

ORDINANCE

965

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATING TO LAND USES WITHIN THE CENTRAL BUSINESS DISTRICT PORTION OF THE CITY AND THE CITY'S REQUIREMENTS FOR PEDESTRIAN AND TRANSPORTATION ACCESS AND LANDSCAPING AND MODIFYING BY AMENDMENT OR REPEAL AND NEW ENACTMENT OF SECTIONS 16.24.010, 16.24.020, 16.24.060, 16.24.090, 16.24.100, 16.24.120, 16.80.030, 16.80.040, 16.80.050, 16.80.080, 16.80.090 ALL OF THE LACEY MUNICIPAL CODE AND ADDING A NEW SECTION 16.24.125 TO SAID CODE AND APPROVING A SUMMARY.

WHEREAS, the City Council has adopted a modified Downtown Element to the Comprehensive Plan and said plan calls for modifications to Chapter 16.24 of the Lacey Municipal Code relating to the Central Business District and various pedestrian and transportation access and landscaping requirements are in need of modification or clarification, now, therefore

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

Section 1. Section 16.24.010 D is amended to read as follows:

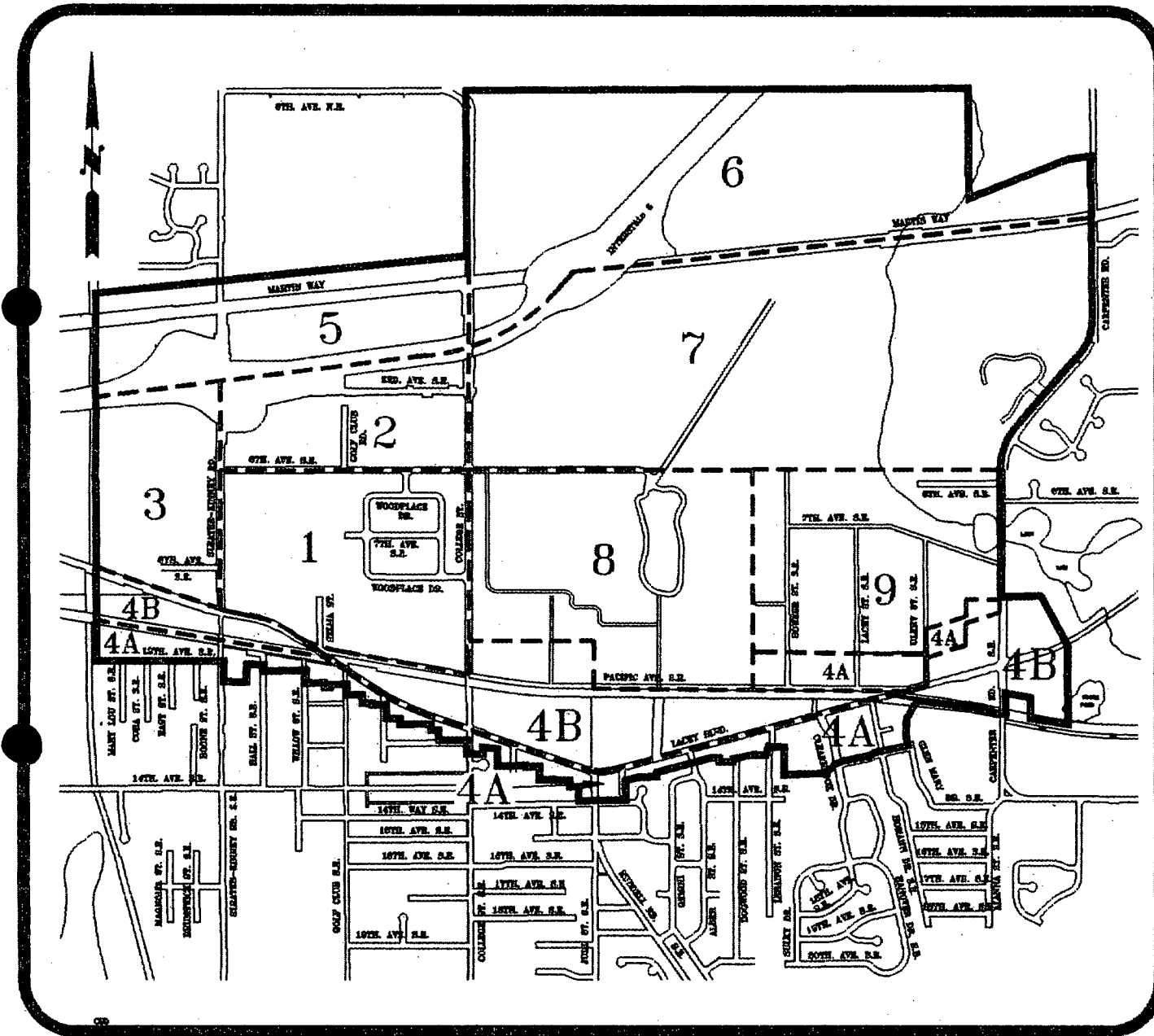
D1. Central Business District-4A—(~~CBD-4~~) (CBD-4A) The purpose of the CBD-4A land use district is to provide an area for general commercial and limited business activities. This district also serves as a transition area between more intensive core area activities and neighboring residential areas. Long-term parking and automobile-oriented uses are encouraged.

2. Central Business District 4-B (CBD-4B) The purpose of CBD-4B land use district is to provide an area for general commercial activities along with mixed use activities, office complexes and public facilities.

Section 2. Section 16.24.020 of the Lacey Municipal Code is hereby repealed.

Section 3. There is hereby added a new Section 16.24.020 of the Lacey Municipal Code to read as follows:

16.24.020 Permitted uses.



PEOPLE WORKING FOR
A UNITED COMMUNITY

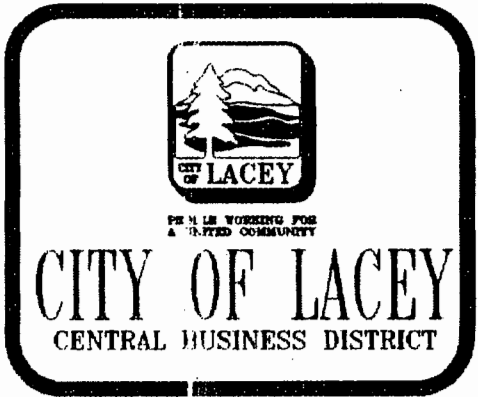
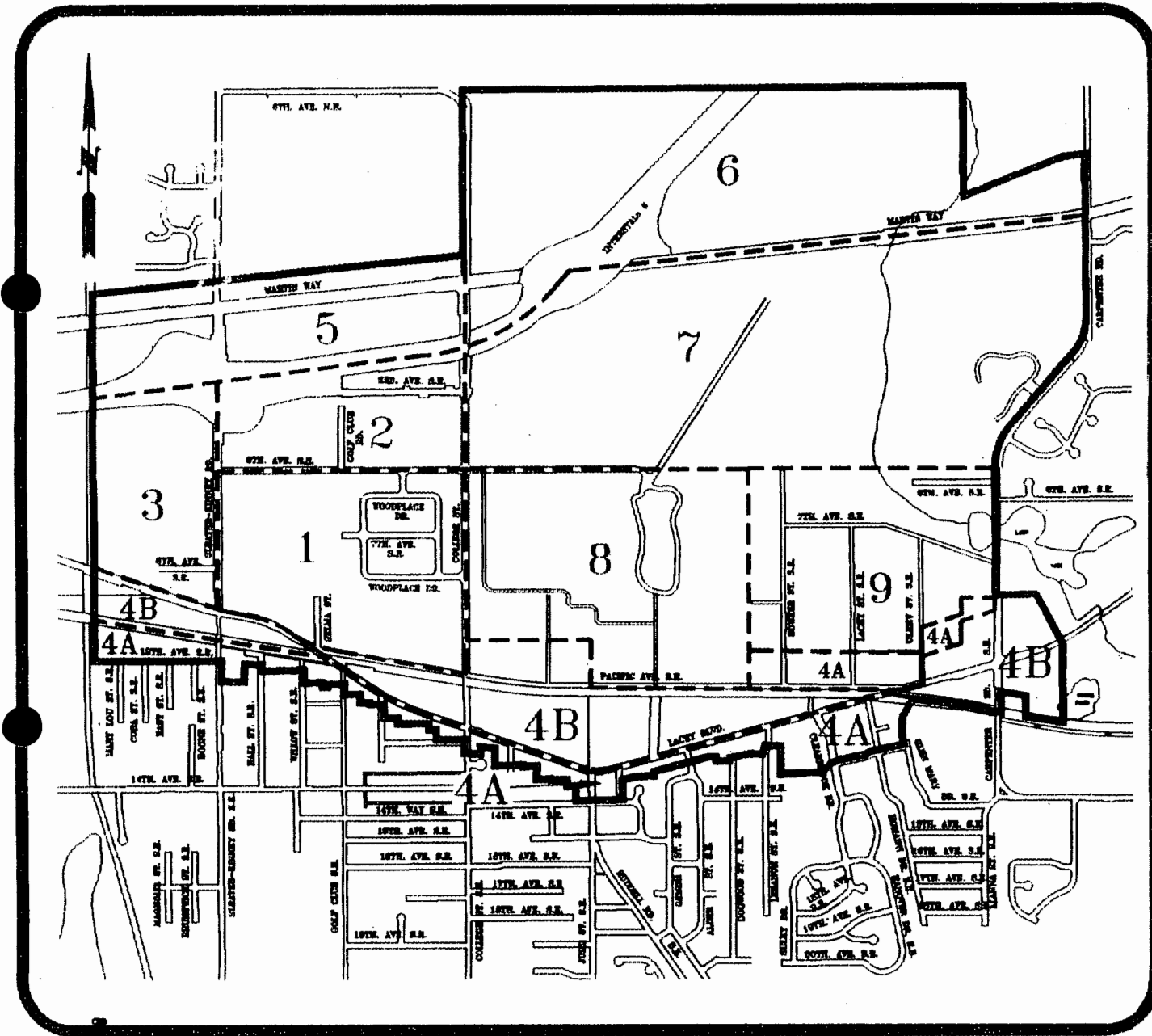
CITY OF LACEY

CENTRAL BUSINESS DISTRICT

DOWNTOWN ELEMENT

SUB-AREA BOUNDARIES

Figure 16.24.010(1)



CITY OF LACEY
CENTRAL BUSINESS DISTRICT

DOWNTOWN ELEMENT

SUB-AREA BOUNDARIES

Figure 16.24.010(1)

A. Specific categories of uses are listed, by land use district, in Chart 16.24.020(1) of subsection C of this section. In addition to such listing, child day care centers will be allowed subject to the provisions of Chapter 16.65 of this code as a permitted use in subareas 1 through 8 and as a special or conditional use in subarea 9.

B. 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.

C. The following chart and explanation thereof shall be used in determining generalized land uses in the City of Lacey Central Business District:

D. The following notes shall be conditions to the use of the chart contained in Subsection C of this Section.

Section 4. Section 16.24.060E is hereby repealed.

Section 5. There is hereby added to the Lacey Municipal Code a new Section 16.24.060E to read as follows:

Section 6. Section 16.24.090 of the Lacey Municipal Code is hereby repealed.

Section 7. There is hereby added to the Lacey Municipal Code a new Section 16.24.090 to read as follows:

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

GENERALIZED LAND USES IN THE CITY OF LACEY
CENTRAL BUSINESS DISTRICT (C.B.D.)
BY STANDARD INDUSTRIAL CLASSIFICATION CODES
(S.I.C. CODE)

S.I.C. Codes are divided into 11 Divisions, which are listed A thru K. Under each division is a list(ing) of Major Groups(s), which are listed 01 thru 99. And listed below these are subclassifications of Auxiliary Establishments, which are usually 3 or 4 digit numbers. These correspond to major group numbers.

S.I.C. Codes are those according to the Standard Industrial Classification Manual, 1987, published by the Executive Office of the President, Office of Management and Budget, for the City of Lacey C.B.D.

The following is a list of abbreviations used on the tables:

P = Permitted Use
C = Conditional Use
A = Accessory Use
NEC = Not Elsewhere Classified
Bolded 2 Digit SIC Code = Entire Major Group

In using the following chart, the reader should also refer to notes at the end of the chart that provide specific requirements or qualifications for uses under specific categories.

► **NOTE:** If a business in Central Business District 4a or 4b becomes a non-conforming use under the revised listing, it shall be allowed to continue operation. Additionally, the said use shall be allowed to expand and enlarge through the conditional use permit process of chapter 16.87 provided that all other zoning code requirements can be satisfied.

**CHART 16.24.020(1)
GENERALIZED LAND USES IN CBD ZONES**

DIVISION A. AGRICULTURE, FORESTRY, AND FISHING

SIC CODES	MAJOR GROUP/ESTABLISHMENT S	CBD 1	CBD 2	CBD 3	CBD 4a	CBD 4b	CBD 5	CBD 6	CBD 7	CBD 8	CBD 9
0272	Animal Aquaculture							P			
0742	Veterinary Services for Animal Specialties				P	P					
0781	Landscape Counseling and Planning	P	P	P	P	P	P	P	P	P	P
0782	Lawn and Garden Services	P	P	P	C	P	P	P	P	P	
0783	Ornamental Shrub and Tree Services	P	P	P	C	P	P	P	P	P	
	Noncommercial Forest							P	P	P	
	Water Areas							P	P	P	P
	Open Space, Open Space								P	P	P
	Open Space, Timber							P	P		
	Open Space, NEC							C	C		

DIVISION B. MINING

► Not allowed under current Zoning Codes for Lacey's C.B.D.'s

DIVISION C. CONSTRUCTION

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	CBD 1	CBD 2	CBD 3	CBD 4a	CBD 4b	CBD 5	CBD 6	CBD 7	CBD 8	CBD 9
152	Residential Building Construction	P	P	P	P	P	P	P	P		
153	Operative Builders	P	P	P	P	P	P	P	P		
154	Nonresidential Building Construction	C	C	C	C	C	C	C	C		
17	Special Trade Contractors	P	P	P	C	P	P	P	P		

DIVISION D. MANUFACTURING

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	CBD 1	CBD 2	CBD 3	CBD 4a	CBD 4b	CBD 5	CBD 6	CBD 7	CBD 8	CBD 9
205	Bakery Products	A/1	A/1	A/1	P						
206	Sugar/Confectionery Products	A/1	A/1	A/1	P						
238	Miscellaneous Apparel & Accessories	A/1	A/1	A/1					P		
239	Misc. Fabricated Textile Products								P		
251	Household Furniture	A/1	A/1	A/1					P		
252	Office Furniture								P		
253	Public Building & Related Furniture								P		
254	Partitions & Fixtures								P		
259	Misc. Furniture & Fixtures								P		
271	Newspapers	P	P		C	P			P		
272	Periodicals	P	P						P		
273	Books	P	P						P		
274	Misc. Publishing	P	P						P		
275	Commercial Printing	P	P		P	P		P	P		
276	Manifold Business Forms	P	P					P	P		
277	Greeting Cards	P	P					P	P		
278	Blankbooks, Bookbinding	P	P				P	P	P		
279	Printing Trade Services	P	P		P	P	P	P	P		
31	Leather & Leather Products	A/1	A/1	A/1							
32	Stone, Clay, & Glass Products	A/1	A/1	A/1							
357	Computer & Office Equipment								P		
358	Refrigeration & Services Machinery								P		
36	Electric & Electronic Equipment								P		
381	Search/Navigation Equipment								P		
382	Measuring/Controlling Devices								P		
3827	Optical Instruments & Lenses								P		
384	Medical Instruments & Supplies								P		
385	Ophthalmic Goods								P		
386	Photographic Equip. & Supplies	C		C					P		
387	Watches, Clocks, Cases & Parts	C		C					P		
39	Misc. Manufacturing Industries								C		

DIVISION E. TRANSPORTATION & PUBLIC UTILITIES

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	CBD 1	CBD 2	CBD 3	CBD 4a	CBD 4b	CBD 5	CBD 6	CBD 7	CBD 8	CBD 9
411	Local & Suburban Transportation	C	C	C	C	C	C	C	C		
412	Taxicabs	C	C		C	C		C	C		
417	Bus Terminal & Service Facilities	C/1	C/1				C/1				
4225	Public Warehousing & Storage				C	C					
43	United States Postal Service	C	C	C	C	C	C	C	C	C	
45	Transportation by Air			C							
481	Telephone Communications	P	P	P	P	P					
482	Telegraph & Other Communications	P	P	P							
483	Radio & Television Broadcasting	P	P	P		P		P	P	P	
489	Communication Services, NEC	C	C		C	C			C		
4939	Combination Utilities, NEC								C		

DIVISION F/G. WHOLESALE & RETAIL TRADE (all uses subject to note 2)

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	CBD 1	CBD 2	CBD 3	CBD 4a	CBD 4b	CBD 5	CBD 6	CBD 7	CBD 8	CBD 9
501	Motor Vehicles, Parts, & Supplies					P	P	P			
502	Furniture & Home Furnishings	P	P	P		P	P	P			
503	Lumber & Construction Materials					P	P				
504	Professional & Commercial Equipment	P	P	P		P	P	P			
505	Metals & Minerals, Except Petroleum					P					
506	Electrical Goods	P	P	P		P	P	P			
507	Hardware, Plumbing, Heating Equipment			P		P	P	P			
508	Machinery, Equipment & Supplies	P	P	P		P	P	P	P		
509	Misc. Durable Goods	P	P	P		P	P	P	P		
511	Paper & Paper Products	P	P	P		P	P	P	P		
512	Drugs, Proprietaries & Sundries	P	P	P		P	P	P	P		

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	CBD 1	CBD 2	CBD 3	CBD 4a	CBD 4b	CBD 5	CBD 6	CBD 7	CBD 8	CBD 9
513	Apparel, Piece Goods, & Notions	P	P	P		P	P	P	P		
514	Groceries & Related Products	P	P	P		P	P	P	P		
518	Beer, wine & Distilled Beverages	P	P	P		P	P	P	P		
519	Misc. Nondurable Goods			C			P	P	P		
521	Lumber & Other Building Materials			P		P		P			
523	Paint, Glass & Wallpaper Stores	P	P	P		P		P			
525	Hardware	P		P		P	P	P			
526	Retail Nurseries & Garden Stores				P	P		P			
53	General Merchandise Stores	P	P	P	C	P		P	P		
54	Food Stores				C	P					
541	Grocery Stores	P		P	C	P		P			
542	Meat & Fish Markets				C	P	P	C			
551	New & Used Car Dealers					P	P				
553	Auto & Home Supply Stores			C		P	P	P			
554	Gasoline Service Stations	A/2	A/2	P	C	P	P	P			
555	Boat Dealers					P	P				
556	Recreational Vehicle Dealers					P	P				
557	Motorcycle Dealers					P	P				
559	Automotive Dealers, NEC					P	P				
56	Apparel & Accessory Stores	P	P	P	P	P		P	P		
57	Furniture & Homefurnishings Stores	P	P	P		P		P	P		
58	Eating & Drinking Places	P	P	P	P	P	P	P	P	P	
58A	Fast Food Restaurants with Drive-in Windows		C/3	P		P	P				
591	Drug Stores & Proprietary Stores	P	P	P	C	P		P	P		
592	Liquor Stores	P	P	P	P	P		P			
593	Used Merchandise Stores	P	P	P		P		P			
594	Misc. Shopping Goods Stores	P	P	P	P	P		P	P		
596	Nonstore Retailers	P	P	P	P	P		P			
598	Fuel Dealers			P		P					
599	Retail Stores, NEC	C	C	P	P	P		P	P		

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	CBD 1	CBD2	CBD3	CBD4 a	CBD4 b	CBD5	CBD 6	CBD 7	CBD 8	CBD 9
7832	Motion Picture Theaters, No Drive-In	P	P	P		P		P			
79	Amusement & Recreation Services	P	P	P		P		P	C	C	C
801	Offices & Clinics of Doctors of Medicine	P	P	P	P	P	P	P	P	P	
802	Offices & Clinics of Dentists	P	P	P	P	P	P	P	P	P	
803	Offices of Clinics of doctors of Osteopathy	P	P	P	P	P	P	P	P	P	
804	Offices & Clinics of Other Health Practitioners	P	P	P	P	P	P	P	P	P	
807	Medical and Dental Laboratories	P	P	P	P	P	P	P	P	P	
808	Home Health Care Services	P	P	P	P	P	P	P	P	P	
809	Misc Health and Allied Services	P	P	P	P	P	P	P	P	P	
81	Legal Services	P	P	P	P	P	P	P	P		
82	Educational Services	P	P		P	P		P	P	P	
83	Social Services				P	P		C			
835	Child Day Care Services	P	P	P	P	P	P	P	P	P	C
84	Museums, Botanical, Zoological Gardens	P	P	P	P	P	P	P	P	P	P
86	Membership Organizations	C	C	C	C	C	C	C	C	C	C
87	Engineering & Management Services	P	P	P	P	P	P	P	P		
88	Private Households				P						
89	Services, NEC	C	C	C	C	C	C	C	C	C	C

DIVISION J. PUBLIC ADMINISTRATION

SIC CODES	MAJOR GROUP/ESTABLISHMENTS	CBD 1	CBD 2	CBD 3	CBD 4a	CBD 4b	CBD 5	CBD 6	CBD 7	CBD 8	CBD 9
91	Executive, Legislative & General	P	P		P	P		P	P	P	
9221	Police Protection				P	P			P		
9224	Fire Protection				P	P			P		
93	Finance, Taxation & Monetary Policy				P	P		P	P	P	
94	Administration of Human Resources				P	P		P	P	P	
95	Environmental Quality & Housing				P	P		P	P	P	

property is developed or redeveloped by the property owner/developer as noted on the CBD Pedestrian Linkage System map.

D. The dimensions of the pedestrian linkage system are as follows:

LINKAGE TYPE	WIDTH OF PLANTER STRIP (BETWEEN CURB AND SIDEWALK)	WIDTH OF SIDEWALK	WIDTH OF PERIMETER (ON PROPERTY SIDE OF SIDEWALK)
I (Major Pedestrian Corridor)	8.5 feet	10 feet	10 feet
II (Landscaping and Walkway)	6.5 feet	8 feet	10 feet
III (Landscaping and Walkway Zone 9 - Special Historical District)	6.5 foot swale	6 feet	Entire front yard setback
III (Landscaping and Walkway Other Zones)	6.5 feet	8 feet	8 feet
I, II, and III where a 0' front yard setback is utilized	normal planter strip width + 1/2 of normal perimeter width	same as above	1/2 (one-half) normal width added to planter strip

The dimensions of the pedestrian linkage system shall include the necessary improved pedestrian walkway, pedestrian amenities (where specified), planter strip landscaping and perimeter landscaping. Where a 0' front yard setback is utilized, half the perimeter landscaping shall be added to the planter strip.

- E. When 0' setbacks are utilized, landscaping requirements for planter strips may require sidewalks to be located outside of the normal right-of-way. In such cases, an unrestricted easement across sidewalks shall be granted to the City.
- F. To maximize a pedestrian-friendly environment by providing an adequate separation between pedestrians and automobile traffic, development of a planter strip with street trees and grass between the curb and sidewalk shall be a primary goal and shall be required unless specifically stated otherwise below.
- G. In cases where a sidewalk exists adjacent to the curb, the sidewalk must be moved back to accommodate a new planter strip, provided that improvements to the property necessitating site plan review and requiring conformance with this title exceed 25% of the fair market value of existing

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

Land Use Code Category/Division

A. Agriculture, Forestry, and Fishing

B. Mining

C. Construction

D. Manufacturing

Notes specific to those uses as notated in the chart:

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.

Notes applicable to all manufacturing activities in CBD zones:

2. Manufacture of flammable, dangerous or explosive materials are excluded in CBD districts.
3. 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.

E. Transportation & Public Utilities

Notes specific to those uses as notated in the chart:

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

F./G. Wholesale & Retail Trade

Notes specific to those uses as notated in the chart:

1. Display and sales only; limited on-site inventory storage.
2. Permitted only as a subordinate use to commercial parking lots and garages.
3. Fast food restaurants may be considered for siting in CBD-2 only between Sleater-Kinney and Golf Club Road. Such use will be prohibited in the zone east of Golf Club Road because it is inconsistent with the goals of the zone to transition from more intensive commercial uses in the western portion of the zone to less intensive uses that are compatible with offices and governmental

service activities. The eastern portion of CBD-2 is also considered a main entrance to the City, and a more pedestrian-friendly, professional and aesthetically attractive environment is desired.

H. Finance, Insurance, and Real Estate

I. & J. Services & Public Administration

Notes applicable to all Services and Public Administration uses in CBD districts:

1. Permitted only as a subordinate use to a permitted use.
2. 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.
3. Commercial lots and garages are those lots which provide vehicular parking for the public generally for a fee and do not include lots and garages which provide the required parking for other uses.
4. The location of any off-site parking facility must be approved by the Enforcing Officer and/or Site Plan Review Committee.
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.
6. **Excludes zoos.**
7. **Excludes drive-in theaters.**

K. Residential

Notes specific to those uses as notated in the chart:

1. Density and standards must comply with chapter 16.15.
2. Density and standards must comply with chapter 16.18.
3. Standards must comply with chapter 16.18. Density will be limited only by maximum floor area permitted.

16.24.100 LANDSCAPING DEVELOPMENT REQUIREMENTS

Land Use District in which the subject property is located	Street frontage in pedestrian corridor (Type III landscaping)	Between pedestrian corridor and parking improvements (Type II landscaping) Not required if parking located to rear of structure.	Pedestrian walks from street to buildings (Type III and II landscaping)	Adjacent to building (Type II landscaping) Not required for front yard where parking is located to rear of structure.	Perimeter – side and rear yard (Type II landscaping, Type I where residential and commercial areas meet)	In parking lot (Type IV landscaping)
CBD1	Minimum 6-8' in planter strip and 10' along perimeter depending upon corridor type. See Section 16.24.090	Minimum 5' planter area	Minimum 6' landscaping on each side of pedestrian paths and walks	Minimum 5' planter strips along 20% each side of each building. Planter strip shall be adjacent to structure.	Minimum 10' planter strip side yard. Minimum 15' planter strip rear yard.	Same for all zones. Parking lots with 25 stalls or less, 35 square feet landscaping per stall + required pedestrian walks.
CBD2, CBD3, CBD4, CBD5, CBD6, CBD7, CBD8	Minimum 6' in planter strip and 8'- 10' along perimeter depending upon corridor type. See Section 16.26.090.	Same as CBD1	Same as CBD1,	Same as CBD1	Same as CBD1, provided, however, in CBD4-A a Type 1 vegetation shall be required in conjunction with other special techniques and design such as berm, fence, or wall to provide an effective buffer.	Parking lots with more than 25 stalls, 50 square feet per stall + require pedestrian walks. See Section 16.80.050D and 16.24.120E.5
CBD9	Minimum 6' swale between street and sidewalk and landscaping of entire required front yard area.	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable

**CHART 16.24.060(1)
DIMENSIONAL REQUIREMENTS IN CBD DISTRICTS**

Land Use District	Building Type	Building Setback ³			Minimum Lot Area	Minimum Lot Dimension	Maximum ¹¹ Building Coverage	Maximum ^{6,9} Building Height	Floor ^{6,11} Area Ratio	
		Front ^{1,4}	Rear	Side					Basic ⁷	Maximum
CBD-1	Nonresidential	0 ²	15'	10'	1 acre	none	100%	Refer to map for CBD heights	4.0	6.0 ⁸
	Residential ¹⁰	0 ²	15'	10'	1 acre	none	100%		4.0	6.0 ⁸
	Mixed-Use	0 ²	15'	10'	1 acre	none	100%		5.0	7.0 ⁸
	Parking	0 ²	15'	10'	1 acre	none	100%		NA	NA
CBD-2	Nonresidential	0 ²	15'	10'	1 acre	none	75%	3.0	5.0	
	Residential ¹⁰	0 ²	15'	10'	1 acre	none	100%	3.0	5.0	
	Mixed-Use	0 ²	15'	10'	1 acre	none	100%	4.0	6.0	
	Parking	0 ²	15'	10'	1 acre	none	100%	NA	NA	
CBD-3	Nonresidential	0 ²	15'	10'	none	none	75%	2.0	3.0	
	Parking	0 ²	15'	10'	none	none	75%	NA	NA	
CBD-4A	Nonresidential	0 ¹² or 15'	25'	10'	10,000 sq.ft.	50' front	50%	0.5	1.0	
	Residential	0	15'	10'	10,000 sq ft	50' depth	75%	1.0	2.0	
	Parking	• 15'	15'	10'	10,000 sq.ft	50' depth	50%	NA	NA	
CBD-4B	Nonresidential	0 ¹² or 15'	15'	10'	10,000 sq.ft.	50' front	50%	0.5	1.0	
	Residential	0	15'	10'	10,000 sq ft	50' depth	75%	2.0	3.0	
	Parking	• 15'	15'	10'	10,000 sq.ft	50' depth	50%	NA	NA	
CBD-5	Nonresidential	0 ¹² or 15'	15'	10'	10,000 sq.ft.	75' front	50%	1.0	3.0	
	Residential ¹⁰	0 ¹² or 25'	15'	10'	1 acre	75' front	75%			
	Parking	• 15'	15'	10'	10,000 sq.ft.	50' depth	50%			
CBD-6	Nonresidential	0 ¹² or 15'	15'	10'	10,000 sq.ft.	75' front	50%	1.0	3.0	
	Residential ¹⁰	0 ¹² or 25'	15'	10'	1 acre	75' front	75%	1.5	3.0	
	Parking	• 15'	15'	10'	10,000 sq.ft.	50' depth	50%	NA	NA	
CBD-7	Nonresidential	0 ¹² or 15'	15'	10'	10,000 sq.ft.	75' front	50%	1.0	3.0	
	Residential ¹⁰	0 ¹² or 25'	15'	10'	10,000 sq.ft.	75' front	75%	1.5	3.0	
	Parking	• 15'	15'	10'	10,000 sq.ft.	50' depth	50%	NA	NA	
CBD-8	Nonresidential	0 ²	15'	10'	10,000 sq.ft.	75' front	50%	1.0	3.0	
	Residential	0 ²	15'	10'	10,000 sq.ft.	75' front	75%	1.5	3.0	
	Parking	0 ²	15'	10'	10,000 sq.ft.	50' depth	50%	NA	NA	
CBD-9	Residential	25'	15'	10'	10,000 sq.ft.	50'	50'	NA	NA	

NOTES: DIMENSIONAL REQUIREMENTS IN CBD DISTRICTS

- Setback measured from the property side edge of the sidewalk. To accommodate 0' setback landscaping requirements for planter strips, sidewalks may be located out of right-of-way, in which case an unrestricted easement for sidewalk shall be granted to the City.
- The 0' front yard setback is a minimum. However, regardless of the setback used, no parking or vehicle access lane is permitted between the required perimeter sidewalk and the main pedestrian entrance to the building. Additionally, all of the requirements of Section 16.24.090Q shall be satisfied if the setback used is less than 15'.
- Minimum setbacks are subject to required landscape development (see Section 16.24.100). See Section 16.24.060(A) for additional height setbacks. Where 0 lot line front yard setbacks are utilized, required landscaping shall be provided in a planter strip area between the street and sidewalk.)
- The maximum setback from 7th Avenue in the CBD-1 District is 0'.
- The maximum building height may only be achieved by participation in the FAR Amenity Incentive System (Section 16.24.080).
- The maximum permitted FAR may only be achieved by participation in the FAR Amenity Incentive System (Section 16.24.080).
- See Section 16.24.080 for amenity requirements regarding the provision of basic floor area.
- 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.
- 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.
- Hoteles and motels shall be considered as residential structures.
- Maximum building coverage and floor area ratio shall be considered "net" coverage, excluding setback and landscaping requirements.
- A 0' front yard setback is optional if a proposal meets all of the requirements of Section 16.24.090Q.
- Parking and vehicle access lane is required to be located to the side or behind structures when 0' front yard setback is applied.

improvements at the site and the site has 100 feet or more of lineal feet of frontage. In cases where only minor improvements to a project site are requested that do not exceed 25% of the fair market value of existing improvements at the site or the site has less than 100 feet of frontage, the requirement for moving the sidewalk shall not be mandatory, provided, however, that in consideration of the 25% threshold all improvements at the site since the effective date of this provision shall be included in calculating the total value. The 25% value shall be determined using the valuation tables of the Uniform Building Code for proposed improvements and Assessors Office values for current structures.

- H. Where adjacent properties do not have a planter strip and the sidewalk abuts the street, the new sidewalk shall be meandered to interconnect with the existing sidewalk and will provide the required planter strip for the project's street frontage.
- I. In cases where provision of a planter strip would necessitate removal or moving of a building, provision of a planter strip shall not be required unless the site is to be redeveloped and the building removed and reconstructed as part of the proposal.
- J. In cases where parking must be removed to provide the planter strip and landscaping, this shall be required, provided it leaves the site with at least 75% of the number of parking stalls required by the City zoning code or parking can be obtained on an adjacent site.
- K. In cases where a minimum 6.5-foot planter strip area cannot be provided because of limitations discussed above, options for different dimensions of the planter area discussed below under Section W, Street Tree Planting Requirements, may be used if approved by the Department of Community Development. Minimum planter strip requirements may not be reduced when a 0' front setback is proposed. Where the 0' front yard setback is proposed, the front of the building shall have a main pedestrian entrance.
- L. Because of identified financial impacts of requirements to move existing sidewalks, the City of Lacey shall establish a local grant program for very small businesses that would otherwise not be able to afford to move the sidewalk. Very small businesses shall be defined as those businesses with less than 4 employees. The grant program shall provide that the City will share up to 50% of the costs of landscaping and sidewalk improvements. The grant may be in the form of cash, City labor, City services or other real contribution resulting in cost reduction to the recipient. The Director of Community Development is authorized to develop administrative policies and procedures in carrying out the intent and requirements of this section.
- M. 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.

N. 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.

O. Where a linkage system adjoins a public street, the system's width shall be measured from the edge of the existing or proposed curb.

P. 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 case shall the width be less than the standards under Section D above.

Q. A pedestrian-oriented facility may utilize a 0' front yard setback if it meets all of the following criteria:

1. Use is pedestrian-oriented as determined by the Director of Community Development or his designee;
2. Facade has pedestrian-friendly features, such as awnings, main entrances, and pedestrian scale;
3. Pedestrian entrance is direct to building with no parking or vehicle access lane between sidewalk and the main pedestrian entrance to the building;
4. A planter strip is provided between the street and the sidewalk which meets requirements of Section 16.24.090D

R. Major Pedestrian Corridor

1. The location and alignment of the major pedestrian corridor shall be established by the Corridor Design Plan as specified in this section. 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. Where no other access is possible, 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 1 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 are 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.
- S. 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.

- T. 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.
- U. 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:

Where an 8 1/2 foot planter strip is to be provided in a Type I pedestrian corridor street trees must be planted four and one-half (4 1/2) feet back from curb edge located between the street improvement and the walkway or other segment of the pedestrian linkage system. Where a 6 1/2 foot planter strip is to be provided in a Type II or III pedestrian corridor, street trees must be planted four (4) feet back from the curb edge between the street and walkway. Trees may be 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 other plant materials and street furniture as required. Street trees must be planted as specified in Section X below.

- V. Outdoor exhibits, displays, sales, service of food or drinks, or other activities may be conducted in pedestrian open space and linkage systems, including plazas, whether or not such facilities or activities are customarily accessory to the adjacent principal use; provided, free pedestrian movement through the area without unreasonable interruption by such facilities or activities is available and provided said activities comply with the City's regulations for street merchants. Areas, activities and facilities so approved may be used for regular, intermittent, or temporary special events without further permitting under these zoning regulations, but shall not be exempted hereby from requirements for other permits.
- W. 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.
- X. The volume of exploitable soil in the pit of an urban street tree planting spot is critical to the long-term survival and health of the tree. Due to increased bulk density and difficulty for roots to penetrate the interface between the planting media placed in the pit and the surrounding subsurface soils, many tree's roots do not effectively utilize growing space beyond the pit. Therefore, total pit volume and

exposed surface area are the two most important elements of pit design.

In consideration of these points, the following pit design is required for Lacey street trees:

Minimum surface area shall be 6-foot x 6-foot with a depth excavated to at least 4-feet and replaced with appropriate soil media. Variations in the shape of the surface opening are acceptable, however the total pit volume achieved by the 6-foot x 6-foot x 4-foot pit design (144 cubic feet) shall not be compromised; see figure 16.24.090 1 and 2.

A 6" layer of gravel shall be placed in the bottom of the pit for drainage and a layer of fabric placed over the top of the gravel. The pit should then be filled with planting media and the media firmed before setting the balled and burlapped tree. A 4-inch diameter perforated PVC percolator tube shall be placed vertically in the pit to allow deep irrigation penetration. The top of the root ball shall be set just above the surface of the planting media (2-3"). Barriers shall be installed at an angle near the pit edges by sidewalks to deflect the roots downward to prevent heaving of the concrete. These barriers may be made from sheet metal, tin, fiberglass sheets, or wood.

The top of the pit shall be covered with 2-inches of pea gravel to prevent soil disturbance while irrigating. A 2-inch lip shall be cut in the surrounding concrete to allow placement of metal grates with perforations.

Another option allowed is to place a 4-inch bed of sand over the planting media and lay brick pavers that would be at the same level as the sidewalk. This technique also allows for aeration of the tree's root system.

Section 8. Section 16.24.100 of the Lacey Municipal Code is hereby repealed.

Section 9. There is hereby enacted a new Section 16.24.100 to read as follows:

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 subsection "C" below.
- C. Landscaping shall be provided in CBD Land Use Districts according to the following chart, Landscape Development

Requirements and in accordance with Chapter 16.80 of this code.

Section 10. Section 16.24.120 is hereby amended to read as follows:

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.
- E. Parking circulation and design shall meet requirements for Public Transportation and Pedestrians under section 16.24.125 below.

Section 11. There is hereby added to the Lacey Municipal Code a new Section, 16.24.125 to read as follows:

16.24.125 Public Transportation and Pedestrian Requirements

A. Site Access

- 1. Projects shall maximize public transportation access for buses and ride share vehicles by providing for the physical requirements of public transportation vehicles and for the physical and psychological needs of their users. For development to be accessible, the following criteria shall be met:
 - a. Public transportation vehicles shall be accommodated on the road network to service the development.
 - b. Roads shall be designed to accommodate heavy weight and large vehicle requirements.
 - c. Public transportation facilities, such as bus

pullouts, shall be considered in the initial design.

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

B. Building Location

1. To locate in a manner that helps create a public transportation compatible development, the following criteria shall be met:
 - a. Buildings shall be located as close as possible to streets with transit facilities or to internal transit stops.
 - b. Buildings shall be arranged on a site to reduce the walking distance between each of the buildings and the nearest transit facility.
 - c. Buildings shall be clustered together. Clustering buildings around a central pedestrian space provides the best opportunity to encourage pedestrian access to a site while shortening walking distances and promoting walking circulation on the site to reduce auto driving between buildings in a development.
 - d. In a building cluster, an identifiable and dominant entrance to the cluster shall be provided that is clearly visible from the nearest transit facility. Within clusters, each building's entrance shall face the other entrances or shall be in close proximity so that the clear pedestrian destination can be identified.

C. Parking: Design and Public Transportation

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

1. Intercity Transit shall be consulted to develop transit ridership marketing programs for the development.
2. Parking layout and location shall be designed to encourage public transportation ridership.

3. Preferential parking close to building entrances for ride-share vehicles shall be provided.
4. Parking shall be encouraged to the sides and backs of buildings so that access from public transportation does not require walking through large parking lots to reach building entrances. Where parking lots are in front of structures, special attention shall be given to pedestrian walkways to the structure.
5. Bus stops and passenger drop-offs shall be located at the major entrances to buildings rather than across the parking lot. Design, landscaping and fencing within parking lots shall be accomplished so that they do not create barriers for pedestrians or transit users and especially for disabled pedestrians.
6. Site design shall balance the location of parking with pedestrian and transit access and circulation. Parking lots shall be provided with clear, direct pathways for safe, easy pedestrian movement pursuant to requirements of Section E.5 below.

D. Internal Circulation

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

1. Where requested by Intercity Transit and the City, the internal road improvements shall be designed to handle transportation vehicles. Roads shall be able to accommodate large, heavyweight buses and provide extra space for turning around and for stopping for brief periods. Standards for transit-compatible road design shall be those of Intercity Transit.
2. For large developments to be served by Intercity Transit, direct streets shall be designed through a development. Consultation with Intercity Transit shall be required to provide bus bypasses through bottlenecks such as congested intersections and parking lots.
3. Transit use shall be designed into the major streets to serve the main entrances of buildings. On site, transit shall serve the main entrances of buildings and main entrances to clusters of buildings.
4. When requested by Intercity Transit and the City and when traffic volumes warrant such facilities,

exclusive bus lanes, entrances and exits shall be provided.

E. Pedestrian Circulation

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

1. Walkways shall be located so the pedestrian has a short distance to walk between the transit facility or street with a transit stop and entrance to the building. Visual as well as physical pathways to streets with transit facilities shall be provided. Transit centers or bus stops shall be integrated with other pedestrian areas and open spaces available.
2. All buildings on site shall be connected to abutting land uses with walkways. To stimulate walking, all buildings within a development shall be connected by paved walkways, not only to each other, but also to adjoining buildings, particularly in mixed use developments.
3. Roads and parking areas shall be separated from pedestrian pathways by grade separations or other devices. Pedestrian and auto conflict shall be minimized by consolidating driveways, creating safe pedestrian crossings, and providing continuous sidewalks and curbs. Adequate width pathways and transit facilities available from buildings shall be provided for pedestrian security.
4. Walkways must meet all state and local barrier free design standards to assure that developments are accessible to and safe for use by people who have disabilities.
5. Every parking lot shall have a minimum of one pedestrian lane. Additional pedestrian lanes shall be required at a ratio of one for every four parking rows or 140 feet of parking lot width, whichever is greater. Pedestrian lanes shall be designed and located to accommodate the greatest number of parking stalls and pedestrian interconnections possible while providing the most convenient pedestrian situation. Said walk shall be provided with a minimum 4' paved sidewalk with a minimum of 4' of Type II or III landscaping on each side. Said landscaping shall be protected and separated from parking area by wheel stops or other features such as curbs or 2 man rocks; wheel stops shall be located a minimum 6' from the edge of the pedestrian walk. To reduce impervious surfacing, paving does not need to extend beyond the wheel

stop and the applicant may opt to grass the additional 2' of parking area for additional credit on drainage treatment requirements. Curb cuts or wheel stop breaks and clearly marked pedestrian area for pedestrian access shall be provided adjacent to each landscape island along the pedestrian path. Striping, different textured surfacing, pedestrian markers or other design features shall be placed across automobile access lanes from pedestrian lanes and bus stops to provide clear, convenient and safe pedestrian movements throughout the parking lot.

F. Pedestrian and Transit Facilities

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

1. All walkways shall be paved and lighted. Paving materials should be safe under wet weather conditions. Walkways shall be enhanced with screening from parking lots and by landscaping as required in Section 16.24.100 and Chapter 16.80. For pedestrian safety, landscaping must not interfere with visibility. A type 3 or Type 2 landscaping shall be utilized. Landscaping shall be an integral part of early design plans. Walkways shall be designed to capture landmarks and views where available.
2. The size of facilities shall be scaled to correspond to pedestrian volumes. An 8-foot minimum width sidewalk shall be provided adjacent to a transit stop. An increased width may be required if the number of users warrants additional circulation space. The minimum width of a pedestrian walkway shall be 6 feet except for pedestrian walks through parking areas that shall be a minimum of 4 feet wide. Pedestrian facilities such as lighting, signs, benches, and trash cans shall be provided as the volume and need requires.
3. The pedestrians shall be sheltered from the weather. Covered colonnaded walkways or arcades shall be provided. Canopied tree-lined walkways may be used to provide protection from the weather.

G. Transit Facilities

Special attention needs to be given to pedestrian facilities near bus stops and transit centers. All

transit facilities considered for a site must be developed with and approved by Intercity Transit. The following criteria will be required to make transit stops work effectively:

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

Section 12. Section 16.80.030 is hereby repealed.

Section 13. There is hereby added to the Lacey Municipal Code a new Section 16.80.030 to read as follows:

16.080.030 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 a public right-of-way:
 1. Utility substation
 2. Sewage pumping station
 3. Water distribution facility
 4. Communication relay station
- B. Whenever a non-residential activity is proposed adjacent to a residential zone or use a minimum 15-foot buffer area of Type I landscaping shall be provided along the property boundary between the uses.
- C. The following uses require Type III landscaping along the street frontage and throughout the required front yard area and Type II landscaping between the required front yard area and improvements on the property and along

interior property lines unless a more stringent 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
- D. 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.
- E. 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.

Section 14. Section 16.80.040 of the Lacey Municipal Code is hereby amended to read as follows:

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 pursuant to requirements of Chapter 14.12. 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, provided modifications to design can be required by the City to save vegetation pursuant to the City tree and vegetation protection and preservation ordinance, Chapter 14.32.
- B. Outside of the required landscape areas, the applicant shall be ~~encouraged~~ required to retain significant trees, pursuant to Chapter 14.32. 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.~~

Section 15. Section 16.80.050 of the Lacey Municipal Code is hereby repealed.

Section 16. There is hereby adopted a new Section 16.80.050 to read as follows:

16.80.050 Types of Landscaping.

- A. All residential and non-residential projects with the exception of individual single family residences shall be required to provide landscaping that satisfies the functions and specific requirements of this section.

B. Type I

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

2. Description

- a. All plant materials and living ground cover must be selected and maintained so that the entire landscape area will be covered within three (3) years.
- b. Any combination of trees, shrubs, fences, walls, earthen berms, and related plant materials or design features may be selected, provided that the resultant effect is sight-obscuring from adjoining properties.
- c. Trees shall be a minimum 2" in caliper measured 6" above the base at the time of planting and shrubs must be capable of growing to a minimum of five (5) feet in height, within three (3) years.
- d. A minimum of 15' of width shall be required when Type I landscaping design is utilized.

C. Type II

1. Purpose. Type II landscaping is intended to provide visual separation of uses from streets, and

visual separation of compatible uses so as to soften the appearance of streets, parking areas and building elevation. This landscaping is used around the perimeter of a site and adjacent to buildings and may be mixed with a Type III landscaping to provide interest along parking lot pedestrian corridors.

2. Description

- a. All plant materials and living ground cover must be selected and maintained so that the entire landscape area will be covered within five (5) years.
- b. 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 is to provide partial screening and buffering between uses and of softening the appearance of streets, parking and structures.
- c. Trees shall be a minimum of 2" in caliper measured 6" above the base at planting and shrubs must be capable of growing to a minimum of four (4) feet in height, within five (5) years.
- d. When Type II landscaping is used to provide partial screening between uses, a minimum planting area of 8 feet in width shall be provided. When Type II landscaping is used adjacent to a building, a minimum 5 foot planting area shall be provided.

D. Type III

Purpose. Type III landscaping is intended to provide visual relief where clear sight is desired. This landscaping type is utilized along pedestrian corridors and walks for separation of pedestrians from streets and parking areas while providing an attractive setting and overstory canopy.

Description.

- a. This type of landscaping consists of street trees for a large overstory canopy along streets and pedestrian corridors and grass or other approved vegetation for ground cover.
- b. Turf grass developed for conditions of the northwest shall be planted. Other ground cover may be used if it is designed to provide green effect for aesthetic relief.

- c. Street trees along arterials and collectors shall be those species described in the City's urban beautification program. Trees used along local access streets or pedestrian walks through parking lots shall be a species approved by the Community Development Department and shall be chosen for attractiveness, rooting habits, disease and pest resistance, and habitat value. All trees shall be a minimum of 2" in caliper measured 6" above the base at planting. Decorative protection may be placed around trees.
- d. Earthen berms with grass or other vegetative ground cover and other design features may be worked into landscaping provided the resultant effect of providing a pedestrian friendly environment and visual relief where clear site is required can be achieved.
- e. The minimum width for Type III landscaping shall be 6 feet to provide adequate rooting area for large street trees and to provide adequate streetscape. A four-foot width may be used through parking area pedestrian walks where accent trees are used and less width is required.

E. Type IV

- 1. Purpose. To provide visual relief and shade in parking areas.
- 2. Description.
 - a. Design
 - i) Each area of landscaping must contain at least one hundred (100) square feet of area and must be at least six (6) feet in any direction.
 - ii) Each planting area must contain at least one (1) tree. Planting areas shall be provided with the maximum number of trees possible given recommended spacing for species type. Deciduous trees shall have a minimum size of two (2) inches in caliper measured six (6) inches above the base. Evergreens shall have a minimum height of 8 feet at planting.
 - iii) Live ground cover shall be provided throughout each landscaping area. Ground cover may be any combination of grass, shrubs and trees that provide the desired effect of providing visual relief and

green space within the parking area. Grassed areas are recommended. Utilization of beauty bark shall be discouraged and shall not substitute for live ground cover. Ground cover shall be selected and maintained so that the entire landscaped area will be covered within three years.

- iv. A landscaped area must be placed at the interior end of each parking row in a multiple lane parking area. This area must be at least eight (8) feet wide and must extend the length of the adjacent parking stall.
- v. Landscaping islands must be placed in every parking row with a maximum spacing of at least one island every seven parking spaces. Said islands shall be a minimum of 8 feet in width and shall extend a minimum length of 10 feet.
- vi. Up to one hundred percent (100%) of the trees proposed for the parking area may be deciduous. A minimum of 70% must be deciduous.
- vii. No parking stall shall be located more than fifty (50) feet from a tree.
- viii. Landscaping islands and landscape portions of pedestrian corridors may be used for drainage treatment and given credit on drainage calculations under Chapter 5 of the Development Guidelines. However, the primary purpose shall remain landscaping and health of trees and ground cover and aesthetic character shall not be compromised. Additionally in no case shall the grade between the parking lot surface edge and the landscape island or pedestrian corridor surfaces be greater than 6 inches when a swale concept is utilized and it is intended to meet minimum landscaping space requirements.

Section 17. Section 16.80.080 of the Lacey Municipal Code is hereby amended to read as follows:

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 areas where new landscaping is being 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 subsection A of this section.
- 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%)~~ twenty percent (20%) 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 as a party to the agreement for purposes of enforcement. Nothing in this alternative shall be interpreted to in any way modify the conditions of subsection B of this section.
- E. If a maintenance assurance device or evidence of a similar device is required under subsections B 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.

Section 18. Section 16.80.090 of the Lacey Municipal Code is hereby amended to read as follows:

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 interest 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 landscaper, along with a rider or endorsement specifically identifying the City as a party to the agreement for purposes of enforcement. Nothing in this alternative shall be interpreted to in any way modify the conditions of subsection A of this section.
- C. If a performance assurance device or evidence of a similar device is required under subsections 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%)~~ one hundred fifty percent (150%) 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 subsections A or B 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 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 the expiration of the assurance device, the City shall promptly release the performance assurance device or evidence thereof.

Section 19. The Summary attached hereto is approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON,
this 27th day of May, 1993.
CITY COUNCIL

BY John W. Holman
Mayor

Attest:

Approved as to form:

Charlotte Du Taylor

City Clerk
Published: *June 3, 1993*
Summary Thursday

[Signature]

City Attorney

SUMMARY FOR PUBLICATION
ORDINANCE 965

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on the 11th day of March, 1993, Ordinance No. 965 entitled "AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATING TO LAND USES WITHIN THE CENTRAL BUSINESS DISTRICT PORTION OF THE CITY AND THE CITY'S REQUIREMENTS FOR PEDESTRIAN AND TRANSPORTATION ACCESS AND LANDSCAPING AND MODIFYING BY AMENDMENT OR REPEAL AND NEW ENACTMENT OF SECTIONS 16.24.010, 16.24.020, 16.24.060, 16.24.090, 16.24.100, 16.24.120, 16.80.030, 16.80.040, 16.80.050, 16.80.080, 16.80.090 ALL OF THE LACEY MUNICIPAL CODE AND ADDING A NEW SECTION 16.24.125 TO SAID CODE AND APPROVING A SUMMARY."

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

Section 1 amends Section 16.24.010D of the Lacey Municipal Code to divide the Central Business District 4 into CBD-4A and CBD-4B.

Section 2 repeals LMC § 16.24.010.

Section 3 adds a new LMC § 16.24.020 which Section includes a new chart and explanation for uses within the Central Business District of the City.

Section 4 repeals LMC § 16.24.060E.

Section 5 adds a new LMC § 16.24.060E to set forth a revised chart of dimensional requirements in CBD districts.

Section 6 repeals LMC § 16.24.090.

Section 7 adds a new LMC § 16.24.090 relating to pedestrian circulation requirements in the Central Business District including the width and location of planter strips, the width and location of sidewalks and provisions for pedestrian corridors and linkage systems.

Section 8 repeals LMC § 16.24.100.

Section 9 adds a new LMC § 16.24.100 specifying landscaping requirements within the Central Business District.

Section 10 amends LMC § 16.24.120 relating to the location, circulation and public transportation requirements of parking areas within the Central Business District.

Section 11 adds a new Section, 16.24.125 to the Lacey Municipal Code specifying requirements and relationships between public transportation, pedestrian requirements and the access to business sites, business locations, parking, internal circulation, pedestrian circulation and transit facilities.

Section 12 repeals LMC § 16.80.030.

Section 13 adds a new LMC § 16.80.030 relating to special uses requiring certain types of landscaping.

Section 14 amends LMC § 16.80.040 relating to the preservation of significant trees and includes vegetation within said Section.

Section 15 repeals LMC § 16.80.050.

Section 16 adopts a new LMC § 16.80.050 specifying the types of landscaping to be required in residential and non-residential projects with the exception of individual single-family residences.

Section 17 amends LMC § 16.80.080 to increase the value of the maintenance assurance device for landscaping within the City.

Section 18 amends Section 16.80.090 increasing the bond or other security for the assurance of performance relating to landscaping.

Section 19 approves this Summary.

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

Published: June 3, 1993.

Thursday