all features not readily identifiable in map form.

2. Conceptual Plan and Supporting Maps

- a. A vicinity map showing the location of the site and its relationship to surrounding areas, including existing streets and major physiographic features such as railroads, lakes, streams, shorelines, schools, parks or other prominent features.
- b. Parcel boundaries.
- c. Freeways, highways and streets servicing and abutting the area and parcel.
- d. The existing zoning and Development Plan designation for all areas of the Planned Community.

- e. Generalized proposed land uses including:
 - (1) Potential uses
 - (2) Range of densities and housing types
 - (3) Phasing of development
 - (4) Any proposed zoning or Development Plan changes.
- f. Vehicular circulation plans, with points of ingress and egress, and correlation to existing and proposed area transportation facilities.
- g. Existing site conditions including water courses, wetland area, flood plains, unique natural features, forest cover, and elevation contours of appropriate intervals to indicate the topography of the entire tract for a reasonable distance beyond the boundaries of the proposed development to include adjacent or nearby lands where project impacts are relevant.

D. Effect of Conceptual Approval. Upon conceptual approval, the Planned Community boundaries, proposed use districts and case file number shall be identified upon the official zoning map. These districts shall only be effective upon approval of a Master Plan meeting the requirements of conceptual approval and of this ordinance.

*E.F.
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Development Prior to Master Plan Approval. Unless specifically authorized at the time of conceptual approval, no development permit may be issued prior to Master Plan approval except for (1) recreational facilities, including golf courses; (2) transportation facilities; (3) public utilities; and (4) public facilities, including schools. Pre-existing uses shall be regulated as specified in Chapter 16.93 (Nonconforming Uses).

16.44.050 Master Plan Approval.

- A. Purpose. The Master Plan shall consist of map(s) and text which indicate major development features and services for the entire site, including a schedule indicating phasing of development and the means of financing services for the site.
- B. Review. A complete Master Plan for the entire Planned Community shall be submitted within three (3) years of conceptual approval unless an extension has been granted pursuant to Section 16.44.060. The Master Plan shall be reviewed by the Planning Commission and a recommendation submitted to the City Council for final action.

The Planning Commission shall not approve a Master Plan unless the Commission has conducted a public hearing pursuant to RCW 35A.63.073 and it is determined that said plan is consistent with the conceptual approval and complies with the development policies of the Development Plan, the purposes of Section 16.44.010, and the provisions of this Chapter. The Planning Commission may establish terms and conditions of approval, and require the provision, and further public review, of additional information and analyses in order to insure such compliance.

In addition, the Planning Commission may make changes in the proposed master plan or the proposed zoning on the basis of information presented in the course of master plan review, as long as the changes are consistent with the conceptual approval and other applicable City plans and policies. Changes not consistent with City plans and policies may be made only if conceptual approval or other plans or policies are first amended accordingly.

- C. City Council Consideration. The Planning Commission recommendation shall come to the City Council for consideration in open public meeting no sooner than ten (10) nor longer than twenty (20) working days from the date a decision constituting a recommendation was rendered. The City Council shall consider the matter based upon the written record before the Planning Commission, the Commission's decision, and any written comments received by the City before closer 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 Planning Commission 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 Planning Commission or a public hearing shall be scheduled before the City Council for the receipt of such testimony or argument.
- D. City Council Action. The City Council may accept, modify or reject the Commission's decision, or any findings or conclusions therein, or may remand the decision to the Commission 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 Commission 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.

- D. Form and Contents of Application for Master Plan Approval. The applicant shall submit the master plan and supplementary data including an environmental impact statement if required to the Planning Department. The Planning Department shall inform the applicant within thirty (30) days of the date of receipt of the application of any deficiencies found in the master plan application. Accuracy for all data and information submitted on or with a master plan shall be the responsibility of the applicant.

An application for master plan approval shall include:

1. Textual Information

- a. Name, address, zip code and telephone number of applicant.
- b. The names, addresses, zip codes and telephone numbers of all landowners within the subject property.

- c. The names and addresses of all property owners within one thousand (1,000) feet of the site.
- d. The legal description of the subject property.
- e. The zoning on the subject property.
- f. The acreage contained within the proposed Planned Community; the total number of dwelling units being proposed; and the average number of dwelling units per acre of land.
- g. The number and acreage of each type of dwelling units proposed.
- h. The acreage of open space (including a separate figure for active recreation space) to be contained in the Planned Community, and the percentage it represents of the total area.
- i. The total acreage of each type of nonresidential use, including the approximate floor area and type of commercial and industrial uses.
- j. The source of water supply, including the specific type of facilities involved, their capacities and the estimated timing of completion of these facilities.
- k. The method of sewage disposal, to include the name of sewer operator, if any, including the specific type of facilities involved, their capacities and the estimated timing of completion of these facilities.
- l. A plan for hazardous waste control if appropriate, including the specific type of facilities involved, their capacities and the estimated timing of completion of these facilities.
- m. Applicable school district(s), fire district(s) or department(s), and other special purpose districts.
- n. The means by which the proposed Planned Community meets the objectives of Section 16.44.010.
- o. A development schedule indicating the approximate date when construction of the Planned Community or stages of the Planned Community can be expected to begin and be completed, including the approximate size in acres of each phase, and the proposed phasing of construction of public improvements and recreational and common open space areas.
- p. The proposed means of financing and allocation of responsibility for providing the utilities and services required as a result of the development, including off-site facilities and improvements. These utilities and services shall include, but not be limited to, water, sewer, streets and highways, schools, fire protection, parks, storm water control, and disposal of wastes, including toxic wastes (if any).

- q. When no environmental impact statement is provided, identify major anticipated adverse environmental impacts and specify mitigating measures, including off-site improvements.
 - r. Enough information on land areas adjacent to the proposed Planned Community to indicate the relationships between the proposed development and that which is existing and proposed in adjacent areas, including land uses, existing structures, ownership tracts, streets and unique natural features of the landscape.
 - s. The means of meeting any other requirements imposed as a condition of conceptual approval of the Planned Community.
2. Master Plan Map and Supporting Maps. A master plan map and any maps necessary to show the major details of the proposed Planned Community must contain the following minimum information at an appropriate scale, as determined by the Planning Department:
- a. The boundary lines of the subject property; scale and north arrow.
 - b. Existing site conditions including water courses, wetland area, flood plains, unique natural features, forest cover, and elevation contours of appropriate intervals to indicate the topography of the entire tract for a reasonable distance beyond the boundaries of the proposed development to include adjacent or nearby lands where project impacts are relevant.
 - c. Location and nature of each land use, including type and density of dwelling units, and type of commercial, industrial and other uses.
 - d. Approximate location of existing and proposed arterial and collector streets and major pedestrian and bicycle routes.
 - e. The approximate location and size of all areas to be conveyed, dedicated or reserved as common open spaces, public parks, recreational areas, school sites, fire stations, and similar public and semipublic uses.
 - f. Master drainage plan, including storm water control.
 - g. Development phasing.
 - h. Open space network.
 - i. Existing and proposed sanitary sewers and water lines.
 - j. Enough information on land areas adjacent to the proposed Planned Community to indicate the relationships between the proposed development and that which is existing and proposed in adjacent areas, including land uses, existing structures, ownership tracts, streets and unique natural features of the landscape.

- k. Any additional information as required by the review authority necessary to evaluate the character and impact of the proposed Planned Community (e.g., soils, geology, hydrology or ground water).

16.44.060 Timing of Master Plan Submittal.

- A. If a master plan is not submitted within three (3) years¹ from the date of conceptual plan approval, and an extension of time has not been granted, the Planned Community conceptual approval shall expire and the zoning classification shall automatically revert to the classification in effect prior to conceptual approval. Upon reversion uses and development approved subsequent to or with conceptual approval and prior to expiration, and not authorized by the new classification, shall become nonconforming uses.
- B. Knowledge of expiration date and initiation of a request for extension of approval time is the responsibility of the applicant. The City will not provide notification of expirations. All requests for an extension of time must be submitted to the Planning Department at least thirty (30) days prior to expiration of Planned Community conceptual approval. The Planning Department shall schedule the request for extension for public hearing before the Planning Commission upon such notice and in accordance with the Planned Community conceptual approval procedures of this chapter. An extension may be granted for up to three (3) years at a time, if the Commission finds that an extension would be in the public interest and that delay in submitting the Master Plan was for good cause. If an extension of time is approved, the Master Plan shall be subject to all new and amended regulations, requirements, policies or standards which are adopted after the date of conceptual approval.

16.54.070 Approval of Specific Development Proposals. Subdivisions, planned industrial developments, planned residential developments and other specific development actions, when consistent with the provisions of the Master Plan and conceptual approval, may be approved by the Hearings Examiner. These actions may be taken concurrent with or subsequent to approval of the Master Plan and may accompany development of the site in phases. Review of such actions shall be subject to the laws and regulations which would be applicable to such an action regardless of its inclusion within a planned community.

16.44.080 Implementation of Master Plan: Periodic Review.

- A. Review Schedule. The Hearings Examiner shall review the status of development pursuant to the Master Plan in accordance with a review schedule adopted as a condition of the Master Plan. Review shall occur not less than once every five years until substantially complete development of the Planned Community is accomplished.
- B. Result of Review. If the Examiner finds that substantial completion of development projected for a given review phase has been accomplished,

and that development has met and is projected to meet the terms and intent of the Master Plan and other applicable plans and policies, the Examiner may authorize the subsequent phase. If the Examiner finds that these criteria have not been met, the Examiner may extend the period for completion of that phase or terminate Master Plan approval for subsequent phases. In determining whether to extend or terminate, the Examiner shall consider the reasons completion has not occurred and whether the public interest would be best served by extension or termination.

16.44.090 Administration and Enforcement.

- A. Building permits and other permits required for the construction or development of property under the provisions of this Chapter shall be issued only when the work to be performed meets the requirements of the master plan.
- B. Minor Administrative Alterations. Once a preliminary plat or other development permit reviewed by the Hearings Examiner has been approved, it shall not be altered unless approved by both the planner and the Public Works Department upon a determination that the alteration is not substantial enough to constitute a change to the master plan.
- C. Parties Bound. Once the master plan is approved, all persons and parties, their successors, heirs or assigns, who own, have or will have by virtue of purchase, inheritance, assignment or otherwise, any interest in the real property within the proposed Planned Community, shall be bound by the terms and conditions of approval of the Master Plan and the provisions of this Chapter.
- D. Platting Requirements. The division of property for sale, lease or transfer shall comply with the requirements of the Subdivision Ordinance, Title 15 of the Lacey Municipal Code.

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PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,
WASHINGTON, this 24 day of OCTOBER, 1985.

CITY COUNCIL

By MWBrown
Mayor

Attest:

Timothy McGuire
City Clerk

Approved as to form:

[Signature]
City Attorney

Published: NOV. 6, 1985

Posted: _____