

ORDINANCE 871

CITY OF LACEY

AN ORDINANCE ADDING A NEW CENTRAL BUSINESS DISTRICT ZONE, NEW LANDSCAPING REQUIREMENTS, AND NEW DEFINITIONS TO THE ZONING CODE OF THE CITY BY REPEALING CHAPTER 16.24 AND SECTION 16.06.020 AND ADDING NEW CHAPTERS 16.24 AND 16.80 AND SEVERAL NEW SECTIONS TO CHAPTER 16.06 ALL OF THE LACEY MUNICIPAL CODE AND CHANGING THE CURRENT LAND USE DESIGNATION OF CERTAIN PROPERTY WITHIN THE CITY BY AMENDING THE LAND USE MAP ADOPTED BY ORDINANCES 583 AND 745

WHEREAS, the City Council has adopted the new Downtown Element to the Comprehensive Plan which sets forth goals and policies for the Central Business District of the City; and

WHEREAS, it is necessary in order to carry out the policies set forth in said Downtown Element and reach the goals provided in such document that the City's zoning code be amended to provide for a Central Business District consistent with such Downtown Element, landscaping requirements to carry out the policies of said Element and new definitions necessary to interpret and carry out such designation and requirements; and

WHEREAS, it is necessary to amend the Land Use Map of the City in order to re-designate certain land areas as being within the Central Business District zone and the proper subarea within such zone; now, therefore

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

Section 1. Chapter 16.24 and Section 16.06.020 of the Lacey Municipal Code are hereby repealed.

Section 2. There is hereby added to the Lacey Municipal Code new chapters 16.24 and 16.80 and new sections 16.06.020, 16.06.115, 16.06.116, 16.06.128, 16.06.135, 16.06.255, 16.06.256, 16.06.275, 16.06.341, 16.06.342, 16.06.343, 16.06.345, 16.06.346, 16.06.351, 16.06.385, 16.06.395, 16.06.445, 16.06.495, 16.06.496, 16.06.497, 16.06.498, 16.06.535, 16.06.565, 16.06.566, 16.06.615, 16.06.625, 16.06.626, 16.06.645, 16.06.646, 16.06.695, 16.06.696, 16.06.715, 16.06.745, 16.06.820 and 16.06.830 all to read as follows:

Section 3. That certain Land Use Map adopted by Ordinances 583 and 745 of the City of Lacey is hereby amended to change that certain land area which is located within the boundaries of the City of Lacey and within the bold area designated on figure 1, attached hereto, from the zone district currently designated on said map to zone district "Central Business District" and said land area shall further have the subarea designation shown on figure 2, attached hereto.

Section 4. The summary of this ordinance, which is attached hereto, is approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 21st day of December, 1989.

CITY COUNCIL

By Kay M. Boyd  
Mayor

Attest:

Charlotta M. Taylor  
City Clerk

Approved as to form:

[Signature]  
City Attorney

Published: \_\_\_\_\_

SUMMARY FOR PUBLICATION  
ORDINANCE NO. 871

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed, on December 21, 1989, Ordinance 871 entitled "AN ORDINANCE ADDING A NEW CENTRAL BUSINESS DISTRICT ZONE, NEW LANDSCAPING REQUIREMENTS, AND NEW DEFINITIONS TO THE ZONING CODE OF THE CITY BY REPEALING CHAPTER 16.24 AND SECTION 16.06.020 AND ADDING NEW CHAPTERS 16.24 AND 16.80 AND SEVERAL NEW SECTIONS TO CHAPTER 16.06 ALL OF THE LACEY MUNICIPAL CODE AND CHANGING THE CURRENT LAND USE DESIGNATION OF CERTAIN PROPERTY WITHIN THE CITY BY AMENDING THE LAND USE MAP ADOPTED BY ORDINANCES 583 AND 745."

A section by section summary of this Ordinance is as follows:

Section 1 repeals Chapter 16.24 and Section 16.06.020 of the Lacey Municipal Code. Chapter 16.24 provided for core commercial districts within the zoning code of Lacey and is replaced by the new Central Business District chapter adopted by this Ordinance. Section 16.06.020 is a definitional section which is also replaced by this Ordinance.

Section 2 adds new Chapters 16.24 and 16.80 to the Lacey Municipal Code and adds a number of new definitional sections to Chapter 16.06 of the Lacey Municipal Code. The provisions of the new Chapter 16.24 create a Central Business District zone within the City which zone is further subdivided into nine subareas. The chapter indicates the planning intent for each subarea, the permitted and prohibited uses within such district, the dimensional requirements, environmental performance standards, floor area ratio incentive systems, pedestrian circulation requirements, landscaping requirements, off-street parking and parking circulation requirements and storm water regulations applicable to the district. Chapter 16.80 describes landscaping requirements within the City including a specification of general and special requirements relating to area and type of use, preservation of significant trees, types of landscaping required and provisions assuring that maintenance of landscaping will continue. Finally, the definitional sections that are added to Chapter 16.06 of the Lacey Municipal Code deal with definitions which are required by virtue of the use of terms within the new chapters which are added by this Ordinance.

Section 3 amends the Land Use Map of the City to redesignate the zoning of a portion of the City as Central Business District

zone and further within said zone to designate which portions of said land area are included within each subarea of the Central Business District zone.

Section 4 approves this summary.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: December 24, 1989.

PROPOSED ADDITIONS TO DEFINITIONS FOR LACEY ZONING CODE

CHAPTER 16.06 DEFINITIONS

16.06.020 Use and Interpretation Generally.

- A. Words, terms, and phrases contained within this Chapter, and their interpretation, are generally based upon common custom and meanings set forth in broadly recognized dictionaries. Due to the unique nature of planning terminology, however, the Enforcing Officer and/or Site Plan Review Committee shall refer to the most recent edition of "The Illustrated Book of Development Definitions" when drafting and interpreting definitions in this Chapter and subsequent chapters of this title.

16.06.115 Arcade. "Arcade" means a continuous covered area, open to the public at all times, having direct access from all the streets or plazas which it adjoins or connects.

16.06.116 Arcade, Shopping. "Shopping arcade" means a continuous covered area open to the public at all times, having direct access from all the streets or plazas which it adjoins or connects, devoted to consumer shopping uses such as, but not limited to, flower and gift shops, indoor-outdoor cafes, art galleries and similar specialty shops readily accessible to the public from it. To help ensure that required consumer shopping uses are retained and the public interest served, in the event such spaces cease to function for their intended purpose, the actual area so affected or an equivalent area shall be converted into readily accessible public space either as additional plazas, arcades or public display areas.

16.06.128 Automobile-Oriented Use. "Automobile-oriented use" means any use of land which provides a service directly to a motor vehicle; or which provides goods or services to the occupants of a motor vehicle while seated therein; or which is a free-standing eating establishment characterized by over-the-counter service of pre-prepared or quickly prepared food which is ready to eat and packaged primarily for consumption in vehicles or off-premises. For the purpose of this Ordinance, automobile-oriented uses shall include, but not be limited to, such uses as service stations having no more than three (3) interior service stalls, car washes, drive-in banks, drive-in laundries or dry cleaners, and free-standing drive-in or carry-out eating establishments. Automobile-oriented uses shall not be interpreted to include vehicle sale, rental and service establishments.

16.06.135 Awning. "Awning" means a roof-like cover that is temporary in nature and that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

16.06.255 Court, Inner. "Inner court" means an open area, unobstructed from the ground to the sky which is bounded on more than three sides by the exterior walls of one or more buildings.

16.06.256 Court, Outer. "Outer court" means an open area, unobstructed from the ground to the sky, which is bounded on not more than three sides by the exterior walls of one or more buildings.

16.06.275 Drive-In Use. "Drive-in use" means an establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in a motor vehicle.

16.06.341 Floor Area, Gross. "Gross floor area" means the sum of the total horizontal areas of the several floors of all buildings on a lot, measured from the interior faces of exterior walls. The term gross floor area shall include basements; elevator shafts and stairwells at each story; floor space used for mechanical equipment with structural head room; interior balconies; and mezzanines.

The gross floor area of structures devoted to bulk storage of materials including, but not limited to, grain elevators and petroleum storage tanks, shall be computed by counting each ten (10) feet of height or fraction thereof, as being equal to one (1) floor.

The term gross floor area shall not include cellars, or outside balconies that do not exceed a projection of six (6) feet beyond the exterior walls of the building. Parking structures below grade and rooftop mechanical structures are excluded from gross floor area.

16.06.342 Floor Area, Net. "Net floor area" means the sum of the total horizontal areas of the several floors of all buildings on a lot, measured from the interior faces of exterior walls and from the centerline of walls separating two (2) or more buildings. The term net floor area shall include outdoor display areas for the sale, rental and display of recreational vehicles, boats and boating equipment, trailers, horticultural items, farm or garden equipment and other similar products, but shall exclude areas designed for permanent uses such as toilets, utility closets, malls enclosed or not, truck tunnels, enclosed parking areas, meters, rooftop mechanical structures, mechanical and equipment rooms, public and fire corridors, stairwells, elevators and escalators.

16.06.343 Floor Area Ratio (FAR). "Floor area ratio" means dividing the gross floor area of all buildings on a lot by the area of that lot.

16.06.345 Garage, Parking. "Parking garage" means a structure, or part thereof, used only for the storage of vehicles by the public and including the sale of automobile fuels, lubricants, radiator fluids and accessories; and

the performance of incidental services including tire changing, tube repairing, lubrication and washing.

16.06.346 Garage, Private Customer and Employee. "Private customer and employee garage" means a structure that is accessory to a non-retail commercial or manufacturing establishment, building or use and is primarily for the parking and storage of vehicles operated by the customers, visitors, and employees of such building, and which is not available to the general public.

16.06.351 Grade, Natural. "Natural Grade" means the elevation of the ground surface in its natural state, before human-made alterations.

16.06.385 Industrial Park. "Industrial park" means a large tract of land that has been planned, developed and operated as an integrated facility for a number of individual industrial uses, with special attention to circulation, parking, utility needs, aesthetics, and compatibility.

16.06.395 Kiosk. "Kiosk" means a free-standing structure upon which temporary information and/or posters, notices and announcements are posted.

16.06.445 Lot, Flag. "Flag lot" means a lot not fronting on or abutting a public road and where access to the public road is by a narrow, private right-of-way.

16.06.495 Major Pedestrian Corridor. "Major pedestrian corridor" means an alignment that is generally for exclusive pedestrian use in the immediate vicinity of 7th Avenue between College and Sleater-Kinney Streets.

16.06.496 Mall. "Mall" means (1) a shaded walk or public promenade or (2) a shopping center where stores front on both sides of a pedestrian way that may be enclosed or open.

16.06.497 Marquee. "Marquee" means any hood, canopy, awning or permanent construction that projects from a wall of a building, usually above an entrance.

16.06.498 Mixed Use Development (MUD). "Mixed use development" means the development of a tract of land or building or structure with two or more different uses such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment in a compact urban form.

16.06.535 Multiple Use Building. "Multiple use building" means a building containing uses from more than one (1) land use classification.



16.06.565 Office. "Office" means a room, studio, suite or building in which a person transacts his/her business or carries on his/her stated occupation, further defined in some provisions as BUSINESS OFFICE. For the purpose of this Ordinance, an office shall not involve manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair or storage of materials, goods and products; or the sale and delivery of any materials, goods or products that are physically located on the premises. An office shall not be deemed to include a veterinary clinic.

16.06.566 Office, Business. "Business office" means any room, studio, suite or building wherein the primary use is the conduct of a business such as accounting, correspondence, research, editing, administration or analysis; or the conduct of a business by salespersons, sales representatives or manufacturer's representatives, or the conduct of a business by professionals such as engineers, architects, land surveyors, artists, musicians, lawyers, accountants, real estate brokers, insurance agents, dentists or physicians, urban planners, and landscape architects, but specifically excluding veterinarians.

16.06.615 Parking, Off-Street. "Off-street parking" means an area devoted to the parking of vehicles and located within the boundaries of a lot.

16.06.625 Pedestrian-Oriented Frontage. "Pedestrian-oriented frontage" means a building frontage devoted to uses that stimulate pedestrian activity, or to visually interesting features at the pedestrian level. Uses are typically sidewalk-oriented and physically or visually accessible by pedestrians from the sidewalks. Uses that compose pedestrian-oriented frontage include, but are not limited to, specialty retail stores, delicatessens, drug stores, shoe repair shops, cleaning establishments, floral shops, beauty shops, barber shops, department stores, apparel shops or boutiques, travel agencies and other services, restaurants and theaters. Banks and financial institutions are not pedestrian-oriented uses. Visually interesting features include, but are not limited to, murals, wall sculptures and display cases.

16.06.626 Pedestrian Scale. "Pedestrian scale" means the proportional relationship between an individual and his or her environment.

16.06.645 Plaza. "Plaza" means a continuous open area that is readily accessible to the public at all times, open above and on at least one side, and designed specifically for use by people as opposed to serving as a setting for a building.

16.06.646 Plaza, Shopping. "Shopping plaza" means a continuous, one-story area that is readily accessible to the public and visible consumer shopping with uses such as, but not limited to: flower shops, apparel shops, magazine and smoke shops, card shops, gift shops, outdoor-indoor cafes, art galleries and similar specialty shops.

16.06.695 Solar Access. "Solar access" means a property owner's rights to have the sunlight shine on his/her land.

16.06.696 Solar Skyspace. "Solar skyspace" means the space between a solar energy device and the sun which must be free of obstructions.

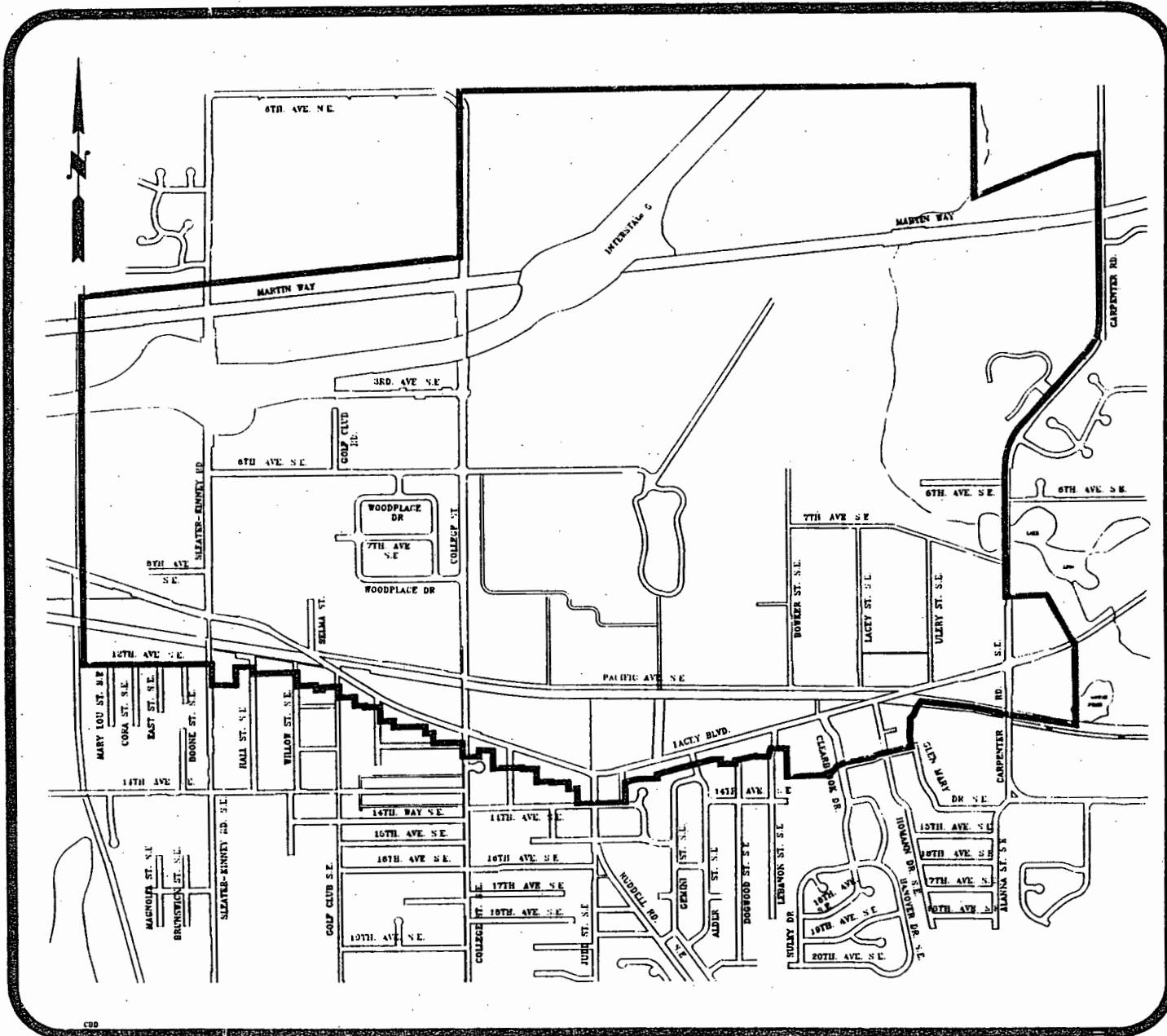
16.06.715 Street Furniture. "Street furniture" means human-made, above-ground items that are usually found in street rights-of-way, including, but not limited to, benches, kiosks, plants, canopies, shelters and phone booths.

16.06.745 Transfer of Development Rights (TDR). "Transfer of development rights" means the removal of the right to develop or build from land in one site, parcel, area or zoning district to another where such transfers are permitted.

16.06.820 Zero Lot Line. "Zero lot line" means the location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

16.06.830 Zoning Envelope. "Zoning envelope" means the three-dimensional space within which a structure is permitted to be built on a lot and which is defined by maximum height regulations, yard setbacks and other bulk regulations.

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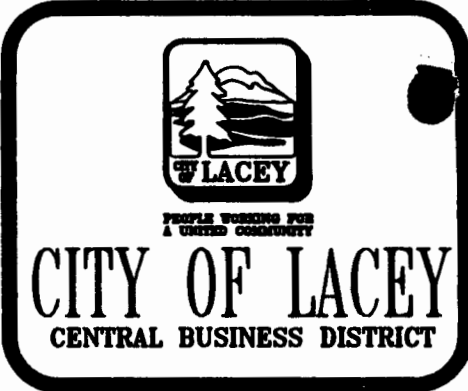
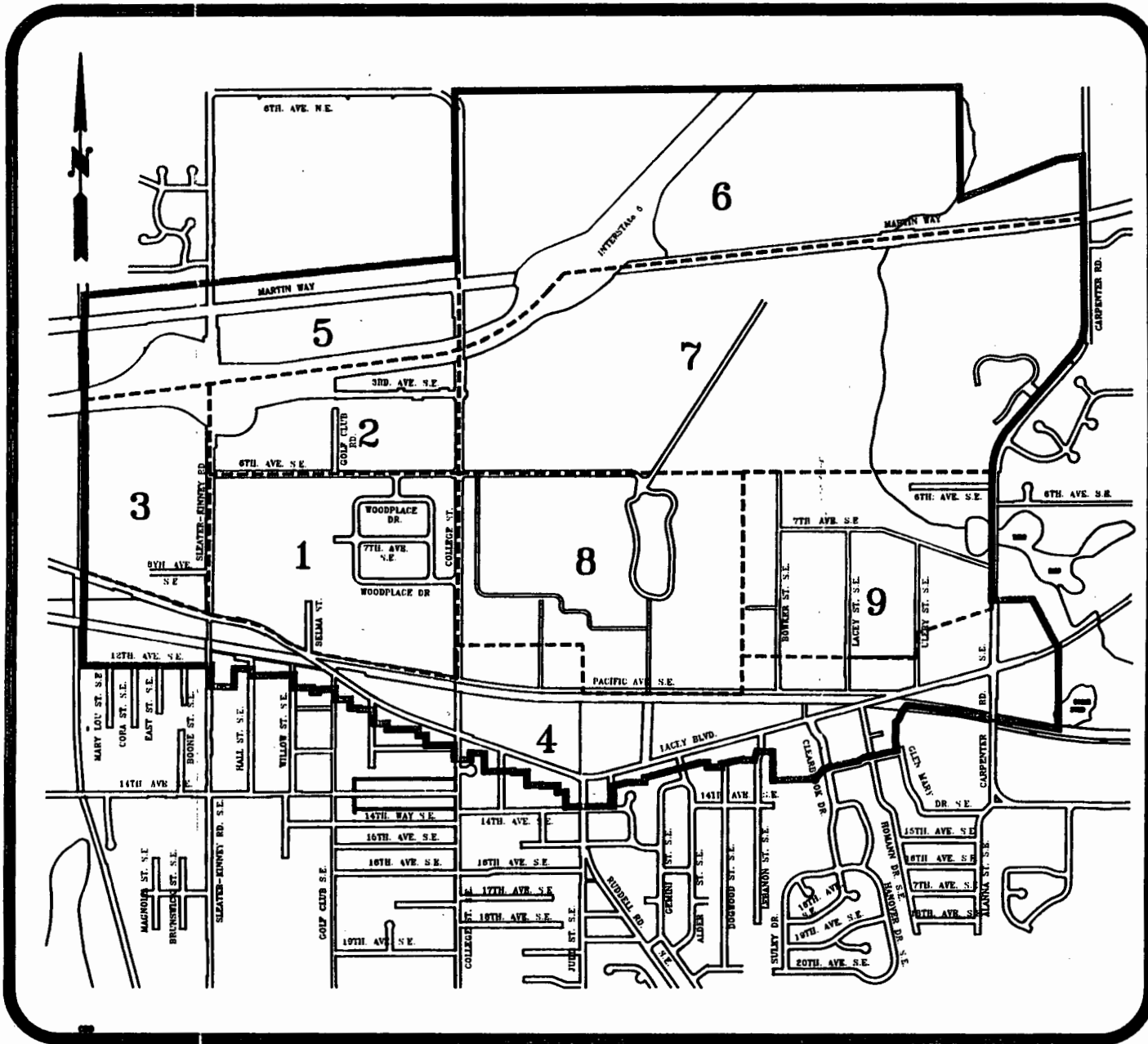
PEOPLE WORKING FOR  
A UNITED COMMUNITY

**CITY OF LACEY**  
CENTRAL BUSINESS DISTRICT

**DOWNTOWN ELEMENT**

**LACEY  
DOWNTOWN  
PLANNING  
AREA**

Figure 1



**DOWNTOWN ELEMENT**

**SUB-AREA BOUNDARIES**

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**Figure 2**

## CHAPTER 16.24 CENTRAL BUSINESS DISTRICT

16.24.010 Statement of Intent. The Central Business District is the financial and business hub of the community. It is to be developed as an aesthetically attractive area of intense use. Toward this end, the City shall encourage the development of regional retail shopping facilities, and major office complexes along with specialty retail, business support services, urban residential, hotel and institutional uses. Development must enhance people orientation, and provide for the needs, activities and interest of people. The City will encourage land uses that emphasize variety, mixed uses, and unity of form within buildings or complexes.

Specific land use districts in the form of sub-areas have been established within the CBD District to permit variation in use and development standards in order to implement the CBD goals and policies of the Lacey Comprehensive Plan. See Figure 16.24.010(1) for a description of each land use district.

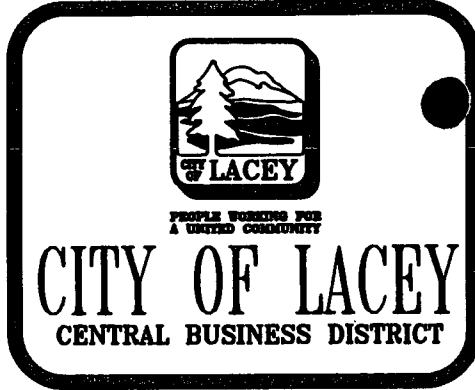
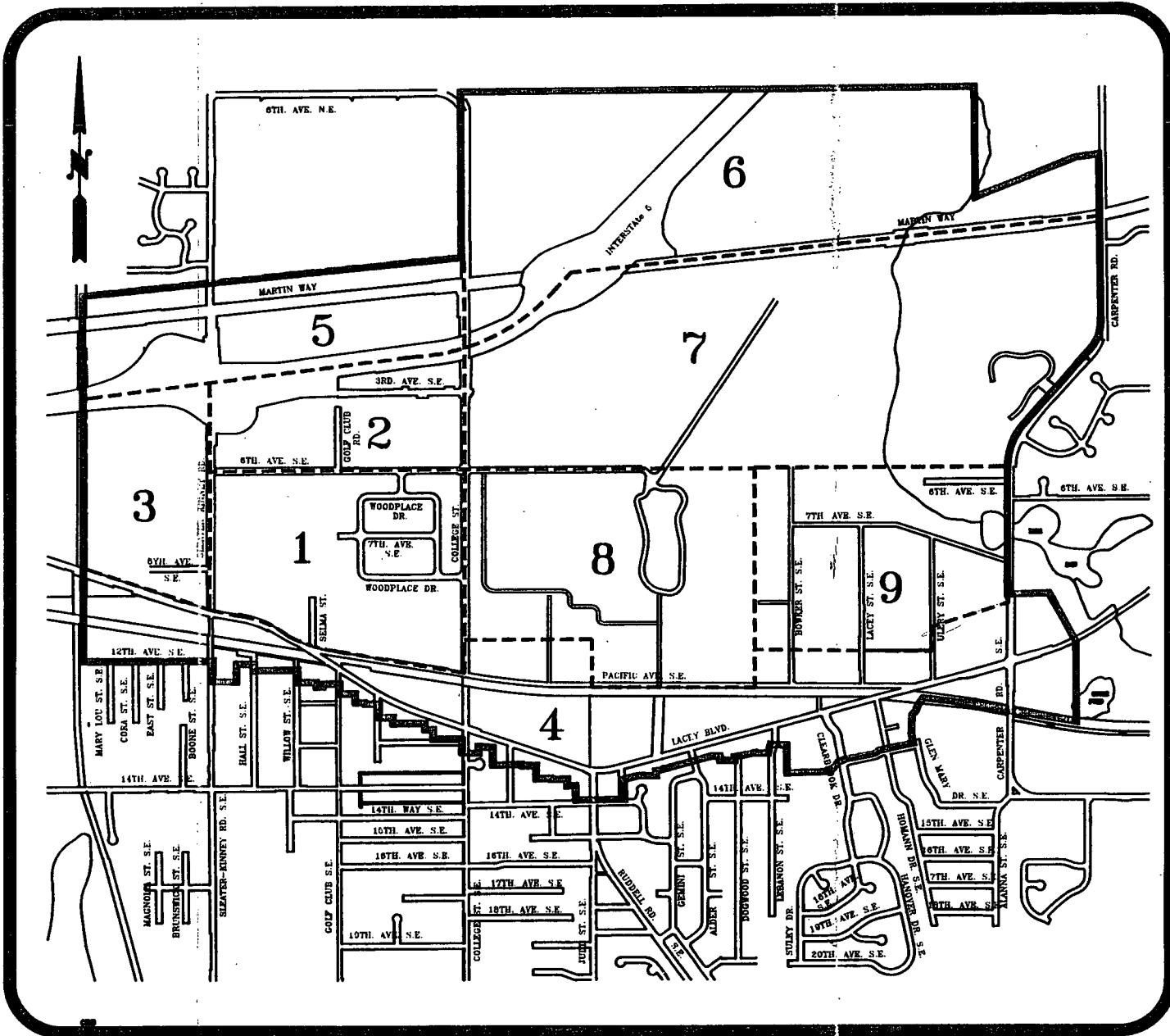
- A. Central Business District-1 (CBD-1). The purpose of the CBD-1 Land Use District is to provide an area for the most intensive business, financial, specialized retail, hotel, entertainment, and urban residential activities. The district is limited in extent in order to provide the level of intensity needed to encourage and facilitate a significant level of transit service. Pedestrian attracting day and nighttime activities are encouraged. Transit and pedestrian facilities linking them are encouraged; long-term parking and other automobile-oriented uses are discouraged.
- B. Central Business District-2 (CBD-2). The purpose of the CBD-2 Land Use District is to provide an area for intensive business, financial, retail, hotel and urban residential activities.
- C. Central Business District-3 (CBD-3). The purpose of the CBD-3 Land Use District is to provide an area for intensive regional retail activity along with mixed office complexes.
- D. Central Business District-4 (CBD-4). The purpose of the CBD-4 Land Use District is to provide an area for general commercial and limited business activities. This district also serves as a transition area between more intensive core area activities and neighboring residential areas. Long-term parking and automobile-oriented uses are encouraged.
- E. Central Business District-5 (CBD-5). The purpose of the CBD-5 Land Use District is to provide an area for general commercial activities. This district is distinguished from other general commercial areas due to its partial isolation from other similar uses in the City of Lacey and its proximity to such uses in the City of Olympia.
- F. Central Business District-6 (CBD-6). The purpose of CBD-6 Land Use District is to provide an area for general commercial activities, along with mixed-use activities, office complexes, hotels, and public facilities.
- G. Central Business District-7 (CBD-7). The purpose of CBD-7 Land Use District is to provide an area for a broad range of business park-type

activities, along with mixed use activities, office complexes, hotels, limited general commercial, and public facilities.

- H. Central Business District-8 (CBD-8). The purpose of CBD-8 Land Use District is to provide an area for college campus activities, such as classrooms, dormitories, pavilions, athletic fields and facilities, and associated uses and activities.
- I. Central Business District-9 (CBD-9). The purpose of CBD-9 Land Use District is to provide an area for single-family residential uses within the downtown area and for protection and preservation of structures and properties possessing historical significance.

16.24.020 Permitted Uses. Specific categories of uses are listed, by land use district, in Chart 16.24.020(1).

Any person owning property in the City, agent of such person or resident of the City may appeal the determination of the Enforcing Officer and/or Site Plan Review Committee to the Hearings Examiner, following procedures and requirements specified in Chapter 16.84.



**CITY OF LACEY**  
CENTRAL BUSINESS DISTRICT

**DOWNTOWN ELEMENT**

**SUB-AREA BOUNDARIES**  
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**Figure 16.24.010(1)**

CHART 16.24.020(1)

GENERALIZED LAND USES IN LACEY CENTRAL BUSINESS DISTRICT

Standardized Land Use Code	Land Use Category	CBD Land Use District								
		1	2	3	4	5	6	7	8	9
I	RESIDENTIAL									
11	Households									
11	- Single-family									P
12	- Multifamily (2-4 units)									
13	- Multifamily (5+ units)	P	P					P		
119	- Other Households	C	C							
15	Mobile Home Parks									
16	Hotels/Motels	P	P	P		P	P	P		
17	Institutional Lodging									
171	- Group Homes									
172	- Dormitories							P		P
173	- Fraternal Houses									
174	- Convalescent Homes							C		
175	- Detoxification Center									
176	- Military and Correctional Institutions									
179	- Other Institutional Lodging							C		C
19	Other Residential	C	C							
II/III	MANUFACTURING 3, 4									
21	Food and Kindred Products									
211	- Meat Products									
212	- Dairy Products						C			
213	- Preserved Fruits and Vegetables						P			
214	- Grain Mill Products						P			
215	- Bakery Products	A/1	A/1	A/1			P			
216	- Sugar/Confectionary Products	A/1	A/1	A/1			P			
217	- Fats and Oils									
218	- Beverages						P			
22	Textile Mill Products									
221	- Weaving Mills, Cotton									
222	- Weaving Mills, Synthetics									
223	- Weaving and Finishing Mills									
224	- Narrow Fabric Mills									
225	- Knitting Mills									
226	- Textile Finishing									
227	- Floor Covering Mills									
228	- Yarn and Thread Mills									
229	-Miscellaneous Textile Mills									
23	Apparel and other Finished Products						P			
238	- Misc. Apparel and Accessories	A/1	A/1	A/1			P			P
239	- Misc. Fabricated Textile Products						P			P
24	Lumber and Wood Products									
241	- Logging									
242	- Sawmills									
243	- Millwork, Plywood						C			
244	- Wood Containers									
245	- Wood Buildings and Mobile Homes									
249	- Misc. Wood Products									
25	Furniture and Fixtures									
251	- Household Furniture	A/1	A/1	A/1			P			P
252	- Office Furniture						P			P
253	- Public Building Furniture						P			P
254	- Partitions and Fixtures						P			P
259	- Misc. Furniture and Fixtures						P			P
26	Paper and Allied Products									
264	- Misc. Converted Products									
265	- Paperboard Containers and Boxes						C/1			
266	- Building Paper									
269	- Misc. Paper Products						C/2			
27	Printing and Publishing									
271	- Newspapers	P	P				P			P
272	- Periodicals	P	P				P			P
273	- Books	P	P				P			P
274	- Misc. Publishing	P	P				P			P
275	- Commercial Printing	P	P				P	P		P
276	- Manifold Business Forms	P	P				P	P		P
277	- Greeting Cards	P	P				P	P		P





Standardized Land Use Code	Land Use Category	CBD Land District								
		1	2	3	4	5	6	7	8	9
429	- Misc. Trucking									
43	U. S. Postal Service	C	C	C	C	C	C	C	C	C
45	Air Transportation			C						
46	Pipe Lines, except natural gas									
47	Transportation Services									
471	- Freight Forwarding									
472	- Arrangement of Transportation									
474	- Rental of Railroad Cars									
478	- Miscellaneous Services									
48	Communication									
481	- Telephone	P	P	P	P					
482	- Telegraph	P	P	P						
483	- Radio and Television Broadcasting	P	P	P			P	P	P	
489	- Communication Services, NEC	C	C		C			C		
49	Electric, Gas and Sanitary Services									
491	- Electric Services									
492	- Gas production and Distribution									
493	- Combination Utility Service									
494	- Water Supply									
495	- Sewerage Services									
496	- Steam Supply									
497	- Irrigation Systems									
498	- Recycling Centers				P					
499	- Misc. Electric, Gas, Sanitary									
V	TRADE									
50	Wholesale Trade - Durable Goods									
501	- Motor Vehicles and Auto Parts				P	P	P			
502	- Furniture and Home Furnishings	P	P	P	P	P	P			
503	- Lumber and Other Construction				P	P				
504	- Sporting, Recreational, etc.	P	P	P	P	P	P			
505	- Metals and Minerals				P					
506	- Electrical Goods	P	P	P	P	P	P			
507	- Hardware, Plumbing, Heating			P	P	P	P			
508	- Machinery, Equipment, Supplies	P	P	P	P/1	P	P	P		
509	- Misc. Durable Goods	P	P	P	P	P	P	P		
51	Wholesale Trade - Nondurable Goods									
511	- Paper and Paper Products	P	P	P	P	P	P	P		
512	- Drugs, Proprietarys, etc.	P	P	P	P	P	P	P		
513	- Apparel, Piece Goods, etc.	P	P	P	P	P	P	P		
514	- Groceries and Related Products	P	P	P	P	P	P	P		
515	- Farm Products Materials				P					
516	- Chemicals and Allied Products				P					
517	- Petroleum Products				P					
518	- Beer, Wine, Beverages	P	P	P	P	P	P	P		
519	- Misc. Nondurable Goods			C	P	P	P	P		
	Retail Trade									
52	Building Materials									
521	- Lumber and Other Materials			P	P		P			
523	- Paint, Glass, Wallpaper	P	P	P	P		P			
525	- Hardware Stores	P		P	P	P	P			
526	- Retail Nurseries						P			
527	- Mobile Home Dealers									
53	General Merchandise Stores	P/3	P/3	P/3	P		P	P		
54	Goods Stores									
541	- Grocery Stores	P		P	P		P			
542	- Convenience Stores				P	P	C			
55	Automotive Dealers, etc.									
551	- New and Used Cars				P	P				
553	- Auto and Home Supply Stores			C	P	P	P			
554	- Gasoline Service Stations	A/2	A/2	P	P	P	P			
555	- Boat Dealers				P	P				
556	- Recreation/Trailer Dealers				P	P				
557	- Motorcycle Dealers				P	P				
559	- Automotive Dealers, NEC				P	P				
56	Apparel and Accessory Stores	P	P	P	P		P	P		
57	Furniture and Home Furnishings	P	P	P	P		P	P		
58	Eating and Drinking	P/3	P/3	P/3	P	P	P	P/3	P/3	C/3
59	Miscellaneous Retail									
591	- Drug Stores	P	P	P	P		P	P		
592	- Liquor Stores	P	P	P	P		P			
593	- Used Merchandise	P	P	P	P		P			

Standardized

Land Use Code	Land Use Category	CBD Land Use District								
		1	2	3	4	5	6	7	8	9
594	- Misc. Shopping Goods	P	P	P	P		P	P		
596	- Nonstore Retailers	P	P	P	P		P			
598	- Fuel and Ice Dealers			P	P					
599	- Retail Stores, NEC	C/3	C/3	P	P		P	P		
VI	SERVICES									
61	Finance, Insurance, Real Estate	P/1	P/1	P/1	P	P	P	P		
62	Personal Services	P	P	P	P	P	P	P		
63	Business Services	P	P	P	P	P	P	P		
64	Repair Services									
641	- Automobile Rentals	C/4	C/4	P	P		P			
6421	- Parking Lots 2, 3, 5	A	A	A	P		P			C
6422	- Parking structures 2, 3, 5	C	C	C	C		C		C	C
643	- Automobile Repair			P	P	P				
644	- Car Washes	C/4	C/4	C	P	P				
645	- Misc. Repair Services				P	P				
65	Professional Services									
651	- Hospitals									
66	Contract Construction Services	P	P	P	P	P	P	P		
67	Government Services									
671	- General Government	P	P		P		P	P	P	
672	- Police Protection							P		
673	- Correctional Institutions									
674	- Fire Protection				P					
679	- Misc. Government Services				P		P	P	P	
68	Educational Services	P	P				P	P	P	
69	Miscellaneous Services	C	C	C	C	C	C	C	C	C
VII	CULTURE, ENTERTAINMENT, RECREATION									
72	Cultural Activities	P	P	P	P	P	P	P	P	P
73	Amusement 1, 2	P	P	P	A		P	C	C	
74	Recreational Activity	P	P	P				P	P	P
75	Resorts and Group Camp							P	P	
76	Parks	P	P	P	P	P	P	P	P	P
78	Churches, Monasteries								P	P
79	Miscellaneous CER 1, 2	C	C					C	C	C
VIII/IX	RESOURCE PRODUCTION									
81	Agriculture								P	P
82	Agricultural Related								P	P
83	Agriculture, NEC									P
84	Aquiculture						P			
85	Mining									
86	Reforestation									
87	Classified Forest Land									
88	Designated Forest Land									
89	Other Resource Production									
91	Undeveloped Land						P	P	P	
92	Noncommercial Forest						P	P	P	
93	Water Areas						P	P	P	P
94	Open Space, Open Space							P	P	
96	Open Space, Timber						P	P		
99	Other						C	C		

P = Permitted Use

C = Conditional Use (see Section 16.87)

A = Accessory Use

NEC = Not elsewhere classified

NOTE: Numbers following slashes refer to notes on Chart 16.24.020(1) on the following page.

**NOTES TO CHART 16.24.020(1)  
GENERALIZED LAND USES IN CBD ZONE**

**LAND USE CODE CATEGORY**

**I Residential Uses**

**II/III Manufacturing Uses**

1. These manufacturing uses are permitted only as an accessory or subordinate use to office or retail shopping complexes where such uses are conducted jointly with retail outlets. Such uses shall be conducted in a "craft" fashion with public visibility of the skills used in the manufacturing process. No more than fifty percent (50%) of the gross floor area of the structure shall be devoted to these manufacturing uses in districts CBD-1, CBD-2, and CBD-3.
2. These manufacturing uses are permitted only as a subordinate use to permitted manufacturing uses.
3. Manufacture of flammable, dangerous or explosive materials are excluded in CBD districts.
4. Office space is permitted only if accessory and subordinate to a manufacturing use in CBD-5. No more than twenty-five percent (25%) of the gross floor area of the structure shall be devoted to non-manufacturing uses.

**IV Transportation, Communication, and Utility Uses**

1. Permitted only as a subordinate use to a permitted or conditional use.

**V Wholesale and Retail Trade Uses**

1. Display and sales only; limited on-site inventory storage.
2. Permitted only as a subordinate use to commercial parking lots and garages.
3. No fast-food restaurants or drive-in windows are permitted.

**VI Service Uses**

1. Drive-in facilities may be permitted through Site Plan Review within districts CBD-1, CBD-2, and CBD-3, except along 7th Avenue, only if all the following criteria are met:
  - a. The vehicle stacking lanes must be contained within a structured parking area or driveway.
  - b. The design of the vehicular access is compatible with high volume pedestrian walkways and parking access. Vehicular access shall not disrupt established retail or service frontages designed to serve pedestrians, nor can the vehicular access lanes be located between the street and the main pedestrian access to the building.
  - c. Landscaping or screening must be provided to mitigate any adverse effects on nearby property.
2. Commercial lots and garages are those lots and garages which provide vehicular parking for the public generally for a fee and do not include lots and garages which provide the required parking for other uses.
3. The location of an off-site parking facility must be approved by the Enforcing Officer and/or Site Plan Review Committee.
4. Permitted only as a subordinate use to a permitted use.
5. All types of commuter pooling facilities shall be regulated as a park-and-ride. A park-and-ride providing no more than twenty-five (25) parking spaces, and utilizing the parking area of an existing use, shall be regulated as an accessory use. Any other park-and-ride requires a conditional use permit.

**VII Culture and Recreation Uses**

1. Excludes zoos.
2. Excludes drive-in theaters.

**VIII/IX Resource Production Uses**

16.24.030 Similar or Related Uses. Uses similar to, or related to, those listed in Section 16.24.020 are permitted upon a finding of the Enforcing Officer and/or the Site Plan Review Committee that a particular unlisted use is consistent with the intent of this chapter and compatible with the policies of the Lacey Comprehensive Plan. The Officer and/or Committee shall make the determination according to the characteristics of the operation of the proposed use and based upon the Officer's and/or Committee's interpretation of a Standard Land Use Coding Manual and/or the Standard Industrial Classification Manual.

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 a similar or related use can meet those of a permitted use.
- C. The public need is served by the proposed use.

Any person owning property in the City, agent of such person or resident of the City may appeal the determination of the Enforcing Officer and/or Site Plan Review Committee to the Hearings Examiner, following procedures and requirements specified in Chapter 16.84.

16.24.040 Prohibited Uses. Uses other than those specifically identified or described in Section 16.24.020 are prohibited; provided, however, that the Enforcing Officer and/or Site Plan Review Committee may consider uses similar to, or related to, those of Section 16.24.020 upon a finding that a particular unlisted use is consistent with the general intent of this Chapter and is compatible with other land uses.

16.24.050 Nonconforming Uses. Nonconforming uses shall be regulated by Chapter 16.93 of this Title.

16.24.060 Dimensional Requirements. Area and dimensional requirements, by land use district, are identified in Chart 16.24.060(1). Any specific exemptions or variations to the requirements in the chart are given in the sections immediately following. All parcels and structures shall conform to these requirements.

In addition to the requirements of Chart 16.24.060(1), the following additional standards shall also apply:

- A. Upper-Level Setbacks. An upper-level setback of ten (10) to twenty (20) feet from all street property lines for all buildings between forty (40) and sixty (60) feet in height and again in forty (40) to sixty (60) foot intervals shall be required; provided, that buildings fronting on the major pedestrian corridor must be set back at forty (40) feet.

Additional upper level setbacks may be imposed at the discretion of the Enforcing Officer and/or Site Plan Review Committee to preserve significant views and vistas. An owner/developer may appeal such a decision to the Hearings Examiner following procedures and requirements specified in Chapter 16.84.

**B. Basic Floor Area Ratio Requirements**

1. Each development in the Central Business District shall at a minimum provide FAR amenities. One or more of the amenities identified on Chart 16.24.080(1) shall be provided consistent with the requirements of Section 16.24.080(C).
2. The amount of FAR amenities to be provided, as specified in paragraph "B.1" of this section, shall be phased in over time as provided for in the following schedule:

<u>Year</u>	<u>Percent of Projects Approved Floor Area</u>
1990-1992	0%
1993-1996	5%
1997-2001	10%
2002 and following	20%

3. Prior to the scheduled FAR Amenity increases described in Section 16.24.060(B)(2) taking affect, the Planning Commission shall conduct a review and assessment of the desirability of the amenities listed in Chart 16.24.080(1); the appropriateness of each amenity to individual CBD Land Use Districts; the relative importance, need and value of amenities, and the design and development criteria for each amenity. The Planning Commission may hold a public hearing on the matter and shall make a recommendation to the City Council. The scheduled FAR Amenity increases shall become effective automatically unless acted upon by ordinance of the City Council. Development applications granted preliminary approval prior to action by the City Council shall be vested and allowed full development value under the then existing standard and design criteria.

This same procedure should also be followed for all subsequent amendments to this section.

4. The Enforcing Officer shall approve the amenity proposed by the applicant through the Site Plan Review Process (Chapter 16.84) only if the design criteria established in Section 16.24.080(B) for the amenity have been met and the Site Plan Review Committee finds that a public benefit will be derived from the development of the proposed amenity in the proposed location.
5. An owner/developer may request that any amount of the FAR Amenities specified in paragraphs "B.1 and 2" of this section be guaranteed or bonded for through acceptable procedures as provided in Chapter 15.20 of the Lacey Municipal Code. The execution and satisfactory construction and/or provision of said amenities shall not exceed three (3) years from the date of project approval; provided, that the City may consider additional time extensions for projects of adjoining property owners for a shared amenity and for phased projects.

6. Amenities provided as required by paragraph "B.1 " of this section shall also be credited toward the provision of floor area ratio above the basic floor area ratio through the Amenity Incentive System (16.24.080).
7. Bonus floor area earned through the amenity incentive system for a specific parcel of land may be transferred to an abutting parcel of land in the same ownership within the same CBD Land Use District. Each transfer must be recorded with the Thurston County Assessor and Auditor, and with the Lacey City Clerk.

Bonus floor area earned for actual construction of the Major Pedestrian Corridor may be transferred to any other parcel of land in the same ownership within CBD-1. Each transfer must be recorded with the Thurston County Assessor and Auditor, and with the Lacey City Clerk.

8. An owner/developer may elect to provide public amenities by entering a voluntary agreement with the City to pay a fee in lieu of constructing or otherwise causing the provision of public amenities as provided for in Subsection B, above. Such contributions shall be at a rate as determined by the Enforcing Officer, adjusted annually by a construction cost price index. All contributions shall be deposited in a "Downtown Public Amenity Reserve Fund." The Fund shall be administered by the City and proceeds shall be used to further the objectives of expanding the supply of public amenities. All monies voluntarily contributed by an owner/developer shall be spent, loaned or distributed in the form of a grant by the City within five (5) years on any amenity or combination of amenities identified in Chart 16.24.080(1) within the same CBD Land Use District from which the contribution originated.

C. Character and Architectural Design

The dimensional requirements of this section are intended to encourage that major portions of principal buildings, in general, be in the form of slender towers, having ample open spaces at or near the ground, minimizing impediments to important views, and projecting a pedestrian scale. Principal buildings should not take the form of low, massive slabs with high ground level lot occupancy that constitute major impediments to desirable views and to light and flow of air at ground level.

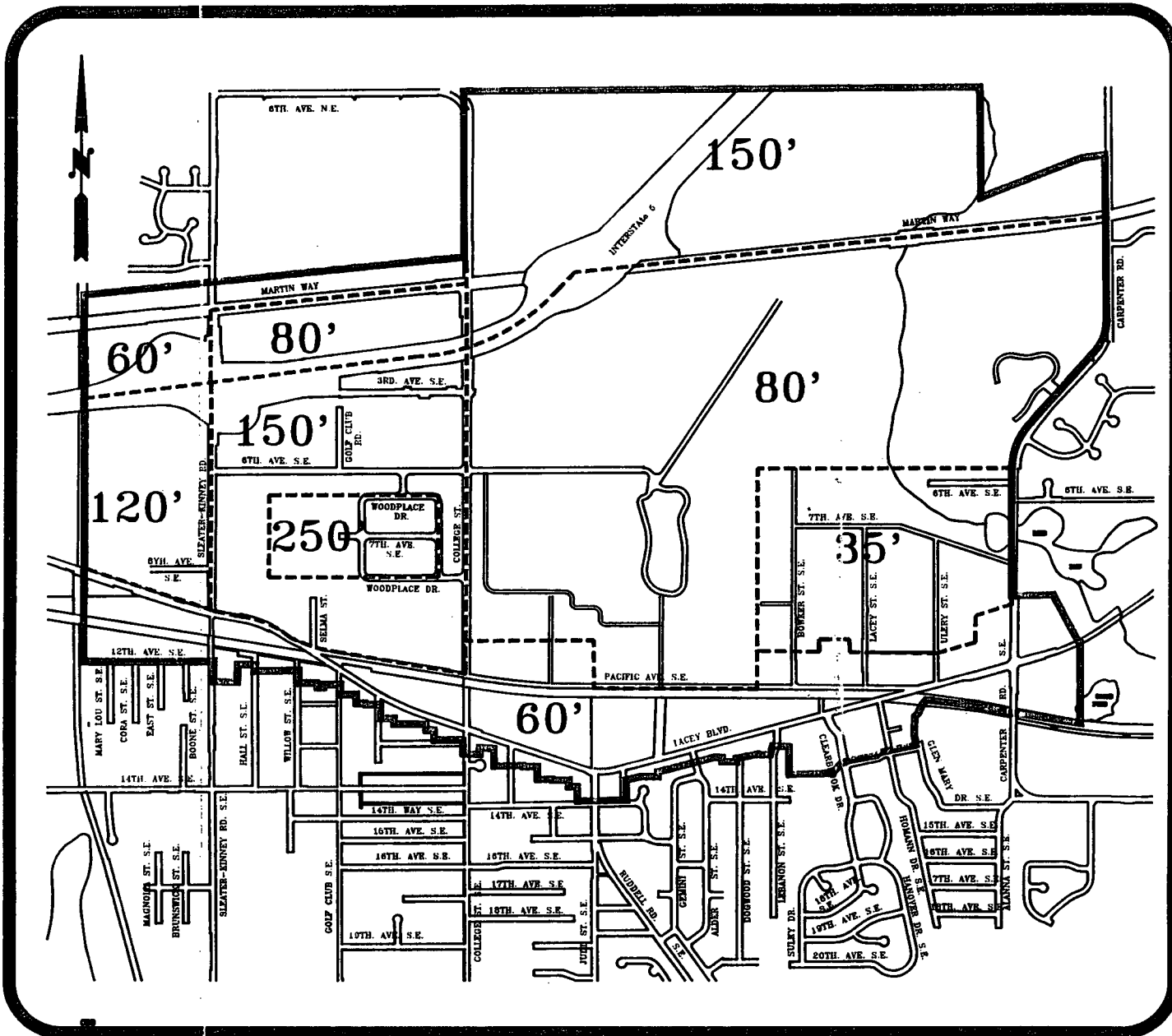
D. Special Conditions and Exemptions

1. Where approved in connection with original development, roofed shelters open at the side; exhibit and display standards and cases; community and neighborhood bulletin boards or kiosks; and facilities for outdoor service of food or drinks may be exempt from limitations generally applying to occupancy of yards or pedestrian open space, and shall not be included in floor area limited by floor area ratios on the property or counted in computing off-street parking requirements as specified in Section 16.24.110. Occupancy of such shelters, structures or facilities shall not exceed twenty-five percent

(25%) of the total pedestrian open space or linkage system required in relation to the property.

2. Marquees or awnings that comply with the requirements of Section 16.24.080(C) may extend over the public right-of-way upon approval of the Enforcing Officer and/or Site Plan Review Committee; notwithstanding the provisions of Chapter 16.75, or any other City code.





PEOPLE WORKING FOR  
A UNITED COMMUNITY

**CITY OF LACEY**  
CENTRAL BUSINESS DISTRICT

**DOWNTOWN ELEMENT**

**MAXIMUM  
BUILDING  
HEIGHTS**

Figure 16.24.060(2)

DIMENSIONAL REQUIREMENTS IN CBD DISTRICTS

Land Use District	Building Type	Building Setback <sup>3</sup>			Minimum Lot Area	Minimum Lot Dimension	Maximum Lot Coverage <sup>11</sup>	Building Height <sup>5</sup>		Floor Area Ratio <sup>6,11</sup>	
		Front <sup>1,4</sup>	Rear	Side				Basic	Maximum <sup>9</sup>	Basic <sup>7</sup>	Maximum
CBD-1	Nonresidential	0 <sup>2</sup>	0	0	1 acre	none	100%	100'	Refer to map for CBD heights	4.0	6.0 <sup>8</sup>
	Residential <sup>10</sup>	0 <sup>2</sup>	0	0	1 acre	none	100%	100'		4.0	6.0 <sup>8</sup>
	Mixed-Use	0 <sup>2</sup>	0	0	1 acre	none	100%	100'		5.0	7.0 <sup>8</sup>
	Parking	0 <sup>2</sup>	0	0	1 acre	none	100%	100'		NA	NA
CBD-2	Nonresidential	0 <sup>2</sup>	15'	10	1 acre	none	75%	100'	150'	3.0	5.0
	Residential <sup>10</sup>	0 <sup>2</sup>	20'	20	1 acre	none	100%	100'	150'	3.0	5.0
	Mixed-Use	0 <sup>2</sup>	15'	10	1 acre	none	100%	100'	150'	4.0	6.0
	Parking	0 <sup>2</sup>	15'	0	1 acre	none	100%	80'	80'	NA	NA
CBD-3	Nonresidential	0	0	0	none	none	75%	80'	120'	2.0	3.0
	Parking	15'	0	0	none	none	75%	80'	80'	NA	NA
CBD-4	Nonresidential	15'	15'	15'	10,000 sq.ft.	50' front	50%	40'	60'	1.0	2.0
	Parking	15'	15'	15'	10,000 sq.ft.	50' depth	50%	40'	40'	NA	NA
CBD-5	Nonresidential	15'	15'	15'	10,000 sq.ft.	75' front	50%	60'	refer to map for CBD heights	1.0	3.0
	Residential <sup>10</sup>	25'	20'	20'	1 acre	75' front	75%				
	Parking	15'	15'	15'	10,000 sq.ft.	50' depth	50%				
CBD-6	Nonresidential	15'	15'	15'	10,000 sq.ft.	75' front	50%	100'	150'	1.0	3.0
	Residential <sup>10</sup>	25'	20'	20'	1 acre	75' front	75%	100'	150'	1.5	3.0
	Parking	15'	15'	15'	10,000 sq.ft.	50' depth	50%	100'	150'	NA	NA
CBD-7	Nonresidential	15'	25'	20'	10,000 sq.ft.	75' front	50%	80'	80'	1.0	3.0
	Residential <sup>10</sup>	25'	25'	15'	10,000 sq.ft.	75' front	75%	80'	80'	1.5	3.0
	Parking	15'	15'	15'	10,000 sq.ft.	50' depth	50%	80'	80'	NA	NA
CBD-8	Nonresidential	25'	25'	20'	10,000 sq.ft.	75' front	50%	80'	80'	1.0	3.0
	Residential	25'	15'	10'	10,000 sq.ft.	75' front	75%	80'	80'	1.5	3.0
	Parking	25'	15'	15'	10,000 sq.ft.	50' depth	50%	80'	80'	NA	NA
CBD-9	Residential	25'	15'	10'	10,000 sq.ft.	50'	50'	35'	35'	NA	NA

NOTES: DIMENSIONAL REQUIREMENTS IN CBD DISTRICTS

1. Measured from inside edge of the required perimeter sidewalk. If street trees are planted on the property side of an existing sidewalk as provided for in Section 16.24.090, four (4) feet is added to the required setback.
2. No parking or vehicle access lane is permitted between the required perimeter sidewalk and the main pedestrian entrance to the building.
3. Minimum setbacks are subject to required landscape development (see Section 16.24.100). See Section 16.24.060(A) for additional height setbacks.
4. The maximum setback from 7th Avenue in the CBD-1 District is 0'.
5. The maximum building height may only be achieved by participation in the FAR Amenity Incentive System (Section 16.24.080).
6. The maximum permitted FAR may only be achieved by participation in the FAR Amenity Incentive System (Section 16.24.080).
7. See Section 16.24.060 for amenity requirements regarding the provision of basic floor area.
8. The maximum floor area ratio may be exceeded if the major pedestrian corridor is constructed as required by Section 16.24.090. The maximum floor area ratio may only be exceeded by the amount provided for under the major pedestrian corridor amenity bonus, Section 16.24.080.
9. The maximum building height may be exceeded by not more than ten percent (10%) or twenty-five (25) feet, whichever is greater, if the major pedestrian corridor is constructed as required by 16.24.090 and only to the extent required to accommodate the additional floor area ratio provided for under Section 16.24.080. See Figure 16.24.060(2) for maximum building heights.
10. Hotels and motels shall be considered as residential structures.
11. Maximum lot coverage and floor area ratio shall be considered "net" coverage, excluding setback and landscaping requirements.

16.24.070 Environmental Performance Standards.

- A. It shall be the responsibility of the operator and/or the proprietor of any proposed use to provide such evidence and technical data as the Enforcing Officer and/or Site Plan Review Committee may require to demonstrate that the use or activity is or will be in compliance with the environmental performance standards of Chapter 16.57 of this title.

Failure of the Enforcing Officer and/or Site Plan Review Committee to require such information shall not be construed as relieving the operator and/or the proprietor from compliance with 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 14.24 of the Lacey Municipal Code.

16.24.080 FAR Amenity Incentive System.

- A. A structure may exceed the basic floor area ratio of Chart 16.24.060(1) only if it complies with the requirements of this Section. In no case may the structure exceed the maximum floor area ratio and each unit of measurement (square feet, linear feet, etc.) may only be used to gain one floor area bonus, except where specifically provided otherwise.

- B. Participation in the FAR amenity incentive system must comply with the requirements of Chart 16.24.080(1).

- C. An amenity which complies with Paragraph B of this Section and the Site Plan Review Process (16.84) shall be approved, only if:

1. The design criteria established for the amenity have been met; and
2. The Enforcing Officer and/or Site Plan Review Committee finds that a public benefit will be derived from the development of the proposed amenity in the proposed location.

- D. Bonus floor area earned through the amenity incentive system for a specific parcel of land may be transferred to an abutting parcel of land in the same ownership within the same CBD Land Use District. Each transfer must be recorded with the Thurston County Assessor and Auditor, and with the Lacey City Clerk.

Bonus floor area earned for actual construction of the Major Pedestrian Corridor may be transferred to any other parcel of land in the same ownership within CBD-1. Each transfer must be recorded with the Thurston County Assessor and Auditor, and with the Lacey City Clerk.

- E. An owner/developer may elect to provide public amenities by entering a voluntary agreement with the City to pay a fee in lieu of constructing or otherwise causing the provision of public amenities as provided for in Subsection B, above. Such contributions shall be at a rate as determined by the Enforcing Officer, adjusted annually by a construction cost price index. All contributions shall be deposited in a "Downtown Public Amenity Reserve Fund". The Fund shall be administered by the

City and proceeds shall be used to further the objective of expanding the supply of public amenities. All monies voluntarily contributed by an owner/developer shall be spent, loaned or distributed in the form of a grant by the City within ten (10) years on any amenity or combination of amenities identified in Chart 16.24.080(1) within the same CBD Land Use District from which the contribution originated.

- F. Amenities similar or related to those listed in Chart 16.24.080(1) may be permitted upon a finding of the Enforcing Officer and/or Site Plan Review Committee that a particular unlisted amenity is consistent with this chapter and compatible with the policies of the Lacey Comprehensive Plan. All amenities determined to be permissible under the terms and conditions of this subsection shall comply with the provisions of Section 16.24.080 to the extent practical. The value assigned to such an amenity shall be identical to the next similar or related amenity within the same CBD Land Use District.
- G. In no instance shall the calculation of FAR amenities, either granted mandatorily or voluntarily, or through FAR transfer provisions, when added to the basic FAR value exceed the maximum FAR identified in Chart 16.24.060(1) by CBD Land Use District.

## FAR AMENITY STANDARDS (CHART 16.24.080(1))

AMENITY*	LAND USE DISTRICT	CBD-1	CBD-2	CBD-3	CBD-4	CBD-5	CBD-6	CBD-7	CBD-8	CBD-9	DESIGN CRITERIA
1. <u>Pedestrian-Oriented Frontage.**</u> Building frontage devoted to uses which stimulate pedestrian activity. Uses are typically sidewalk oriented and physically or visually accessible by pedestrians from the sidewalk. Uses which compose pedestrian-oriented frontage include, but are not limited to, specialty retail stores, groceries, drug stores, shoe repair shops, cleaning establishments, floral shops, beauty shops, barber shops, department stores, hardware stores, apparel shops, travel agencies and other services, restaurants and theaters. Banks and financial institutions are not pedestrian-oriented uses.		100:1	50:1	NA	NA	NA	25:1	NA	NA	NA	<ol style="list-style-type: none"> <li>1. Pedestrian-oriented frontage must abut a publicly accessible space, either a pedestrian linkage or plaza.</li> <li>2. A pedestrian-oriented use must be visually accessible to the pedestrian over 40 percent of its frontage.</li> <li>3. A pedestrian-oriented use must be physically accessible to the pedestrian at suitable intervals.</li> </ol>
2. <u>Visually Interesting Features.</u> Visually interesting features include, but are not limited to, murals and wall sculptures.		1:1	1:1	1:1	1:1	1:1	1:1	1:1	1:1	NA	<ol style="list-style-type: none"> <li>1. Visually interesting features may extend no more than 50 consecutive linear feet.</li> <li>2. Visually interesting features must abut a publicly accessible space.</li> </ol>
3. <u>Sculpture, Art, or Landscape Feature.</u> A continuous open space located at or near grade whose principal feature is an art or unusual and pleasing landscape form. The purpose is to serve as focal point and a visual landmark, rather than as a specific location for pedestrian activity.		4:1	4:1	4:1	4:1	4:1	4:1	4:1	4:1	NA	<ol style="list-style-type: none"> <li>1. Must abut the intersection of two public rights-of-way or segments of the pedestrian linkage system in order to receive the full bonus available. One-half of the available bonus will be awarded if the feature abuts a right-of-way or pedestrian linkage but is not located at an intersection.</li> <li>2. Maximum area for art or landscape feature is 1,000 sq. ft. in CBD-1 and CBD-2 and 500 sq. ft. in CBD-3, CBD-4, CBD-5, CBD-6, and CBD-7. No bonus is awarded if the art or landscape feature exceeds the maximum size.</li> <li>3. Must be visually accessible from abutting rights-of-way or walkways or sidewalks.</li> </ol>

AMENITY*	LAND USE DISTRICT	CBD-1	CBD-2	CBD-3	CBD-4	CBD-5	CBD-6	CBD-7	CBD-8	CBD-9	DESIGN CRITERIA
4. <u>Plaza</u> . A continuous open space, which is readily accessible to the public at all times, predominantly open above, and designed specifically for use by people as opposed to serving as a setting for a building.		8:1	6:1	2:1	2:1	2:1	4:1	4:1	4:1	NA	<ol style="list-style-type: none"> <li>1. Must abut and be within 3 feet in elevation of a pedestrian linkage so as to be visually and physically accessible.</li> <li>2. Must provide protection from adverse wind, wherever practical.</li> <li>3. At least 10 percent of the plaza surface area must be landscaped.</li> <li>4. Must provide at least one sitting space for each 100 sq. ft. of plaza. Such sitting shall be in the form of benches, sitting walls with a minimum depth of 16 inches and a height of no less than 16 inches or more than 36 inches above the adjacent walking surface.</li> <li>5. Must be enclosed on at least two sides by a structure or by landscaping which creates a wall effect.</li> <li>6. Minimum size is 1,000 sq. ft.</li> <li>7. Maximum size of bonusable plaza square footage is 5,000 sq. ft.</li> <li>8. Minimum horizontal dimension is 20 feet.</li> <li>9. Must provide opportunities for penetration of sunlight.</li> <li>10. May not be used for parking, loading or vehicular access.</li> <li>11. Up to 50 percent of the plaza area may be used for entertainment activities and performances, displays, exhibits, and seating.</li> <li>12. In general, no 2 plazas should be closer than 300 feet of one another as measured along the path of pedestrian travel along a public right-of-way.</li> </ol>
5. <u>Enclosed Plaza</u> . A publicly accessible continuous open space located within a building and covered to provide overhead weather protection while admitting substantial amounts of natural daylight (atrium or galleria).		10:1	8:1	6:1	4:1	4:1	6:1	6:1	4:1	NA	<ol style="list-style-type: none"> <li>1. Must be accessible to the public at least during normal business hours.</li> <li>2. Should be readily accessible from the pedestrian linkage system.</li> <li>3. Must be signed to identify the enclosed plaza as available for public use.</li> <li>4. Must provide at least one sitting space for each 100 sq. ft. of area.</li> <li>5. Must be coordinated with pedestrian-</li> </ol>

AMENITY*	LAND USE DISTRICT	CBD-1	CBD-2	CBD-3	CBD-4	CBD-5	CBD-6	CBD-7	CBD-8	CBD-9	DESIGN CRITERIA
											<p>oriented frontage to the maximum extent possible.</p> <p>6. Minimum horizontal dimension is 20 feet.</p> <p>7. Minimum area is 750 sq. ft.</p> <p>8. Maximum size of bonusable plaza area is 2,500 sq. ft.</p>
6. <u>Arcade</u> . A continuously covered area which functions as a weather protection extension of the publicly accessible space which it abuts.		6:1	4:1	2:1	2:1	2:1	2:1	4:1	4:1	NA	<p>1. At least 50 percent of the linear footage must be developed as pedestrian-oriented frontage which complies with the design criteria of this section. This pedestrian-oriented frontage may be counted separately to gain floor area ratio exceeding the basic FAR through the Amenity Incentive system.</p> <p>2. Pavement below must be constructed to provide for drainage.</p> <p>3. When adjacent to a public walkway or sidewalk, design must provide opportunity for connection to adjacent development across property lines.</p> <p>4. Must have a horizontal rather than sloping orientation across the building facade.</p> <p>5. Must present a coordinated design along its entire route.</p> <p>6. Must be accessible to pedestrians at all times.</p> <p>7. Minimum height is 12 feet above finished grade.</p> <p>8. Maximum height is 20 feet above finished grade. No bonus is awarded if the maximum height is exceeded.</p>
7. <u>Marquee</u> *** A permanent overhead canopy projecting from the elevation of the building, and designed to provide continuous overhead weather protection to the area underneath.		3:1	2:1	2:1	2:1	2:1	2:1	2:1	2:1	NA	<p>1. Must be developed over a walkway or sidewalk.</p> <p>2. Pavement below must be constructed to provide for drainage.</p> <p>3. Must have a horizontal rather than sloping orientation along the building elevation.</p> <p>4. Design must be coordinated with building design.</p> <p>5. Minimum height is 8 feet above finished grade, except as otherwise</p>

AMENITY*	LAND USE DISTRICT	CBD-1	CBD-2	CBD-3	CBD-4	CBD-5	CBD-6	CBD-7	CBD-8	CBD-9	DESIGN CRITERIA
											<p>required in the Uniform Building Code (UBC 23.10).</p> <p>6. Maximum height is 12 feet above finished grade. No bonus is awarded if the marquee exceeds the maximum height.</p> <p>7. To ensure daylight penetration, the ratio of the marquee's projection from the building to its height above finished grade may not exceed 3:4.</p>
8. <u>Awning</u> .*** A roof-like structure of fabric stretched over a rigid frame projecting from the elevation of a building designed to provide continuous overhead weather protection.		1:1	0.75:1	0.5:1	0.5:1	0.5:1	0.5:1	0.5:1	0.5:1	NA	<p>1. Must be developed over a walkway or sidewalk.</p> <p>2. Pavement below must be constructed to provide for drainage.</p> <p>3. Must have a horizontal rather than sloping orientation along the building elevation.</p> <p>4. Design must be coordinated with building design.</p> <p>5. Minimum height is 8 feet above finished grade.</p> <p>6. Maximum height is 12 feet above finished grade. No bonus is awarded if the awning exceeds the maximum height.</p> <p>7. To ensure daylight penetration, the ratio of the awning's projection from the building to its height above finished grade may not exceed 3:4.</p>
9. <u>Landscape Area</u> . An outdoor landscaped area providing visually or physically accessible space for tenants of the development of which it is a part.		4:1	4:1	4:1	4:1	4:1	4:1	4:1	4:1	NA	<p>1. This area must be in addition to any landscape development required by the Zoning Code.</p> <p>2. May not be used for parking or storage.</p> <p>3. May be located at grade or on top of a structure.</p> <p>4. At least 30 percent of the area must be planted with evergreen plant materials.</p>
10. <u>Residential Uses</u> .****		4:1	4:1	NA	NA	NA	NA	NA	4:1	NA	<p>1. Area devoted to community facilities may be used to obtain bonus floor area. No area devoted to parking or circulation may be used for this purpose.</p> <p>2. Minimum size is 10,000 sq. ft.</p>



AMENITY*	LAND USE DISTRICT	CBD-1	CBD-2	CBD-3	CBD-4	CBD-5	CBD-6	CBD-7	CBD-8	CBD-9	DESIGN CRITERIA
											3. Maximum amount of bonusable area is 50,000 sq. ft.
11. <u>Above/Below Grade Parking Located Within Principal Use.</u>		10:1	10:1	10:1	NA	NA	5:1	5:1	5:1	NA	1. Parking must be enclosed. 2. Exterior surface must be the same material as used on the principal use building. Street frontage must be pedestrian-oriented along major pedestrian corridor.
12. <u>Water Feature.</u> A major fountain, cascade, stream water sculpture, reflection pond, or regional storm water retention system. The purpose is to serve as focal point for pedestrian activity.		4:1	4:1	4:1	4:1	4:1	4:1	6:1	6:1	NA	1. Must be located outside of the building and be publicly visible and accessible at the main pedestrian entrance to a building, or along the pedestrian linkage system. 2. Water must be maintained in a clean and noncontaminated condition.
13. <u>Major Pedestrian Corridor.</u> The major pedestrian corridor located on or in the immediate vicinity of 7th Avenue between College and Sleater-Kinney Streets.		15:1 *****	NA	NA	NA	NA	NA	NA	NA	NA	1. Must comply with the requirements of Section 16.24.080.
14. <u>Pedestrian/Transit Shelters.</u> A publicly-accessible open space located within a building and enclosed to provide weather protection while admitting natural sunlight.		10:1	8:1	4:1	8:1	8:1	8:1	8:1	8:1	NA	1. Must be accessible to the public at least during normal business hours. 2. Must be signed to identify the enclosure for pedestrian transit use. 3. Minimum area is 100 sq. ft. 4. Maximum area is 250 sq. ft. 5. Should be developed with benches and other amenities (i.e., public restrooms). 6. Should have complete information on transit service, routes, times, costs, and schedules. 7. Must be located on street frontage or parking area adjacent to a designated transit stop.
15. <u>Through-Block Corridor.</u> A continuous 4:1 enclosed open space, which is readily accessible to the public and connects two public streets.		4:1	2:1	NA	2:1	2:1	2:1	2:1	2:1	NA	1. Floor area bonuses shall be granted only for corridors connecting public streets. 2. Through-block corridors must connect with the pedestrian linkage system.

**16. Preservation of Significant Trees.                      (See Design Criteria)**

3. Retail uses or pedestrian-oriented frontage is required on all frontages of the corridor.
  4. A clear, continuous, direct path shall be provided through the block.
  5. The minimum width shall be 20 feet.
  6. The minimum height shall be 15 feet.
  7. Physical access shall be provided at all points for people with handicaps.
  8. Entrances shall be highly visible, accessible and inviting.
  9. Corridors shall be accessible to the public during regular business hours.
  10. Through-block corridors shall not be located closer than 200 feet from any parallel public street or other through-block corridor.
  11. Amenities for pedestrian use and enjoyment such as landscaping, seating, display space, vendors, and lighting shall be provided.
- 
1. Must comply with the requirements of Chapter 16.80.030.
  2. Maximum bonus for preserving significant trees shall be .25 and .50 FAR for 10 and 20 percent, respectively, of all significant trees on site prior to development.

\* Measured as square feet of permitted development over that permitted by the Basic FAR for each qualifying square foot of amenity unless otherwise noted.  
 \*\* Measured as square feet of permitted development for each qualifying linear foot of frontage. This bonus is only available for mixed-use projects where retail commercial activity is not the principal use.  
 \*\*\* See Section 16.24.070 for setback exception.  
 \*\*\*\* Excludes hotels and motels. This bonus is only available for mixed use projects where residential activity is not the principal use.  
 \*\*\*\*\* Bonus floor area may be achieved through the provision of this amenity only in conjunction with a permit to construct the major pedestrian corridor in accordance with Section 16.24.080.

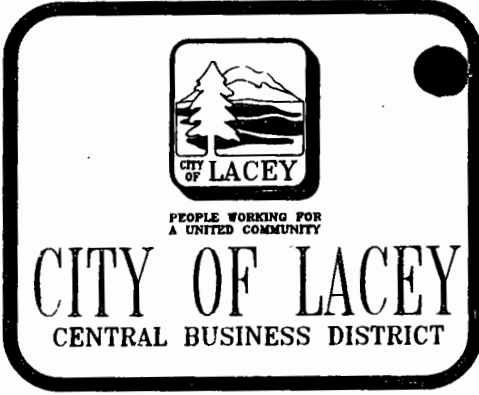
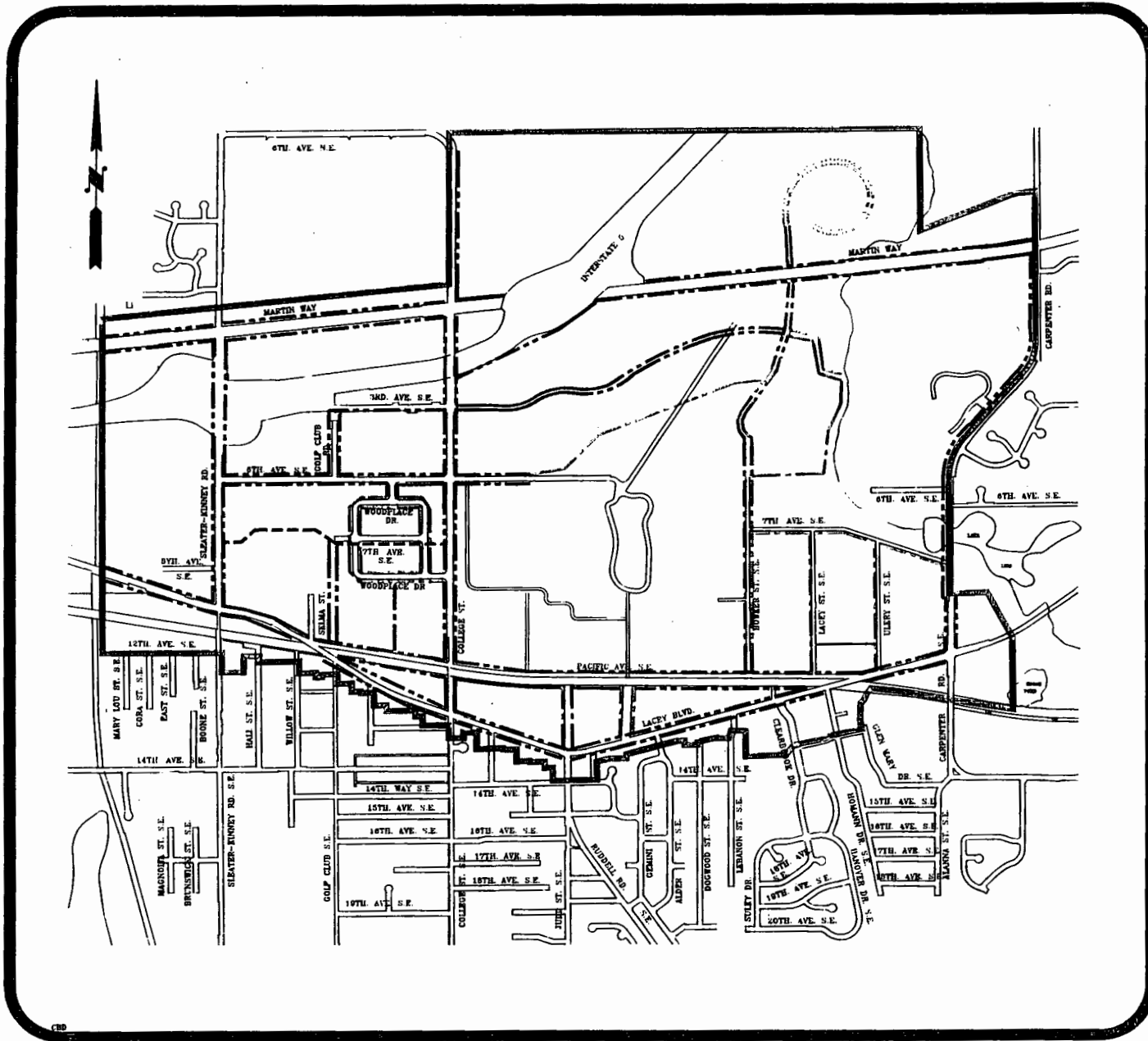
16.24.090 Pedestrian Circulation Requirements.

- A. It shall be the responsibility of the property owner/developer to ensure the provision of a safe and convenient pedestrian circulation linkage system as described in this Section and consistent with the designation identified on Figure 16.24.090(1) entitled, "Pedestrian Linkage System."
- B. The pedestrian linkage system is a network including the major pedestrian corridor, landscaped walkways and perimeter sidewalks. It is established to provide safe pedestrian routes; enhance the appearance of buildings and their settings; provide a unified design element to offset varying architectural styles; and to soften the appearance of parking lots and service storage areas.
- C. The various components of the linkage system shall be provided as property is developed or redeveloped by the property owner/developer as noted on the CBD Pedestrian Linkage System maps.
- D. The dimensions of the pedestrian linkage system are as follows:

Linkage Type	Width	
	Maximum	Minimum
I (Major Pedestrian Corridor)	15 feet	12 feet
II (Landscaping and Walkway)	10 feet	8 feet
III (Landscaping and Walkway)	8 feet	6 feet

The dimensions of the pedestrian linkage system shall include the necessary improved pedestrian walkway, pedestrian amenities (where specified), and landscaping requirements as provided for in Section 16.24.100.

- E. Where a linkage system exists or is required outside of a public right-of-way, an easement to the City of Lacey shall be required to provide continuity of public access to adjoining properties.
- F. Where a Type II linkage system is required to be provided on both sides of a street as a condition of approval for a development, the widths shall be ten feet on one side to accommodate bicycles and six feet on the other side to accommodate pedestrians.
- G. A structure may extend into or over a required linkage system or walkway only when:
  - 1. The encroachment is integrated into the linkage system by providing a covered walkway, arcade, marquee, etc. or it otherwise compliments pedestrian activities; and
  - 2. The required width of the linkage system is maintained or when compensation is provided at another location.



# CITY OF LACEY

CENTRAL BUSINESS DISTRICT

## DOWNTOWN ELEMENT

### PEDESTRIAN LINKAGE SYSTEM

TYPE I - - - - -

TYPE II - - - - -

TYPE III - - - - -

Figure 16.24.090(1)

- G. Where a linkage system adjoins a public street, the system's width shall be measured from the edge of the existing or proposed curb.
- H. Construction standards for the major pedestrian corridor, walkways, sidewalks and landscaping shall be as specified by the City Engineer or as otherwise provided for in this Chapter. In no instance shall the width of the walkway/sidewalk linkage be less than twelve (12) feet for Type I, eight (8) feet for Type II, and six (6) feet for Type III.
- I. Major Pedestrian Corridor
1. The location and alignment of the major pedestrian corridor shall be established by the Corridor Design Plan as specified in Paragraph 1.2. Until the Corridor Design Plan is adopted, the alignment shall be defined to be the area generally fifteen (15) feet on both sides of the extension of 7th Avenue as identified in the CBD Circulation Plan.
  2. The Planning Commission shall recommend a Corridor Design Plan to the City Council for adoption. The Commission may amend such plan as may be required from time to time after conducting appropriate public hearing(s). The Corridor Design Plan shall consist of general design guidelines consistent with the provisions of this paragraph and the Downtown Element of the Comprehensive Plan.
    - a. The corridor must present a coordinated design. The City will consider coordinated design features such as uniform treatment of signing, landscaping and lighting over the entire length of the corridor. Variety in design will be allowed and in some cases encouraged in order to provide visual interest and harmony with adjacent development.

The corridor design plan must specify the following elements:

- (1) Landscaping
  - (2) Lighting
  - (3) Street furniture
  - (4) Color and materials
  - (5) Weather protection
  - (6) Relationship to building frontage
  - (7) Specific alignment for property on which the corridor will have to be constructed by the applicant proposing development.
- b. Predominantly continuous pedestrian-oriented frontage, plazas, pedestrian ways, street arcades, art or landscape features, or enclosed plazas shall be located along or on the major pedestrian corridor.
  - c. The corridor may be bridged or partially covered but is intended for pedestrian movement through the corridor twenty-four (24) hours a day over the entire length of the corridor, excluding temporary closures of the corridor for

maintenance purposes. This requirement shall be reviewed as part of the Corridor Design Plan.

3. Driveways providing access to parking structures shall not cross the major pedestrian corridor if other access is reasonably feasible. Where no other access is reasonably feasible, grade separation of pedestrian and vehicular traffic, or such other measures as will minimize interruptions of pedestrian flow, may be required.
4. Until the Corridor Design Plan is prepared and adopted by the City Council, all subdivisions or short subdivisions hereafter approved having any interior lot line of which is within three hundred (300) feet of the centerline of 7th Avenue or permits for any structure or permanent parking or circulation area within three hundred (300) feet of the centerline of 7th Avenue shall be reviewed by the site Plan Review Committee for compatibility with the alignment of the major pedestrian corridor as specified in Paragraph I of this Section.
5. The City may approve the subdivision or short subdivision of property resulting in any interior lot line which is within or adjacent to the general alignment of the major pedestrian corridor only if:
  - a. The public right of pedestrian use established thereunder shall be enforceable by the City of Lacey, and the City shall have full rights of pedestrian access to and use of the corridor property.
  - b. The owner/developer agrees to construct the corridor within such corridor property in accordance with the requirements of this chapter.
  - c. The owner/developer agrees to maintain the portion of the corridor located on his/her property and keep the same in good repair.
  - d. The owner/developer may adopt reasonable rules and regulations for use of his/her portion of the corridor provided that the same be consistent with the requirements or intentions of this section or chapter.
6. Prior to the issuance of a building permit for the construction of any structure to be located within or adjacent to the major pedestrian corridor, the following conditions must be met:

The Site Plan Review Committee may approve, modify and approve, or deny the project, consistent with the objectives and details of the Corridor Design Plan, as required by Paragraph 1.2 of this section. Prior to taking action on any application hereunder, notice shall be given as provided for in Chapter 16.84. Appeals from the Site Plan Review Committee decision involving property within a CBD land use district will be heard and decided upon by the Hearings Examiner.

Corridor construction must begin prior to the issuance of certificate of occupancy for any structure other than surface parking.

7. Permits (either paving, building or other as specified by City ordinance) for temporary surface parking areas to be located adjacent to this corridor may be granted for not more than a five (5) year period; provided, such parking area(s) are not accessory to a primary use or a permanent parking garage. Such uses shall be subject to the landscape requirements for surface parking areas as specified in Chapter 16.80. Permits for such parking areas may be renewed only if the Enforcing officer finds that an extension is necessary to meet the minimum code requirements for parking. Extensions shall be limited in number to one (1) and for a two (2) year duration.
- J. Each segment of the major pedestrian corridor, walkways, perimeter sidewalks and landscaping shall be maintained by the property owner, unless a special assessment district is duly established for the specific purpose of maintaining a portion of or all such pedestrian linkage and landscaping improvements. The City shall maintain the intersections of all public streets adjoining any portion of the pedestrian linkage system.
- K. A plot plan of all proposed pedestrian linkage improvements identifying all dimensions and pedestrian features shall be submitted along with the site plan for review to the City.
- L. The property owner shall install street trees, in addition to any other landscaping requirements, for his or her section of Type I, II and III pedestrian linkages as follows:

Street trees must be planted four (4) feet back from curb edge located between the street improvement and the major pedestrian corridor, walkway or other segment of the pedestrian linkage system. Street tree planting areas must be at least four (4) feet by four (4) feet and protected by a decorative metal grate or some other protective device. Street trees at least three (3) inches in caliper measured six (6) inches above existing grade must be planted not more than twenty-five (25) feet on center. A street tree planting area may also include decorative paving and other plant materials.
- M. Outdoor exhibits, displays, sales, service of food or drinks, or other activities may be conducted in pedestrian open space and linkage systems, including plazas, whether or not such facilities or activities are customarily accessory to the adjacent principal use; provided, free pedestrian movement through the area without unreasonable interruption by such facilities or activities is available. Areas, activities and facilities so approved may be used for regular, intermittent, or temporary special events without further permitting under these zoning regulations, but shall not be exempted hereby from requirements for other permits.
- N. Bonus floor area associated with the pedestrian linkage system (for Type I and IV linkages) shall be awarded to an owner/developer in conjunction

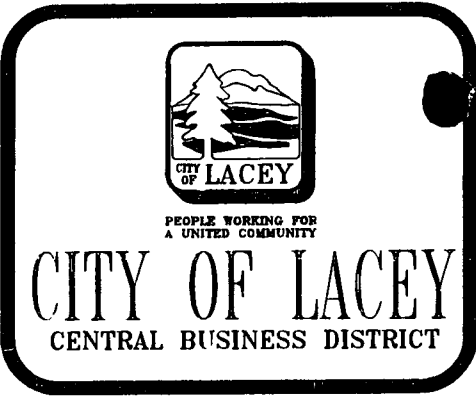
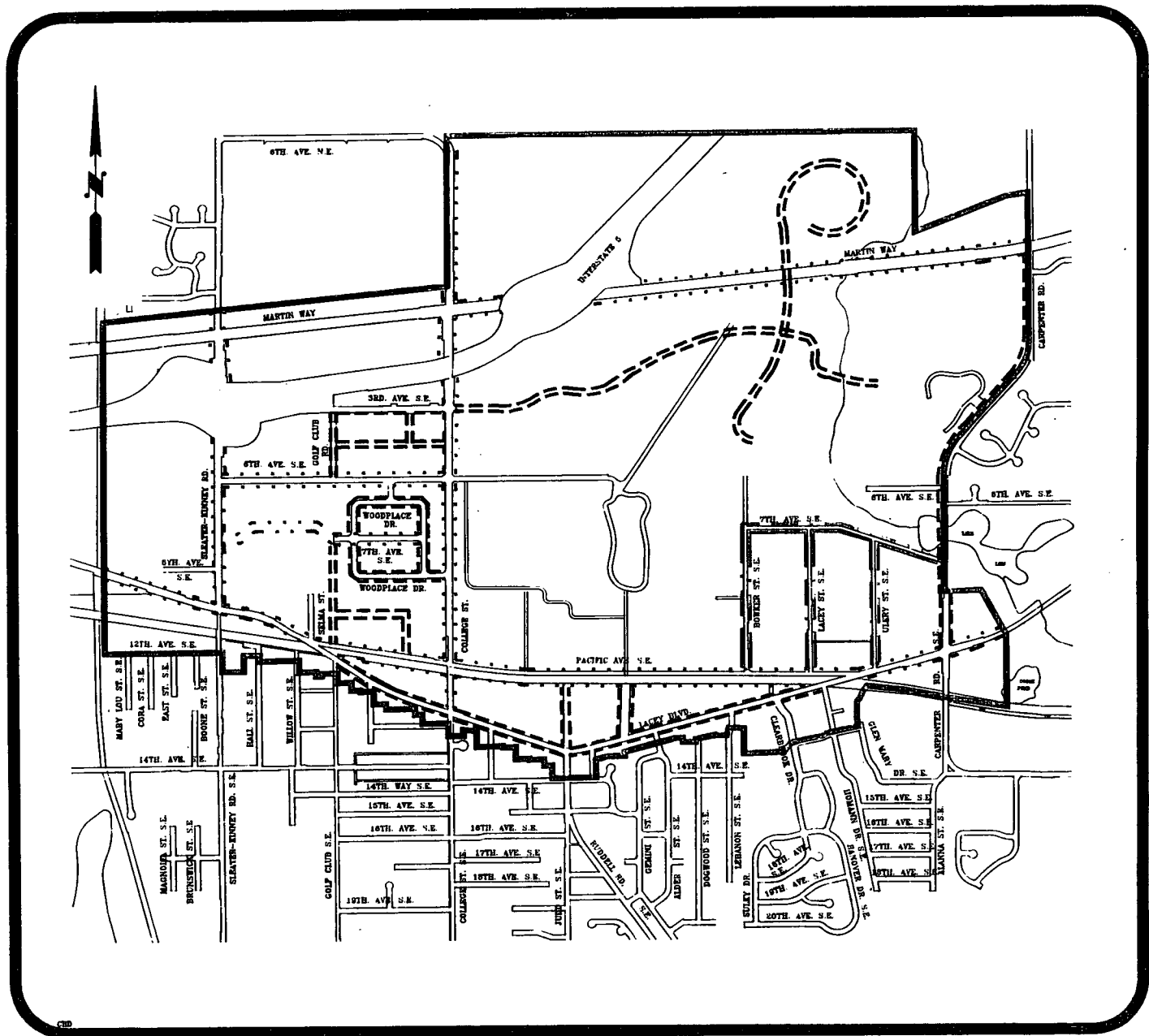
with an application for a permit to construct a structure and his or her section of the pedestrian linkage system. Refer to Chart 16.24.080(1) for specific allowable FAR bonuses.

16.24.100 Landscaping Requirements.

- A. The provisions of Chapter 16.80, except as they conflict with this Section, apply to development in the CBD Land Use Districts.
- B. It shall be the responsibility of the property owner/developer to ensure the provision of healthy, growing landscaping as described in this section and consistent with the descriptions on the chart presented in subsection "C" below, unless otherwise designated on Figure 16.24.100(1).
- C. Site Perimeter and parking garage landscaping shall be provided in CBD Land Use Districts according to the following chart, Landscape Development Requirements. In addition, street trees may be required by Section 16.24.090(L)

Land Use Districts in which the Subject Property is Located	Landscape Development Requirements			
	Width	Street Frontage	Rear Yard	Side Yard
CBD-1	4'-6'	Type III	If buffering a surface vehicle access or parking area, 5' Type III  If buffering a parking garage, 5' Type II	(Same as rear yard)
CBD-2 & CBD-3	5'-7'	Type II	(Same as CBD-1)	(Same as rear yard)
CBD-4, CBD-5, CBD-6, CBD-7, CBD-8, & CBD-9	4'-6'	Type III	If buffering a surface vehicle access, parking area or parking garage, 5' Type III	(Same as rear yard)





# CITY OF LACEY

CENTRAL BUSINESS DISTRICT

## DOWNTOWN ELEMENT

### LANDSCAPING REQUIREMENTS

TYPE I - - - - -

TYPE II - - - - -

TYPE III - - - - -

Figure 16.24.100(1)

**16.24.110 Off-Street Parking.**

- A. The provisions of Chapter 16.72, except as they conflict with this Section, apply to development in the CBD Land Use Districts.
- B. Each use within a CBD Land Use District must provide parking spaces as specified in the following chart, Parking Requirements - CBD Land use Districts.

Land Use	Unit Measure	CBD-1/CBD-2		Other CBD Sub-Areas	
		Min.	Max.	Min.	Max.
a. Banks	Per 1,200 Gross Square Feet	3	5	4	6
b. Church, Mortuaries Funeral Homes	Per 4 seats	1	3	1	4
c. Convalescent Facilities	Per 2 Patient Beds	1	4	1	5
d. Hospital	Per 2 Patient Beds	1	3	1	4
e. Hotel	Per Room or Suite	1	3	1	4
f. Medical & Dental Clinics & Offices	Per 1,200 Gross Square Feet	3	6	4	7
g. Multi-family Dwelling Unit	Per Dwelling Unit	1	3	2	4
h. Office Building	Per 1,200 Gross Square Feet	2	6	3	6
i. Places of Assembly without Fixed Seats	Per 1,000 Gross Square Feet <sup>2</sup>	10	12	10	15
j. Restaurants	Per 100 Gross Square Feet <sup>2</sup>	2	5	2	6
k. Retail	Per 1,000 Gross Square Feet <sup>2</sup>	3	7	4	7
l. Retail in a Mixed Use Development <sup>1</sup>	Per 1,200 Gross Square Feet	2	5	3	6
m. Rooming and Lodging Houses	Per Occupant	1	4	1	4
n. Senior Citizen Apartments	Per 3 Dwelling Units	1	3	1	4

Land Use	Unit Measure	CBD-1/CBD-2		Other CBD Sub-Areas	
		Min.	Max.	Min.	Max.
o. Theaters, Auditoriums	Per 8 Seats <sup>5</sup>	1	3	2	5

- 1 If retail space in a mixed development exceeds 40 percent of the gross floor area of the development, the retail use parking requirement of this section applies to the entire retail space.
- 2 Gross square feet does not include enclosed or covered areas used for off-street parking or loading, mechanical floor areas or covered public spaces as listed in Section 16.24.090.
- 3 Refer to Chapter 16.72 for requirements of CBD-5 and CBD-6.
- 4 The minimum requirements of this chart may be reduced by Sections 16.24.080, 16.24.060(D), and/or 16.24.110(C).
- 5 School and/or public facility parking spaces may be used provided the facilities are on the same or contiguous parcels and within 300 feet of the theater or auditorium.
- 6 Parking ratios for mixed-use development projects shall be determined by calculating the percentage of gross floor area (GFA) by use multiplied by the appropriate parking ratio for each use.
- 7 Parking spaces provided as part of the Above/Below Grading Parking Amenity identified in Chart 16.24.080(1) shall be exempt from all maximum parking requirements.

C. The maximum parking requirements specified in this section shall be phased in over time as provided for in the following schedule:

<u>Year</u>	<u>Applicable Maximum Parking Requirement</u>
1990-1993	No maximum
1994-1997	Refer to Table in Subsection B
1998-2001	Reduce all maximum values by "1"
2002 and following	Reduce all maximum values identified in Section 16.24.110(B) by "2"

1. Prior to each scheduled decrease of maximum off-street parking requirements taking affect, the Planning Commission shall conduct a review and assessment of the adequacy of the parking requirements by land use type and by individual CBD Land Use District. The Planning Commission may hold a public hearing on the matter and shall make a recommendation to the City Council. The scheduled maximum parking requirements shall become effective automatically unless acted upon by ordinance of the City Council. Development applications granted preliminary approval prior to action by the City Council shall be vested and allowed maximum values under the then existing off-street parking requirement.

2. If more parking spaces than the maximum permitted by this section exist on the subject property, an owner/developer may lease those excess spaces until conformance with this section is reached.

If fewer parking spaces than the minimum required by the section exist on the subject property, no parking space existing on the effective date of this section may be eliminated unless it is replaced by another parking space serving the use.

3. This same procedure shall also be followed for all subsequent amendments to this section.

D. The minimum parking requirements specified in this Section may be adjusted by the Enforcing Officer and/or site Plan Review Committee under the following conditions; when in their opinion an adjustment will be in accord with the purposes of this Code, and will not create an adverse impact on existing or potential uses adjoining the subject property, or in the general vicinity of the subject property. Covenants, guarantees or agreements shall be required as necessary to ensure continued compliance with this Section.

1. Two (2) or more uses may share a parking area or garage if:
  - a. The total number of parking spaces provided is at least equal to the sum of the minimum number of spaces required for each use, and no greater than the sum of the maximum number of spaces permitted for each use; or
  - b. The uses are operating during different hours and the number of parking spaces is at least equal to the minimum number of spaces required for all uses operating at the same time, and no greater than the maximum number of spaces permitted for all uses operating at the same time.
2. Where adjoining parking facilities of two or more ownerships are developed and designed as one (1) parking facility, a reduction of twenty-five percent (25%) of the total combined required parking spaces may be permitted.
3. The continuation of joint or shared facilities shall be assured by a sufficient legal document such as a covenant or reciprocal easement agreement or by participation in a local improvement district or parking association. Joint or shared parking associated with multi-tenant retail and commercial uses will be considered to be a shared parking facility. Lease agreements will satisfy the requirement for a sufficient legal document. However, any new tenant whose parking requirement reduces the total parking available in the shared parking facility below seventy-five percent (75%) of the requirements for all uses sharing the facility, will be required to provide additional parking.
4. Upon demonstration to the Enforcing Officer and/or Site Plan Review Committee that effective alternatives to automobile access are in effect, they may reduce, by not more than fifty percent (50%), the parking requirements otherwise prescribed for any use, or

combination of uses on the same or adjoining sites, to an extent commensurate with the permanence, effectiveness, and demonstrated reduction in off-street parking demand effectuated by such alternative programs.

Alternative programs that may be considered by the Enforcing Officer and/or Site Plan Review Committee under this provision include, but are not limited to the following:

- a. Private vanpool operation
  - b. Transit/vanpool fare subsidy
  - c. Imposition of a charge for parking
  - d. Provision of subscription bus services
  - e. Flexible work hour schedule
  - f. Capital improvements for transit services
  - g. Preferential parking for carpools/vanpools
  - h. Participation in the ride-matching program
  - i. Reduction of parking fees for carpools and vanpools
  - j. Establishment of a Transportation Coordinator position to implement carpool, vanpool and transit programs
  - k. Bicycle parking facilities
- E. Off-street parking requirements for uses similar or related to, or any use not specifically listed in Subsection "B" above, shall be determined by the Enforcing Officer and/or Site Plan Review Committee after consultation with the Director of Public Works on the basis of the requirement for similar uses, and on the basis of evidence of actual demand created for similar or related uses in Lacey, and such other traffic engineering or planning data as may be available and appropriate for the establishment of minimum and maximum parking requirements.
- F. Parking spaces may be designed and constructed for up to fifty percent (50%) of the required number for compact size cars. An applicant must clearly identify all spaces designed and constructed for compact car use. The Enforcing Officer and/or Site Plan Review Committee may approve the design and designation of more than fifty percent (50%) of the spaces for use by compact cars if the applicant demonstrates that no adverse impact will result.
- G. The Site Plan Review Committee shall review and approve, approve with conditions, or deny a proposal for a parking structure through the Site Plan Review Process (16.84). The Site Plan Review Committee may approve the parking structure only if:
1. General
    - a. Driveway openings are limited and the number of access lanes in each opening are minimized.
    - b. Ground level screening of parked vehicles by landscaping, or by a wall or other screening, is provided if pedestrian-oriented frontage is not developed at the ground level.

- c. The dimension of the parking structure abutting pedestrian areas is minimized, except where pedestrian-oriented frontage is provided.
- d. Whenever practicable, pedestrian-oriented uses are provided for at the street frontage.
- e. A wall or other screening of sufficient height to screen parked vehicles and which exhibits a visually pleasing character is provided at all above grade levels of the parking structure.
- f. A safe pedestrian linkage system between the parking structure and the principal use exists.
- g. The upper surface of underground parking structures shall not exceed a height of 3.5 feet above the average grade of the abutting public sidewalk and no parking shall be permitted on top of that portion of an underground parking structure which is above the established grade.
- h. Above ground parking structures shall not front on 7th Avenue or any arterial street unless they are visually compatible with the principal use structure and the character of development of the CBD Land Use District.

2. Requirements of Specific Locations. In addition to the requirements of Paragraph D.1 of this Section, pedestrian-oriented frontage is required at ground level of a parking structure.

- a. Along Sleater-Kinney, College, 6th and 7th Avenues, if the parking garage is located within fifty (50) feet of those streets; and is between Martin Way and Pacific Avenue.
- b. Along any street in a CBD Land Use District if the parking garage is located at the zero front setback line and/or at the zero side setback line if a corner lot.

H. Parking areas or garages shall be designed to provide for off-street vehicle circulation to adjoining property and parking areas where physically feasible, except that driveways and parking aisles should not cross pedestrian linkages in CBD Land Use Districts.

I. An owner/developer may elect to provide off-street parking by entering a voluntary agreement with the City to pay a fee-in-lieu of constructing or otherwise causing the provision of off-street parking facilities as provided for in Subsection A and B, above. Such contributions shall be at a rate as determined by the City Engineer, adjusted annually by a construction cost price index. All contributions shall be deposited in a "Downtown parking Reserve Fund". The fund shall be administered by the City and proceeds shall be used to further the objective of expanding the supply of off-street parking spaces and facilities.

Priorities for construction of parking facilities shall be identified in a comprehensive parking plan and capital improvements program approved by the City Council. The plan shall take into consideration the amount

of available off-street parking within an area, the need for concentration of public parking facilities to prevent proliferation of private parking lots alternating with buildings, the visual and traffic impacts of parking areas or garages and the degree to which the parking areas or structures will encourage pedestrian circulation.

All monies voluntarily contributed by an owner/developer shall be spent or loaned by the City within twenty (20) years on public parking areas or structures within the same CBD Land Use District from which the contribution originated.

- J. Convenient, marked pedestrian access shall be provided from parking areas to pedestrian linkage systems and from parking areas to principal uses.
- K. If an owner/developer participates in the FAR Amenity Incentive System described in Section 16.24.080, she/he shall not be required to calculate additional gross floor area for parking purposes, as required by this section, for amenities that do not directly create additional leasable floor area.
- L. An owner/developer may install the required parking spaces in phases if a phased schedule has been approved by the Enforcing Officer and/or Site Plan Review Committee. This schedule must specifically indicate when the minimum parking requirements of this section will be provided. The Enforcing Officer and/or Site Plan Review Committee may permit the use of temporary parking areas with appropriate screening as part of a phasing schedule. In addition, the Enforcing Officer and/or Site Plan Review Committee may require a performance assurance device to insure conformance with the requirements and intent of this section.
- M. When adequate vehicular access to an approved lot or development is available from a side street, no such access shall be permitted from the front street. Where lots have double frontage, if vehicular access from a side street or a street of lower functional classification is not available, such access shall be from the street anticipated to carry the least amount of traffic.

#### 16.24.120 Parking Area and Circulation Design.

- A. The City Public Works Department shall have the authority to fix the location, width and manner of approach of vehicular ingress or egress from a building or parking area to a public street and to alter existing ingress and egress as may be required to control street traffic in the interest of public safety and general welfare.
- B. Internal circulation of the lot shall be so designed as to minimize in-and-out driving time, idling time and time spent looking for a parking space.
- C. When off-street parking is provided in the rear of a building and a driveway or lane alongside the building provides access to the rear parking area, such driveway or lane shall be a minimum width of twelve (12) feet with a three (3) foot minimum width sidewalk adjoining the

building and curbed or raised six (6) inches above the driveway surface.

- D. Parking areas shall include landscaping as required by this chapter or by Chapter 16.80.

16.24.130 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.

16.24.140 Woodland Creek Protection. All developments and uses proposed for lands bordering Woodland Creek in Sub-Areas 6, 7, and 9 shall be required to maintain a two hundred (200) foot in depth natural buffer from the ordinary high water mark on both sides of the creek. Within this buffer area, no development or use shall be permitted except for natural open spaces, trails, passive recreational activities, streets and utility services. Storm water runoff directed to Woodland Creek shall be pretreated to mitigate water quality impacts as approved by the City.

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## CHAPTER 16.80 LANDSCAPING REQUIREMENTS

16.80.010 Statement of Intent. The purpose of this Chapter is to establish minimum requirements and standards for landscaping and screening where needed to promote safety, to provide screening between incompatible land uses, to safeguard privacy, and to protect the aesthetic assets of the City.

### 16.80.020 General Requirements.

- A. A plot plan of the proposed landscaping and screening shall be prepared by a licensed landscape architect, Washington Certified Nurseryman, or Washington Certified Landscaper and incorporated into plans submitted for preliminary plat, site plan review, administrative design review or building permit review.
- B. Landscaping plans shall be drawn to scale, including dimensions and distances, and clearly delineate existing and proposed parking spaces or other vehicular use area, access aisles, driveways, the location, size and description of all landscape materials (new and existing), setback lines, buildings (structures) -- proposed and existing -- and identify existing significant trees and/or other landscape features and topographic elevations.

The applicant shall utilize tree protection techniques approved by the Enforcing Officer, Site Plan Review Committee and/or Hearings Examiner in order to provide for the continued healthy life of retained significant trees including during land alteration and construction.

- C. The applicant shall submit the information required in paragraph "B" of this Section. In addition, the applicant shall provide a list of addresses including all property owners and all residents of property which abut, or is across a street or access easement from the subject property.

### 16.80.030 Special Requirements.

- A. The following uses require Type I landscaping on all sides when located above ground and not housed within a building or accessory to another use, and if located outside of a public right-of-way:
  - 1. Utility substation
  - 2. Sewage pumping station
  - 3. Water distribution facility
  - 4. Communication relay station
- B. The following uses require Type II landscaping along the street frontage, and Type III landscaping along interior property lines unless a different requirement is specifically identified in a land use district:
  - 1. Church
  - 2. Commercial or public parking lot or structure not serving a primary use
  - 3. Government service building
  - 4. Community club
  - 5. School
  - 6. Hospital

- C. An area around the base of each utility pole, ground-mounted sign or similar fixtures must be landscaped to improve the overall appearance of the area. This landscaping must include vegetation and may include other materials and components such as brick or concrete bases, planter boxes, or decorative framing.
- D. In front yard areas required to be landscaped under City requirements, a minimum of sixty percent (60%) of the required area shall be landscaped in grass. This grass area may also contain trees, shrubs, and other permitted plant materials; however, the grass area shall be designed and constructed in a manner that will make possible normal maintenance such as mowing and watering.

16.80.040 Preservation of Significant Trees.

- A. In required landscaping areas, the applicant shall retain significant trees which will not constitute a safety hazard. Areas devoted to access and sight areas as defined in this Code, and areas to be cleared for required roads, utilities, sidewalks, trails or storm drainage improvements are exempt from this requirement.
- B. Outside of the required landscape areas, the applicant shall be encouraged to retain significant trees. Special attention shall be given to the preservation of the following:
  - 1. The preservation of healthy significant trees over sixty (60) feet in height and sixteen (16) inches in diameter measured twenty-four (24) inches above grade.
  - 2. The preservation of significant trees that form a continuous canopy.
  - 3. The preservation of significant trees that contribute to the character of the environment, and do not constitute a safety hazard.
- C. Bonus Incentive. If a proposed landscape plan incorporates the retention of significant trees, the Enforcing Officer, Site Plan Review Committee and/or Hearings Examiner shall approve bonus incentives. Such incentives shall be specifically identified in the landscaping section of each individual land use district.

16.80.050 Types of Landscaping.

A. Type I

Purpose. Type I landscaping is intended to provide a very dense sight barrier to significantly separate uses and land use districts.

Description

- 1. All plant materials and living ground cover must be selected and maintained so that the entire landscape area will be covered within three (3) years.

2. Any combination of trees, shrubs, earthen berms, and related plant materials or design features may be selected, provided, that the resultant affect is sight-obscuring from adjoining properties.
3. All trees and shrubs must be capable of growing to a minimum of ten (10) and five (5) feet in height, respectively, within three (3) years.

B. Type II

Purpose. Type II landscaping is intended to provide visual separation of uses from streets, and visual separation of compatible uses so as to soften the appearance of streets, parking areas and building elevations.

Description

1. All plant materials and living ground cover must be selected and maintained so that the entire landscape area will be covered within five (5) years.
2. Any combination of evergreen and deciduous trees (with no more than fifty percent (50%) being deciduous), shrubs, earthen berms, and related plant materials or design features may be selected; provided, that the resultant effect of softening the appearance of streets, parking, and structures is achieved.
3. All trees and shrubs must be capable of growing to a minimum of eight (8) and four (4) feet in height, respectively, within five (5) years.

C. Type III

Purpose. Type III landscaping is intended to provide visual relief where clear sight is desired.

Description.

1. All plant materials and living ground cover must be selected and maintained so that the entire landscape area will be covered within five (5) years.
2. Any combination of shrubs, earthen berms, and related plant materials or design features may be selected; provided, that the resultant effect of providing visual relief where clear sight is desired can be achieved.
3. All plant materials must be capable of growing to a maximum of four (4) feet in height within five (5) years. Trees are permitted if the trunk is free of branches below six (6) feet in height.

D. Type IV

Purpose. To provide visual relief and shade in parking areas.

## Description

### 1. Required Amount

- a. If the parking area contains no more than fifty (50) parking spaces, at least seventeen and one-half (17.5) square feet of landscape development must be provided for each parking stall proposed.
- b. If the parking area contains more than fifty (50), but less than one hundred (100) parking spaces, the Enforcing Officer, Site Plan Review Committee and/or Hearings Examiner shall determine the required amount of landscaping by interpolating between seventeen and one-half (17.5) and thirty-five (35) square feet for each parking stall proposed.
- c. If the parking area contains more than one hundred (100) spaces, at least thirty-five (35) square feet of landscape development must be provided for each parking stall proposed.

### 2. Design

- a. Each area of landscaping must contain at least one hundred (100) square feet of area and must be at least four (4) feet in any direction. The area must contain at least one (1) tree at least six (6) feet in height and with a minimum size of one and one-half (1-1/2) inches in caliper measured six (6) inches above existing grade if deciduous. The remaining ground area must be landscaped with plant materials.
- b. A landscaped area must be placed at the interior end of each parking row in a multiple lane parking area. This area must be at least four (4) feet wide and must extend the length of the adjacent parking stall.
- c. Up to one hundred percent (100%) of the trees proposed for the parking area may be deciduous.

### 16.80.060 Alternative Landscaping Option.

- A. The applicant may request a modification of the landscaping requirements set forth in Sections 16.80.030 and 16.80.040 of this Chapter.
- B. The Enforcing Officer, Site Plan review Committee and/or Hearings Examiner may approve a modification of the landscaping requirements of this Chapter only if:
  1. The proposed landscaping implements portions of an Urban Forestry program or Plan duly adopted by the City Council;
  2. The proposed landscaping represents an equal result than could have been achieved by strictly following the requirements of this Chapter; and

3. The proposed landscaping complies with the stated Purpose of this Chapter.

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

16.80.070 Species Choice. The applicant shall utilize plant materials that complement the natural character of the Pacific Northwest.

16.80.080 Maintenance of Plant Materials.

A. The property owner shall replace any unhealthy or dead plant materials in conformance with the approved landscape development proposal and shall maintain all landscape material.

B. Unless entirely landscaped with significant trees preserved under Section 16.80.040 of this Chapter, all required landscaping areas shall be provided with irrigation systems designed by a licensed landscape architect, Washington Certified Nurseryman, Washington Certified Landscaper, or Professional Engineer. Said irrigation systems shall be designed, installed and operated to maintain the plant materials to the standards detailed in Section 16.80.080A of this Chapter.

C. The City shall require a maintenance assurance device for a period of one (1) year from the completion of planting in order to insure compliance with the requirements of this Chapter. The value of a maintenance assurance device must equal at least ten percent (10%) of the replacement cost of the landscape materials, and shall be utilized by the City to perform any necessary maintenance, and to reimburse the City for documented administrative costs associated with action on the device.

D. The City may accept, as an alternative to a maintenance assurance device, a contractual agreement or bond between the owner/developer and a licensed landscape architect, Washington Certified Nurseryman, or Washington Certified Landscaper, along with a rider or endorsement specifically identifying the City of Lacey as a party to the Agreement for purposes of enforcement. Nothing in this alternative shall be interpreted to in any way modify the conditions of Paragraph "B" above.

E. If a maintenance assurance device or evidence of a similar device is required under Paragraphs "B" or "C" of this Section, the property owner shall provide the City with an irrevocable notarized agreement granting the City and its agents the right to enter the property and perform any necessary work.

F. Upon completion of the one (1) year maintenance period, and if maintenance is not required, the City shall promptly release the maintenance assurance device or evidence thereof.

G. All trees, plant materials, and landscaped areas shall receive sufficient water to be kept in a healthy and growing manner.

16.80.090 Performance Assurance.

- A. The required landscaping must be installed prior to issuance of the Certificate of Occupancy unless the Enforcing officer, Site Plan Review Committee and/or Hearings Examiner determines that a performance assurance device, for a period of not more than one (1) year, will adequately protect the interests of the City. In no case may the property owner/developer delay performance for more than one (1) year.
- B. The City may accept, as an alternative to a performance assurance device, a contractual agreement or bond between the owner/developer and a licensed landscape architect, Washington Certified Nurseryman, or Washington Certified Landscape, along with a rider or endorsement specifically identifying the City of Lacey as a party to the Agreement for purposes of enforcement. Nothing in this alternative shall be interpreted to in any way modify the conditions of Paragraph "A" above.
- C. If a performance assurance device or evidence of a similar device is required under Paragraphs "A" or "B" of this Section, the enforcing officer shall determine the specific type of assurance device required in order to insure completion of the required landscaping in accordance with the approved landscaping plan. The value of this device must equal one hundred ten percent (110%) of the estimated cost of the landscaping to be performed, and shall be utilized by the City to perform any necessary work, and to reimburse the City for documented administrative costs associated with action on the device. If costs incurred by the City exceed the amount provided by the assurance device, the property owner shall reimburse the City in full, or the City may file a lien against the subject property for the amount of any deficit.
- D. If a performance assurance device or evidence of a similar device is required under Paragraphs "A" or "B" of this Section, the property owner shall provide the City with a irrevocable notarized agreement granting the City and its agents the right to enter the property and perform any required work remaining undone at the expiration of the assurance device.
- E. Upon completion of the required landscaping by the property owner, at or prior to expiration of the assurance device, the City shall promptly release the performance assurance device or evidence thereof.

16.80.100 Landscape Features. Landscape features such as decorative paving, sculptures, or fountains are permitted in the required landscaping area. The area devoted to such a feature may not exceed twenty-five percent (25%) of the required area.

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