



**CITY COUNCIL**  
VIRGIL CLARKSON  
*Mayor*

JASON HEARN  
*Deputy Mayor*

JEFF GADMAN  
LENNY GREENSTEIN  
RON LAWSON  
CYNTHIA PRATT  
ANDY RYDER

**CITY MANAGER**  
SCOTT SPENCE

**LACEY CITY COUNCIL AGENDA**  
**DECEMBER 5, 2013**  
**7:00 P.M.**  
**420 COLLEGE STREET, LACEY CITY HALL**

**CALL TO ORDER:**

1. **PLEDGE OF ALLEGIANCE**
2. **APPROVAL OF AGENDA & CONSENT AGENDA ITEMS\***

A. [Worksession Minutes of November 14, 2013](#)

*\* Items listed under the consent agenda are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

3. **PUBLIC RECOGNITIONS AND PRESENTATIONS:**

- A. 2014 Fireworks Event Update (*Fred Wright, Lacey Chamber of Commerce*)
- B. PSE Project Overview - Thurston 230 kV (*Bryan McConaughy, Puget Sound Energy*)

4. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA\***

*\*The City Council will allow comments under this section on items **NOT** already on the agenda. Where appropriate, the public will be allowed to comment on agenda items as they are addressed during the meeting.*

5. **PUBLIC HEARING:**

6. **PROCLAMATION:**

7. **REFERRAL FROM PLANNING COMMISSION:**

- A. [Meridian Campus Master Plan Amendment](#) (*Rick Walk*)

8. **REFERRAL FROM HEARINGS EXAMINER:**

9. **RESOLUTIONS:**

10. **ORDINANCES:**

- A. [Ordinance to adopt 2014 Budget](#) (*Troy Woo*)
- B. [Ordinance to approve 2013 Budget Amendments](#) (*Troy Woo*)
- C. [Ordinance to approve 2013 Housekeeping Amendments](#) (*Rick Walk*)

**11. MAYOR'S REPORT:**

- A. Appoint Fermnell Dowell III to the Historical Commission
- B. Appoint Albert deSantis, Catherine Murcia, Carolyn St. Claire, Paul Enns, and Carolyn Cox to the Planning Commission

**12. CITY MANAGER'S REPORT:**

- A. [Authorize City Manager to sign Memorandum of Agreement with South Sound Military Communities Partnership](#)

**13. STANDING GENERAL COMMITTEE:**

- A. [General Government & Public Safety Committee](#) (11.15.13)  
**ACTION:** Consider adoption of Resolution to support North Thurston Public Schools Neighborhood School Improvements and Safety & Technology Upgrades Bond Measure

**14. OTHER BUSINESS:**

**15. BOARDS, COMMISSIONS, AND COMMITTEE REPORTS:**

- A. Mayor Virgil Clarkson:
  - 1. Intercity Transit Authority (IT)
  - 2. Mayors' Forum
  - 3. Thurston Regional Planning Council (TRPC)
- B. Deputy Mayor Jason Hearn:
  - 1. Joint Animal Services Commission (JASCOM)
  - 2. HTPA-Human Trafficking
- C. Councilmember Cynthia Pratt:
  - 1. Energy Advisory Committee
  - 2. LOTT
  - 3. Olympic Region Clean Air Agency (ORCAA)
  - 4. Thurston Council for Children & Youth
- D. Councilmember Andy Ryder:
  - 1. Business Resource Center
  - 2. Economic Development Council (EDC)
  - 3. Transportation Policy Board (TPB)
  - 4. Visitor & Convention Bureau (VCB)
- E. Councilmember Ron Lawson:
  - 1. Community Action Council (CAC)
  - 2. HOME Consortium
  - 3. Solid Waste Advisory Committee (SWAC)
- F. Councilmember Jeff Gadman:
  - 1. Health & Human Services Council (HHSC)
  - 2. Regional Sustainability Task Force
  - 3. Thurston County Law & Justice Council
- G. Councilmember Lenny Greenstein:
  - 1. Emergency Medical Services (EMS)
  - 2. TCOMM911
  - 3. Water Resource Inventory Area 11 (WRIA)

**16. ADJOURN**

**MINUTES OF LACEY CITY COUNCIL WORKSESSION  
THURSDAY, NOVEMBER 14, 2013  
LACEY CITY HALL  
7:00 P.M.**

**COUNCIL PRESENT:** V. Clarkson, J. Hearn, R. Lawson, L. Greenstein

**COUNCIL EXCUSED:** J. Gadman, A. Ryder, C. Pratt

**STAFF PRESENT:** S. Spence, T. Woo, K. Ahlf, L. Gotelli, D. Pierpoint, S. Egger,  
C. Litten

Scott Spence, City Manager, requested adding an agenda item to discuss the Memorandum of Understanding for the South Sound Military Community Partnership (SSMCP).

**COUNCILMEMBER LAWSON MOVED TO APPROVE THE AMENDED AGENDA.**

**COUNCILMEMBER GREENSTEIN SECONDED. MOTION CARRIED.**

**I-502 RECREATIONAL MARIJUANA UPDATE**

Rick Walk, Community Development Director, and Police Chief Dusty Pierpont briefed the Council on action taken by the Washington State Liquor Control Board (WSLCB) on October 31, 2013, to develop new rules regulating recreational marijuana in the State of Washington.

The objective of the WSLCB is to create a regulated marijuana market, prevent illegal sales and provide reasonable access to mitigate the illicit market. It is the role of the WSLCB to ensure public safety, create a three-tier regulatory system for marijuana, create licenses for producers, processors and retailers, enforce laws pertaining to licensees and collect/distribute taxes. The WSLCB will begin processing applications on November 18, 2013, and close the process on December 19, 2013.

License requirements include a three-month state residency requirement, background checks, and will be limited to three licenses per entity/principle. Multiple location retail licensees are not allowed to hold more than 33% of allowed retail licenses in county or city.

Rick highlighted new regulations:

- Security requirements will include background checks, point system for application approval, alarm and surveillance systems, traceability, enclosed outdoor production, and a maximum limit of product on premises.
- Three sub-types of marijuana License will be issued to include Producer, Processor, and Retail Licensees.

- The total number of retail outlets state-wide will be limited to 334. The WSLCB has determined that 11 outlets will be allowed in Thurston County with 6 at-large, 2 each in Lacey and Olympia, and 1 in Tumwater.
- The WSLCB will not issue a new marijuana license if the proposed business is within one thousand feet of schools, playgrounds, recreation centers, child care facilities, public parks, public transit center, and library or game arcade.

The current approach includes a business license by WSLCB and allowed zoning as similar related use, such as retail outlets, or growth and processing – similar to food, alcohol and drug development processing allowed in industrial zones.

Alternatives for Council consideration include continuing the current approach with no additional action, specifically identifying retail, processing and producing licenses as permitted or prohibited uses in specific zones. Council could declare an emergency moratorium, refer to the Planning Commission for further review, and/or limit the scope of the review. Council could also set local standards and processes in addition to LCB guidelines that could include Conditional Use Permits, local requirements not recognized by LCB, and/or shift the burden of enforcement to the local jurisdiction.

Council discussed several issues:

- If a child care facility or school is built within 1,000 feet of an existing dispensary, the dispensary will be grandfathered. The LCB did not recognize private parks.
- If a neighboring jurisdiction creates stricter regulations, it will not add more dispensaries to our jurisdiction, since Lacey is limited to two facilities.
- Some jurisdictions are considering opting out because of concerns about a conflict between federal and state law. However, such action could be challenged in court.
- In states that allow marijuana, the Department of Justice will not prosecute if the dispensaries comply with state and local regulations.

Rick presented a map of locations in the City that could potentially be available for dispensaries. There are locations in the south, northeast and eastern sections of the city.

Dusty reported he recently attended the Law & Justice Council meeting, and the group discussed options for funding the treatment of drug abuse. It was noted that a sales tax on the marijuana industry could be a new revenue stream for treatment.

Scott Spence, City Manager, stated the purpose of this briefing is to provide Council with the most current information related to new marijuana regulations developed by the WSLCB, and to discuss any concerns Council may have. Councilmember Greenstein commented that the state regulations appear to be adequate enough to address any regulatory issues.

## **NORTH THURSTON PUBLIC SCHOOLS DISTRICT BOND LEVY**

Raj Manhas, NTPS District Superintendent, and staff briefed the Council on the District's Proposition 1 Bond Proposal: *2014 District-Wide Neighborhood School Improvements, Technology & Safety Upgrades Bond Measure* for the February 11, 2014, election.

The NTPS District is celebrating its 60<sup>th</sup> anniversary with an enrollment of 14,500 students, 1,700 teachers and staff, 46% diversity, and 13 elementary, 4 middle and 4 high schools. The District has seen strong academic growth with improved test scores for math/science, 24% more students taking SAT since 2009, 3 National Merit Semi-finalists, and 85% on-time graduation rate - 8 points higher than the state average.

Historically, NTPS has maintained one of the lowest school tax rates in the county by implementing fiscally conservative measures. Approval of Prop 1 will help secure an estimated \$50 million in state construction assistance. The bond measure will be used to upgrade neighborhood schools district-wide, enhance learning environments and technology upgrades, and provide safety, health and security upgrades.

### ***Neighborhood School Improvements Plan (2014-2022):***

#### *Neighborhood School Upgrades*

- District-wide improvements to building systems
- River Ridge High School and Komachin Middle School Upgrades

#### *Technology Infrastructure Upgrades District-Wide*

- Expand access to technology at all schools

#### *Security Upgrades District-Wide*

- Update security cameras, alarms and door locks at all schools, and entry ways at select schools

#### *Modernizations*

- North Thurston High School
- Evergreen Forest and Pleasant Glade Elementary Schools

#### *New*

- Middle School #5

This \$175 million bond measure would cost the owner of a \$200,000 home approximately \$3.67 per month. If the levy does not pass, the District would run a \$46 million "bare minimum" Capital Levy at \$3.54 per \$1000/assessed valuation or \$44 a year for a \$200,000 home. This levy would only fund maintenance projects, not new construction or modernization.

Councilmembers expressed their appreciation for the District's achievements, successes, and accountability to the community. The Superintendent and staff have invested in the community by managing the district in a responsible, fiscally

conservative manner, while promoting academic growth, quality education, and community values for each student. It was acknowledged that the City of Lacey and NTPS District have had a very successful mutually beneficial partnership for many years.

### **SPSCC MILITARY PARTNERSHIP**

Scott Spence, City Manager, stated the Lacey City Council was briefed at its September 5, 2013, worksession on a proposal to replace the Memorandum of Agreement, approved on March 24, 2011, related to the South Sound Military and Communities Partnership (SSMCP), and a request for increased ongoing financial support.

The new Memorandum of Agreement outlines a structure similar to the current SSMCP framework with some modifications. An EOC and Steering Committee would remain part of the model to provide policy guidance and direction. A new Executive Leadership Team (ELT) would be created to address day-to-day operational issues. The City Manager is proposing that the City of Lacey becomes a member of the Executive Leadership Team by increasing its annual membership fee to \$20,000. This would provide an opportunity for the City to have greater input on issues that may directly impact the Lacey community.

**AFTER DISCUSSING THE IMPORTANCE OF SUPPORTING THE SOUTH SOUND MILITARY AND COMMUNITIES PARTNERSHIP (SSMCP) AND MILITARY FAMILIES LIVING IN LACEY, COUNCILMEMBERS AGREED TO RECOMMEND TO FULL COUNCIL A NEW MEMORANDUM OF AGREEMENT FOR SSMCP, AND INCREASED ONGOING FINANCIAL SUPPORT IN THE AMOUNT OF \$20,000 ANNUALLY AS A MEMBER OF THE EXECUTIVE LEADERSHIP TEAM.**

Mayor Clarkson adjourned the meeting at 8:52 p.m.



## LACEY CITY COUNCIL MEETING December 5, 2013

**SUBJECT:** Applicant-Initiated Master Plan Amendment to Re-designate  
Parcels within the Meridian Campus Planned Community  
Project No. 13-42.

---

**RECOMMENDATION:** Adopt the Planning Commission's recommendation on the  
private applicant-initiated request to amend the designation  
of several properties around the intersection of Willamette  
Drive NE and 31<sup>st</sup> Avenue NE within the Meridian Campus  
Planned Community.

---

**STAFF CONTACT:** Scott Spence, City Manager *SS*  
Rick Walk, Community Development Director *RW*  
Ryan Andrews, Associate Planner *RA*

**ORIGINATED BY:** Community Development Department

**ATTACHMENTS:** 1. [Project File and Associated Planning Commission Review Documents](#)

**FISCAL NOTE:** This action will not have a direct budgetary impact

**PRIOR REVIEW:**

1. November 4, 2013, Land Use Committee briefing
2. October 1, 2013, Planning Commission briefing
3. September 17, 2013, Planning Commission public hearing
4. September 3, 2013, Planning Commission briefing
5. June 18, 2013, Planning Commission introductory briefing

---

### BACKGROUND:

Several property owners in the Meridian Campus Planned Community represented by Puget Western Inc. have submitted a master plan amendment to re-designate various properties around the intersection of Willamette Drive NE and 31<sup>st</sup> Avenue NE. The applicant believes that the re-designation of these parcels will increase the development potential and marketability of these properties.

The Meridian Campus Planned Community was approved by Thurston County in 1987 and later annexed into the City of Lacey in 1992. The City of Lacey adopted the Master Plan and the associated Final Supplemental Environmental Impact Statement which set forth the design of the community including zoning, development standards, transportation corridors, and open spaces. The development of the community has largely occurred since annexation and has included a variety of light industrial, business park, and residential uses over the last 20 years.

Since 1992, the City's Hearing Examiner has reviewed the master plan every five years in accordance with LMC 16.44.080. With each subsequent five year review, modifications have been made to the designation of sites in Meridian Campus. With the last five year review in 2008, the Hearing Examiner found that since the community was sufficiently built out that no further five year reviews would need to be completed, therefore, any future modifications would go through the modification process in LMC 16.44.050.

LMC 16.44.050 requires that modifications to the Master Plan go first to the Planning Commission for review, public hearing, and recommendation with final approval from the City Council.

The Planning Commission recommends approval of the request as recommended by staff to the City Council including:

- a. Re-designation of the "A" lots along 31<sup>st</sup> Avenue north of Christa Heights from Business Park to Moderate Density Residential to include a 6.18-acre multi-family parcel for the easterly most "A" lot.
- b. Re-designation of the parcel at the terminus of Commerce Place Drive NE from Business Park to Light Industrial.
- c. Lots "B-2" and "B-3" from Business Park to Light Industrial.
- d. Existing Business Park parcel west of the Campus Prairie subdivision along 31<sup>st</sup> Avenue NE from Business Park to Moderate Density Residential and elimination of the proposed multi-family site
- e. Re-designation of the "church site" from Open Space Institutional to Low Density Residential 3-6.

Additionally, the Planning Commission recommended addressing pedestrian safety issues raised by residents during the public hearing.

Attached to this staff report is the project review file and record as established by the Planning Commission. The materials include the application materials, exhibits, public comments, and staff analysis contained in staff reports.

---

**ADVANTAGES:**

1. Approval of the proposed amendment to the Meridian Campus Master Plan will increase the marketability of the parcels, be consistent with the applicable goals and policies of the Land Use Element of the Comprehensive Plan, encourage development in a location where infrastructure exists to support it, and will adequately address compatibility issues between land uses.

**DISADVANTAGES:**

1. None identified.



**STAFF REPORT**  
June 13, 2013

**SUBJECT:** Applicant-Initiated Master Plan Amendment to Re-designate Parcels within the Meridian Campus Planned Community. Project no. 13-42.

---

**RECOMMENDATION:** Staff will introduce the Planning Commission to this private applicant-initiated request to amend the designation of several properties around the intersection of Willamette Drive NE and 31<sup>st</sup> Avenue NE within the Meridian Campus Planned Community.

---

**TO:** Lacey Planning Commission

**STAFF CONTACT:** Ryan Andrews, Associate Planner *RA*

**ORIGINATED BY:** Initiated by Private Applicants represented by Puget Western, Inc.

**ATTACHMENTS:** 1. Letter of application and supporting materials

**PRIOR COUNCIL/  
COMMISSION/  
COMMITTEE REVIEW:** None

---

**BACKGROUND:**

Several property owners in the Meridian Campus Planned Community represented by Puget Western Inc. have submitted a master plan amendment to re-designate various properties around the intersection of Willamette Drive NE and 31<sup>st</sup> Avenue NE. The applicant believes that the re-designation of these parcels will increase the development potential and marketability of these properties.

The Meridian Campus Planned Community was approved by Thurston County in 1987 and later annexed into the City of Lacey in 1992. The City of Lacey adopted the Master Plan and the associated Final Supplemental Environmental Impact Statement which set forth the design of the community including zoning, development standards, transportation corridors, and open spaces. The development of the community has largely occurred since annexation and has included a variety of light industrial, business park, and residential uses over the last 20 years.

Since 1992, the City's Hearing Examiner has reviewed the master plan every five years in accordance with LMC 16.44.080. With each subsequent five year review, modifications have been made to the designation of sites in Meridian Campus. With the last five year review in

2008, the Hearing Examiner found that since the community was sufficiently built out that no further five year reviews would need to be completed, therefore, any future modifications would go through the modification process in LMC 16.44.050.

LMC 16.44.050 requires that modifications to the Master Plan go first to the Planning Commission for review, public hearing, and recommendation with final approval from the City Council.

#### **MODIFICATION REQUEST:**

Puget Western, Inc. has submitted a request to re-designate five different properties. Each modification request is detailed below:

##### **Lots B-2 and B-3 from Business Park to Light Industrial**

The property is located along Orion Drive NE and is adjacent to Light Industrial zoning to the south and east. The property to the east was re-designated from Business Park to Light Industrial within the last year and now contains the Premier Transportation warehouse and distribution center. To the west is Business Park zoning and the former headquarters for Pro Build. To the north are the designated church site, Campus Prairie subdivision, and Lot B-1 which will be described in more detail below. Additionally, the applicant has proposed a 50-foot of tree buffer to be provided along the north boundary of the B-3 parcel adjacent to Campus Prairie and a 25-foot buffer along the northerly property line of parcel B-2.

##### **Lots A-1, A-2 and A-3 from Business Park to Moderate Density Residential**

The property is located along 31<sup>st</sup> Avenue NE north of the Christa Heights Subdivision and south of the future North Thurston Public Schools middle school site. Property to the east is zoned Business Park and to the west is Light Industrial. The request includes a combination of single-family detached lots as well as a multi-family component.

##### **Lot B-1 from Business Park to Moderate Density Residential**

This property is located along 31<sup>st</sup> Avenue NE and is immediately north of the B-2 and B-3 properties described above. It is immediately east of the building containing the Association of Sheriffs and Police Chiefs. To the east is the Campus Prairie subdivision and to the north is the Community Commercial parcel. A 25-foot tree buffer (to match up with the proposed 25' of the B-2 and B-3 lots to the south for a total of 50') is proposed along the southerly property line. The request includes a combination of single-family detached lots as well as a multi-family component.

##### **Lot BP-2 from Business Park to Light Industrial**

This property is located at the end of Commerce Place Drive NE and is located between the ACS Call Center (zoned Light Industrial) and a regional stormwater facility. Immediately to the north is the Christa Heights subdivision. A 25-foot tree buffer is proposed along the north boundary of the BP-1 parcel adjacent to the existing open space of Christa Heights.

##### **Church Parcel from Open Space-Institutional to Low Density Residential 3-6**

This property is located along 31<sup>st</sup> Avenue NE to the east of the Campus Prairie Subdivision and west of the White Fir Estates subdivision. The Continental Crest subdivision is located to the north and the Premier Transportation Parcel is located to the south. A 25-foot tree buffer is proposed along the south boundary of the existing church parcel to meet up with the existing 25 feet on the Premier Transportation parcel (for a total buffer width of 50 feet).

## **ADDITIONAL BACKGROUND AND ANALYSIS:**

Approximately one year ago, Puget Western applied and was granted a re-designation request for the Premier Transportation project from Business Park to Light Industrial. As part of the request, the City Council requested to take a holistic look at the master plan designations around the Willamette Drive NE and 31<sup>st</sup> Avenue NE intersections. Since that time, Puget Western has been coordinating this request. Additional discussion is provided below based on the individual request:

### **Business Park to Moderate Density Residential**

Puget Western has owned a majority of the Business Park properties in Meridian Campus for some time. In marketing the property, they have found the Business Park properties to be problematic especially given the market for office space in and around the Lacey area. Existing office space in Meridian Campus has also become vacant which has also decreased the viability of these parcels for conversion to office.

Because of market demands and due to the locations of these parcels in close proximity to future schools, shopping and employment areas, the properties are well-suited for a re-designation to multi-family residential. The applicant has provided diagrams related to potential multi-family site layouts. Staff feels that these multi-family components could be increased to provide density needed for services in the area (transit, etc) as well as to help support future land uses including the Community Commercial and Neighborhood Commercial properties. Additionally, Meridian Campus has a large proliferation of smaller single-family lots both constructed and in the "pipeline" which will satisfy market demands in the near future.

### **Church Site to Low Density Residential 3-6**

The Meridian Campus Master Plan identified a property for development of a church site. The property is approximately 10 acres in size. Although the City has had several potential churches interested in the site over the last several years, the site is not well-suited to support church uses based on its size and location. The re-designation would be in keeping with the surrounding areas and site utility constraints.

### **Business Park to Light Industrial**

With the Premier Trucking request, there was found to be a large amount of capacity in the Business Park zone and associated office market. The re-designation to Light Industrial allows for more flexibility and marketability of these properties while also retaining high quality development standards associated with current City requirements for Light Industrial uses.

## **RECOMMENDATION:**

Staff will provide an introduction to the request at the meeting and the applicant will be present to discuss the application in further detail. The Planning Commission will analyze the information and provide their feedback on the modification request. This will serve as an introductory briefing.



19515 North Creek Parkway,  
Suite 310  
Bothell, WA 98011  
TEL (425) 437-6550  
FAX (425) 437-6565

**RECEIVED**

APR 02 2013

**BY** \_\_\_\_\_

April 1, 2013

Rick Walk, Director  
Department of Community Development  
City of Lacey  
P.O. Box 3400  
Lacey, WA 98509-3400

**Subject: Meridian Campus Planned Community  
Amendment to Master Plan**

Dear Rick:

On behalf of Puget Western, Inc. please consider this letter as the request for conducting an amendment of the Master Plan for Meridian Campus.

This submittal includes the following:

1. Updated Master Plan Map with revised land use table depicting the current lotting and land use configurations that have been approved by the City of Lacey along with the following requested revisions to the Master Plan:

- A. Rezone of the B-2 and B-3 Parcels from Business Park to Light Industrial. The subject site is across Orion Drive NE from the Industrial zoning that includes the existing Home Depot warehouse, the existing Conco Industrial development and the First Industrial, "First Park Meridian Campus" 760,000sf Light Industrial Development. The subject also lies east of the entry driveway to the former Pro-Build Office Building on Willamette. This subject parcel is labeled as parcels B-2 and B-3 of the last Updated Master Plan Map dated September 2012.

A slight boundary line adjustment (BLA) would occur between parcels B-1, B-2 and B-3 to straighten property lines.

A 50-foot treed buffer will be provided along the north boundary of the B-3 parcel to buffer the six existing houses lying within the Campus Prairie subdivision and a 25-foot buffer will exist along the balance of the northerly property line of parcel B-3 and B-2 as well as the southerly property line of parcel B-1.

- B. Rezone of Parcels B-1, A-1, A-2, and A-3 from Business Park to MD – Moderate Density Residential. The B-1 lot is west and adjacent to the residential subdivision of

Campus Prairie. The A-Lots are south and adjacent to the middle school site and north of the residential subdivision of Christa Heights.

- C. Rezone of Parcel BP-1 from Business Park to Light Industrial. The subject site is west and adjacent to the regional storm pond for Meridian Campus and east and adjacent to the RSS Industrial Building on Commerce Place Drive NE. The subject parcel is labeled Parcel BP-1 on the last updated Master Plan Map dated September 2012.

A 25 foot-treed buffer will be provided along the north boundary of the BP-1 Parcel adjacent to the existing open space of Christa Heights.

- D. Rezone of the "church" parcel (B-5) from Open Space Institutional to Low Density Residential (3 - 6). The church site is east of and adjacent to the residential subdivision of Campus Prairie.

A 25 foot-treed buffer will be provided along the south boundary of the B-5/church Parcel adjacent to an existing 25 foot-treed buffer.

2. Mailing labels for all properties within 300 feet of the proposed rezoned parcels.
3. A check in the amount of \$511.00 (previously submitted) for the processing of this master plan amendment.
4. Environmental checklist and check of \$262.00 (previously submitted).
5. A letter from the real estate commercial brokerage firm of Kidder Mathews which supports the modification to the Meridian Campus Master Plan.

Puget Western, Inc. respectfully requests that the City of Lacey Planning Commission commence review as soon as possible to complete the amendment process. If you require any additional information, please contact me or Bob Boyd, at (425) 487-6566.

Thanks for your continuing support of the Meridian Campus Planned Community.

Sincerely,



Gust M. Erikson  
President

Attachments: as noted

cc: Robert Boyd, Puget Western, Inc.  
Ryan Andrews, City of Lacey

April 1, 2013

Bob Boyd  
Puget Western, Inc.  
19515 North Creek Parkway,  
Suite 310  
Bothell, WA 98011-8200

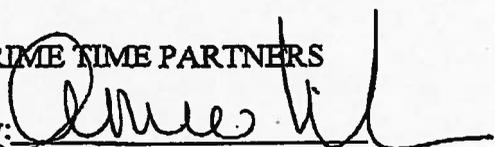
Subject: Meridian Campus Planned Community  
Amendment to the Master Plan

Dear Bob:

Prime Time Partners LLC (PTP), here by authorizes Puget Western, Inc. (PWI) to include the rezoning of the Meridian Parcel BP-1 (tax parcel 11801310100) in the proposed Master Plan amendment from Business Park to Light Industrial. PWI is authorized to sign the application and the environmental checklist on behalf of PTP.

Please let me know if you require any further information.

PRIME TIME PARTNERS

By: 

cc: Ryan Andrews, City of Lacey  
Community Development Department

**RECEIVED**

APR 02 2013

**BY** \_\_\_\_\_



**VICWOOD DEVELOPMENT CORPORATION**

April 1, 2013

Bob Boyd  
Puget Western, Inc.  
19545 North Creek Parkway  
Suite 310  
Bothell, WA 98011

Subject: Meridian Campus Planned Community  
Amendment to the Master Plan

Dear Bob:

The Vicwood Meridian Partnership (VMP), hereby authorizes Puget Western, Inc. (PWI) to include the re-zoning of the Meridian Campus Church site (tax parcel # 11801130105) in the proposed Master Plan amendment from Open Space Intuitional to Low Density Residential (3-6). PWI is authorized to sign the application and the environmental checklist on the behalf of VMP.

Please let me know if you require any further information.

VICWOOD MERIDIAN PARTNERSHIP, a  
Washington general partnership

By: Vicwood Development Corporation, a  
Washington Corporation  
Its General Partner

By:   
Richard E. Cobb  
Vice President

Cc: Ryan Andrews, City of Lacey  
Community Development Department

February 21, 2013

City of Lacey  
Planning Commission  
C/o Ryan Andrews

RE: Rezone of Lot B-4, Meridian Campus, Lacey, WA

To Whom it may concern;

I am writing in support of the rezone of Lots B-1 through B-3 from Business Park to Light Industrial and Lots A-1 through A-3 from Business Park to Moderate Density Residential. Over the past 20 years of marketing Business Park and Light Industrial property in Meridian Campus, we have had first hand experience in gauging demand for various land use categories from Investors and Owner/Users.

Uniformly, the Business Park zoned acreage within Meridian Campus has had very low demand. This is due to several influences:

1. Lack of Users in the market large enough to require building of an Owner/User facility. Over the past 20 years there have been only three speculative office projects constructed, and two Owner/User office projects. The speculative projects experience long periods between vacancies and lease-up. Of the two Owner/User projects, one is still occupied and one is currently 100% vacant and available for lease or purchase. To date we have received no proposals for lease or purchase of this building. In NE Lacey, we generally have to keep office lease rates at the bottom of the market due to lack of public services, such as public transportation and retail services.

2. There will continue to be a high number of more desirable vacant Business Park/Office parcels that can provide building opportunities in the immediate area. Such as the Hawks Prairie Business District zoned lands which are located along the I-5 corridor, with more desirable visibility and access to I-5 and other community services.

3. There continues to be a high vacancy rate in the Office segment of commercial real estate in the Lacey area. Several years of absorption will need to occur before demand increases to the point where low visibility parcels off Willamette Drive NE such as Lots B-1, B-2 and B-3 will be in demand.

In contrast to this low demand for Business Park land within Meridian Campus, is the high demand for Light Industrial and Residential zoned land within Meridian Campus. We are at a point in Meridian Campus that we have no available Light Industrial land available for direct purchase by Owner/Users. The demand to locate light industrial businesses inside of M CCP is still strong.

The location of Lots B-4, B-2 and BP1 are adjacent to, and across the street from existing Light Industrial development along Orion Road Commerce Place Drive NE. This is an area that is not highly visible from Willamette Drive, nor highly traveled by residential traffic. This is a natural place for a low impact light industrial user to locate.

Thank you for your consideration to this request.

Sincerely,

A handwritten signature in blue ink that reads 'Vanessa Herzog'.

Vanessa Herzog  
Sr. Vice President

(40.21 Ac.)

**2 Acres @ 8-12 Dwelling Units Per Acre.**

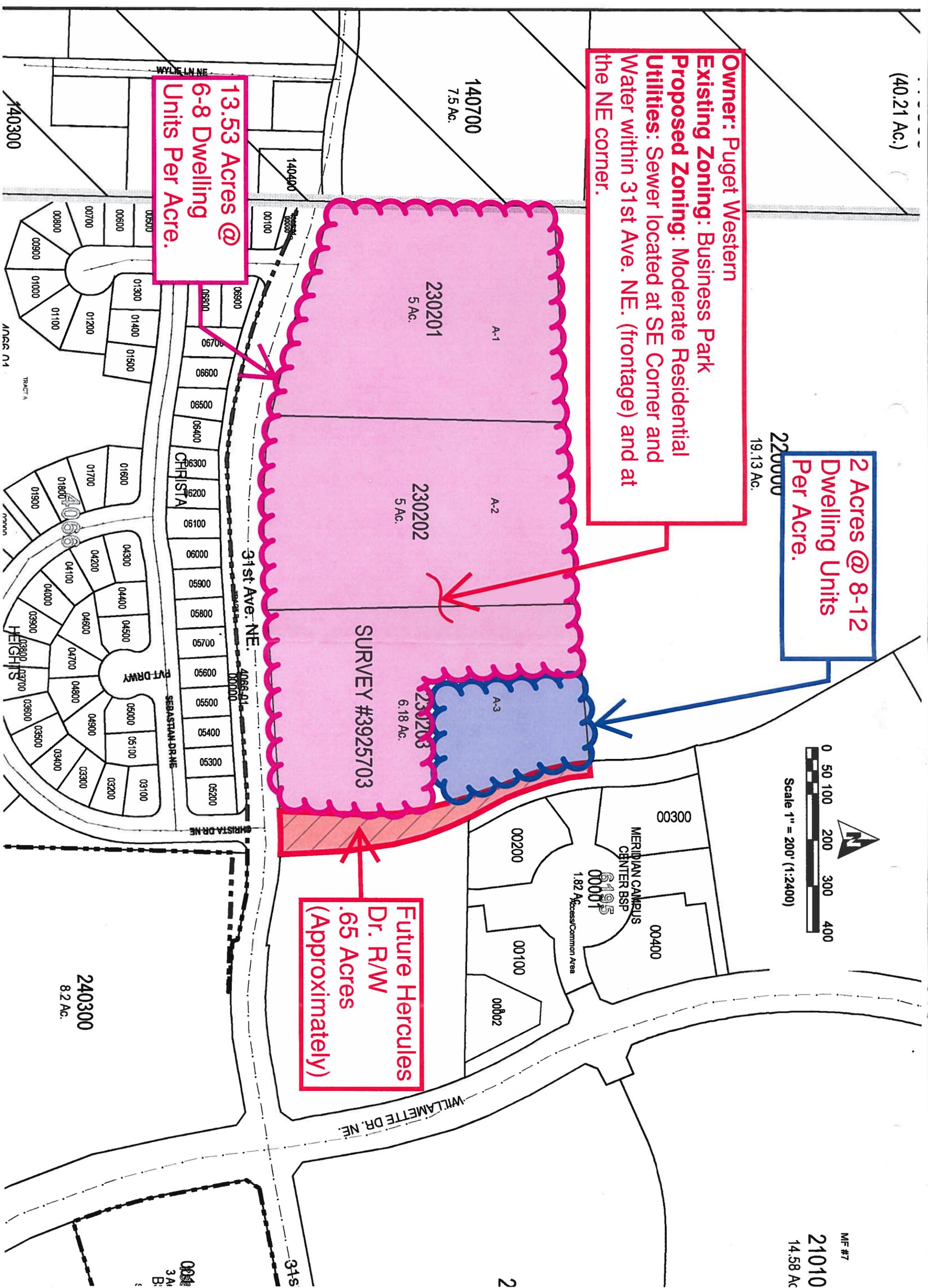
**Owner:** Puget Western  
**Existing Zoning:** Business Park  
**Proposed Zoning:** Moderate Residential  
**Utilities:** Sewer located at SE Corner and Water within 31st Ave. NE. (frontage) and at the NE corner.

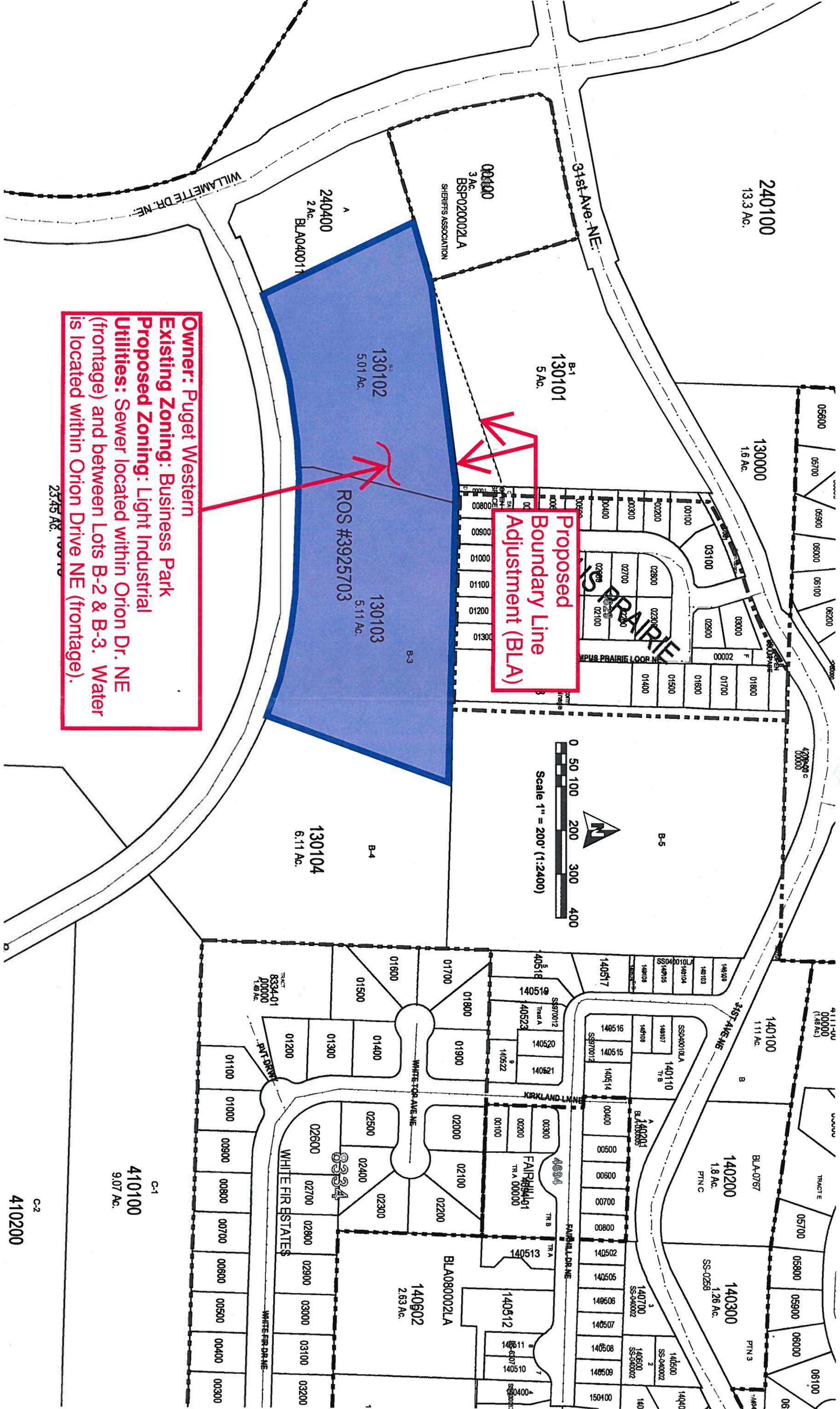
**13.53 Acres @ 6-8 Dwelling Units Per Acre.**

**Future Hercules Dr. R/W .65 Acres (Approximately)**



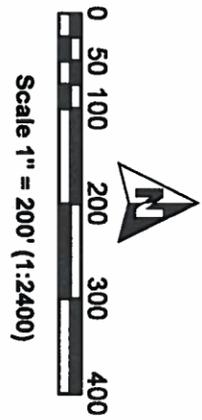
MF #7  
21010  
14.58 Ac





**Owner:** Puget Western  
**Existing Zoning:** Business Park  
**Proposed Zoning:** Light Industrial  
**Utilities:** Sewer located within Orion Dr. NE (frontage) and between Lots B-2 & B-3. Water is located within Orion Drive NE (frontage).

**Proposed Boundary Line Adjustment (BLA)**

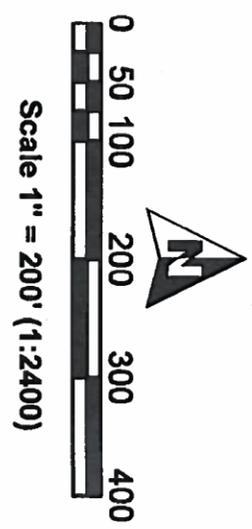
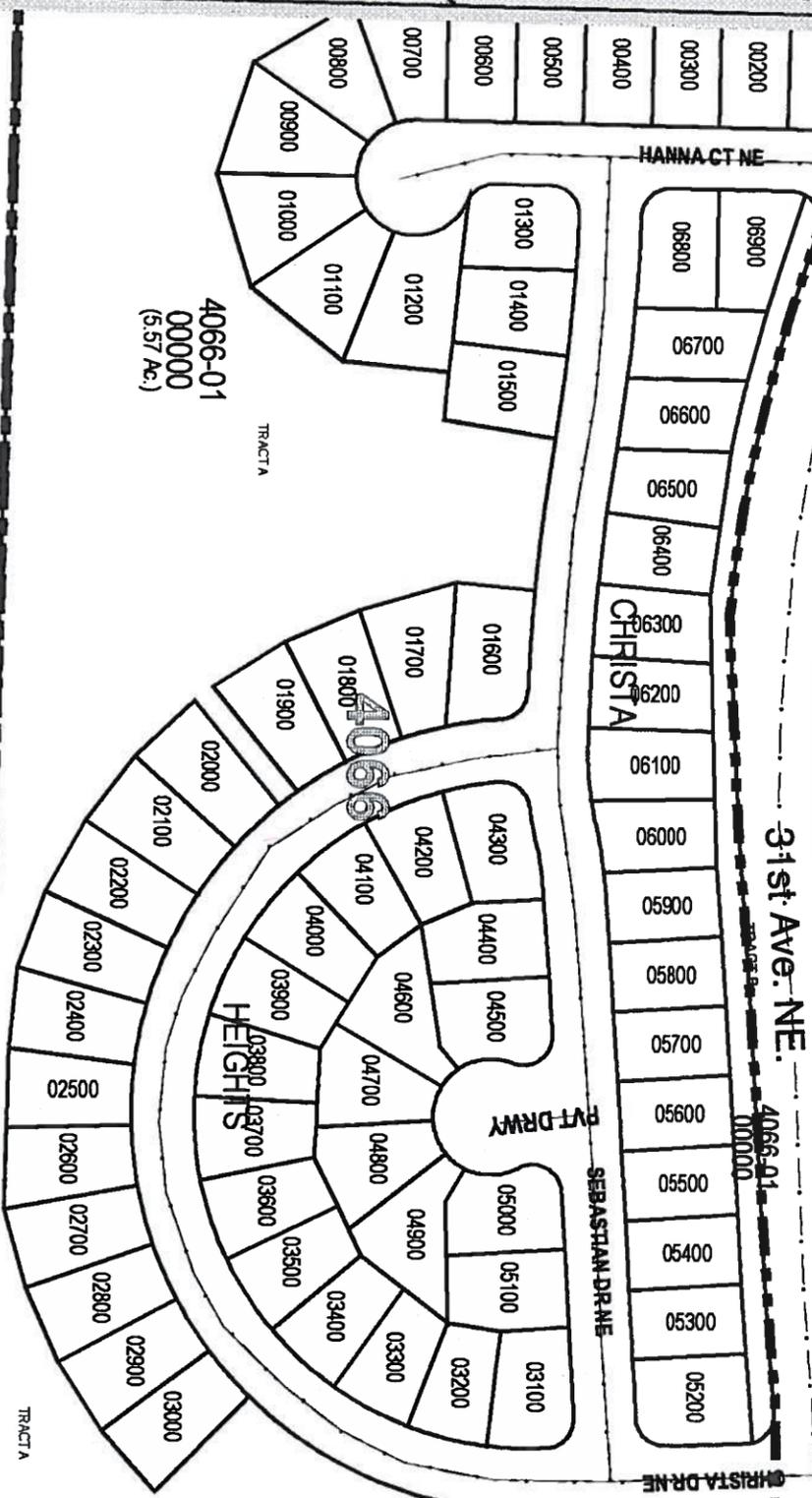
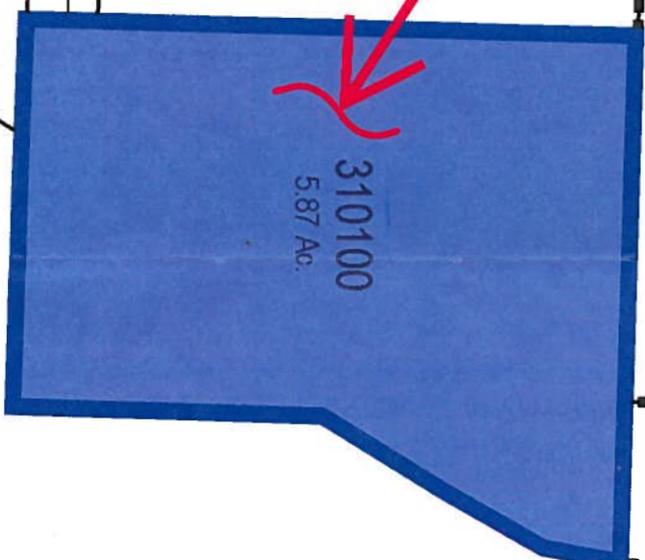


23.45 Ac.

C-1  
 410100  
 9.07 Ac.

C-2  
 410200

**Owner: Prime Time Partners**  
**Existing Zoning: Business Park**  
**Proposed Zoning: Light Industrial**  
**Utilities: Water & Sewer located at the terminus of Commerce Place Dr.**



COMMERCE PLACE

COMMERCE PLACE DR

31st Ave. NE

31st Ave. NE

SEBASTIAN DRIVE

CHRISTA

RYT DRIVE

HEIGHTS

240400  
2 Ac. BLA040011

008400  
3 Ac. BSP020002LA  
SHERIFFS ASSOCIATION

4208-00  
00000  
00000

40301  
LA-6313

140400

00

0

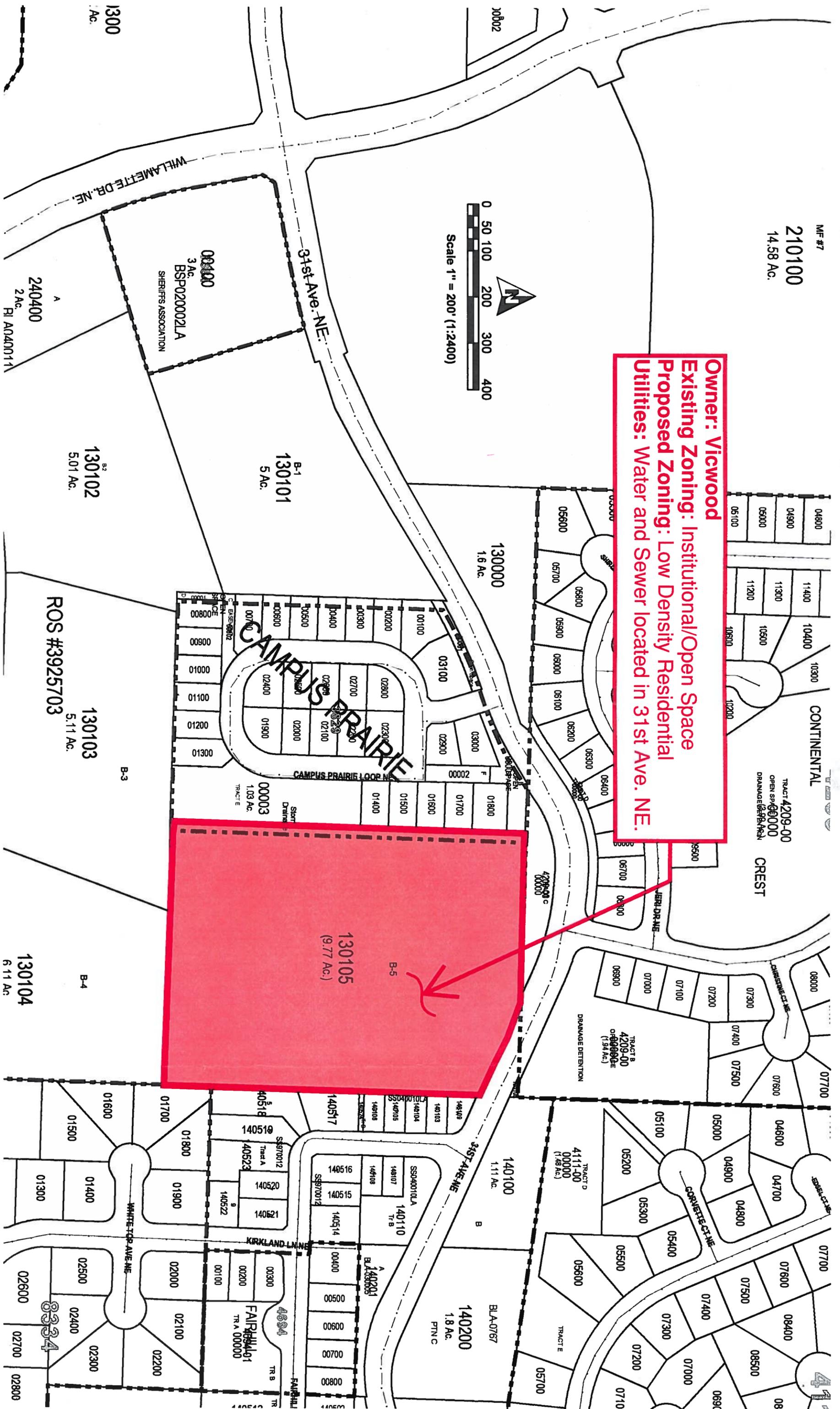
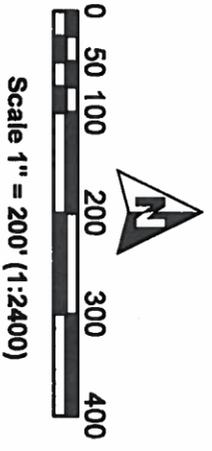
01

10

11

MF #7  
210100  
14.58 Ac.

**Owner: Vicwood**  
**Existing Zoning: Institutional/Open Space**  
**Proposed Zoning: Low Density Residential**  
**Utilities: Water and Sewer located in 31st Ave. NE.**



1300  
Ac.  
240400  
2 Ac.  
RI A0400111

130102  
5.01 Ac.

130103  
5.11 Ac.  
ROS #3925703

130104  
6.11 Ac.

B-1  
130101  
5 Ac.

130000  
1.6 Ac.

130105  
(9.77 Ac.)

140100  
1.11 Ac.

BLA-0767  
140200  
1.8 Ac.  
PTN C

8334





## STAFF REPORT

August 27, 2013

**SUBJECT:** Applicant-Initiated Master Plan Amendment to Re-designate Parcels within the Meridian Campus Planned Community. Project no. 13-42.

---

**RECOMMENDATION:** Staff will brief the Planning Commission on this private applicant-initiated request to amend the designation of several properties around the intersection of Willamette Drive NE and 31<sup>st</sup> Avenue NE within the Meridian Campus Planned Community. Based on discussion of the proposed amendments, schedule a public hearing for September 17, 2013.

---

**TO:** Lacey Planning Commission

**STAFF CONTACT:** Ryan Andrews, Associate Planner *RA*

**ORIGINATED BY:** Initiated by Private Applicants represented by Puget Western, Inc.

**ATTACHMENTS:** 1. Exhibit Maps and Diagrams

**PRIOR COUNCIL/  
COMMISSION/  
COMMITTEE REVIEW:**

June 18, 2013 introductory briefing

---

### BACKGROUND:

Several property owners in the Meridian Campus Planned Community represented by Puget Western Inc. have submitted a master plan amendment to re-designate various properties around the intersection of Willamette Drive NE and 31<sup>st</sup> Avenue NE. The applicant believes that the re-designation of these parcels will increase the development potential and marketability of these properties.

The Meridian Campus Planned Community was approved by Thurston County in 1987 and later annexed into the City of Lacey in 1992. The City of Lacey adopted the Master Plan and the associated Final Supplemental Environmental Impact Statement which set forth the design of the community including zoning, development standards, transportation corridors, and open spaces. The development of the community has largely occurred since annexation and has included a variety of light industrial, business park, and residential uses over the last 20 years.

Since 1992, the City's Hearing Examiner has reviewed the master plan every five years in accordance with LMC 16.44.080. With each subsequent five year review, modifications have been made to the designation of sites in Meridian Campus. With the last five year review in 2008, the Hearing Examiner found that since the community was sufficiently built out that no further five year reviews would need to be completed, therefore, any future modifications would go through the modification process in LMC 16.44.050.

LMC 16.44.050 requires that modifications to the Master Plan go first to the Planning Commission for review, public hearing, and recommendation with final approval from the City Council.

#### **MODIFICATION REQUEST:**

Puget Western, Inc. has submitted a request to re-designate five different properties. Each modification request is detailed below:

##### Lots B-2 and B-3 from Business Park to Light Industrial

The property is located along Orion Drive NE and is adjacent to Light Industrial zoning to the south and east. The property to the east was re-designated from Business Park to Light Industrial within the last year and now contains the Premier Transportation warehouse and distribution center. To the west is Business Park zoning and the former headquarters for Pro Build. To the north are the designated church site, Campus Prairie subdivision, and Lot B-1 which will be described in more detail below. Additionally, the applicant has proposed a 50-foot of tree buffer to be provided along the north boundary of the B-3 parcel adjacent to Campus Prairie and a 25-foot buffer along the northerly property line of parcel B-2.

##### Lots A-1, A-2 and A-3 from Business Park to Moderate Density Residential

The property is located along 31<sup>st</sup> Avenue NE north of the Christa Heights Subdivision and south of the future North Thurston Public Schools middle school site. Property to the east is zoned Business Park and to the west is Light Industrial. The request includes a combination of single-family detached lots as well as a multi-family component.

##### Lot B-1 from Business Park to Moderate Density Residential

This property is located along 31<sup>st</sup> Avenue NE and is immediately north of the B-2 and B-3 properties described above. It is immediately east of the building containing the Association of Sheriffs and Police Chiefs. To the east is the Campus Prairie subdivision and to the north is the Community Commercial parcel. A 25-foot tree buffer (to match up with the proposed 25' of the B-2 and B-3 lots to the south for a total of 50') is proposed along the southerly property line. The request includes a combination of single-family detached lots as well as a multi-family component.

##### Lot BP-2 from Business Park to Light Industrial

This property is located at the end of Commerce Place Drive NE and is located between the ACS Call Center (zoned Light Industrial) and a regional stormwater facility. Immediately to the north is the Christa Heights subdivision. A 25-foot tree buffer is proposed along the north boundary of the BP-1 parcel adjacent to the existing open space of Christa Heights.

##### Church Parcel from Open Space-Institutional to Low Density Residential 3-6

This property is located along 31<sup>st</sup> Avenue NE to the east of the Campus Prairie Subdivision and west of the White Fir Estates subdivision. The Continental Crest subdivision is located to the north and the Premier Transportation Parcel is located to the south. A 25-foot tree buffer is proposed along the south boundary of the existing church parcel to meet up with the existing 25 feet on the Premier Transportation parcel (for a total buffer width of 50 feet).

#### **ADDITIONAL BACKGROUND AND ANALYSIS:**

Approximately one year ago, Puget Western applied and was granted a re-designation request for the Premier Transportation project from Business Park to Light Industrial. As part of the request, the City Council requested to take a holistic look at the master plan designations around the Willamette Drive NE and 31<sup>st</sup> Avenue NE intersections. Since that time, Puget Western has been coordinating this request. Additional discussion is provided below based on the individual request:

##### **Business Park to Moderate Density Residential**

Puget Western has owned a majority of the Business Park properties in Meridian Campus for some time. In marketing the property, they have found the Business Park properties to be problematic especially given the market for office space in and around the Lacey area. Existing office space in Meridian Campus has also become vacant which has also decreased the viability of these parcels for conversion to office. Within northeast Lacey there is approximately 100 acres of undeveloped property zoned Business Park—including the properties in this request. With the amount of currently undeveloped Business Park property and projects in the “pipeline” including the first phase of the Gateway project which is anticipated to have 100,000 feet of office space, there is a large amount of future office space available. In addition, there is approximately 230,000 square feet of available existing leasable office space in the Woodland District with an estimated timeline of 8 to 12 years to be reoccupied. All of these factors combined with a weak economic recovery have lead to a limited market for office space.

Meridian Campus has a large proliferation of smaller single-family lots both constructed and in the “pipeline” to satisfy market demands for single-family residential in the future. Since 2005, approximately 708 single-family residential homes have been constructed within Meridian Campus. Another 481 residential lots are currently under construction and are expected to be completed within the next year. However, there has been very little multi-family construction north of Interstate 5 in the entire Hawks Prairie Planning Area within the same timeframe. Because of market demands and due to the locations of these parcels in close proximity to future schools, shopping and employment areas, the properties are well-suited for a re-designation to multi-family residential.

The applicant has provided diagrams related to potential multi-family site layouts on the “A” properties and the B-1 lot. Staff believes that these multi-family components could be increased to provide density needed for services in the area (transit, etc) as well as to help support future land uses including the Community Commercial and Neighborhood Commercial properties. Additional multi-family development will also provide for a variety of housing in an area dominated primarily by single-family residential. As part of the review, the Planning Commission is requested to examine the amount of multi-family designated with this proposal and develop alternatives should additional multi-family area be warranted.

### Church Site to Low Density Residential 3-6

The Meridian Campus Master Plan identified a property for development of a church site. The property is approximately 10 acres in size. Although the City has had several potential churches interested in the site over the last several years, the site is not well-suited to support church uses based on its size and location. The re-designation would be in keeping with the surrounding areas and site utility constraints.

### Business Park to Light Industrial

With the Premier Trucking request, there was found to be a large amount of capacity in the Business Park zone and associated office market. The re-designation to Light Industrial allows for more flexibility and marketability of these properties while also retaining high quality development standards associated with current City requirements for Light Industrial uses.

### **RECOMMENDATION:**

Staff will provide a briefing on the request at the meeting and the applicant will be present to discuss the application in further detail. The Planning Commission will analyze the information and provide their feedback on the modification request. The Planning Commission is also requested to examine the areas designated for multi-family residential and explore alternatives should additional area for multi-family be warranted. Based on discussion of the proposed amendments, schedule a public hearing on the issue for September 17, 2013 to solicit public comment and testimony on the proposal.



## STAFF REPORT September 11, 2013

**SUBJECT:** Applicant-Initiated Master Plan Amendment to Re-designate Parcels within the Meridian Campus Planned Community. Project no. 13-42.

---

**RECOMMENDATION:** Conduct a public hearing and make a formal recommendation on the private applicant-initiated request to amend the designation of several properties around the intersection of Willamette Drive NE and 31<sup>st</sup> Avenue NE within the Meridian Campus Planned Community.

---

**TO:** Lacey Planning Commission

**STAFF CONTACT:** Ryan Andrews, Associate Planner *RA*

**ORIGINATED BY:** Initiated by Private Applicants represented by Puget Western, Inc.

**ATTACHMENTS:** 1. Exhibit Maps and Diagrams

**PRIOR COUNCIL/  
COMMISSION/  
COMMITTEE REVIEW:**

1. September 3, 2013 briefing
  2. June 18, 2013 introductory briefing
- 

**BACKGROUND:**

Several property owners in the Meridian Campus Planned Community represented by Puget Western Inc. have submitted a master plan amendment to re-designate various properties around the intersection of Willamette Drive NE and 31<sup>st</sup> Avenue NE. The applicant believes that the re-designation of these parcels will increase the development potential and marketability of these properties.

The Meridian Campus Planned Community was approved by Thurston County in 1987 and later annexed into the City of Lacey in 1992. The City of Lacey adopted the Master Plan and the associated Final Supplemental Environmental Impact Statement which set forth the design of the community including zoning, development standards, transportation corridors, and open spaces. The development of the community has largely occurred since annexation and has included a variety of light industrial, business park, and residential uses over the last 20 years.

Since 1992, the City's Hearing Examiner has reviewed the master plan every five years in accordance with LMC 16.44.080. With each subsequent five year review, modifications have been made to the designation of sites in Meridian Campus. With the last five year review in 2008, the Hearing Examiner found that since the community was sufficiently built out that no further five year reviews would need to be completed, therefore, any future modifications would go through the modification process in LMC 16.44.050.

LMC 16.44.050 requires that modifications to the Master Plan go first to the Planning Commission for review, public hearing, and recommendation with final approval from the City Council.

#### **MODIFICATION REQUEST:**

Puget Western, Inc. has submitted a request to re-designate five different properties. Each modification request is detailed below:

##### Lots B-2 and B-3 from Business Park to Light Industrial

The property is located along Orion Drive NE and is adjacent to Light Industrial zoning to the south and east. The property to the east was re-designated from Business Park to Light Industrial within the last year and now contains the Premier Transportation warehouse and distribution center. To the west is Business Park zoning and the former headquarters for Pro Build. To the north are the designated church site, Campus Prairie subdivision, and Lot B-1 which will be described in more detail below. Additionally, the applicant has proposed a 50-foot of tree buffer to be provided along the north boundary of the B-3 parcel adjacent to Campus Prairie and a 25-foot buffer along the northerly property line of parcel B-2.

##### Lots A-1, A-2 and A-3 from Business Park to Moderate Density Residential

The property is located along 31<sup>st</sup> Avenue NE north of the Christa Heights Subdivision and south of the future North Thurston Public Schools middle school site. Property to the east is zoned Business Park and to the west is Light Industrial. The request includes a combination of single-family detached lots as well as a multi-family component.

##### Lot B-1 from Business Park to Moderate Density Residential

This property is located along 31<sup>st</sup> Avenue NE and is immediately north of the B-2 and B-3 properties described above. It is immediately east of the building containing the Association of Sheriffs and Police Chiefs. To the east is the Campus Prairie subdivision and to the north is the Community Commercial parcel. A 25-foot tree buffer (to match up with the proposed 25' of the B-2 and B-3 lots to the south for a total of 50') is proposed along the southerly property line. The request includes a combination of single-family detached lots as well as a multi-family component.

##### Lot BP-2 from Business Park to Light Industrial

This property is located at the end of Commerce Place Drive NE and is located between the ACS Call Center (zoned Light Industrial) and a regional stormwater facility. Immediately to the north is the Christa Heights subdivision. A 25-foot tree buffer is proposed along the north boundary of the BP-1 parcel adjacent to the existing open space of Christa Heights.

##### Church Parcel from Open Space-Institutional to Low Density Residential 3-6

This property is located along 31<sup>st</sup> Avenue NE to the east of the Campus Prairie Subdivision and west of the White Fir Estates subdivision. The Continental Crest subdivision is located to

the north and the Premier Transportation Parcel is located to the south. A 25-foot tree buffer is proposed along the south boundary of the existing church parcel to meet up with the existing 25 feet on the Premier Transportation parcel (for a total buffer width of 50 feet).

#### **ADDITIONAL BACKGROUND AND ANALYSIS:**

Approximately one year ago, Puget Western applied and was granted a re-designation request for the Premier Transportation project from Business Park to Light Industrial. As part of the request, the City Council requested to take a holistic look at the master plan designations around the Willamette Drive NE and 31<sup>st</sup> Avenue NE intersections. Since that time, Puget Western has been coordinating this request. Additional discussion is provided below based on the individual request:

#### **Business Park to Moderate Density Residential**

Puget Western has owned a majority of the Business Park properties in Meridian Campus for some time. In marketing the property, they have found the Business Park properties to be problematic especially given the market for office space in and around the Lacey area. Existing office space in Meridian Campus has also become vacant which has also decreased the viability of these parcels for conversion to office. Within northeast Lacey there is approximately 100 acres of undeveloped property zoned Business Park—including the properties in this request. With the amount of currently undeveloped Business Park property and projects in the “pipeline” including the first phase of the Gateway project which is anticipated to have 100,000 feet of office space, there is a large amount of future office space available. In addition, there is approximately 230,000 square feet of available existing leasable office space in the Woodland District with an estimated timeline of 8 to 12 years to be reoccupied. All of these factors combined with a weak economic recovery have lead to a limited market for office space.

Meridian Campus has a large proliferation of smaller single-family lots both constructed and in the “pipeline” to satisfy market demands for single-family residential in the future. Since 2005, approximately 708 single-family residential homes have been constructed within Meridian Campus. Another 481 residential lots are currently under construction and are expected to be completed within the next year. However, there has been very little multi-family construction north of Interstate 5 in the entire Hawks Prairie Planning Area within the same timeframe. Because of market demands and due to the locations of these parcels in close proximity to future schools, shopping and employment areas, the properties are well-suited for a re-designation to multi-family residential.

The applicant has provided diagrams related to potential multi-family site layouts on the “A” properties and the B-1 lot. Staff believes that these multi-family components could be increased to provide density needed for services in the area (transit, etc) as well as to help support future land uses including the Community Commercial and Neighborhood Commercial properties. Additional multi-family development will also provide for a variety of housing in an area dominated primarily by single-family residential. Alternatives to the current proposal could include:

1. Shifting the multi-family from the B-1 lot to the “A” properties and increasing the amount of property from a total of 3 acres to 5 acres or more. With multi-family development, smaller sites can be difficult to develop because of the amount of parking and other site amenities associated with multi-family development. Making a larger site for multi-family development may also be more attractive to a

prospective developer. As an example, the recently completed apartment complex located in unincorporated Thurston County along the north side of Pacific Avenue near the Lacey Community Center is on a 4.82 acre parcel. The "A" properties are well-located from a multi-family standpoint with the close proximity to neighborhood services and the future middle school site to the north. The multi-family component seems well-suited to the eastern portion of the site taking access off of the future Hercules Drive.

2. Eliminate the proposed higher density designations and instead integrate the higher density development within each site. In today's building market, this option could be problematic as builders are specialized towards construction of one building type and may make the property difficult to market. The City does, however, have examples of where builders have taken a unique product and have integrated the concept into their development including DR Horton's duplex and triplex units in Horizon Pointe and The Pointe. Additionally, Aho Construction has developed townhouse units in both the Raili May and Jaylee developments in northeast Lacey.
3. Designate the B-1 lot for multi-family and the "A" lots as single-family residential. The B-1 lot, which is approximately 5 acres, could make for an attractive multi-family residential site because of close proximity to neighborhood services and challenges of site access including a shared access with the Sherriff's and Police Chief's building to the west. Property to the south is proposed as Light Industrial and the existing subdivision of Campus Prairie is to the east. The Light Industrial property would be adequately buffered; however, a transition may be required adjacent to the subdivision to address compatibility issues.
4. Keep the multi-family designations as proposed by the applicant.

#### Church Site to Low Density Residential 3-6

The Meridian Campus Master Plan identified a property for development of a church site. The property is approximately 10 acres in size. Although the City has had several potential churches interested in the site over the last several years, the site is not well-suited to support church uses based on its size and location. The re-designation would be in keeping with the surrounding areas and site utility constraints which include connection to the City's STEP main in 31<sup>st</sup> Avenue SE and on-site treatment and infiltration of stormwater.

#### Business Park to Light Industrial

With the Premier Trucking request, there was found to be a large amount of capacity in the Business Park zone and associated office market. The re-designation to Light Industrial allows for more flexibility and marketability of these properties while also retaining high quality development standards associated with current City requirements for Light Industrial uses.

Current zoning requirements also contain provisions for Light Industrial uses adjacent to residential areas including:

1. A minimum building setback of 50' adjacent to residentially zoned properties.
2. A prohibition on roll-up or bay doors facing the residential areas for any building within 250' of a residential zone.
3. Design review requirements for compatibility and mitigation of noise and light impacts.

These requirements and associated mitigation measures will be a condition of development for any Light Industrial projects adjacent to a residential area.

**RECOMMENDATION:**

The Planning Commission is requested to take public comment and testimony in a public hearing on the proposed amendments to the Meridian Campus Master Plan, analyze the testimony, and make a formal recommendation on the revisions.

Mark Harris - Campus Prairie - adjacent to church site, bait  
and switch - loss of "green belt", page 9-5, crime rates, property values  
Sustainability Plan  
d NE  
Plan?

George  
Mr. Kinney - 2022 Camp Prairie LP, traffic, impact to schools, Olympic View  
700 students, & concerned w/ quality education

Irma Ritchie - 2024 Camp Prairie LP, concerns related to odor control,  
sewer capacity

Dana Munson - impacts to Christie Heights, traffic, property values,  
concerns of light industrial development

Doug Cartman - Christie Heights HOA president, <sup>driv</sup> fumes, noise  
impacts, traffic on 31st Ave, speeds on 31st Ave, crosswalks  
needed, friends to cross street to the north

Hal Aspreen - Christie Heights, light industrial - insult to injury, concerns  
about buffering adjacent to 31st Avenue, what will be

Rich Lobb - density was never realized, school site sold to <sup>multi-family</sup> NTPS,  
school mitigation fees pay for schools, church site  
difficulty ~~in~~ selling, wetlands + stormwater how many homes  
along west property line

Bob Boyd - supports multi-family component on easterly A1 lot, but  
not sure the market would support, multi-family would  
"fit in" <sup>with</sup> the community, all of the properties have  
been on market - have made a significant investment,  
support total of 3 acres

Pick Bringham - light industrial adjacent to Christie Heights + overhead  
doors, diesel exhaust, lack of ~~en~~ enforcement for signs, how  
hard is it to change roll up door regulations -  
leave it Business Park

RECEIVED

SEP 12 2013

BY \_\_\_\_\_

September 12, 2013

Lacey Planning Commission  
City of Lacey  
420 College Street SE  
Lacey, WA 98503

Re: Project #13-42 Zoning Change – Puget Western , Inc.

As an owner of real estate in Meridian Campus, including real estate adjacent to one of the subject properties, I would like to voice my strong approval for the requested re-designation of the 5 parcels. I am very familiar with all parcels and I will be glad to see the change, as Meridian Campus evolves and develops. As you know, Meridian Campus was annexed to the city in 1992. At that time, the city kept the county zoning of the parcels. They would certainly know that there would be a long time before the character of the community developed, and zoning changes benefitting the community would need to be made.

There are 3 properties that need to be rezoned to a residential use. The site on 31<sup>st</sup> NE and on the west side of Willamette is across the street from a residential community and borders a soon to be built Middle School. The zoning must be changed. Also making a lot of sense are the rezone of the 2 parcels on the east side of Willamette. The easternmost in particular is virtually flanked by residences.

An additional comment: When the city places the requirement of multifamily within a single-family development, it accomplishes nothing except messing up a development. When asked about the need for such a mandate, the city told me that there is a specific number of residents that they require here, hence the pressure to create higher-density housing. We will have that number anyway. There will be another 200 residences across the street from me and to the north. New homes are now being built and selling well. Multifamily development follows single family residential. Our community, after 4 difficult years, is finally developing very nicely, and we have been able to add some businesses. We are just about at the point in Meridian Campus, where we need a large apartment community. It will happen, so there's no need to place such a requirement

on the single-family plats, as was done with the 2 new Willamette residential plats that are currently being developed.

There is one other issue that we are facing in Meridian Campus. We, like any small community, has a need for small businesses. My neighbors operate a childcare, a much needed service here, so much that the childcare is at capacity. We have a real estate brokerage, a CPA, a children's physical and development therapist, and a financial planner. We need other services – insurance, doctor/pediatrician, dentist. A coffee shop, bakery, etc. These are small businesses and services that a community needs to thrive. The Traffic Mitigation fees to build these businesses that support a community are making it impossible. The rents in these areas are much lower than in your typical retail area, and the profitability is marginal, if that. On top of all of the other permits and fees, a mitigation fee of \$44,000 on a small neighborhood coffee place insures that we won't have one, in spite of the need and desire by the residents to have such a place. Nobody would feel a pressing need to leave their community to come to my community to buy a cup of coffee. I just bet they can find a more convenient coffee place elsewhere. I have discussed this at length with Scott Spence over the last 3 months. Traffic Mitigation fees are to support the increased usage of streets as people use the goods and services of a vendor. The people that use our goods and services here already live here. I know several projects here that are in a death spiral because of these horrendous Traffic Mitigation fees.

Sincerely,



Kelly Garvey

Century Mutual Investors, LLC

Evergreen Realty*WW*

Evergreen Commercial Brokerage, Inc.

3231 Willamette Dr. NE

Lacey, WA 98516

360.350-4848

RECEIVED

SEP 16 2013

BY \_\_\_\_\_

ATTN: City of Lacey Planning Department / Ryan Andrews

This letter is in regard to the proposed Amendment change to the Meridian Campus Master Plan.

The owner, Puget Western is asking for a proposal change that will allow up to 8 dwelling units per acre within the proposed 6 acre site.

The City of Lacey Planning Department is asking to change the proposed use from "Moderate Density" to a multi-family for up to one acre within the proposed 6 acre site.

After reviewing the information provided by PWI and the City of Lacey Planning Department I must adamantly object to BOTH proposals and ask that no change be made to the current master plan.

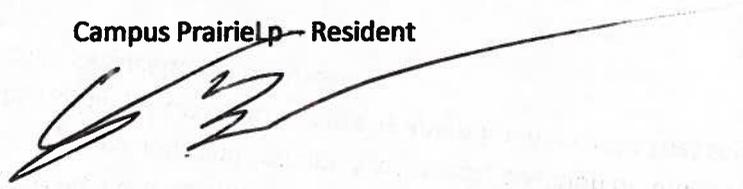
The reason for my strong disapproval is because of the following ;

- 1) The addition to either Moderate Density or Higher Multi-Family will bring in a large influx of families with the average household being 2.99 persons. With the City of Lacey already having close to 39% of households with children under the age of 18, this all equates to an increased burden on the local Hawks Prairie area (Marvin and Martin Way) traffic situation.
- 2) The building of multi-family dwellings in particular will have negative effects on property value in the area, as this type of dwelling is typically occupied by renters rather than owners.
- 3) The increased population, as stated above, will have an increased burden on an already stressed and bursting school system. One example, my son is now enrolled in Olympic View Elementary. A school with over 700 students! The proposed change will bring even more students to this school and others in the area

Any change to the current Master Plan will be met with strong resistance from the local community. Working with local organizations and forming a grassroots coalition of families from the community, the goal will be nothing short of reversing any amendment change that seeks to harm the well being of every child's educational experience

George A Kinney

Campus Prairie Lp Resident



Rec'd  
18  
of the  
same form  
letter

RECEIVED

SEP 13 2013

BY \_\_\_\_\_

Attn: Ryan Andrews

*The residents of Campus Prairie Loop, a sub division of the Meridian Campus development have no desire to have densely populated town homes or apartment buildings built on lot 130101. While we understand the proposal from PWI is to re-zone from Commercial Business to Moderate residential similar to our development, we do not support densely populated units being built. We prefer the business park option but understand the cities desire for more residential homes in the area to support the future retail block off 31<sup>st</sup> and Willamette.*

*Most of us purchased in this area because of the serenity of the greenbelt and lack of apartments and townhomes in the area, adding densely populated units behind us will not help our property values and could easily be redirected to a specific lot that is currently not developed making it its own densely populated lot.*

*Thank you for your consideration as several of us are very busy and may not make the town meeting.*

Name: CHARLES E. MICHELLE SWEENEY

Signature: 

Comments must be received by 9/17

## MINUTES

Lacey Planning Commission Meeting  
Tuesday, September 17, 2013 – 5:30 p.m.  
Lacey City Hall Council Chambers, 420 College Street SE

Meeting was called to order at 5:30 p.m. by Gail Madden.

Planning Commission members present: Gail Madden, Michael Steadman, Richard Sovde, Vasilij Stupin, Don Melnick, Raymond Payne, and Mike Beehler. Staff present: Dave Burns, Rick Walk, Ryan Andrews, Tom Stiles, Roger Schoessel, and Leah Bender.

Gail Madden noted a quorum present.

**Michael Steadman made a motion, seconded by Richard Sovde, to approve the agenda for tonight's meeting. Don Melnick asked that the agenda be amended to allow for discussion of the Public Participation Workshop. The motion carried. Michael Steadman made a motion, seconded by Mike Beehler, to approve the September 3, 2013, minutes. The motion carried.**

1. **Public Comments:** None.
2. **Commission Member's Report:** None.
3. **Director's Report:** Rick Walk noted that the Envision Lacey outreach program has begun and that staff members have attended some community events and have received several completed surveys. The next event will be Children's Day on October 5.
4. **Public Hearing:**  
**Meridian Campus Master Plan Amendment:**
  - Ryan Andrews gave some background information, shared written comments that had been submitted, and reviewed the applications.
  - Ryan noted that at the last work session, Planning Commission asked staff to come up with some alternative options to consider:
    - Staff's preferred option is to shift the multi-family from lot B-1 to lot A-3, increasing the amount from a total of three acres to five acres or more. The larger site may be more attractive to developers, is in close proximity to neighborhood services and future middle school site, and is well suited to the eastern portion of the lot with access off of future Hercules Drive.
    - Eliminate proposed higher density and instead integrate higher density development within each site.
    - Designate lot B-1 for multi-family and the A lots as single-family residential.
  - Mark Harris testified. He said he opposes the zoning changes because the greenbelt behind his property will go away. He said that with additional houses, traffic and crime rates will increase and property values will decrease. He also pointed out that it contradicts the language in the Land Use Hawks Prairie Planning Area plan.
  - Alex Kinney testified. He opposes the zoning changes behind Campus Prairie Loop because the additional housing will increase traffic and cause an influx of students. North Thurston school district is already overburdened and the increased student body will cause education to suffer.
  - Irene Ritchie testified. She said she lives next to a city of Lacey pump station and she asked if the additional houses will impact that station. Ryan clarified that it is actually an odor control facility, not a lift station, so the additional houses will not affect it. Ms. Ritchie also asked about the buffer. Ryan said that a buffer is not required between residential properties but that trees will be retained and/or replanted according the City's landscaping requirements.
  - Dana Munson testified. He asked for clarification on the multi-family proposals. Ryan explained that the applicant has proposed a two-acre multi-family section on lot A-3, and a one-acre multi-family section on lot B-1. Staff is recommending that all of lot A-3 be designated multi-family and lot B-1 be designated as single-family. Mr. Munson said that traffic is already an issue and is very dangerous and that additional housing will make it even worse. He said he also opposes the change from BP to LI on the parcel south of Christa Heights. Truck traffic and noise are already an issue and the change will make it worse, and the buffer won't help.
  - Doug Carbaugh testified. He opposes the zoning change because there is already a problem with traffic, noise, and odors, and changing the zoning will make it worse. He pointed out that the warehouses have roll-up doors facing the residential areas. Ryan explained that at the time the buildings were built, there were no regulations regarding placement of roll-ups but that Council has since amended that.

- Harold Aspgren testified. He also asked for a clarification of the multi-family proposal and about the proposed access to the lots. Ryan said a round-about is planned for Willamette and 31<sup>st</sup> and that the city is moving forward with that plan, and that as lots are developed, developers are required to develop Hercules Drive to provide access into the site, as well as a second access off of 31<sup>st</sup>. Mr. Aspgren asked what buffer requirement would there be between the new development and 31<sup>st</sup>. Ryan explained that a 20-foot buffer is required between the right of way and the development, similar to what is currently maintained at Christa Heights. Mr. Aspgren said he opposes the change from BP to LI on the parcel south of Christa Heights as it adds insult to injury.
- Richard Cobb testified. He said he owns the "church site." He explained that the master plan was developed and approved many years ago and since that time the area still has not reached the densities that were initially approved. Traffic studies were based on full developments which haven't yet been achieved. Additional schools have not been built because the density for it has not yet been reached. Residential developments require school mitigation fees so the development will actually benefit the school district. The church site has been on the market for 20 years with no interest. Mr. Cobb explained that an analysis will be done to determine the need for a stormwater facility. He said he supports the redesignation.
- Bob Boyd with Puget Western testified. He thanked everyone for their participation and comments. He agrees with staff's suggestion regarding the multi-family piece on lot A-3. He pointed out that the applicant is not proposing large apartment complexes, but rather duplex and tri-plex units that would be designed to blend in with the single-family units. Bob stated that substantial improvements have been made but they have been unable to develop the property as zoned because there is no market for it.
- Dick Bringhurst testified. He talked about the problems residents have had with noise, odor, and truck traffic. He does not support the rezone.
- Vasily Stupin asked how the rezone would affect the greenbelt. Ryan explained that no buffer is required in BP but is required in LI. The applicant has proposed a 50' buffer adjacent to Christa Heights.
- Michael Steadman asked about buffer requirements for the church site. Ryan explained that if it is rezoned as LD 3-6, no buffer is required; no buffer is required for OS-I zone either.
- Don Melnick asked if the proposal has been discussed with North Thurston school district. Ryan said no but school mitigation fees were established during prior discussions regarding designation of the property and that mitigation fees will be required of any new development.
- Mike Beehler asked about a future school site north of the A lots. Ryan said that the school district came in for a presubmission conference for a proposed middle school but no formal application has been made yet.
- Gail Madden asked if the city has any plans to mitigate traffic in the area of 31<sup>st</sup> Avenue and the A lots. Roger Schoessel said that the city is scheduled to improve Hogum Bay Road and that will start dispersing traffic to Willamette, and work on a roundabout at 31<sup>st</sup> and Willamette should start in 2015. Roger explained that the city will work out traffic issues with developers before anything is developed, and that the narrow part of the roadway leading into 31<sup>st</sup> cannot be improved until the surrounding lots are developed. The city is looking at rebuilding 31<sup>st</sup> east of Willamette as part of the overlay project.
- Gail Madden closed the public hearing at 6:45 p.m. and suggested that Planning Commission discuss it further at the next meeting.

## 5. Old Business:

### Public Participation Workshop:

- Don Melnick asked for feedback on the Public Participation Workshop.
- Mike Beehler said he found it very interesting and productive.
- Gail Madden said she liked the fact that Planning Commission has already discussed a lot of the ideas that were presented and liked that it reinforces the efforts being made to engage the public.
- Rick Walk thanked Don for inviting Margaret Norton-Arnold.

## 6. New Business:

### Update of Development Guidelines Chapters 2 – 8:

- Tom Stiles explained that the Development Guidelines and Public Works Standards manual provides specific direction to developers.
- Tom went over the major changes that have been made to Chapter 6 Water.
- Tom noted that Chapter 8 Reclaimed Water is a brand new chapter.
- There was a discussion about backflow devices.
- Tom said there will not be another work session to discuss chapters 6 and 8, but that if anyone has questions or comments they should email them to Dave Burns and he will forward to Tom. A public hearing will be held after all the sections have been discussed.

**Joint work-session preparation:**

- Rick Walk reminded everyone that the joint work-session is at 7 p.m., Thursday, September 19, and that the draft work program was distributed at the last meeting.
- Rick noted that the Draft Thurston Regional Sustainability Plan will help local jurisdictions create plans. Dave Burns recommended visiting the website to look at the goals and concepts that are being used.
- Gail Madden said that Scott Spence recently spoke to Panorama City residents regarding the present state of the city and she felt it would be very useful information for the new Planning Commission members. She asked if Mr. Spence could be invited to address the Commission at the beginning of the year. Rick said he has already talked to him about it and about possibly making it an annual event. Mike Beehler suggested that commissioners attend the Chamber meeting that Mr. Spence will address.

**Proposed amendments to the Street Merchant ordinance:**

- Dave Burns gave some background information on the current street merchant ordinance and the procedures for obtaining a permit, which is expensive and time consuming.
- Dave presented some options that would simplify the approval process and make it less costly:
  - Limited administrative review with complete standards and 500 foot distance requirement to protect adjacent merchants with the need for notification.
  - Limited administrative review with notification. The applicant would be required to contact neighbors to inform them of what is being proposed.
- Other proposed changes to the ordinance include amending the definition of "street fair or market" to include outdoor food court, and adding outdoor food court into regulatory standards; varying from the 50 foot distance requirement between vendors; and removing the prohibition on using parking lots with less than 20 spaces.
- Health Department regulations require vendors to prepare food in commercial kitchens and then reheat in the food cart. The city will work with Thurston County Health Department on this issue to try to find some alternatives.
- The 500 foot distance requirement was discussed. Several members felt uncomfortable with an arbitrary number and 500 feet seems like a distance that would exclude much of the downtown. It was suggested that staff check other jurisdictions to see how that fits with other ordinances dealing with the same intent. Dave and Rick said that staff can look at it some more and look at what other jurisdictions are doing to see if there is a better alternative. Dave said we can build in better language to provide flexibility and still show the intent but work with applicants according to the location.
- There seemed to be general agreement on simplifying the process.
- There was agreement that staff should discuss permit requirements with the Health Department. There seemed to be agreement merchants should be permitted to serve food cooked on site instead of simply reheated items previously prepared at a commercial kitchen.
- Rick asked if Commissioners were agreeable to staff preparing a draft ordinance for public hearing at the next opportunity and everyone was agreeable if staff provides an alternative to the 500 foot rule and works with the Health Department to resolve health permit issues for preparation of food on site.

7. **Communications and Announcements:** None.

8. **Next meeting:** October 1, 2013.

9. **Adjournment:** 7:40 p.m.



## STAFF REPORT September 20, 2013

**SUBJECT:** Applicant-Initiated Master Plan Amendment to Re-designate Parcels within the Meridian Campus Planned Community. Project no. 13-42.

---

**RECOMMENDATION:** After a review of public testimony and staff analysis, make a formal recommendation to the City Council adopting the staff preferred alternative on the private applicant-initiated request to amend the designation of several properties around the intersection of Willamette Drive NE and 31<sup>st</sup> Avenue NE within the Meridian Campus Planned Community.

---

**TO:** Lacey Planning Commission

**STAFF CONTACT:** Ryan Andrews, Associate Planner *RA*

**ORIGINATED BY:** Initiated by Private Applicants represented by Puget Western, Inc.

**ATTACHMENTS:**

1. Summary of Public Hearing Comments
2. Diagram of 31<sup>st</sup> and Willamette Node

**PRIOR COUNCIL/  
COMMISSION/  
COMMITTEE REVIEW:**

1. September 17, 2013 public hearing
2. September 3, 2013 briefing
3. June 18, 2013 introductory briefing

---

**BACKGROUND:**

On September 17, 2013, the Planning Commission held a public hearing on the Master Plan Amendment request submitted by Puget Western, Inc. Puget Western is requesting to amend the master plan by re-designating various properties around the intersection of Willamette Drive NE and 31<sup>st</sup> Avenue NE in the Meridian Campus Planned Community. The changes, as proposed by the applicant, are as follows:

1. "A" lots along 31<sup>st</sup> Avenue north of Christa Heights from Business Park to Moderate Density Residential to include a 2-acre multi-family tract.
2. The parcel at the terminus of Commerce Place Drive NE from Business Park to Light Industrial.
3. Lots "B-2" and "B-3" from Business Park to Light Industrial.

4. Existing Business Park parcel west of the Campus Prairie subdivision along 31<sup>st</sup> Avenue NE from Business Park to Moderate Density Residential to also include a 1-acre multi-family tract.
5. Re-designation of the "church site" from Open Space Institutional to Low Density Residential 3-6.

At the hearing, staff provided two alternatives, the applicant's request and the staff preferred alternative which would be to designate the easterly most "A" lot as multi-family residential while eliminating the multi-family component on the "B1" lot.

The Planning Commission held the public hearing and received testimony from staff, citizens and the applicant on the proposal as well as the staff recommendation. A summary of the testimony is attached. The Planning Commission closed the public hearing and tabled the matter to the next meeting (October 1, 2013) for further discussion and recommendation.

#### **MODIFICATION REQUEST ANALYSIS:**

For tonight's discussion, staff has provided an analysis associated with the issues brought up by the public according to each proposed re-designation. Also included in the analysis is how the City's current policies contained in the Comprehensive Land Use Plan as well as our current regulations address each applicable re-designation request.

#### **Business Park to Moderate Density Residential**

Several of the comments submitted to the Planning Commission in writing as well as testimony provided at the hearing had concerns related to multi-family development including concerns about traffic, property values, and impacts additional future residents could have on schools.

As mentioned in previous staff presentations and reports, all residential properties within Meridian Campus have either been constructed or are currently entitled with valid land use approvals. Of all approvals, only two projects (MF7 and MF 5&6) will include multi-family components within their approved subdivisions. As a result, the residential development within Meridian Campus has not achieved the densities envisioned under the master plan. The secondary effect is it will be challenging and may take years to achieve the roof top demographics to support the development of neighborhood services on the parcels designated for Community Commercial and Neighborhood Commercial within the Master Plan. Additionally, transit service to the area may not occur unless residential densities within a quarter mile of potential transit corridors, in this case Willamette Drive, are there to support the expansion of bus routes.

Staff has reviewed the Comprehensive Land Use Plan and has found numerous policies that would encourage higher densities in Meridian Campus and the Hawks Prairie Planning area. Many of the policies speak to a mix of housing types, units, etc. to support all income levels and would thereby support the other land uses in the surrounding area:

#### **Policies related to All Mixed Use Concepts, page 6-8:**

- b. Use mixed use concepts to create communities with an integrated sense of place, neighborhood identity, human scale and continuity, and that provide a mix of housing types which will be available to all income levels and age groups.

j. Mixed use concepts should be designed to promote the sense of community by mixing land uses, housing types and income levels. Concepts need to integrate these uses in proximity to essential services and workplaces...To meet housing goals, concepts should provide a variety of housing types available to people with a range of incomes.

**Residential Goals and Policies, page 6-5:**

b. Promote the sense of community by encouraging mixed housing types and income levels. Ensure a variety of housing types will be available to people with a range of incomes in each planning area.

**Density Goals and Policies, page 6-4:**

d. High and moderate density residential zones, should be designed to accommodate a full range of uses, including small lot single family residential development, as well as multiple-story apartment complexes meeting maximum densities allowed under the zone. Standards shall provide opportunity for a range and mix of housing...

Meridian Campus has developed a robust infrastructure to support much more capacity than what currently exists. Part of this infrastructure is related to schools. As part of the master plan, future school sites were set aside and the schools were to be constructed at a time that there was a significant enough residential population to support it. Due to school funding restrictions, schools are not constructed until the population is there to support them. As mentioned at the hearing, the first school will be constructed in the area with the future middle school located north of the "A" parcels is in the planning stages with construction anticipated for 2015, dependent on voter approval of a bond in February 2014. A future elementary school will also be constructed in Meridian Campus and is a part of North Thurston Public School's Capital Improvement Plan to be constructed in 2017.

Another important consideration is the 31<sup>st</sup> and Willamette "node" that contains a variety of existing and future uses that will support the neighborhood. Staff has included a diagram that identifies the existing, proposed, and future land uses near this node. Existing uses include two daycare centers, real estate office, financial planning office, and multiple office buildings. Future uses include two developments (MF 5&6 and MF 7) that will contain a mixture of single and multi-family uses, a future Community Commercial site, and the future elementary and middle school sites. All of these uses will be within a quarter-mile from the proposed multi-family residential making them a short walking distance for future residents. All of these factors could justify more density than what is currently proposed or recommended.

A resident of Christa Heights also raised a concern about neighbors crossing 31<sup>st</sup> Avenue should a residential development be located to the north of them. This is an important note especially once the middle school is constructed and children would be crossing 31<sup>st</sup> Avenue to get to school. Safe routes to school policies should be considered in discussing this proposal as the nearest marked crossing would be located at the intersection of 31<sup>st</sup> Avenue and Willamette Drive. As a side note, the Planning Commission could recommend that the City look at establishing a safe pedestrian connection across 31<sup>st</sup> for neighbors and school children getting to the middle school. This issue will also be addressed through the applicable land use permitting process as the site is developed in the future.

### Business Park to Light Industrial

Several residents of the Christa Heights neighborhood were concerned with the impacts associated with the proposed re-designation of a Business Park site to the south of their subdivision to Light Industrial. Concerns included impacts from noise associated with backing beepers and the noise emanating from inside of a building when open roll-up doors are adjacent to residential areas. Additional concerns were related to air quality and vehicle idling.

As previously mentioned, in 2010, the City adopted regulations specific to Light Industrial Buildings adjacent to residential areas including:

1. A minimum building setback of 50' adjacent to residentially zoned properties.
2. A prohibition on roll-up or bay doors facing the residential areas for any building within 250' of a residential zone.
3. Design review requirements for compatibility and mitigation of noise and light impacts.

Additionally, the applicant has proposed to add to the existing open space tract at the rear of the adjacent lots within Christa Heights for a total of a 50' buffer.

The current Business Park regulations do not carry the same mitigation measures when adjacent to residential uses or zones. If developed under current regulations, there would no buffering requirement other than a setback requirement of 50 feet meaning that a building between one and four stories tall could be built within 50 feet of the Christa Heights' exterior boundary. Additionally, there are no regulations pertaining to compatibility between Residential and Business Park like there currently are in Light Industrial.

As for backing beepers, OSHA requirements state that if a vehicle does not have full visibility out of their rear window, that they must provide some kind of audible warning when backing. As backing beepers are exempt from noise regulations, we have worked with property owners while even retrofitted some of our own City vehicles, to convert beepers to emit white noise. The white noise backing warning devices sound like a puff of air rather than the standard beeping noise. Any use, whether Light Industrial or Business Park related would have the risk of backing beepers (delivery trucks, commercial vehicles, etc.). Staff would work with the user regardless to ensure that these impacts would be minimized.

Similarly, diesel exhaust is just as likely to be an issue if the property is Light Industrial or Business Park. Idling vehicles are undoubtedly associated with both types of uses. Much like the backing beeper issue, staff would work with the applicant of any future building in this location to install signs or other measures to deter idling especially adjacent to the residential area.

### Church Site (Open Space-Institutional) to Low Density Residential 3-6

Concerns on re-designating the church site included issues associated with the existing sewer odor control facility on 31<sup>st</sup> Avenue and traffic. As mentioned at the hearing, any project on the current church site will be required to connect to an existing STEP sewer main located in 31<sup>st</sup> Avenue NE and will not impact the current odor control facility.

As for general traffic concerns related to these proposals, Meridian Campus has been built with large street systems built for to handle the ultimate build-out under the master plan and as envisioned in the City's Transportation Plan. As we are coming to realize, the full vision of

the master plan may never be achieved such that the road systems are now over-built and are operating well over any envisioned level of service. Therefore, the wide arterials and collectors established in the community have little or no congestion and allow drivers to move through the area at high rates of speed. The solution to this issue would be to encourage land uses that are at a high density and/or intensity that fully utilize the transportation system that was constructed in the area to accommodate them. Any project exceeding 50 p.m. peak hour trips will also require a Transportation Impact Analysis (TIA) to identify any potential capacity and concurrency issues.

Additionally, residents were concerned about the transitional areas from 31<sup>st</sup> Avenue through Meridian Campus. 31<sup>st</sup> Avenue is an old county road that transitions into a city collector so that people travel along these relatively unimproved stretches of roadway at the same rate of speed that they do in the improved section. The unimproved sections of 31<sup>st</sup> Avenue will depend on properties adjacent to them to develop so that they will be improved to city standards.

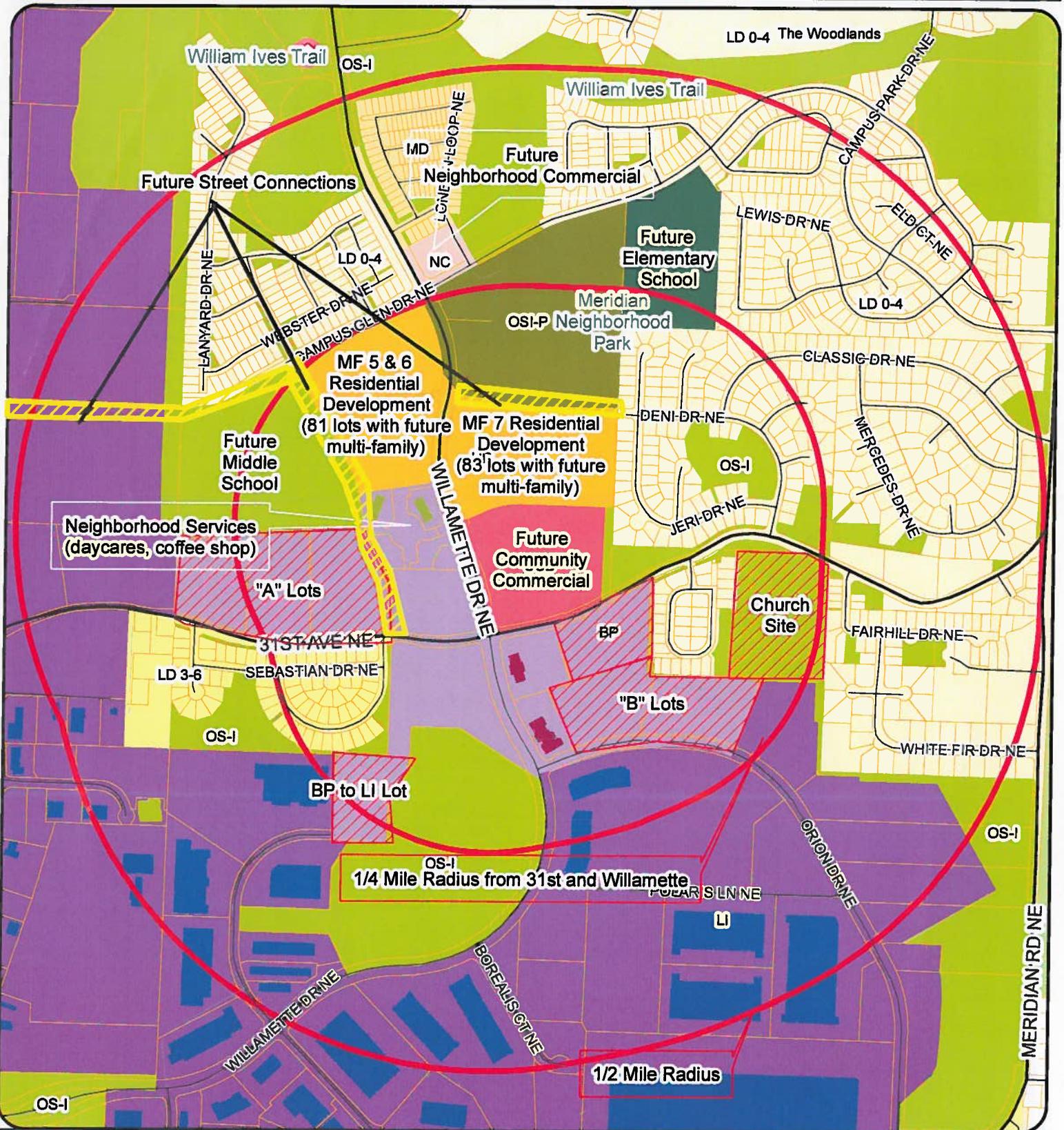
**RECOMMENDATION:**

The Planning Commission is requested to review public testimony and staff analysis on the private applicant-initiated request to amend the designation of several properties around the intersection of Willamette Drive NE and 31<sup>st</sup> Avenue NE within the Meridian Campus Planned Community. At the conclusion of the briefing, Planning Commission is requested to make a formal recommendation on the proposal to the City Council.

The Planning Commission's options related to the request are:

1. Recommend approval of the request as recommended by staff to the City Council including:
  - a. Re-designation of the "A" lots along 31<sup>st</sup> Avenue north of Christa Heights from Business Park to Moderate Density Residential to include a 6.18-acre multi-family parcel for the easterly most "A" lot.
  - b. Re-designation of the parcel at the terminus of Commerce Place Drive NE from Business Park to Light Industrial.
  - c. Lots "B-2" and "B-3" from Business Park to Light Industrial.
  - d. Existing Business Park parcel west of the Campus Prairie subdivision along 31<sup>st</sup> Avenue NE from Business Park to Moderate Density Residential and elimination of the proposed multi-family site
  - e. Re-designation of the "church site" from Open Space Institutional to Low Density Residential 3-6.
2. Recommend to the City Council approval of the request as proposed by the applicant.
3. A modified recommendation to the City Council as determined by the Planning Commission at the conclusion of discussion and consideration based on appropriate findings and conclusions.

# 31st and Willamette Node



<ul style="list-style-type: none"> <li>MGSA McAllister Geologically Sensitive Area</li> <li>LHN Lacey Historic Neighborhood</li> <li>LD 0-4 Low Density Residential</li> <li>LD 3-6 Low Density Residential</li> <li>MD Moderate Density Residential</li> <li>HD High Density Residential</li> <li>MMDC Mixed Use Moderate Density Corridor</li> <li>MHDC Mixed Use High Density Corridor</li> <li>HPBC BC Hawks Prairie Business District (Business/Comm.)</li> </ul>	<ul style="list-style-type: none"> <li>HPBD C Hawks Prairie Business District (Commercial)</li> <li>NC Neighborhood Commercial</li> <li>CCD Community Commercial District</li> <li>OC Office Commercial</li> <li>Woodland District</li> <li>Central Business District 4</li> <li>Central Business District 5</li> <li>Central Business District 6</li> <li>Central Business District 7</li> </ul>	<ul style="list-style-type: none"> <li>Saint Martin's University</li> <li>GC General Commercial</li> <li>BP Business Park</li> <li>LI-C Light Industrial Commercial</li> <li>LI Light Industrial</li> <li>ME Mineral Extraction</li> <li>C Cemetery</li> <li>AG Agriculture</li> <li>OS-I Open Space Institutional</li> </ul>	<ul style="list-style-type: none"> <li>OSI-P Open Space Park</li> <li>OSI-S Open Space School</li> <li>Shoreline Residential</li> <li>Urban Conservancy</li> <li>Natural</li> <li>Lake/Aquatic</li> <li>Village (Urban) Center</li> </ul>
--	---	---	---

Date: 9/20/2013  
1 inch = 800 feet

Puget Western Meridian Campus Master Plan Amendment  
Project no. 13-42  
Summary of Public Comments Received

**Mark Harris, Campus Prairie Resident.** He lives adjacent to the church site and is concerned about losing a church site within walking distance of his house. He feels that the proposal is a bait and switch in terms of the proposed change of use. Is concerned that crime rates will go up and his property values will go down. He believes the proposal is inconsistent with the Northeast Area Plan and the Sustainable Thurston plan.

**George McKinney, 2922 Campus Prairie Loop.** He is concerned about traffic and impact to schools. Stated that his children attend Olympic View Elementary which currently has about 700 students and feels concerned that any additional students will impact the quality of their education.

**Irene Ritchie, 3024 Campus Prairie Loop.** She had concerns related to future residential at the church site and impacts to the existing odor control facility in 31<sup>st</sup> and whether new homes in this area would contribute to additional odor associated with the facility.

**Dana Munson, Christa Heights Resident.** Is concerned about impacts to Christa Heights including additional traffic, impacts to property values, and was concerned about future potential light industrial development to the south.

**Doug Carbaugh, President, Christa Heights Homeowners Association.** Is concerned about light industrial development related to diesel fumes, noise impacts. Felt that the proposal would add additional traffic on 31<sup>st</sup> Avenue and increase speeds as well. Concerned that safe crossings would need to be made across 31<sup>st</sup> should this be designated residential for kids crossing to the north.

**Hal Aspgren, Christa Heights Resident.** Feels that the proposed re-designation of the property south of Christa Heights is adding insult to injury. He is concerned about the buffering needed between 31<sup>st</sup> Avenue and a future residential development on the north side. Had questions related to what will be multi-family on the site north of 31<sup>st</sup>.

**Rich Cobb, Vicwood.** Stated that the density for Meridian Campus was never realized so even with the proposed re-designations, the total number of units is well under the number approved under the master plan. He discussed the history related to designation of school sites in the area. He stated that it has been over 20 years that they have been trying to sell the church site but have had difficulty. Discussed wetland and stormwater requirements for the property and how this may reduce impacts on adjacent homes in Campus Prairie.

**Bob Boyd, Puget Western, Inc.** He supports the multi-family component on the easterly most of that "A" lots but is not sure that the market would support the use. He

would prefer a total of 3 acres of multi-family rather than the 5 or 6 acres in the staff preferred alternative. Believes that the multi-family development would need to fit in with the community. Stated that they have owned many of the properties within Meridian Campus for some time and have made a significant investment in infrastructure to support development in this area.

**Dick Bringhurst, Christa Heights Resident.** Is concerned about the proposed re-designation to Light Industrial to the south of Christa Heights. Discussed concerns related to overhead roll-up doors, diesel exhaust, and enforcement related to existing anti-idling signs. Asked how hard it is to change the current prohibition on roll-up doors adjacent to residential areas. Suggested leaving the zoning for this area Business Park.

## MINUTES

Lacey Planning Commission Meeting  
Tuesday, October 1, 2013 – 5:30 p.m.  
Lacey City Hall Council Chambers, 420 College Street SE

Meeting was called to order at 5:30 p.m. by Gail Madden.

Planning Commission members present: Gail Madden, Michael Steadman, Vasiliy Stupin, Don Melnick, Raymond Payne, and Mike Beehler. Staff present: Dave Burns, Rick Walk, Ryan Andrews, and Leah Bender. Also present: Jailyn Brown with Thurston Regional Planning Council.

Gail Madden noted a quorum present.

**Vasiliy Stupin made a motion, seconded by Don Melnick, to approve the agenda for tonight's meeting. Mike Beehler made a motion, seconded by Vasiliy Stupin, to approve the September 17, 2013, minutes. The motion carried.**

1. **Public Comments:** Gail Madden asked visitors to introduce themselves. Rich Cobb, Bob Boyd, Mark Harris, and Planning Commission applicant Paul Ens were in attendance.
2. **Commission Member's Report:** Don Melnick, Mike Beehler, and Dave Burns attended the Regional Rail Workshop. Don said that an organization similar to LOTT made up of different agencies would be a good way to manage the rail system. Mike noted that the plan is on the website and encouraged everyone to look at it and become more informed. Dave said it was an eye opener to see all the issues that need to be dealt with and stressed the importance of becoming educated.
3. **Director's Report:** Rick Walk said that interviews for Planning Commission will begin soon. So far 11 applications have been received.
4. **New Business:**  
**Regional Rail and Transportation Planning:**
  - Rick introduced Jailyn Brown with Thurston Regional Planning Council and gave some background information regarding local rail use. Rick pointed out that the Lacey Woodland Trail is still owned by BNSF and that it could one day revert back to rail so the city has to be careful with adjacent development.
  - Jailyn gave a PowerPoint presentation. She said that the Regional Transportation Plan is being updated and went over the process.
  - Jailyn said that a good way to get an idea about rail system use is by looking at surrounding ports.
  - Jailin pointed out that rail lines are private roads and polices don't really impact them.
  - Jailyn explained that the difference between heavy rail and light rail is the type of cars used.
  - Planning Commissioners participated in an exercise that opened up discussions about different types of transportation, the costs involved, and areas for improvement.
5. **Old Business:**  
**Meridian Campus Master Plan Amendment:**
  - Ryan Andrews reiterated the applicants' proposals: two sites currently zoned BP rezoned as MD-Residential with multi-family components on the A and B lots, one BP site rezoned as LI, and the "church site" rezoned from OS-I to LD-Residential 3-6.
  - Ryan also went over the staff recommendation of designating a multi-family component on one parcel of the A lots but not on the B lots.
  - Ryan went over some of the concerns that were brought up at the public hearing and explained that issues can be dealt with through the permitting process when the lots are developed.
  - Raymond Payne asked Bob Boyd if the applicant agrees with the staff recommendation. Bob said that they would like additional flexibility related to the size of the multi-family parcel, rather than the six-plus acres that staff has requested.
  - Ryan explained that one large multi-family component seems more logical due to the proximity to services.
  - Mark Harris spoke to Planning Commissioners. He said he feels that the proposed changes do not promote a mix of land use as defined in the land use element, and that rezoning the OS-I parcel takes away social and mixed-use elements. Staff reiterated that the parcel has been on the market for 20 years and there has been no interest from any churches and explained that churches are allowed in any zone with a conditional use permit.

- Michael Steadman said he thinks the OS-I zoning should not be changed because eventually it will be developed as a church.
  - Dave Burns said that if after the zoning change if someone wanted to develop a church on that site, it could be rezoned to make it work, and pointed out that most OS-I designations were created at the request of applicants. He reiterated that churches are allowed pretty much anywhere with a conditional use permit.
  - Mike Beehler said that changing the zoning of the church site makes sense because it would be consistent with the surrounding residential areas.
  - Vasily Stupin stated that he does not feel it is a conflict of interest, but he wanted to disclose his involvement with an organization that represents homeowners associations. He wanted to know if there was a compromise we could come to with the applicant regarding staff's recommendation for the multi-family parcel. Bob said that it is a challenge but that it is not a deal breaker and they will make a commitment to work with the City to make it work. Vasily said that he supports the zoning changes with staff's recommendation as long as there can be a request made to the transportation department to evaluate and resolve traffic safety concerns. He also said he personally would prefer that the church site zoning remain the same but understands why it would be better to change it.
  - Rick pointed out that site development details will be addressed and that the Public Works standards plan is in the process of being updated so Planning Commission will be working on those standards.
  - Raymond Payne asked what kind of an agreement can be made between the city and the applicant regarding the multi-family component. Gail Madden pointed out that Bob already said the applicant can work with it.
  - **Mike Beehler made a motion to recommend the zoning amendments and staff recommendation to council with the additional request that the transportation division address the traffic safety issues. Don Melnick seconded the motion. Gail Madden, Mike Beehler, Vasily Stupin, and Don Melnick voted in favor; Michael Steadman and Raymond Payne voted against; the motion carried.**
  - Don noted that law enforcement and speed limits should deal with the traffic problems. He also asked how the public was made aware of this project. Rick said the applicant notified the surrounding neighbors. Don said he feels the city did not do enough and waited too long to address the issue, and that waiting until a public hearing for public input is not effective, that the city should reach out beforehand and make sure the public understands the issue similar to the effort for the shoreline master program.
  - Rick responded that the shoreline master program was a different process, that was City initiated and a general city wide policy document. This process is a site-specific, applicant-initiated process where the City had the applicant meet with homeowners in advance of the hearing. City staff issued notice of the hearing to residents within the master plan community and was available to answer questions prior to the hearing. There is a limit to what the city can do for outreach based on the more quasi-judicial nature of this application and staff resources.
  - Don did not agree and stressed that more should be done so that neighbors were not attending the hearing un-informed, which causes mistrust.
6. **Communications and Announcements:** Rick said there will be an open house at 5:30 p.m., Tuesday, October 15, 2013.
7. **Next meeting:** October 15, 2013.
8. **Adjournment:** 7:30 p.m.



**LACEY CITY COUNCIL MEETING**  
December 5, 2013

**SUBJECT:** 2014 Budget Ordinance

---

**RECOMMENDATION:** Adopt the 2014 Budget ordinance setting the total budget in the amount of \$109,045,041 and the General Fund total budget in the amount of \$38,194,288.

---

**STAFF CONTACT:** Scott Spence, City Manager   
Troy Woo, Finance Director 

**ORIGINATED BY:** Troy Woo, Finance Department

**ATTACHMENTS:** 1. [Ordinance No. 1425](#)

**FISCAL NOTE:** 2014 Total Budget \$109,045,041  
2014 General Fund Budget \$38,194,288

**PRIOR REVIEW:** Public revenue hearing (11/7/13) and two public hearings on the budget (11/7/13 and 11/21/13) were conducted.

---

**BACKGROUND:**

After many hours of hard work by the City Council, Finance and Economic Development Committee, and City staff, the final step of the 2014 Budget process has been reached.

The budget ordinance that is presented for your approval contains the following changes to the original Proposed 2014 Budget document that was presented on October 24, 2013.

- \$1,306,627 reductions to the Wastewater Capital Fund and Wastewater Debt Fund proposed budgets due to the reduced scope of the Tanglewilde IIIB utility local improvement district.
- The 2014 property tax projection has been increased \$17,840 as a result of a delayed refund levy calculation due to changes passed during the last legislative session.

- The 2014 property tax projection has been decreased \$72 as a result of an updated new construction value. The latest Thurston County Assessor's Office new construction assessment. The updated new construction valuation is \$70,161,929, which is slightly lower than the previous value.
- Removal of \$58,590 2013 Budget balancing figure that was inadvertently carried forward to the Proposed 2014 Budget.
- Moved \$1,650,000 Stormwater depreciation expense from the Stormwater M&O Fund to the newly established Stormwater Debt Service Fund.
- \$50,000 was added to the Stormwater Vector Waste Decant Facility Project.
- \$130,000 was added to the Equipment Rental Fund for scheduled equipment replacements.

The total City of Lacey Proposed 2014 Budget is \$109,045,041. This is an increase of 5,662,477 compared to the amended 2013 Budget. The primary reasons for the increase are new utility revenue bond debt service payments, bond proceed transfers to capital funds, and utility tax receipting changes.

The total proposed General Fund Budget is \$38,194,288. This is an increase of \$3,033,139 or 8.6 percent compared to the amended 2013 General Fund Budget. The main reason for the General Fund increase is related to the aforementioned change to utility tax receipting. The General Fund budget is also impacted by contracted salary increases and inflationary increases.

City staff will continue to closely analyze the financial indicators and revenue collections. If the financial condition of the City worsens, it will be vital to react decisively and timely.

Although the overall 2014 Budget focuses on preserving service and staffing levels, it includes funding for capital projects that have been in the planning and concept stages for many years and addresses priorities established by the City Council.

---

**ADVANTAGES:**

1. The Proposed 2014 Budget is balanced and preserves service and staffing levels.
2. Activities necessary for the City to plan and insure that future services can be maintained are included in the Proposed 2014 Budget.

**DISADVANTAGES:**

1. This is a challenging economic time to increase property tax collections and utility rates. However, these modest increases allow the City of Lacey to preserve its service levels.

**ORDINANCE NO. 1425**

**CITY OF LACEY**

**AN ORDINANCE ADOPTING THE ANNUAL BUDGET OF THE CITY OF LACEY FOR THE 2014 FISCAL YEAR.**

**WHEREAS**, the City Manager of the City of Lacey has prepared and submitted to the City Council the preliminary budget of the fiscal year ending December 31, 2014, and has filed this preliminary budget with the City Clerk, and

**WHEREAS**, notice of the legislative budget hearing was published in the official newspaper of the City once a week for two consecutive weeks designating the date, the time, and the place of said public hearing, and

**WHEREAS**, the City Council, at two public hearings held at Lacey City Hall on November 7, 2013 and November 21, 2013, did meet to consider the fixing of the final budget, now, therefore,

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

**Section 1.** The preliminary budget of the City of Lacey for the fiscal year 2014, on file with the City Clerk, as presented at the public hearings held on November 7, 2013 and November 21, 2013, as modified by the City Council after such hearings, and each and every item thereof including the salaries and positions contained therein or attached thereto, is incorporated by reference and adopted as the final budget of the City of Lacey for the fiscal year 2014. The totals of estimated revenues and appropriations for each fund and the aggregate totals for all such funds combined in said budget are as follows:

<b><u>FUND NAME</u></b>	<b><u>ESTIMATED REVENUE</u></b>	<b><u>ESTIMATED EXPENDITURE</u></b>
<i>City of Lacey Budget:</i>		
Current Expense Fund	\$31,229,722	\$31,229,722
Criminal Justice Fund	589,755	589,755
Community Center Fund	519,234	519,234
Regional Athletic Complex	1,044,206	1,044,206
City Street Fund	3,903,240	3,903,240
Arterial Street Fund	4,943,006	4,943,006
Lodging Tax Fund	481,400	481,400
Community Dev. Block Grant Fund	200	200
GO Debt Fund	2,054,555	2,054,555
LID Debt Fund	930,689	930,689
Building Improvement Fund	69,375	69,375
Capital Equipment Fund	908,131	908,131

Parks & Open Space Fund	728,346	728,346
Reg. Athletic Complex Capital	721,345	721,345
Water Utility Fund	9,139,141	9,139,141
Wastewater Utility Fund	12,725,031	12,725,031
Stormwater Utility Fund	2,361,468	2,361,468
Reclaimed Water Utility Fund	400	400
Water Capital Fund	8,229,253	8,229,253
Wastewater Capital Fund	5,946,584	5,946,584
Stormwater Capital Fund	3,269,975	3,269,975
Reclaimed Water Capital Fund	3,000	3,000
Water Debt Fund	7,195,490	7,195,490
Wastewater Debt Fund	4,719,784	4,719,784
Stormwater Debt Fund	3,067,602	3,067,602
Equipment Rental Fund	2,481,290	2,481,290
Information Mgt. Services Fund	1,782,819	1,782,819
<b>TOTAL CITY OF LACEY FUNDS</b>	<b>\$109,045,041</b>	<b>\$109,045,041</b>
<i>Joint Animal Services Budget</i>	\$2,025,345	\$2,025,345
<i>Joint Drug Unit Budget</i>	554,432	554,432

**Section 2.** Upon adoption of this ordinance, the City Clerk shall transmit a complete copy of the final budget to the Division of Municipal Corporations in the office of the Washington State Auditor and the Association of Washington Cities.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, THIS 5<sup>th</sup> DAY OF DECEMBER, 2013.

\_\_\_\_\_  
Mayor, Virgil Clarkson

ATTEST:

\_\_\_\_\_  
Carol Litten, City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney, Ken Ahlf

Publish: December 9, 2013

SUMMARY FOR PUBLICATION  
ORDINANCE NO. 1425  
CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on December 5, 2013, Ordinance No. 1425, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET OF THE CITY OF LACEY FOR THE 2014 FISCAL YEAR."

The main points of the Ordinance are described as follows:

1. Sets forth the separate fund resources, expenditures, and aggregate totals for all funds combined for 2014.
2. Authorizes the City Clerk to transmit copies of the budget to the Washington State Auditor and Association of Washington Cities.

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 9, 2013.



## LACEY CITY COUNCIL MEETING December 5, 2013

**SUBJECT:** Budget Amendment (Revenue Bond Transactions)

---

**RECOMMENDATION:** Adopt ordinance amending the 2013 Budget.

---

**STAFF CONTACT:** Scott Spence, City Manager *SS*  
Troy Woo, Finance Director *TW*

**ORIGINATED BY:** Troy Woo, Finance Department

**ATTACHMENTS:**

1. [Ordinance No. 1426](#)
2. [Summary of the Proposed Ordinance](#)

**FISCAL NOTE:** [See attached Ordinance Exhibit "A"](#)

**PRIOR REVIEW:** Finance and Economic Development Committee on November 25, 2013

---

### **BACKGROUND:**

At the October 24, 2013, City Council meeting, the City Council adopted Ordinance No. 1420, which authorized the sale of utility revenue bonds up to \$9.2 million. The bond ordinance authorized the designated representative to conduct the sale of bonds when the terms were deemed most advantageous to the City and were within key parameters. The market conditions and the AA stable Standard and Poor's (S&P) assigned rating allowed to the pricing of the bonds to take place on November 5. The final bond closing occurred on November 19. The final numbers of the revenue bond issue were not determined until the pricing of the bonds, so this proposed budget amendment is occurring retroactively.

The proposed budget amendments are limited to transactions necessary to close the bond issuance. The transactions include receipt of the proceeds, transfers to the Water and Stormwater Capital Funds, accounting for the bond premiums, payment debt issue costs, and transactions necessary to fund the required debt reserve. The full details of the proposed amendments are attached to the proposed ordinance as exhibit "A".

At its November 25, 2013 meeting, the Finance and Economic Development Committee reviewed the proposed amendments and recommended full City Council adoption of the proposed amendments to the 2013 adopted budget.

---

**ADVANTAGES:**

1. The proposed adjustments to the 2013 Budget reflects more accurately the necessary requirements of each fund or adjustments made by City Council action.
2. The proposed adjustments maintain a balance between the anticipated revenues and expenditures of the funds.

**DISADVANTAGES:**

1. None identified.

**ORDINANCE NO. 1426**

**CITY OF LACEY**

**AN ORDINANCE AMENDING THE 2013 FISCAL YEAR BUDGET ADOPTED BY ORDINANCE NO. 1406 BY REVISING THE BUDGETED AMOUNTS FOR THE WATER CAPITAL, STORMWATER CAPITAL, WATER DEBT, WASTEWATER DEBT, AND STORMWATER DEBT FUNDS.**

**WHEREAS**, there is a need for additional expenditures to be budgeted within the Water Capital, Stormwater Capital, Water Debt, Wastewater Debt, and Stormwater Debt Funds for expenditures in which the extent of which could not be contemplated at the time of adopting the 2013 fiscal year budget; and

**WHEREAS**, revenues, as shown on Exhibit "A" attached hereto, are available from the sources indicated on said Exhibit for the making of said expenditures; now, therefore,

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

Section 1. That the 2013 fiscal year budget and Ordinance No. 1406 adopting said budget are hereby amended by making those certain changes to the 2013 fiscal year budget which are set forth on Exhibit "A", attached hereto and made a part hereof as though fully set forth and for all purposes considered to be a portion of this ordinance.

Section 2. The summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, on this 5<sup>th</sup> day of December, 2013.

Approved as to form:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
City Clerk

**SUMMARY FOR PUBLICATION**

**ORDINANCE NO. 1426**

**CITY OF LACEY**

The City Council of the City of Lacey, Washington, passed on December 5, 2013, Ordinance No. 1426 entitled “**AN ORDINANCE AMENDING THE 2013 FISCAL YEAR BUDGET ADOPTED BY ORDINANCE NO. 1406 BY REVISING THE BUDGETED AMOUNTS FOR THE WATER CAPITAL, STORMWATER CAPITAL, WATER DEBT, WASTEWATER DEBT, AND STORMWATER DEBT FUNDS.**”

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

Section 1 revises the amounts which were budgeted for revenues and expenditures within the funds listed above by the 2013 fiscal year budget which had been adopted by Ordinance No. 1406. The reason for revising the budgeted amounts is the fact that there exists a need for additional expenditures within those funds which could not be contemplated at the time of adopting the 2013 fiscal year budget.

Section 2 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.

---

City Clerk

Published: December 9, 2013

2013 Budget Amendments - Ordinance No. 1426 Exhibit "A"

Account Numbers	Account Description	2013 Budget	Budget Amendment	2013 Budget as Amended	Comments
<b>Water Capital Fund</b>					
<b>Revenues</b>					
410-0000-382-2000	Revenue Bond Proceeds	3,000,000	(3,000,000)	-	
410-0000-382-7000	PWTF Loan Proceeds	2,338,000	(2,338,000)	-	
410-0000-397-1150	Transfers In / Transfers In-Water Debt Service Fund	-	3,655,788	3,655,788	Transfer in bond proceeds for 2013 Water projects reimbursement
<b>Total Water Capital Fund Revenues</b>		<b>12,221,344</b>	<b>(1,682,212)</b>	<b>10,539,132</b>	
<b>Expenditures</b>					
410-3418-508-8000	Unreserved Funds	2,681,132	(1,682,212)	998,920	
<b>Total Water Capital Fund Expenditures</b>		<b>12,221,344</b>	<b>(1,682,212)</b>	<b>10,539,132</b>	
<b>Stormwater Capital Fund</b>					
<b>Revenues</b>					
412-0000-397-1152	Transfers In-Stormwater Debt Service Fund	-	80,000	80,000	Transfer in bond proceeds for 2013 Stormwater projects reimbursement
<b>Total Stormwater Capital Fund Revenues</b>		<b>326,500</b>	<b>80,000</b>	<b>406,500</b>	
<b>Expenditures</b>					
412-4218-508-8000	Unreserved Funds	95,500	80,000	175,500	Revenue Bond 2013 Stormwater project reimbursements
<b>Total Stormwater Capital Fund Expenditures</b>		<b>326,500</b>	<b>80,000</b>	<b>406,500</b>	
<b>Water Debt Fund</b>					
<b>Revenues</b>					
450-0000-308-0200	Beginning Cash/Debt Service Cash	-	77,142	77,142	Transfer unrestricted reserves to fund Revenue Bond Reserve
450-0000-391-2001	Revenue Bond Proceeds/2013 Bonds	-	6,894,876	6,894,876	
450-0000-392-0000	Other Financing Sources/Premium on Bonds	-	346,752	346,752	83.17% share of bond premium proceeds
450-0000-397-1151	Transfers In - Wastewater Debt Service Fund	-	138,692	138,692	Transfer Wastewater unrestricted reserves to fund Revenue Bond Reserve
450-0000-397-1152	Transfers In - Stormwater Debt Service Fund	-	65,901	65,901	Transfer for Bond Reserve
<b>Total Water Debt Fund Revenues</b>		<b>3,500,000</b>	<b>7,523,363</b>	<b>11,023,363</b>	
<b>Expenditures</b>					
450-3401-508-3000	Reserves for Debt Funds/Revenue Bond Reserve	-	607,425	607,425	Bond Covenant - Debt Service Reserve
450-3401-592-8400	Other Debt Service Cost/Issue Cost	-	73,205	73,205	83.17% Debt Issue Costs - Bond Counsel, Underwriting, S&P Rating
450-3401-597-6904	Transfers Out/WA Construction	-	3,655,788	3,655,788	Revenue Bond 2013 Water project reimbursements

Account Numbers	Account Description	2013 Budget	Budget Amendment	2013 Budget as Amended	Comments
450-3401-508-8000	Unreserved Funds	-	3,186,945	3,186,945	Carryover to remaining 2014 project expenditures
<b>Total Water Debt Fund Expenditures</b>		3,500,000	7,523,363	11,023,363	

<b>Wastewater Debt Fund</b>					
<b>Revenues</b>					
451-0000-308-0200	Beginning Cash/Debt Service Cash	-	138,692	138,692	Transfer unrestricted reserves to fund Revenue Bond Reserve
<b>Total Wastewater Debt Fund Revenues</b>		2,350,000	138,692	2,488,692	
<b>Expenditures</b>					
451-3501-597-6901	Transfers Out/Debt Service	-	138,692	138,692	Transfer unrestricted reserves to fund Revenue Bond Reserve
<b>Total Wastewater Debt Fund Expenditures</b>		2,350,000	138,692	2,488,692	

<b>Stormwater Debt Fund</b>					
<b>Revenues</b>					
452-0000-391-2001	Revenue Bond Proceeds/2013 Bonds	-	1,395,127	1,395,127	
452-0000-392-0000	Other Financing Sources/Premium on Bonds	-	70,163	70,163	16.83% share of bond premium proceeds
<b>Total Stormwater Debt Fund Revenues</b>		-	1,465,290	1,465,290	
<b>Expenditures</b>					
452-4201-592-8400	Other Debt Service Cost/Issue Cost	-	14,812	14,812	16.83% Debt Issue Costs - Bond Counsel, Underwriting, S&P Rating
452-4201-597-6902	Transfers Out/Construction	-	80,000	80,000	2013 project expenditures
452-4201-597-6901	Transfers Out/Water Debt Service	-	65,901	65,901	Transfer for Bond Reserve
452-4201-508-8000	Unreserved Funds	-	1,304,577	1,304,577	Carryover to remaining 2014 project expenditures
<b>Total Stormwater Debt Fund Expenditures</b>		-	1,465,290	1,465,290	



**LACEY CITY COUNCIL MEETING**  
**December 5, 2013**

**SUBJECT:** Housekeeping Amendments 2013

---

**RECOMMENDATION:** Adopt Ordinance relating to 2013 Housekeeping Amendments

---

**STAFF CONTACT:** Scott Spence, City Manager *SS*  
Rick Walk, AICP, Community Development Director  
David R. Burns, AICP, Principal Planner

**ORIGINATED BY:** Community Development Department

**ATTACHMENTS:** 1. [Ordinance](#)  
2. [Planning Commission Minutes](#)  
3. [Proposed Ordinance Changes](#)

**FISCAL NOTE:** Amendments will not require additional funding

**PRIOR REVIEW:** Joint Worksession Council/Planning Commission February 7, 2013  
Planning Commission Worksession January 22, 2013  
Planning Commission Public Hearing July 16, 2013  
Land Use Committee November 4, 2013

---

**BACKGROUND:**

Through the administration of the city's zoning code conflicts within the language of the code are identified or interpretations of ordinance intent are made by the Community Development Department. Through the course of the year a list of these items is maintained and brought forward for amendment consolidated into one action. Because these items are not new policy or regulation but reconciliation of inconsistencies within the ordinance they are generally referred to as housekeeping items.

Earlier this year, the Community Development Department identified a number of housekeeping amendment items. The Council placed the housekeeping amendments on the Planning Commission's work program for 2013 and the amendments were scheduled for consideration by the Planning Commission. The Planning Commission spent portions of

several worksessions reviewing and fine tuning the proposed amendments and held a public hearing to provide the opportunity for public comment. No one spoke against the amendments.

Amendments included:

- Clarification of SPR vesting.
- Date changes for template tables in the Land Division ordinance.
- Amend the 5 acre exemption for land Divisions.
- Cottage Housing clarifications.
- Clarification of accessory structure height in residential zones.
- Clarification of permitted urban agricultural use in multifamily context.

A brief description of each item is provided below:

**SPR Vesting:** This is an amendment to clarify when an SPR approval expires. Currently this is linked to issuing a building permit. The Site Plan Review Ordinance, LMC 16.84, states that if a building permit application is not submitted within 18 months, the approval will terminate. The intent is to provide a reasonable period after site plan review approval to develop construction drawings meeting the conditions of approval but not allow a project to be vested indefinitely under potentially outdated regulations. Comprehensive plans and development regulations are periodically amended and so project vesting should sunset in order to meet the new requirements if a proposal does not move forward within a reasonable time.

Allowing a project approval to be vested with the submittal of a building permit can be considered as not meeting the intent of moving a project forward to construction. A building permit application is valid for six months and can be extended if by showing submittal activity without necessarily issuing the permit. Someone may not have any real intent to do a project, but simply wants to vest an activity or structure before new codes being proposed are adopted.

To make the time period for vesting more appropriate to the intent, staff has suggested having the deadline be attached to the actual work being started. This is a simple amendment to make implementation consistent with intent. A new sentence has been added to the ordinance that states an approval will expire if a building permit or grading permit is not issued, and site work has not begun within 18 months of the approval. (See attached 2013 Housekeeping Amendments, Site Plan Review, page 5.)

**Change the tables in the Land Division Ordinance to reflect the current date from 19\_\_ to 20\_:** Currently the land division ordinance has a number of tables it specifies for display of information on maps. The templates were developed in the 1970s and 1980s so all of the tables have templates that have an insert for a date shown as 19\_\_. This should be changed to 20\_\_ or simply "Date inserted here". (See attached 2013 Housekeeping Amendments, table changes, pages 7-10.)

**Five Acre Subdivision exemption:** The state law provides for land divisions with parcels over 5 acres to be exempt from land division regulations, unless the local jurisdiction develops requirements for one. This was intended for rural areas that were not looking at urban density or services and did not need to worry about strict land division form and requirements as rural style development occurred. This was primarily a concern for counties where 5-acre divisions were popular to provide a 5-acre tract that would later be sold and developed into 4 lot short plats. Many jurisdictions adopted a separate large lot division ordinance to deal with some of the concerns a 5-acre land division can create (primarily access requirements). With a large lot ordinance it was typical to require an access plan to ensure access for all parcels, and in some cases conformance with a street grid to address connectivity issues that would come into play as short plats of the 5-acre pieces were brought forward.

Generally in cities, land divisions proposed higher density to take advantage of available urban services and to make the most use of higher land prices. Because of the demand for higher density subdivisions, the 5 acre threshold was generally not an issue. However, the existing exemption could allow a landowner to split a larger piece of property into smaller 5-acre tracts that could have been better developed in a master planned capacity. Elimination of the exemption or raising the threshold to provide for a 4- acre minimum would ensure larger pieces remain consolidated until urban planning is accomplished.

Staff suggests the exemption be deleted or amended to provide for a new 40-acre threshold exemption. (See attached 2013 Housekeeping Amendments, page 12.)

**Cottage Housing:** There are two needed changes in the cottage housing chapter of the zoning code. The first clarifies how units must be oriented around open space. Proposed wording that clarifies this statement is shown on page 14 of the cottage amendments.

The second change provides flexibility to make good projects work that might otherwise be denied because of code provisions. The intent is to be able to work with nonprofit agencies and the development community at large to get good projects to work. Wording is needed that supports partnerships and maximum flexibility in designing projects that promote objectives of our Plan.

Proposed wording can be seen on page 15 and 16 of the attached 2013 Housekeeping Amendments. It generally allows staff the flexibility to make a good project work, as long as it meets planning objectives identified in the Comprehensive Land Use Plan.

**Accessory structure height:** The residential zones have a requirement for accessory structures over 16 feet to require design review. However, later there is a statement that accessory structures cannot be over 16 feet in height. The intent here was to allow accessory structures to be taller than 16 feet if they are subject to design review. Clarification language states this and provides guidance on the intent of design review. The potential height is also capped at what the main structure is limited to. (See attached 2013 Housekeeping Amendments, page 21 and 22.)

In the Moderate and High Density residential zones there is a similar issue and there is the added provision of increasing the height subject to providing a green roof. For these zones similar changes were made and height beyond 16 feet is subject to providing the green roof. (See attached 2013 Housekeeping Amendments, page 28.)

**Urban Agricultural activities:** The urban agricultural ordinance anticipated urban agricultural uses to take place on individual single family lots where there is a yard and some space to accommodate the activity. The exclusion of apartments from permitting urban agricultural activity recently resulted in a violation at an apartment complex when a renter had a pigmy goat. This required staff to consider how such a use might be accommodated at the site without subjecting neighbors to disruptive activity.

Urban agricultural use at an apartment complex could be beneficial on properties other than single family residential, if the site is designed to accommodate the use. Consider an apartment complex with a roof garden, or an area specifically dedicated to an urban agricultural activity that could provide the opportunity for the whole complex. This might be a garden area, a chicken house, a barn with a couple goats, or whatever the owner may be able to make work.

To accommodate this activity, a provision has been developed stating under certain conditions an urban agricultural use can be allowed subject to the apartment's management approving the use and taking responsibility for providing adequate space. (See attached 2013 Housekeeping Amendments, Urban Agriculture, page 32.)

The Land Use Committee reviewed the 2013 housekeeping amendments at its November 4, 2013, meeting, and recommended approval to full Council.

---

#### **ADVANTAGES:**

1. Amendments clarify and refine existing text providing a code that will better implement planning objectives.

#### **DISADVANTAGES:**

1. No specific disadvantages have been identified with the amendments. Some amendments may provide opportunities, or refine intent, that might be objectionable to some. However, the Planning Commission has reviewed the changes and held a public hearing and no one spoke against or had any objections to the amendments.

ORDINANCE NO. \_\_\_\_\_

CITY OF LACEY

AN ORDINANCE RELATING TO THE SITE PLAN REVIEW COMMITTEE AND OTHER PLANNING AND LAND DEVELOPMENT REGULATIONS OF THE CITY AND AMENDING SECTIONS 16.84.100, 15.01.040, 16.62.030, 16.12.040, 16.13.050, 16.15.050, 16.21.014, 16.21.018, 16.21.020 AND 16.21.040 ALL OF THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION.

WHEREAS, as members of the City staff deal with the various land use regulations and procedural planning matters during each year, there is from time to time discovered a conflict or other reason for developing housekeeping amendments to the land use codes of the City, and

The issues discovered by the staff have been reviewed during 2013 by the City's Planning Commission and recommendations have been made for housekeeping amendments to said codes, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, THAT THE FOLLOWING AMENDMENTS TO THE LACEY MUNICIPAL CODE BE ADOPTED:

Section 1. Section 16.84.100 of the Lacey Municipal is hereby amended to read as follows:

**16.84.100 Duration of approval.**

- A. Approval of the site plan shall be effective for eighteen months from the date of approval by the site plan review committee. During this time, the terms and conditions upon which approval was given will not change. ~~If application for a building permit is not made within the eighteen month period, the approval shall automatically terminate.~~ Within 18 months of the date of approval a grading and /or building permit must be issued and work (site preparation) started, or the approval shall automatically terminate. In addition, if the approved site plan calls for a division of land pursuant to a final binding site plan, such final binding site plan must be submitted for final approval within such eighteen month period.
- B. However, upon the application of the owner or representative, the site plan review committee shall extend the approval period for one six-month time period unless since the initial approval substantive change has been made in the regulations, ordinances, requirements, policies or standards which impact the site.
- C. Knowledge of expiration date and initiation of a request for extension of approval time is the responsibility of the applicant. The city shall not be held responsible for notification of expirations, although it may notify the applicant of date of expiration. All requests for

additional time must be submitted to the community development department prior to expiration of site plan approval.

Section 2. Section 15.01.040 of the Lacey Municipal is hereby amended to read as follows:

**15.01.040 Specific exemptions.** The subdivision and short subdivision provisions of this title shall not apply to the following:

- A. Cemeteries and other burial plots while used for that purpose;
- B. Divisions of land into lots or tracts each of which is ~~five~~ forty acres or larger provided each lot created has legal access, and connectivity is provided to adjacent land pursuant to road grid requirements, or provision has otherwise been satisfied for future development and surrounding connectivity. Provided further, that division of any amount of land zoned for non residential use, shall either be accomplished through a plat, a short plat, or the binding site plan regulations pursuant to 15.01.040 F and chapter 15.06;
- C. Divisions made by testamentary provisions or the laws of descent. In order to be buildable, lots formed in this fashion must meet the requirements of all other ordinances including access, lot size, etc. in effect at the time of probate;
- D. A division for the purpose of lease when the land is to be developed as a manufactured or mobile home park or a recreational vehicle park and a site plan has been approved pursuant to Chapter 16.84 of the Lacey Municipal Code;
- E. Contiguous lots: The transfer of ownership of contiguous platted or unplatted lots if:
  - 1. The lots were created after June 9, 1937, or
  - 2. The lots transferred and remaining lots are developed, provided that transfers pursuant to this subsection shall not be effective until the proponent is issued a certificate of compliance from the community development department. A certificate shall be issued when the owner or applicant shows that the lot conforms to the criteria of this subsection;
- F. Industrial and commercial site plans: Divisions of land into lots or tracts classified for industrial or commercial use, provided the city has approved a binding site plan for such division pursuant to Chapter 15.06 of the Lacey Municipal Code;
- G. Boundary line adjustments: An adjustment of boundary line(s) which does not create any additional lot, tract, parcel, site or division, nor create any lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site, and is approved pursuant to Section 15.04 of this chapter.
- H. A division for the purpose of leasing land for facilities providing personal wireless services pursuant to the Revised Code of Washington 58.17.040 (8).
- I. A division of land for the purpose of providing sites for public and private utility facilities. "Facilities" means unstaffed facilities used for the conveyance of the utility limited to well houses, pump houses, substations, lift stations and similar utility facilities. Provided, any

remaining lot or lots are consistent with applicable zoning and land use plans. Provided further, the division shall be surveyed and recorded and a record of survey filed in accordance with the Revised Code of Washington Chapter 58.09.

- J. Divisions of land due to condemnation or sale under threat thereof, by any agency or division of government vested with the power of condemnation.

Section 3. Section 16.62.030 of the Lacey Municipal is hereby amended to read as follows:

**16.62.030 Development standards.**

- A. Density. The density of the underlying zone governs unless a density increase is granted as provided in this chapter.
- B. Density increase in the Low Density Residential (3-6) and Moderate Density Residential Districts. The City may allow two cottage units for each regular dwelling unit allowed under existing standards in the Low Density Residential (3-6) and Moderate Density Residential Districts.
- C. Maximum Gross Floor Area. The maximum allowed gross floor area is 1,200 square feet per dwelling. The maximum gross floor area for the ground floor or main floor is eight hundred square feet per dwelling.
- D. Platting. A cottage development may be completed through a subdivision plat, short plat, or condominium provided the city has adopted an ordinance providing this option.
- E. Design. Cottages are subject to the design criteria in Section 14.23.072. Where there are conflicts between Section 14.23.072 and the standards in this chapter, the standards herein shall apply.
- F. Minimum Common Space. The minimum common space required is three hundred square feet per dwelling. The common open space shall be configured so that at a minimum:
  - 1. The common open space abuts fifty percent of the cottages in a cottage housing development.
  - 2. Cottages are oriented around ~~abut~~ at least two sides of the common open space.
  - 3. Cottages are oriented around the open space with an entry facing the common open space.
  - 4. Cottages should be within sixty feet walking distance of the common open space.

5. Area required to meet minimum private open space, setback, and parking requirements may not be used in the calculations for common open space.
  6. Common open space shall be accessible to all cottage residents in the applicable cluster and maintained by the development's homeowners association.
- G. **Minimum Private Open Space.** The minimum private open space required is two-hundred square feet per dwelling. Required open space shall be adjacent to each dwelling unit and for the exclusive use of the cottage resident(s). The private space shall be:
1. Usable (not on a steep slope).
  2. Oriented toward the common open space as much as possible.
  3. No less than eight feet in dimension on any side. A desirable configuration for this private open space is an area between the dwelling unit and the common open space, similar to what's shown in the examples in *Table 16T-85*.
- H. **Facades and Porches.**
1. Cottages facing the common open space or common pathway must feature a roofed porch at least eighty square feet in size with a minimum dimension of eight feet on any side.
  2. Cottages fronting on a street shall provide a covered entry feature with a minimum dimension of six feet by six feet facing the street. This is in addition to the porch requirement, where the cottage is adjacent to a common open space or pathway.
  3. All facades facing common open space, pathways, and streets shall comply with Architectural Details and Windows and Transparency design criteria specified in Section 14.23.072(C) and (I), respectively.
- I. **Maximum Height for Cottages.**
1. The maximum height for cottages with a minimum roof slope of six feet vertical to twelve feet horizontal is twenty-five feet. All parts of the roof above eighteen feet shall be pitched.
  2. The maximum height for cottages with a roof slope less than six feet vertical to twelve feet horizontal is eighteen feet.
  3. The maximum height for all accessory structures is eighteen feet.
- J. **Setbacks.** The setback requirements are the same as the other residential uses in the underlying zone.

K. Minimum Distance Separating Structures. The minimum required distance separating structures (including accessory structures) is ten feet.

L. Parking Requirements.

1. The minimum required number of parking spaces is one and one-half spaces per dwelling.
2. Parking shall be located on the same property as the cottage development.
3. Parking and vehicular areas shall be screened from public streets and adjacent residential uses by landscaping or architectural screens. The illustration in **Table 16T-85** provides a good example of screening with columnar trees separating the driveway from the adjacent property.
4. Parking shall be located in clusters of not more than five adjoining uncovered spaces (except where parking areas are adjacent to an alley).
5. Parking is prohibited in front and interior yard setback areas. The top illustration and photo in **Table 16T-85** provide good examples of parking location.
6. All detached parking structures shall have a pitched roof design.
7. Garages may be attached to individual cottages provided all other design standards have been met and the footprint of the ground floor, including the garage, does not exceed 1,000 square feet. Such garages shall be located away from common open spaces to the extent possible.
8. At least fifty percent of the required parking spaces shall be enclosed. Such structures shall be designed consistent with the cottage architecture. This includes similar building materials, rooflines, and detailing.

M. Utility elements. Utility meters and heating/cooling/ventilation equipment shall be located/designed to minimize visual impacts from the street and common areas.

N. Low impact development. Cottage developments shall utilize Low Impact Development techniques to accommodate and treat stormwater as on-site conditions allow, as determined by the director. Examples include the use of pervious pavement for walkways, patios, and vehicle access areas, directing runoff from roofs and other impervious areas to landscaped beds, green or living roofs, and the use of rain barrels.

O. Existing nonconforming structure and accessory dwelling units.

1. On a lot to be used for a cottage housing development, an existing detached single family residential structure, which may be nonconforming with respect to the

standards of this chapter, shall be permitted to remain, provided the house and any accessory structures are not enlarged and the development meets the standards herein. The existing dwelling shall be included in determining the allowable density for the site.

2. For any cottage development containing an existing house and an accessory dwelling unit, the accessory dwelling unit shall be counted as a cottage for the purposes of determining allowable density for the site.
- P. Clustering Groups. Developments shall contain a minimum of four and a maximum of twelve dwellings located in a cluster group to encourage a sense of community among the residents. A development site may contain more than one cluster.
- Q. Cottage housing developments are subject to design review requirements of Chapter 14.23.
- R. The city desires to form partnerships with nonprofit housing authorities and the private development community in promoting infill, providing affordable housing and achieving GMA smart growth and livable city objectives. To provide for innovation and creativity in achieving housing and livable city objectives of the Plan, flexibility may be permitted where a specific cottage project furthers the Plan's objectives, but zoning code requirements would prevent the project, make it less effective in implementing the Plan's intent, or act as a barrier to implementation of the Plan's vision. The City may waive said code provisions under the following conditions:
1. The city and the private/public partners believe the subject project meets community objectives of smart growth, livable city and sustainability as identified in the City Comprehensive Land Use Plan;
  2. Design of the project gives significant attention to place making and functionality that will enhance the livability of the neighborhood in which it is located, as identified in the Comprehensive Land Use Plan and/or the applicable neighborhood plan;
  3. Design includes energy conservation features that promote sustainability goals as identified in the Comprehensive Land Use Plan and/or other plans developed to promote energy conservation and sustainability;
  4. The project addresses target demographics or specific community housing need as identified in the Comprehensive Land Use Plan's Housing Element and/or the applicable neighborhood plan;
  5. Based upon a determination by the Director, the proposed project design will better implement objectives of the Comprehensive Land Use Plan.

Section 4. Section 16.12.050 of the Lacey Municipal is hereby amended to read as follows:

**16.12.050 Lot area.** The size and shape of lots shall be as follows, provided they adhere to the density requirements:

- A. Minimum lot area, six thousand five hundred square feet where alleys are utilized and seven thousand five hundred square feet where alleys are not provided.
- B. Minimum lot width, sixty feet where alleys are utilized, seventy feet where alleys are not provided. In the case of infill lots, the street frontage shall also be forty feet when alleys are utilized and fifty feet if alleys are not utilized.
- C. Minimum front yard:

Ten feet with ten-foot planter strip between the street and sidewalk when alleys are provided for rear access. Twenty feet with a standard planter strip when alleys are not provided for rear lot access.

Garages facing the street, twenty feet.

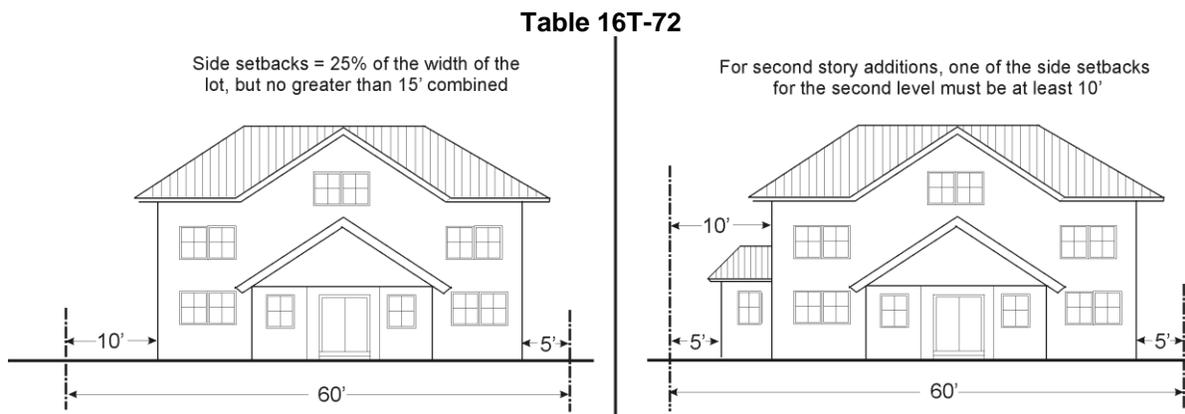
On front yard flanking streets, ten feet.

Unenclosed porches may project up to six feet into the front yard for front load access lots and two feet for rear load access lots, provided the porches are at least forty-eight square feet in area with no dimension less than six feet.

- D. Minimum side yards:

Minimum on one side, five feet.

Minimum total both sides, ten feet for single-story structures; fifteen feet or no greater than twenty-five percent of the lot width (as measured along the front lot line) for two-story structures. (See **Table 16T-72.**)



*Minimum side yards for two-story homes in the Low Density Residential (0-4) District.*

E. Minimum rear yard, twenty feet, provided garages may be within three feet of the rear yard line alley easement or paved surface when adjacent to an alley.

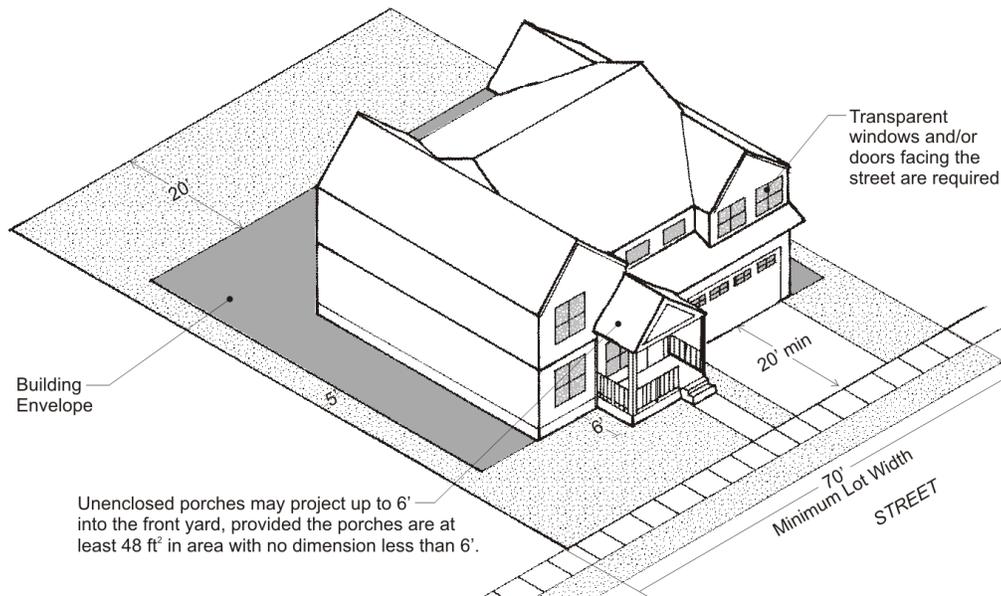
F. Minimum usable open space:

Where alleys are utilized, lots shall provide a contiguous open space equivalent to ten percent of the lot size. Specific open space requirements:

Shall feature minimum dimensions of twenty feet on all sides. For example, a sixty-five hundred square foot lot would require a contiguous open space of at least six hundred fifty square feet, or approximately twenty by thirty-three feet in area.

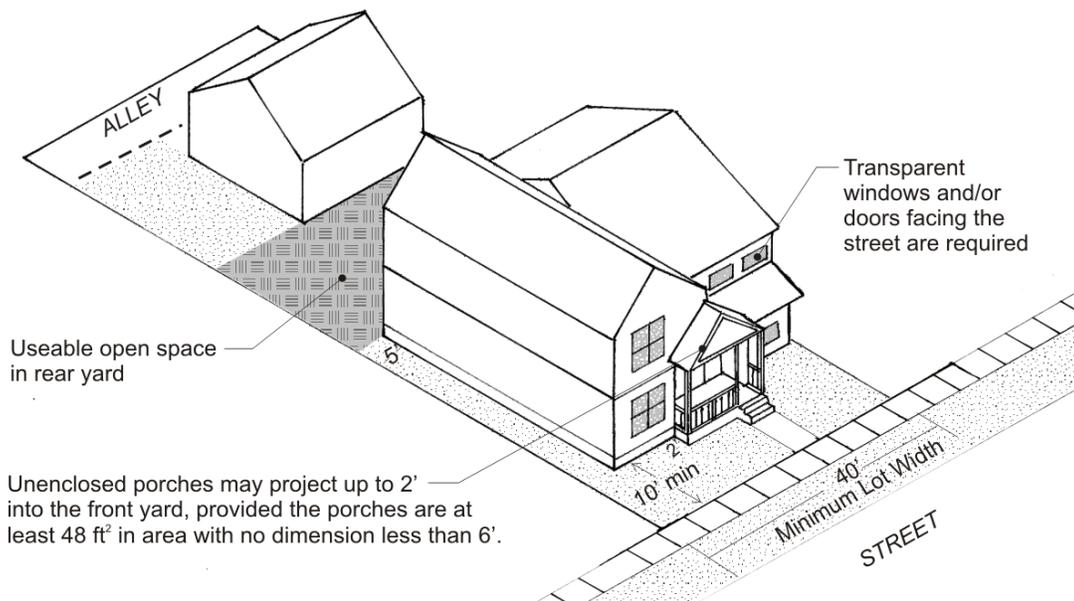
Such open space shall not be located within the front yard. (See **Tables 16T-73 and 16T-74.**)

**Table 16T-73**



*Minimum standards for front-loaded lots in the Low Density Residential (0-4) District.*

**Table 16T-74**



Minimum standards for alley-loaded lots in the Low Density Residential (0-4) District.

- G. Maximum building coverage, forty percent. Undeveloped lots vested prior to May 15, 2008 shall be exempted from this standard provided they meet minimum usable open space requirements herein.
- H. Maximum development coverage, fifty-five percent. Side and rear yard patios are exempt from development coverage restrictions provided the paving material used is considered a pervious pavement by the city of Lacey's public works department.
- I. Maximum height of buildings:
- Main building and accessory dwelling, twenty-five feet; thirty-five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.
- ~~Accessory building, sixteen feet.~~
- Accessory building, shall be limited to the height of the primary building, provided structures over 16 feet in height shall require design review. Design shall demonstrate a compatibility with the primary structure and shall not dominate the site visually.
- An additional two feet in height is permitted for structures with green roofs occupying at least fifty percent of the area of the roof.
- J. Accessory buildings: All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than two hundred square feet, the following setbacks are permitted:
- Front yard, twenty feet.

Side yard, five feet.

Rear yard, three feet.

Section 5. Section 16.13.050 of the Lacey Municipal is hereby amended to read as follows:

**16.13.050 Lot area.**

A. The size and shape of single family detached lots shall be as follows, provided they adhere to the density requirements:

1. Minimum lot area, four thousand five hundred square feet where alleys are utilized; five thousand square feet where alleys are not provided.
2. Minimum lot width, forty feet where alleys are utilized, fifty feet where alleys are not provided. In the case of infill lots, the street frontage shall also be forty feet when alleys are utilized and fifty feet if alleys are not utilized.
3. Minimum front yard:

Ten feet with a ten foot planter strip between the street and sidewalk when alleys are provided for rear lot access. Twenty feet with a standard planter strip when alleys are not provided for rear lot access.

In addition, setbacks may be staggered as provided in LMC [15.12.080\(F\)](#) for the purpose of modulating the streetscape and providing more convenient opportunities for offsetting windows for privacy of individual homes and other desired design outcomes.

Garages facing the street, twenty feet.

On front yard flanking streets, ten feet.

Unenclosed porches may project up to six feet into the front yard for front load access lots and two feet for rear load lots, provided the porches are at least forty-eight square feet in area with no dimension less than six feet.

4. Minimum side yards:

Minimum on one side, five feet.

Minimum total both sides, ten feet.

5. Alternative lot configurations may be approved provided they comply with all of the following:

- a. Other applicable standards in this chapter.
- b. Design criteria in LMC [14.23.072](#), particularly LMC [14.23.072\(L\)](#).

- c. The design results in a superior land division layout considering its functionality and character with particular consideration given to privacy for individual lots, pedestrian access and convenience, and the design of public and/or private open space opportunities and natural features.
- 6. Minimum rear yard, twenty feet provided garages may be within three feet of the rear yard line, alley easement or paved surface when adjacent to an alley.
- B. Lots intended for attached single family development shall be reviewed and approved through a subdivision, townhouse, or PRD process where the concept is identified and the project is reviewed and approved subject to design requirements of LMC [14.23.080](#).
- C. Development of lots not on sewer. Areas without sewer must be developed in a manner that maintains long term potential to achieve minimum required densities and efficient provision of sewer once sewer becomes available. Areas developing without sewer must meet the following requirements:
  - 1. The Health Department must review and approve plans for alternative sewage disposal.
  - 2. Lots must be clustered in a configuration that results in urban size lots with one large reserve lot for future development.
  - 3. Clustered lots must be between 5,000 and 10,890 square feet.
  - 4. Excluding the reserve parcel, clustered lots must meet density requirements of LMC [16.13.020](#).
  - 5. Subdivisions and short subdivisions must have a statement on the face of the plat or short plat that when sewer becomes available to the area clustered lots shall hook up to sewer at each lot owner's expense. Such requirement shall also be provided for in protective covenants.
- D. Other lot standards:
  - 1. Minimum usable open space:
 

Where alleys are utilized, lots shall provide a contiguous open space equivalent to ten percent of the lot size. Specific open space requirements:

Shall feature minimum dimensions of fifteen feet on all sides, provided one side may be reduced to 10 feet by the Site Plan Review Committee if it determines the space is designed with features that make it more inviting, private and useable. Design for reduction of the minimum dimension must include at least two of the following techniques;

    - a. A pergola or other architectural feature with landscaping;
    - b. An improved patio area with features for associated use such as sitting or barbeque;

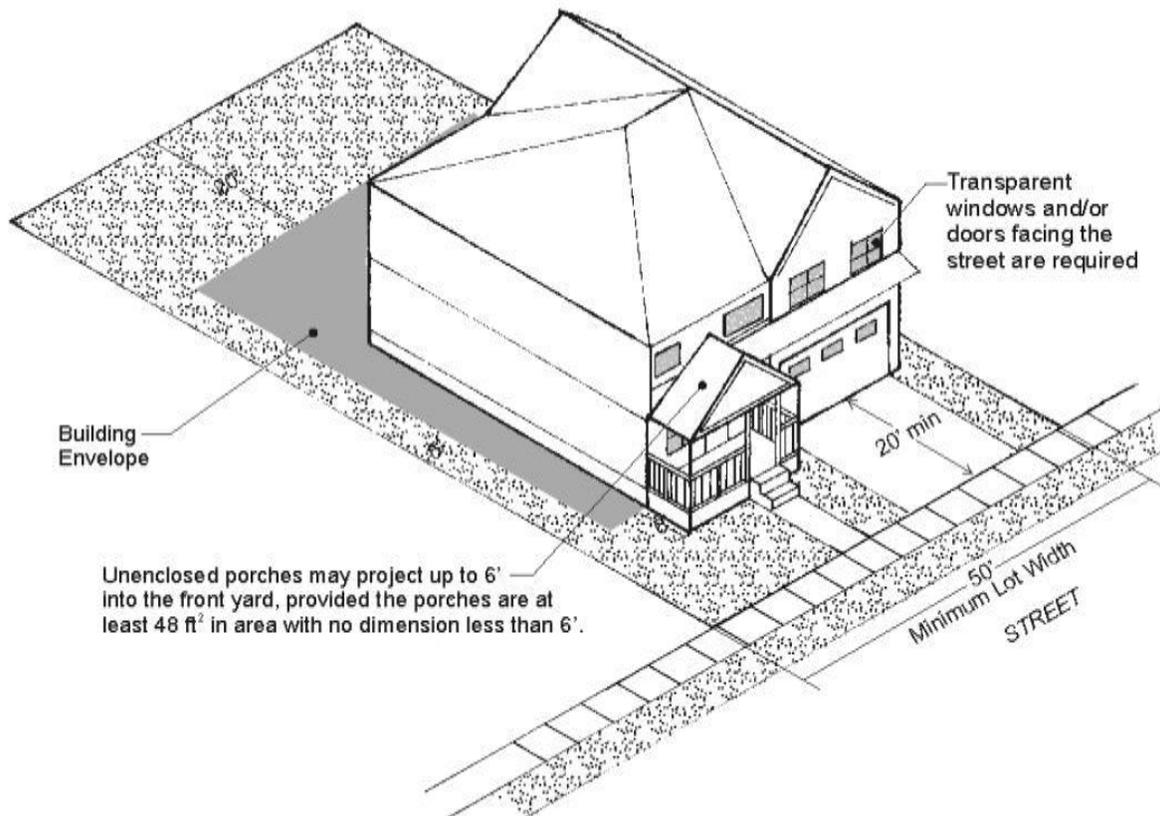
c. Other design features and improvements that add to the usability, privacy and desirability of the private space.

As an example, a forty-five hundred square foot lot would require a contiguous open space of at least four hundred fifty square feet, or approximately fifteen feet by thirty feet in area for a standard dimension, or ten feet by forty-five feet if the dimension is reduced and design features added.

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

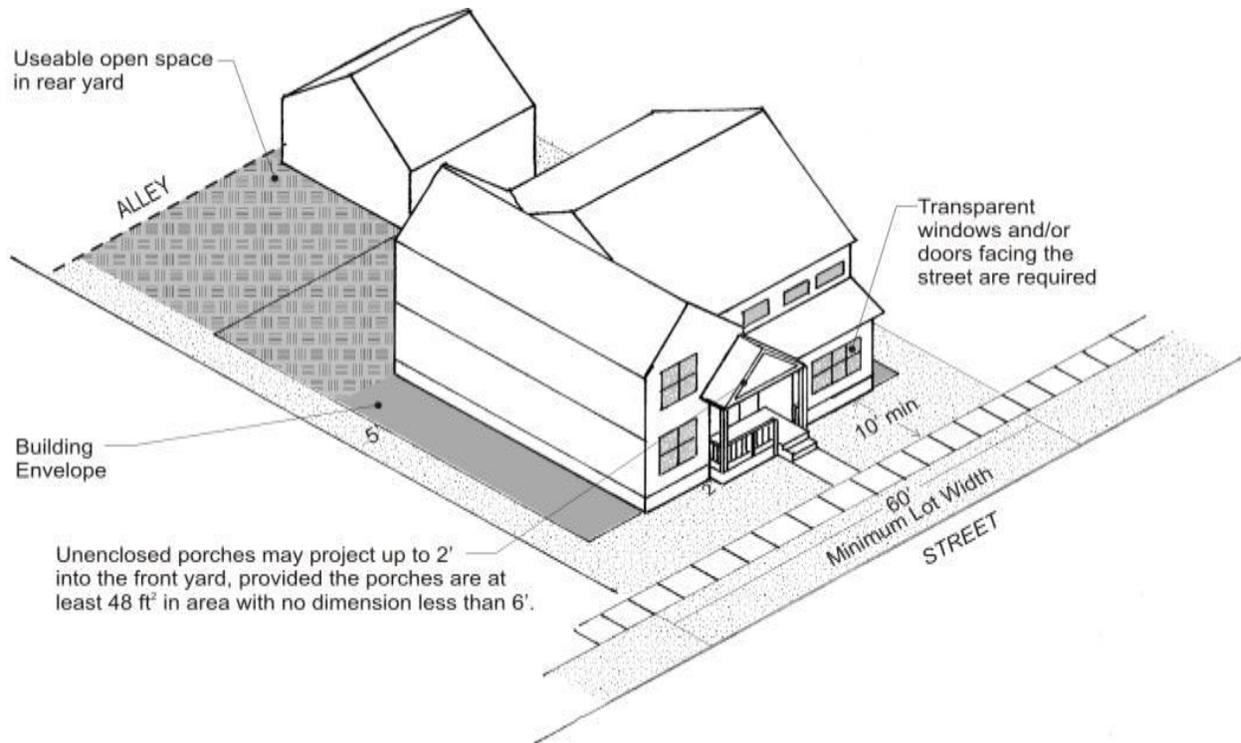
For duplexes and triplexes, each dwelling unit must have direct access to its own usable open space. (See *Tables 16T-75 and 16T-76.*)

**TABLE 16T-75**



**Minimum standards for front-loaded lots in the Low Density Residential (3-6) District.**

**TABLE 16T-76**



**Minimum standards for alley-loaded lots in the Low Density Residential (3-6) District.**

2. Maximum building area coverage, fifty percent. Undeveloped lots vested prior to May 15, 2008 shall be exempted from this standard provided they meet minimum usable open space requirements herein.
3. Maximum development coverage, sixty-five percent. Side and rear yard patios are exempt from development coverage restrictions provided the paving material used is considered a pervious pavement by the City of Lacey's Public Works Department.
4. Maximum height:

Main building and accessory dwelling, twenty-five feet; thirty-five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.

Townhouses, thirty feet; thirty-five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.

~~Accessory building, sixteen feet.~~

Accessory building, shall be limited to the height of the primary building, provided structures over 16 feet in height shall require design review. Design shall demonstrate a compatibility with the primary structure and shall not dominate the site visually.

An additional two feet in height is permitted for structures with green roofs occupying at least fifty percent of the area of the roof;

5. Accessory buildings. All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than two hundred square feet, the following setbacks are permitted:

Front yard, fifteen feet.

Side yard, five feet.

Rear yard, three feet

Section 6. Section 16.15.050 of the Lacey Municipal is hereby amended to read as follows:

**16.15.050 Lot area.**

A. The size and shape of lots for detached single family shall be as follows, provided they adhere to the density requirements:

1. Minimum lot area, three thousand square feet where alleys are utilized, four thousand square feet if alleys are not provided.

2. Minimum lot width, thirty feet when alleys are utilized, forty feet where alleys are not provided. Minimum lot width and street frontage for infill lots designed for construction of a single family residence shall be thirty feet when alleys are utilized and forty feet when alleys are not utilized. Infill lots to be used for duplexes or other multi-family uses shall have a minimum lot width and street frontage of fifty feet.

3. Minimum front yard:

Ten feet with a ten foot planter strip between the street and sidewalk when alleys are provided for rear lot access. Twenty feet with a standard planter strip when alleys are not provided for rear lot access.

In addition, Setbacks may be staggered as provided in section 15.12.080(F) for the purpose of modulating the streetscape and providing more convenient opportunities for offsetting windows for privacy of individual homes.

Garages facing the street, twenty feet.

On front yard flanking streets, ten feet.

Unenclosed porches may project up to six feet into the front yard, provided the porches are at least forty-eight square feet in area with no dimension less than six feet.

4. Minimum side yards:

Minimum on one side, five feet.

Minimum total both sides, ten feet.

5. Alternative lot configurations may be approved provided they comply with all of the following additional standards and design:

- a. Other applicable standards in this chapter.
- b. Design criteria in Section 14.23.072, particularly Section 14.23.072(L).
- c. The design results in a superior land division layout considering its functionality and character with particular consideration given to privacy for individual lots, pedestrian access and convenience, and the design of public and/or private open space opportunities and natural features,

6. Minimum rear yard, fifteen feet, provided garages may be within three feet of the rear yard line, alley easement or paved surface when adjacent to an alley.

B. Lots intended for attached single family, condominiums and multi-family shall be reviewed and approved through a subdivision, townhouse, PRD, site plan review, or building plan review process where such concept is identified and the project is designed and conditioned subject to design requirements of Section 14.23.

C. Development of lots not on sewer. Areas without sewer must be developed in a manner that maintains long term potential to achieve minimum required densities and efficient provisions of sewer once sewer becomes available. Areas developing without sewer must meet the following requirements;

1. The Health Department must review and approve plans for alternative sewage disposal.

2. Lots must be clustered in a configuration that results in urban size lots with one large reserve lot for future development.

3. Clustered lots must be between 4,000 and 10,890 square feet.
4. Excluding the reserve parcel, clustered lots must meet density requirements of Section 16.15.020.
5. Subdivisions and short subdivisions must have a statement on the face of the plat or short plat that when sewer becomes available to the area, clustered lots shall hook up to sewer at each lot owner's expense. Such requirement shall also be provided for in protective covenants.

D. Other lot standards:

1. Minimum usable open space:

Where alleys are utilized, lots shall provide a contiguous open space equivalent to ten percent of the lot size. Specific open space requirements:

Shall feature minimum dimensions of fifteen feet on all sides, provided one side may be reduced to 10 feet by the Site Plan Review Committee if it determines the space is designed with features that make it more inviting, private and useable. Design for reduction of the minimum dimension must include at least two of the following techniques;

- a. A pergola or other architectural feature with landscaping;
- b. An improved patio area with features for associated use such as sitting or barbeque;
- c. Other design features and improvements that add to the usability, privacy and desirability of the private space.

As an example, a three thousand square foot lot would require a contiguous open space of at least three hundred square feet, or fifteen feet by twenty feet in area for a standard dimension, or ten feet by thirty feet if the dimension is reduced and design features added.

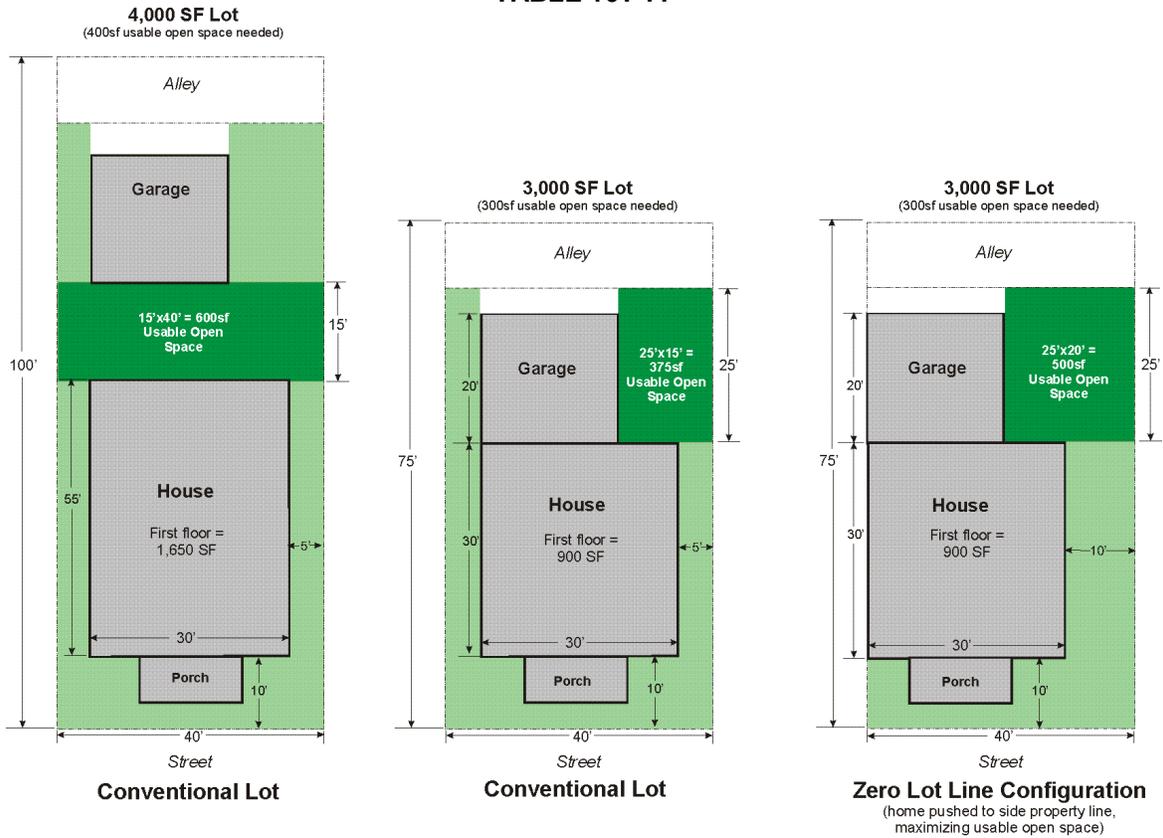
Such open space shall not be located within the front yard.

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

For townhouse developments, refer to Sections 14.23.080 and 16.61.040.

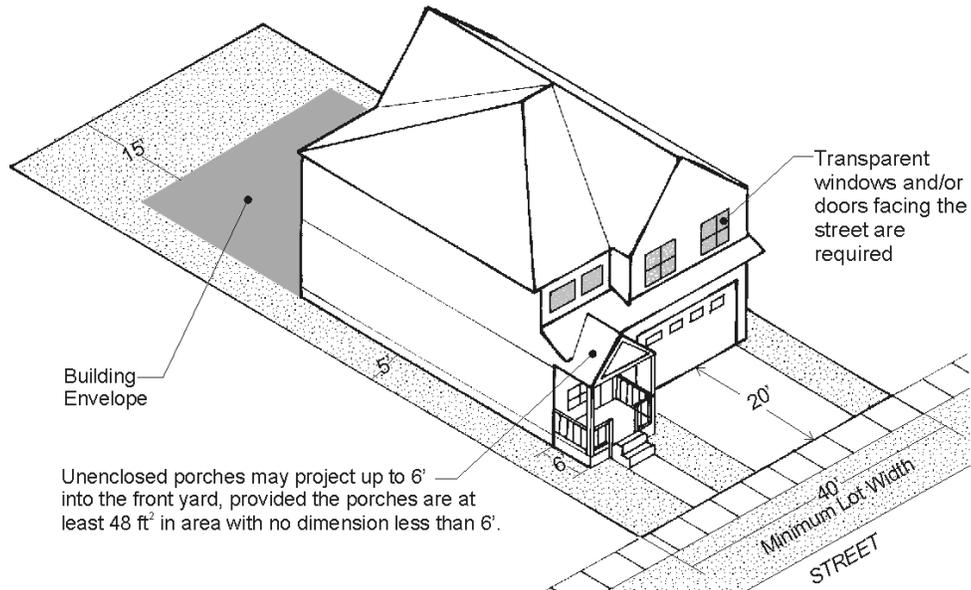
For multi-family developments, refer to Section 14.23.080. (See *Tables 16T-77, 16T-78, and 16T-79.*)

**TABLE 16T-77**



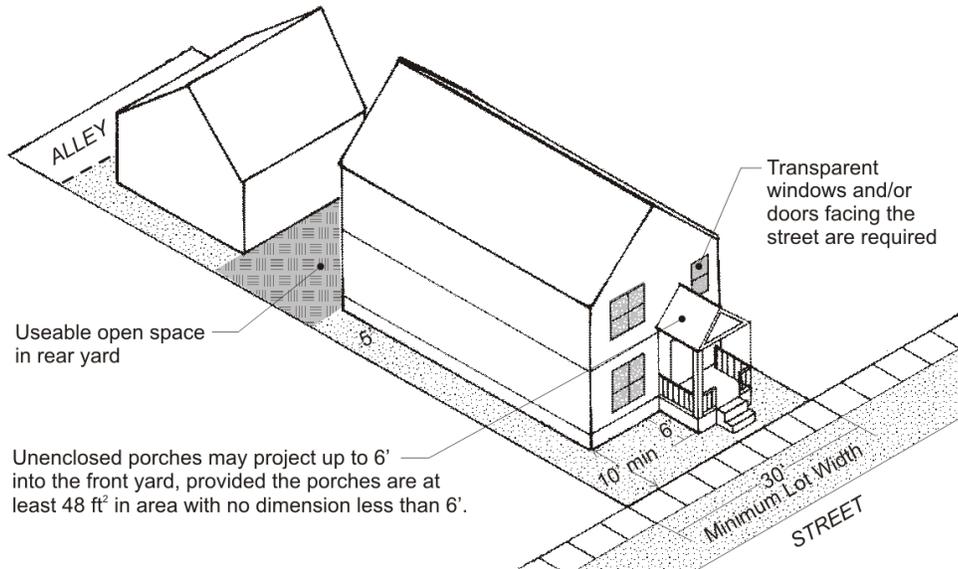
Example configurations of usable open space on small lots.

**TABLE 16T-78**



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

**TABLE 16T-79**



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

2. Maximum building area coverage, fifty percent. Undeveloped lots vested prior to May 15, 2008 shall be exempted from this standard provided they meet minimum usable open space requirements herein.

3. Maximum development coverage, seventy-five percent. Side and rear yard patios are exempt from development coverage restrictions provided the paving material used is considered a pervious pavement by the City of Lacey's Public Works Department.

4. Maximum height:

Main building and accessory dwelling, twenty-five feet; thirty-five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.

Townhouse and multi-family buildings, thirty feet; thirty-five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.

Accessory building, sixteen feet.

An accessory building is permitted a height of sixteen feet, provided accessory buildings within an apartment complex and designed with a green roof occupying at least fifty percent of the area of the roof, can be up to the height of the main structure.

Accessory structures over 16 feet in height are subject to design review requirements. Design shall demonstrate a compatibility with the primary structure and shall not dominate the site visually.

~~An additional two feet in height is permitted for structures with green roofs occupying at least fifty percent of the area of the roof;~~

5. Accessory buildings: All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than two hundred square feet, the following setbacks are permitted:

Front yard, ten feet.

Side yard, three feet.

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

Section 7. Section 16.21.014 of the Lacey Municipal is hereby amended to read as follows:

#### **16.21.014 Urban agriculture activities.**

A. Urban agriculture activities are described and permitted according to expected compatibility with other urban uses ~~as follows.~~ It is expected that urban agricultural uses

will be located on a single family residential lot with space to adequately accommodate the use. However, a multifamily lot may accommodate an urban agricultural activity if all of the following requirements are satisfied:

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

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

a. All horticultural activity for personal use and incidental sales or distribution on site and off site at a farmers market or approved retail area. Provided commercial sales may be accommodated subject to the 2001 FDA food code Chapter [216-415](#) WAC and requirements of a home occupation pursuant to LMC [16.69](#).

b. Limited animal husbandry of small farm animals for personal use. Provided commercial sales may be accommodated subject to the 2001 FDA food code Chapter [216-415](#) WAC and requirements of a home occupation pursuant to Chapter [16.69](#) LMC. This activity shall be limited to the following:

(1) Domestic fowl and rabbits:

(a) The maximum number of all fowl permitted accessory to a single family residential home on an urban lot, shall be 1 per 1000 square feet of lot area, up to a maximum of 10.

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

(c) Rabbits kept in accordance with recommendations of the American Rabbit Breeders Association (ARBA) and a minimum 3.5 square feet of hutch space per rabbit up to a maximum of two dozen rabbits.

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

- Located 10 feet away from property lines.
- Designed to prevent rodents by incorporation of one of the following:
  - Raising the floor area 8 to 12 inches above grade
  - Portable pens moved every few days with clean up of ground.
  - Other techniques that have similar results.

(2) Miniature Goats commonly known as Pygmy, Dwarf and Miniature Goats provided:

(a) Male miniature goats are neutered.

(b) Lots accommodating miniature goats must be a minimum of 7,500 square feet and may be allowed at a ratio of four miniature goats per one acre of property.

(3) Beekeeping provided:

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

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

- A maximum of four honey bee hives is permitted as an accessory use to a single family home,
- Honey bee hive shall not be located within 25 feet of any lot line, provided this distance may be reduced to 10 feet if strategies are employed to require bees to gain elevation before crossing the property line. This may include elevation changes, solid fencing or other techniques that can achieve this objective.

(c) Area housing bee varieties other than honey bees must be a minimum of 10 feet from adjacent properties and limited in size appropriate for pollination of the owner's lot.

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

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

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

a. All uses permitted under LMC [16.21.014\(A\)\(1\)](#) according to ratios, conditions and restrictions therein.

b. On lots or parcels of one acre or more, livestock may be kept provided that the number of head of livestock shall not exceed one for each half acre of lot area; and further that barns or other structures for the housing or sheltering thereof be set back not less than thirty-five feet from all property lines. In addition, urban agricultural uses shall employ best management practices, such as may be included in a farm plan developed by the Thurston Conservation District.

c. All uses permitted under LMC [16.21.014\(A\)\(4\)](#) (Community urban agricultural use) according to the ratios, conditions and restrictions therein.

**3. Urban Agricultural activity on a non residential lot. As an accessory use or transitional use, the following urban agricultural activities may be permitted:**

a. All uses permitted under LMC [16.21.014\(A\)\(1\)](#) according to ratios, conditions and restrictions therein.

b. All uses permitted under LMC [16.21.014\(A\)\(4\)](#) (Community urban agricultural use) according to the ratios, conditions and restrictions therein.

**4. Community/communal urban agricultural activities. Permitted according to the following descriptions and restrictions:**

a. Horticulture may include all horticultural activity organized in the form of communal farming arrangements on property used in common for these purposes or where small lots or backyards have raised beds or segregated plots for lease for gardening activity. This may include activities such as community pea patches, community garden plots, shared garden plots, publically owned garden plots for community use, gardens owned and

operated by nonprofit organizations, home owner associations and religious organizations for use by members or community groups, yard area with segregated raised garden beds developed by an owner for lease and other similar activities. Said activity shall be subject to the following requirements:

(1) All horticultural activities taking place on a lot or portions of a lot that is less than two acres shall be reviewed by the Community Development Department as follows:

(a) Subject to limited administrative review under Chapter 1 of the Development Guidelines and Public Works Standards to document the proposal, discuss the level of activity and development of a project management plan necessary to ensure compatibility with adjacent neighbors.

(b) If considered necessary to ensure compatibility with adjacent land use, a formal site plan review (SPR) may be required, including preparation and approval of an urban agriculture impact mitigation plan. Such determination shall be at the sole discretion of the Community Development Director.

(2) All urban farming activities taking place on a lot or portions of a lot more than 2 acres in size shall require a site plan review approval.

(3) Produce in excess of member needs may be provided on or off site to individual community members in need, food banks, religious organizations and other non profits for distribution to the public.

(4) Incidental sales of produce in excess of member needs may occur on site, at local farmers markets or at approved commercial sites. On site retail sales must not result in adverse impacts to the neighborhood area as a result of signage, traffic or other related activity. Determinations regarding impact of onsite retail activity and mitigation requirements will be up to the sole discretion and determination of the Community Development Director and may be subject to the provisions of Chapter [16.70](#) LMC (Street Merchant Ordinance).

(a) Animal husbandry is limited to those activities permitted with requirements as specified in LMC [16.21.014](#)(A)(1)(b) with the following additional considerations and requirements:

- Such activity must take place as a secondary and incidental use in conjunction with community urban farming horticultural activities.

- “Personal use” in the context of community urban agricultural use shall include all members of the group participating in the urban agricultural activity.

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

B. Permitted Where: All zoning designations will reference the urban agriculture activities and appropriate provisions of Chapter 16.21 LMC applicable to the zone.

Section 8. Section 16.21.018 of the Lacey Municipal is hereby amended to read as follows:

**16.21.018 Agriculture District.**

The Agricultural District has been established for the purposes and intent described in LMC 16.21.005 and 16.21.010.

Section 9. Section 16.21.020 of the Lacey Municipal is hereby amended to read as follows:

**16.21.020 Permitted uses.**

A. Specific types permitted in the agricultural district:

1. Production of crops and livestock including but not limited to the following:
  - a. All horticultural crops including tree farms, greenhouses and nurseries;
  - b. Livestock production including grazing, dairying, poultry and egg production, and riding stables;
  - c. Limited processing and packaging of produce and animal products, including slaughtering, limited to crops and animals produced on the premises;
  - d. Medical cannabis collective gardens pursuant to the terms of LMC 9.44.140 through 9.44.180.
2. Single-family structures, not exceeding one per five acres.

B. Other or related uses:

1. Accessory buildings or structures clearly related to the basic use of the premises such as storage of personal property, vehicles, equipment and supplies;
2. Stands or sheds for the sale of agricultural products produced on the premises;
3. Mobile homes for persons related to or employed in the agricultural pursuits of the premises;
4. Accessory residential dwelling as defined in LMC 16.06.055;
5. Home occupations as provided in Chapter 16.69 LMC.

Section 10. Section 16.21.040 of the Lacey Municipal is hereby amended to read as follows:

**16.21.040 Environmental performance standards.**

All uses in this district shall comply with the environmental performance standards of Chapter 16.57 LMC.

Section 11. All tables attached to Chapter 15 of the Lacey Municipal Code are hereby modified by providing for a date of 20\_\_ rather than the current printing of 19\_\_.

Section 12. The Summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, at a regularly-called meeting thereof, held this \_\_\_\_ day of \_\_\_\_\_, 2013.

CITY COUNCIL

By: \_\_\_\_\_  
Mayor

Approved as to form:

\_\_\_\_\_  
City Attorney

Attest:

\_\_\_\_\_  
City Clerk

SUMMARY FOR PUBLICATION

ORDINANCE \_\_\_\_\_

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on \_\_\_\_\_, 2013, Ordinance No. \_\_\_\_\_, entitled "AN ORDINANCE RELATING TO THE SITE PLAN REVIEW COMMITTEE AND OTHER PLANNING AND LAND DEVELOPMENT REGULATIONS OF THE CITY AND AMENDING SECTIONS 16.84.100, 15.01.040, 16.62.030, 16.12.040, 16.13.050, 16.15.050, 16.21.014, 16.21.018, 16.21.020 AND 16.21.040 ALL OF THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION."

The main points of the Ordinance are as follows:

1. The Ordinance modifies various provisions of the planning and development regulations of the City to reflect issues identified by staff and reviewed by the Planning Commission and follows the recommendations of both the staff and the Planning Commission. The amendments are in the nature of housekeeping amendments and are typical of similar amendments made on an annual basis in prior years.
2. The Ordinance approves this Summary for publication.

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

Published: \_\_\_\_\_, 2013.

## MINUTES

Lacey Planning Commission Meeting  
Tuesday, July 16, 2013 – 5:30 p.m.  
Lacey City Hall Council Chambers, 420 College Street SE

Meeting was called to order at 5:30 p.m. by Gail Madden.

Planning Commission members present: Gail Madden, Michael Steadman, Ruth Shearer, Richard Sovde, Ken Mitchell, Raymond Payne, Don Melnick, and Mike Beehler. Staff present: Dave Burns, Rick Walk, and Leah Bender.

Gail Madden noted a quorum present.

**Don Melnick made a motion, seconded by Richard Sovde, to approve the agenda for tonight's meeting. The motion carried. Mike Beehler made a motion, seconded by Michael Steadman, to approve the July 2, 2013, minutes. One abstained. The motion carried.**

1. **Public Comments:** None.
2. **Commission Member's Report:** Don Melnick noted that Margaret Norton-Arnold accepted his invitation to speak about public participation at the September 3 Planning Commission meeting.
3. **Director's Report:** Rick Walk discussed the future partnership meeting of the Woodland District and the joint Planning Commission with all other jurisdictions' planning commissions along the Corridor. Rick also mentioned that the joint work session with Council in September will cover sustainability.
4. **Public Hearing:**  
**Housekeeping amendments to LMC chapters 15 and 16:**
  - Gail Madden opened the public hearing at 5:35 p.m. No members of the public were present.
  - Dave Burns went over the items that were discussed by Planning Commission. Some items were more involved than just housekeeping and will be handled differently.
  - Recently an issue came up regarding urban agriculture use within an apartment complex. A provision has been developed to allow it if certain conditions are met and impact on neighbors is mitigated.
  - Dave went over the five-acre subdivision exemption and explained that it is no longer appropriate. Staff suggests either deleting the exemption or modifying it to provide for a new 40-acre threshold exemption.
  - **Ken Mitchell made a motion, seconded by Michael Steadman, to forward a recommendation to Council for approval.** Rick Walk noted that the motion should include the subdivision option. **Ken Mitchell amended his motion, seconded by Michael Steadman, to include the 40-acre threshold exemption. The motion carried.**
  - Gail Madden closed the public hearing at 5:45 p.m.
5. **Old Business:**  
**Brainstorming land use distribution and form and use of buildable land resources:**
  - Dave gave some background information and distributed some information that was not included in the packet.
  - Dave went over the summary of the general goals.
  - There was a discussion about the designation of the corridors. Rick explained that the Urban Corridor Task Force designates corridors.
  - Transit availability was discussed. The advantages of light rail and trolley to influence urban development were discussed. Rick said staff will contact Intercity Transit to discuss expectations and policies on routes to ensure that they are congruent.
  - It was suggested that staff contact Jailyn Brown. Rick said he will set something up for a future meeting.
  - Making the corridors more walkable and complete streets were discussed.
  - Dave went over the decision tree and the high density, mixed use and walkable development along urban corridors.
  - Planning Commission discussed the incentives and disincentives. Rick noted that in the past incentives have not really been taken advantage of.
  - Increased density options were discussed.
  - The importance of sidewalk connections was discussed.
  - Dave explained reducing the size of the UGA.
  - Water and sewer services in the UGA were discussed. Dave noted that Lacey recently received water rights to provide service in the UGA. Department of Health says we cannot deny service but can apply conditions.

- After the discussion it was agreed that Planning Commission supports the incentives, but does not support all the disincentives. Higher impact fees, reduce size of UGA, and use short term UGA were not accepted. Smart growth standards, and tie to annexation were accepted disincentives.
- Rick recapped: Staff will contact IT regarding route policies to ensure they match our demographic; he will contact Jaily Brown to discuss attendance at a future meeting to discuss possible future rail corridors; and putting emphasis on slower traffic and sidewalk connections, and the consideration of public investments to make those improvements possible.

6. **New Business:**

**Public Engagement Strategy for the Land Use Element update:**

- Dave said he will have a final draft at the next meeting and it can be reviewed by and discussed with the guest consultant. The plan will be presented to Council in late September.
- Dave explained that the purpose of the plan is to educate people on new sections that will contribute to a more livable city and to build interest for neighborhood planning.
- The naming campaign was discussed.
- Methods for general outreach were discussed. It was suggested that staff contact the *Olympian's* editorial board. An open house will be held in October.
- It was noted that people need to feel that their input is valued and that should be emphasized somewhere in the plan. Dave pointed out that is covered under Basic considerations regarding information from the public.
- It was suggested that public participation functions be held at times that are more convenient for citizens to attend.

7. **Next meeting:** September 3, 2013.

8. **Adjournment:** 7:30 p.m.

# **2013 Housekeeping Amendments**

**Chapter 16.84**  
**SITE PLAN REVIEW**  
**Amendments January 2013**

**Sections:**

- 16.84.010 Site plan review required, application and committee membership
- 16.84.015 Presubmission conference
- 16.84.020 Review by the site plan review committee (SPRC)
- 16.84.025 Appeals
- 16.84.030 Repealed
- 16.84.040 Repealed
- 16.84.050 Repealed
- 16.84.060 Contents of application
- 16.84.070 Additional information for review
- 16.84.080 Amendment of site plan
- 16.84.090 Repealed
- 16.84.100 Duration of approval
- 16.84.105 Noncompliance - penalty
- 16.84.110 Division of land pursuant to final binding site plan

**16.84.010 Site plan review required, application and committee membership.**

A. Site plan review and approval shall be required for any of the following activities.

1. The use of land for the location of any commercial, industrial or public building or activity, and for the location of any building containing more than two dwelling units or lot with more than one residential structure other than a permitted accessory dwelling.
2. A change of land use at an existing site or structure when the new activity requires either a change of occupancy according to the Building Code or is a change of land use according to the Standard Industrial Classification code and, in the opinion of the community development director, results in an intensification of land use and will require new development conditions to comply with existing regulations. This provision may not apply to malls (buildings with ten or more tenants sharing common parking) where original conditions to establish the mall complex anticipated a range of tenants and existing facilities and where it can be shown existing infrastructure can accommodate the new intensified use.
3. Expansion of an existing commercial, industrial, public or multifamily structure or use. Provided residential duplexes are exempt.
4. A remodel of an existing structure where the remodel is fifty percent or more of the assessed valuation of existing structures. The remodel value shall be calculated according to methodology described in Chapter 14.04 of the Lacey Municipal Code adopting the Building Code. The value of existing structures shall be the most recent value assigned by the County Assessor. The fifty percent threshold shall be cumulative over the most recent five years, including calculations of all previously exempt remodels, but shall not include life/safety improvements or normal maintenance not requiring a building permit. Remodels of residential duplex, triplex, and quadraplex shall be exempt from site plan review.
5. Uses and activities within designated environmentally sensitive areas or their buffers pursuant to the requirements of Chapter 14 of the Lacey Municipal Code.

B. An application, in completed form, shall be filed for site plan review and approval with the department of community development. An application shall not be in completed form under this section if it fails to contain any of the information and material required under Section 16.84.060 of the Lacey Municipal Code.

- C. The site plan review committee shall consist of the following members: Lacey staff planner, who shall serve as chairman; city manager; and the city director of public works, or their designees in their temporary absence. (Ord. 1220 §55, 2004; Ord. 1208 §74, 2003; Ord. 1192 §187, 2002; Ord. 1154 §18, 2001; Ord. 1098 §19(C), 1999; Ord. 1080 §16, 1998; Ord. 1044 §28, 1996; Ord. 912 §14, 1991; Ord. 583 §2.03(A) (part), 1980).

**16.84.015 Presubmission Conference.** Prior to the submission of a site plan review application, the applicant shall attend a presubmission conference in accordance with Section 1B.020 of the City of Lacey Development Guidelines and Public Works Standards. (Ord. 1192 §188, 2002).

**16.84.020 Review by the site plan review committee (SPRC).**

- A. The SPRC shall review a site plan in accordance with the full administrative review process and timelines outlined in Section 1C.040 of the City of Lacey Development Guidelines and Public Works Standards. The site plan shall be approved or approved with conditions to conform to the standards, provisions and policies of the city as expressed in its various adopted plans and ordinances. Whenever the SPRC disapproves a site plan, it shall set forth in writing its findings, which shall specify the particular standards, provisions and policies to which the site plan fails to conform and the reasons why it fails to conform.
- B. The site plan review committee (SPRC) shall have the prerogative of refusing to rule on a site plan review if in the opinion of the SPRC the site plan is sufficiently complex that it should be reviewed by the hearings examiner according to the quasi-judicial process in Section 1C.050 of the City of Lacey Development Guidelines and Public Works Standards. The SPRC shall decide to transfer review authority to the hearings examiner within fourteen days of the Determination of Completeness, according to Section 1B.070 of the City of Lacey Development Guidelines and Public Works Standards. (Ord. 1192 §189, 2002; Ord. 1035 §25, 1996; Ord. 583 §2.03(A)(1), 1980).

**16.84.025 Appeals.** Any decision of the city of Lacey in the administration of Chapter 16.84 of the Lacey Municipal Code may be appealed in accordance with Chapter 1D of the City of Lacey Development Guidelines and Public Works Standards. (Ord. 1192 §190, 2002).

**16.84.030 Repealed.**

(Ord. 1192 §191, 2002; Ord. 912 §15, 1991; Ord. 583 §2.03(A)(2), 1980).

16.84.040 Repealed.

(Ord. 1192 §192, 2002; Ord. 583 §2.03(B), 1980).

**16.84.050 Repealed.**

(Ord. 1192 §193, 2002; Ord. 583 §2.03(C), 1980).

**16.84.060 Contents of application.** Each application for site plan review shall contain the following information in clear and intelligible form:

- A. The title and location of the proposed development, together with the names, addresses and telephone numbers of the record owner or owners of the land and of the applicant, and, if applicable, the names, addresses and telephone numbers of any architect, planner, designer or engineer responsible for the preparation of the plan, and of any authorized representative of the applicant;
- B. The proposed use or uses of the land and buildings;
- C. A site plan drawing or drawings at a scale of not less than one inch for each fifty feet which shall include or show:
1. The location of all existing and proposed structures, including, but not limited to, buildings, fences, culverts, bridges, roads and streets on the subject property,
  2. The boundaries of the property proposed to be developed and, if the property is to be divided pursuant to a final binding site plan, the boundaries of each proposed lot within the property,

3. All proposed and existing buildings and setback lines,
  4. All areas, if any, to be preserved as buffers or to be dedicated to a public, private or community use or for open space under the provisions of this or any other city ordinance, information regarding percentage of area covered, locations and general types of landscaping,
  5. All existing and proposed easements,
  6. The locations of all existing and proposed utility structures and lines,
  7. The stormwater drainage systems for existing and proposed structures,
  8. All means of vehicular and pedestrian ingress and egress at the site and the size and location of driveways, streets and roads,
  9. The location and design of off-street parking areas showing their size and locations of internal circulation and parking spaces,
  10. The location of all loading spaces, including, but not limited to, truck loading platforms and loading docks,
  11. Location and area, in square feet, of all signs;
- D. Topographic map or maps which delineate contours, both existing and proposed, at intervals of two feet, and which locate existing lakes, streams and forested areas;
  - E. The existing zoning district of the proposed development site and any other zoning district within three hundred feet of the site;
  - F. All special districts, including, but not limited to, fire, school and water districts, in which the proposed development shall be located and all such districts within three hundred feet of the proposed development;
  - G. The proposed number of square feet in paved or covered surfaces, whether covered by buildings, driveways, parking lots, or any other structure covering land; and the total amount of square feet in the entire proposed development site;
  - H. The proposed number of dwelling units and number of bedrooms in the development;
  - I. The proposed number of square feet in gross floor area for each commercial and industrial use;
  - J. A description of each proposed commercial and industrial use;
  - K. The written recommendations of the health department, the building department, engineering department and fire department as to any portion of the site plan application covering areas within their respective jurisdictions.
  - L. For properties containing wetlands or wetland buffers pursuant to Chapter 14.28, all informational requirements specified in Chapter 14.28 shall be included in the applications. (Ord. 1058 §2, 1997; Ord. 912 §16, 1991; Ord. 583 §2.03(D), 1980).

**16.84.070 Additional information for review.** The SPRC, hearings examiner or city council may require the applicant to submit any additional information or material which it finds is necessary for the proper review and hearing of the application. (Ord. 583 §2.03(E), 1980).

**16.84.080 Amendment of site plan.** A site plan granted approval by the SPRC, hearings examiner or by the city council may be amended. If, in the opinion of the director of community development, the modifications are considered minor, no additional review process shall be required. If the modifications are considered significant by the director of community development, then the site plan shall be modified by the same procedures provided under Section 16.84.020.A of the Lacey Municipal Code. (Ord. 1220 §56, 2004; Ord. 1192 §194, 2002; Ord. 583 §2.03(F), 1980).

**16.84.090 Repealed**

(Ord. 1192 §195, 2002; Ord. 583 §2.03(G), 1980).

**16.84.100 Duration of approval.**

- A. Approval of the site plan shall be effective for eighteen months from the date of approval by the site plan review committee. During this time, the terms and conditions upon which approval was given will not change. ~~If application for a building permit is not made within the eighteen month period, the approval shall automatically terminate.~~ Within 18 months of the date of approval a grading and /or building permit must be issued and work (site preparation) started, or the approval shall automatically terminate. In addition, if the approved site plan calls for a division of land pursuant to a final binding site plan, such final binding site plan must be submitted for final approval within such eighteen month period.
- B. However, upon the application of the owner or representative, the site plan review committee shall extend the approval period for one six-month time period unless since the initial approval substantive change has been made in the regulations, ordinances, requirements, policies or standards which impact the site.
- C. Knowledge of expiration date and initiation of a request for extension of approval time is the responsibility of the applicant. The city shall not be held responsible for notification of expirations, although it may notify the applicant of date of expiration. All requests for additional time must be submitted to the community development department prior to expiration of site plan approval. (Ord. 1192 §196, 2002; Ord. 1058 §3, 1997; Ord. 691 §42, 1984).

**16.84.105 Noncompliance – Penalty.**

If the enforcing officer determines that there has been continuing noncompliance with the conditions of site plan review approval previously granted by the Site Plan Review Committee, such officer may schedule a meeting before such committee for purposes of determining whether such approval shall be revoked, suspended or modified. Notice of such meeting shall be provided to the current land owner and the applicant whose project has been approved. At the conclusion of such meeting, the Site Plan Review committee may revoke, suspend or modify a site plan review approval previously granted for the project or uses listed, if such committee determines that there has been continuing noncompliance with the conditions of such permit or other regulations governing such use. (Ord. 1220 §57, 2004).

**16.84.110 Division of Land Pursuant to Final Binding Site Plan.**

- A. If the owner of commercial or industrial land wishes to legally divide such land in accordance with a preliminary binding site plan approved pursuant to the terms of this chapter, such owner shall, within the time limits set forth in Section 16.84.100, file with the city a final binding site plan containing the following information, requirements and conditions:
  - 1. Identification of the scale to which the drawing is prepared;
  - 2. Identification and illustration of the areas and locations of all streets, roads, improvements, utilities, open spaces and any other matters specified by the site plan review committee in approving the preliminary binding site plan;
  - 3. Inscriptions or attachments setting forth the limitations and conditions for use of the land as have been established by the site plan review committee in approval of the preliminary binding site plan;
  - 4. An appropriate statement or provision requiring that any development on such land be in conformity with the conditions of the site plan approval;
  - 5. A proper legal description of each lot contained within the site;
  - 6. Be accompanied by a plat certificate no more than thirty days old from a title company showing interest of the persons signing the declaration of binding site plan and showing restrictions encumbering the land.

- B. There shall accompany and be referenced on said final binding site plan a lot owners association agreement and protective covenants containing at a minimum the following provisions:
1. Membership in the lot owners association will be mandatory for all lot owners.
  2. The lot owners association shall have the power to levy fees and dues necessary to successfully maintain all common areas, including, but not limited to, utilities, shared parking facilities, open space, landscaped areas and streets;
  3. Such agreement shall provide for the collection of attorney fees extended in collecting delinquent assessments from lot owners;
  4. The responsibility of the lot owners association in relationship to the maintenance of the various common facilities and areas shall be detailed;
  5. The amount of the initial fees or dues shall be established and be subject to approval of the city;
  6. All agreements and requirements for shared parking shall be set forth;
  7. All protective covenants and declarations applicable to the properties within the site shall be subject to approval of the city.
- C. All public works improvements required by the approval of the preliminary binding site plan shall be installed and approved or proper financial security provided for such installation and approval prior to submitting the application for final binding site plan approval. Such public works improvements shall include landscaping for all common areas of the full site. Landscaping for each individual lot may be completed and approved or financial security provided therefore prior to the issuance of a building permit for such lot.
- D. Upon receipt of the final binding site plan application and any accompanying documents, the community development director or the director's designee shall review the plan and documents to determine that the plan conforms with the conditions of the preliminary binding site plan approval and is otherwise in compliance with the ordinances of the city. The director or such designee may go upon the property for purposes of verifying the accuracy of the final binding site plan map. If the director determines that the final binding site plan and accompanying documents are in full compliance with the preliminary conditions and all applicable ordinances, the signature of the director shall be affixed to such final binding site plan document prior to the same being recorded with the Thurston County Auditor.

The final binding site plan shall be approved, disapproved or returned to the applicant for modification in accordance with the full administrative review process and timelines outlined in Section 1C.040 of the City of Lacey Development Guidelines and Public Works Standards. (Ord. 1220 §58, 2004; Ord. 1058 §4, 1997).

**Tables for Chapter 15**

**2013 Amendments**

**TABLE 15T-02**

(Referred from LMC [15.10.260\(B\)](#))

STATE                    OF                    )  
WASHINGTON

)s

COUNTY                OF                    )  
THURSTON

This is to certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, before me, the undersigned, a Notary Public, personally appeared \_\_\_\_\_, to me known to be the person who executed the foregoing dedication and acknowledged to me that \_\_\_\_\_ signed and sealed the same as \_\_\_\_\_ free and voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year first above-written.

\_\_\_\_\_

NOTARY PUBLIC in and for

(S E A L)

the State of Washington,

residing at \_\_\_\_\_

My commission expires:

**TABLE 15T-01**

**(Referred from LMC [15.10.260\(A\)](#))**

Know all persons by these presents that we, the undersigned, \_\_\_\_\_, owners in fee simple of the land hereby platted, hereby declare this plat and dedicate to the use of the public forever, all streets, avenues, places and sewer easements or whatever public property there is shown on plat and the use thereof for any and all public purposes not inconsistent with the use thereof for public highway purposes; also, the right to make all necessary slopes for cuts or fills upon the lots, blocks, tracts, etc., shown on this plat in the reasonable original grading of all streets, avenues, places, etc., shown thereon.

IN WITNESS WHEREOF we have set our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

Signed and sealed in the presence of

\_\_\_\_\_

\_\_\_\_\_

**TABLE 15T-03**

(Referred from LMC [15.10.260\(C\)](#))

I hereby certify that the plat of \_\_\_\_\_ is based upon an actual survey and subdivision of a portion of Section \_\_\_\_\_, Twp. \_\_\_\_\_, Range \_\_\_\_\_ E or W, W.M.; that the distances and courses shown thereon are correct; that the monuments have been set and lot and block corners staked on the ground.

\_\_\_\_\_

- 1. Certificate--City  
Engineer.

Examined and approved this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_

City Engineer

- 2. Certificate--Health  
Officer.

Examined and approved this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_

# Amendments to Chapter 15 (Land Division Regulations)

## January 2013

### Chapter 15.01

#### GENERAL PROVISIONS

##### Sections:

- 15.01.010 Title
- 15.01.020 Purpose
- 15.01.030 General scope
- 15.01.040 Specific exemptions
- 15.01.050 Regulations mandatory
- 15.01.055 Conformance with other regulations
- 15.01.060 Concurrency for public facilities, utilities and roads
- 15.01.065 Subdivisions adjacent to resource lands
- 15.01.070 Administration

**15.01.010 Title.** This title shall be known as the city of Lacey Land Division Ordinance. (Ord. 1235 §1,2, 2005).

**15.01.020 Purpose.** These regulations are for the purpose of regulating the division of land and to promote the public health, safety and general welfare in accordance with established standards to provide for expeditious review of land divisions; to ensure land divisions conform to requirements of the Revised Code of Washington 58.17; to meet requirements of all elements of the Lacey Comprehensive Land Use Plan, including the city of Lacey and Thurston County Land Use Plan for the Lacey Urban Growth Area, the Housing Element, Utility Element, Capital Facilities Element, Economic Development Element, Transportation Element, the Environmental Protection and Resource Conservation Plan (Environmental Element) and other city plans and policies; to meet zoning standards and other provisions of the Lacey Municipal Code and the Lacey Development Guidelines and Public Works Standards; to promote the proper arrangement and provision of streets, lots, easements, pathways and other private or public ways; providing for adequate and convenient provision of open spaces, utilities, recreation and access for service and emergency vehicles; providing for adequate provision of water, drainage, sewer and other public facilities; to promote a coordination of development as land develops; to conserve and restore natural beauty and other natural resources to maintain and perpetuate environmental quality; to require uniform monumenting of land divisions and conveyance by accurate legal description; and to adequately provide for land use, housing and commercial needs of the citizens of Lacey. (Ord. 1235 §1, 2, 2005).

**15.01.030 General scope.** This title shall apply to the division or re-division of land for sale, lease, transfer, or building development into two or more lots, tracts, or parcels by the means specifically provided for herein. It shall also apply to boundary line adjustments, lot consolidations, binding site plans, condominium development, condominium conversions, plat alterations, plat vacations, and any other lot line alteration and/or re-division of land. As part of the Lacey Municipal Code, this title recognizes and incorporates the standards, provisions, and regulations contained in other parts of the Lacey Municipal Code as it exists now or as it may hereafter be amended. As such, approvals granted pursuant to this title shall only occur in compliance with these other regulatory provisions, as well as with all elements of the Comprehensive Land Use Plan, concurrency requirements and any other applicable laws and regulations. Where provisions of other official controls and regulations overlap or conflict with the provisions of this title, the more restrictive provisions shall govern. (Ord. 1369 §2, 2011; Ord. 1235 §1, 2, 2005).

**15.01.040 Specific exemptions.** The subdivision and short subdivision provisions of this title shall not apply to the following:

- A. Cemeteries and other burial plots while used for that purpose;
- B. Divisions of land into lots or tracts each of which is ~~five~~ forty acres or larger provided each lot created has legal access, and connectivity is provided to adjacent land pursuant to road grid requirements, or provision has otherwise been satisfied for future development and surrounding connectivity. Provided further, that division of any amount of land zoned for non residential use, shall either be accomplished through a plat, a short plat, or the binding site plan regulations pursuant to 15.01.040 F and chapter 15.06;
- C. Divisions made by testamentary provisions or the laws of descent. In order to be buildable, lots formed in this fashion must meet the requirements of all other ordinances including access, lot size, etc. in effect at the time of probate;
- D. A division for the purpose of lease when the land is to be developed as a manufactured or mobile home park or a recreational vehicle park and a site plan has been approved pursuant to Chapter 16.84 of the Lacey Municipal Code;
- E. Contiguous lots: The transfer of ownership of contiguous platted or unplatted lots if:
  - 1. The lots were created after June 9, 1937, or
  - 2. The lots transferred and remaining lots are developed, provided that transfers pursuant to this subsection shall not be effective until the proponent is issued a certificate of compliance from the community development department. A certificate shall be issued when the owner or applicant shows that the lot conforms to the criteria of this subsection;
- F. Industrial and commercial site plans: Divisions of land into lots or tracts classified for industrial or commercial use, provided the city has approved a binding site plan for such division pursuant to Chapter 15.06 of the Lacey Municipal Code;
- G. Boundary line adjustments: An adjustment of boundary line(s) which does not create any additional lot, tract, parcel, site or division, nor create any lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site, and is approved pursuant to Section 15.04 of this chapter.
- H. A division for the purpose of leasing land for facilities providing personal wireless services pursuant to the Revised Code of Washington 58.17.040 (8).
- I. A division of land for the purpose of providing sites for public and private utility facilities. "Facilities" means unstaffed facilities used for the conveyance of the utility limited to well houses, pump houses, substations, lift stations and similar utility facilities. Provided, any remaining lot or lots are consistent with applicable zoning and land use plans. Provided further, the division shall be surveyed and recorded and a record of survey filed in accordance with the Revised Code of Washington Chapter 58.09.
- J. Divisions of land due to condemnation or sale under threat thereof, by any agency or division of government vested with the power of condemnation. (Ord. 1369 §3, 2011; Ord. 1235 §1, 2, 2005).

## **Chapter 16.62 COTTAGE HOUSING**

### **Open space arrangement and flexibility amendments July 2013**

**Sections:**

- 16.62.010 Intent
- 16.62.020 Where permitted
- 16.62.030 Development Standards

**16.62.010 Intent.** It is the intent of this chapter to:

- A. Provide an opportunity for small, detached housing types, clustered around an open space.
- B. Provide traditional cottage amenities and proportions to ensure that cottage housing developments contribute to the overall community character.
- C. Provide centrally located and functional common open space that fosters a sense of community.
- D. Provide semi-private area around the individual dwellings to enable diversity in landscape design and foster a sense of ownership.
- E. Ensure minimal visual impact from vehicular use and storage areas for residents of the cottage housing development as well as adjacent properties, and to maintain a single-family character along public streets.
- F. Take advantage of existing natural features on the site including topography and vegetation, where desirable.
- G. Provide the opportunity for more affordable housing units.
- H. Promote conservation of natural resources by clustering smaller dwelling units on lots. (Ord. 1310 §48, 2008)

**16.62.020 Where permitted.** Cottage housing development shall be permitted in the following land use districts, consistent with the development standards in this chapter:

- A. Low Density Residential 3-6 District.
- B. Moderate Density Residential District.
- C. High Density Residential District.
- D. Cottage housing developments are intended to be integrated with other housing types. Specifically, no more than five clusters of cottages are permitted in any individual development, except for large developments where cottages represent less than twenty five percent of the total number of dwelling unit. (Ord. 1310, §48, 2008).

**16.62.030 Development standards.**

- A. Density. The density of the underlying zone governs unless a density increase is granted as provided in this chapter.
- B. Density increase in the Low Density Residential (3-6) and Moderate Density Residential Districts. The City may allow two cottage units for each regular dwelling unit allowed under existing standards in the Low Density Residential (3-6) and Moderate Density Residential Districts.

- C. Maximum Gross Floor Area. The maximum allowed gross floor area is 1,200 square feet per dwelling. The maximum gross floor area for the ground floor or main floor is eight hundred square feet per dwelling.
- D. Platting. A cottage development may be completed through a subdivision plat, short plat, or condominium provided the city has adopted an ordinance providing this option.
- E. Design. Cottages are subject to the design criteria in Section 14.23.072. Where there are conflicts between Section 14.23.072 and the standards in this chapter, the standards herein shall apply.
- F. Minimum Common Space. The minimum common space required is three hundred square feet per dwelling. The common open space shall be configured so that at a minimum:
  - 1. The common open space abuts fifty percent of the cottages in a cottage housing development.
  - 2. Cottages are oriented around ~~abut~~ at least two sides of the common open space.
  - 3. Cottages are oriented around the open space with an entry facing the common open space.
  - 4. Cottages should be within sixty feet walking distance of the common open space.
  - 5. Area required to meet minimum private open space, setback, and parking requirements may not be used in the calculations for common open space.
  - 6. Common open space shall be accessible to all cottage residents in the applicable cluster and maintained by the development's homeowners association.
- G. Minimum Private Open Space. The minimum private open space required is two-hundred square feet per dwelling. Required open space shall be adjacent to each dwelling unit and for the exclusive use of the cottage resident(s). The private space shall be:
  - 1. Usable (not on a steep slope).
  - 2. Oriented toward the common open space as much as possible.
  - 3. No less than eight feet in dimension on any side. A desirable configuration for this private open space is an area between the dwelling unit and the common open space, similar to what's shown in the examples in **Table 16T-85**.
- H. Facades and Porches.
  - 1. Cottages facing the common open space or common pathway must feature a roofed porch at least eighty square feet in size with a minimum dimension of eight feet on any side.
  - 2. Cottages fronting on a street shall provide a covered entry feature with a minimum dimension of six feet by six feet facing the street. This is in addition to the porch requirement, where the cottage is adjacent to a common open space or pathway.
  - 3. All facades facing common open space, pathways, and streets shall comply with Architectural Details and Windows and Transparency design criteria specified in Section 14.23.072(C) and (I), respectively.
- I. Maximum Height for Cottages.
  - 1. The maximum height for cottages with a minimum roof slope of six feet vertical to twelve feet horizontal is twenty-five feet. All parts of the roof above eighteen feet shall be pitched.
  - 2. The maximum height for cottages with a roof slope less than six feet vertical to twelve feet horizontal is eighteen feet.
  - 3. The maximum height for all accessory structures is eighteen feet.
- J. Setbacks. The setback requirements are the same as the other residential uses in the underlying zone.

- K. Minimum Distance Separating Structures. The minimum required distance separating structures (including accessory structures) is ten feet.
- L. Parking Requirements.
1. The minimum required number of parking spaces is one and one-half spaces per dwelling.
  2. Parking shall be located on the same property as the cottage development.
  3. Parking and vehicular areas shall be screened from public streets and adjacent residential uses by landscaping or architectural screens. The illustration in **Table 16T-85** provides a good example of screening with columnar trees separating the driveway from the adjacent property.
  4. Parking shall be located in clusters of not more than five adjoining uncovered spaces (except where parking areas are adjacent to an alley).
  5. Parking is prohibited in front and interior yard setback areas. The top illustration and photo in **Table 16T-85** provide good examples of parking location.
  6. All detached parking structures shall have a pitched roof design.
  7. Garages may be attached to individual cottages provided all other design standards have been met and the footprint of the ground floor, including the garage, does not exceed 1,000 square feet. Such garages shall be located away from common open spaces to the extent possible.
  8. At least fifty percent of the required parking spaces shall be enclosed. Such structures shall be designed consistent with the cottage architecture. This includes similar building materials, rooflines, and detailing.
- M. Utility elements. Utility meters and heating/cooling/ventilation equipment shall be located/designed to minimize visual impacts from the street and common areas.
- N. Low impact development. Cottage developments shall utilize Low Impact Development techniques to accommodate and treat stormwater as on-site conditions allow, as determined by the director. Examples include the use of pervious pavement for walkways, patios, and vehicle access areas, directing runoff from roofs and other impervious areas to landscaped beds, green or living roofs, and the use of rain barrels.
- O. Existing nonconforming structure and accessory dwelling units.
1. On a lot to be used for a cottage housing development, an existing detached single family residential structure, which may be nonconforming with respect to the standards of this chapter, shall be permitted to remain, provided the house and any accessory structures are not enlarged and the development meets the standards herein. The existing dwelling shall be included in determining the allowable density for the site.
  2. For any cottage development containing an existing house and an accessory dwelling unit, the accessory dwelling unit shall be counted as a cottage for the purposes of determining allowable density for the site.
- P. Clustering Groups. Developments shall contain a minimum of four and a maximum of twelve dwellings located in a cluster group to encourage a sense of community among the residents. A development site may contain more than one cluster.
- Q. Cottage housing developments are subject to design review requirements of Chapter 14.23. (Ord. 1310 §48, 2008; Ord. 1380, §1, 2012.).
- R. The city desires to form partnerships with nonprofit housing authorities and the private development community in promoting infill, providing affordable housing and achieving GMA smart growth and livable city objectives. To provide for innovation and creativity in achieving housing and livable city objectives of the Plan, flexibility may be permitted where a specific cottage project furthers the Plan's objectives, but zoning code requirements would prevent the project, make it less effective in

implementing the Plan's intent, or act as a barrier to implementation of the Plan's vision. The City may waive said code provisions under the following conditions:

1. The city and the private/public partners believe the subject project meets community objectives of smart growth, livable city and sustainability as identified in the City Comprehensive Land Use Plan;

2. Design of the project gives significant attention to place making and functionality that will enhance the livability of the neighborhood in which it is located, as identified in the Comprehensive Land Use Plan and/or the applicable neighborhood plan;

3. Design includes energy conservation features that promote sustainability goals as identified in the Comprehensive Land Use Plan and/or other plans developed to promote energy conservation and sustainability;

4. The project addresses target demographics or specific community housing need as identified in the Comprehensive Land Use Plan's Housing Element and/or the applicable neighborhood plan;

5. Based upon a determination by the Director, the proposed project design will better implement objectives of the Comprehensive Land Use Plan.

**Chapter 16.12**  
**LOW-DENSITY RESIDENTIAL DISTRICT (O-4)**  
**“Proposed Height Amendments” July 2013**

**Sections:**

- 16.12.010 Intent
- 16.12.020 Permitted uses
- 16.12.030 Prohibited uses
- 16.12.035 Density
- 16.12.040 Environmental performance standards
- 16.12.050 Lot area
- 16.12.060 Off-street parking
- 16.12.070 Landscaping
- 16.12.080 Stormwater runoff

**16.12.010 Intent.** It is the intent of this chapter to:

- A. Enhance the residential quality of the city by providing a high standard of development for single-family residential areas;
- B. Provide a single family residential designation with an appropriate lower density and larger lot size for development adjacent to environmentally sensitive areas;
- C. Provide a single family residential designation with lot sizes compatible and more easily integrated into neighborhoods with adjacent older subdivisions with larger lots;
- D. Designate certain areas in which single-family structures on individual lots are the dominant type of dwelling unit;
- E. Guide residential development to those areas where:
  - 1. Public sewers are in place prior to residential building construction, or
  - 2. Where sewers can be extended at minimal cost to the city, or
  - 3. Where new technology in the processing of domestic sewerage makes residential development in unsewered areas environmentally acceptable;
- F. Guide development of residential areas in such manner as to encourage and plan for the availability of public services and community facilities such as utilities, police and fire protection, streets, schools, parks and recreation. (Ord. 1243 §5, 2005; Ord. 1024 §25, 1995; Ord. 583 §2.12(A), 1980).

**16.12.020 Permitted uses.**

- A. Specific types permitted in the low-density residential district:
  - 1. Single-family detached structures on individual lots up to four dwelling units per acre dependent upon environmental sensitivity. For unplatted parcels of less than one acre, properties may be divided into the maximum number of lots the minimum lot size will permit pursuant to Section 16.12.035 of the Lacey Municipal Code. Single-family detached structures are subject to the design criteria established in Section 14.23.072.
  - 2. Housing for people with functional disabilities.
- B. Other or related uses permitted:
  - 1. Accessory buildings or structures clearly incidental to the residential use of the lot such as storage of personal property or for the pursuit of avocational interests. All such buildings or structures over sixteen feet in height shall comply with the design requirements of Section 14.23.071 of the Lacey Municipal Code;

2. Urban agricultural uses as provided for and limited under chapter 16.21;
3. Home occupations as provided in Chapter 16.69 of the Lacey Municipal Code;
4. Accessory-dwelling as defined in Section 16.06.055 of the Lacey Municipal Code;
5. Conditional uses as provided in Chapter 16.66 of the Lacey Municipal Code;
6. The keeping of common household animals or pets is permitted provided that their keeping does not constitute a nuisance or hazard to the peace, health and welfare of the community in general and neighbors in particular;
7. Family day care homes as provided in Chapter 16.65 of the Lacey Municipal Code. (Ord. 1368 §15, 2011; Ord. 1310 §18, 2008; Ord. 1243 §6, 2005; Ord. 1192 §205, 2002; Ord. 1137 §2, 2000; Ord. 1044 §5, 1996; Ord. 1024 §25, 1995; Ord. 931 §5, 1992; Ord. 927 §4, 1992; Ord. 691 §7, 1984; Ord. 583 §2.12(B)(1,2), 1980).

**16.12.030 Prohibited uses.**

- A. Kennels are prohibited.
- B. Uses other than those identified or described in Section 16.12.020 are prohibited. (Ord. 583 §2.12(B)(3), 1980).

**16.12.035 Density.** Densities of up to four units per acre are permitted dependent upon environmental sensitivity. For unplatted parcels of less than one acre, properties may be divided into the maximum number of lots the minimum lot size will permit. Provided said lot has infrastructure available to it to support the lots being created and provided created lots are not less than the average lot size of adjacent developed lots. Every detached single family dwelling, with the exception of an accessory dwelling meeting the requirements of Section 16.06.055 of the Lacey Municipal Code, shall be located on its own lot. Creation of an individual lot or lots shall meet all requirements of Chapter 15, the Lacey subdivision and short subdivision code of the Lacey Municipal Code. (Ord. 1310 §19, 2008; Ord. 1243 §7, 2005; Ord. 1218 §9, 2004; Ord. 1044 §6, 1996; Ord. 1024 §26, 1995).

**16.12.040 Environmental performance standards.**

- A. Permitted uses shall create no noise, emissions, odors or other nuisances which are demonstrably disruptive or disturbing to other residences in the area, or which are of a quality or quantity not normally associated with residential use.
- B. The construction of accessory buildings shall be encouraged in such a manner as to make them complementary to the basic architectural character of the main building on the lot, or appropriate to the accessory use.
- C. Conditional uses shall comply with the development standards described for such uses in Chapter 16.66 of the Lacey Municipal Code.
- D. All uses shall comply with the applicable environmental performance standards of Chapter 16.57 of the Lacey Municipal Code. (Ord. 1192 §132, 2002; Ord. 583 §2.12(C)(1), 1980).

**16.12.050 Lot area.** The size and shape of lots shall be as follows, provided they adhere to the density requirements:

- A. Minimum lot area, six thousand five hundred square feet where alleys are utilized and seven thousand five hundred square feet where alleys are not provided.
- B. Minimum lot width, sixty feet where alleys are utilized, seventy feet where alleys are not provided. In the case of infill lots, the street frontage shall also be forty feet when alleys are utilized and fifty feet if alleys are not utilized.
- C. Minimum front yard:

Ten feet with ten-foot planter strip between the street and sidewalk when alleys are provided for rear access. Twenty feet with a standard planter strip when alleys are not provided for rear lot access.

Garages facing the street, twenty feet.

On front yard flanking streets, ten feet.

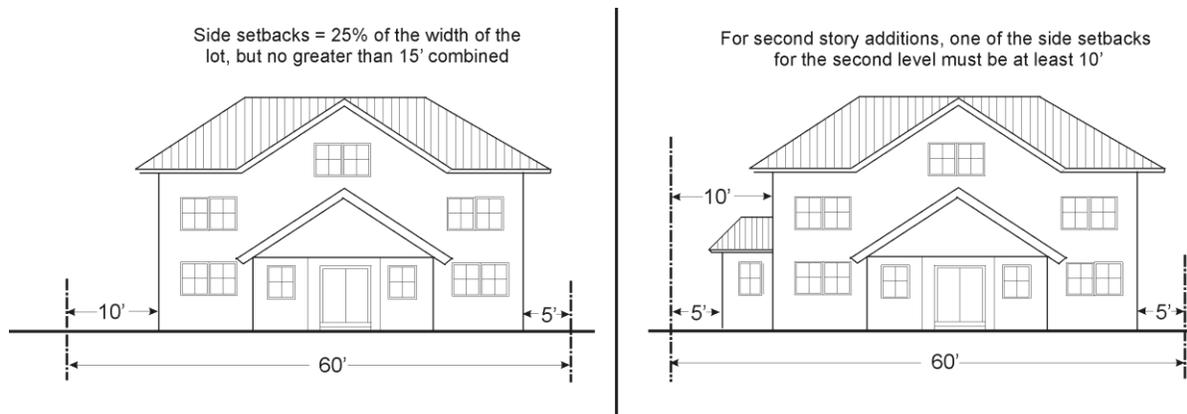
Unenclosed porches may project up to six feet into the front yard for front load access lots and two feet for rear load access lots, provided the porches are at least forty-eight square feet in area with no dimension less than six feet.

D. Minimum side yards:

Minimum on one side, five feet.

Minimum total both sides, ten feet for single-story structures; fifteen feet or no greater than twenty-five percent of the lot width (as measured along the front lot line) for two-story structures. (See **Table 16T-72.**)

**Table 16T-72**



*Minimum side yards for two-story homes in the Low Density Residential (0-4) District.*

E. Minimum rear yard, twenty feet, provided garages may be within three feet of the rear yard line alley easement or paved surface when adjacent to an alley.

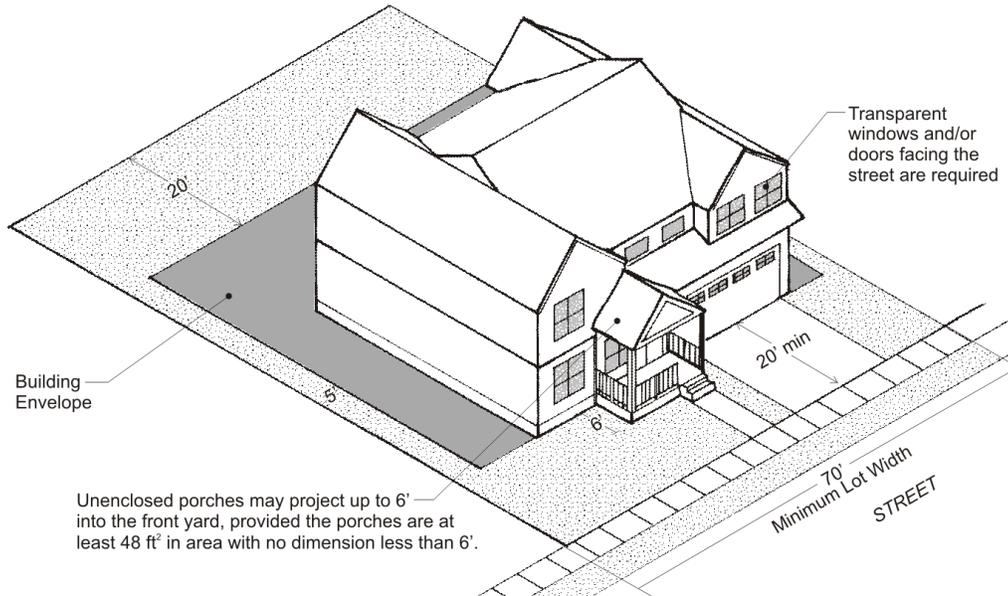
F. Minimum usable open space:

Where alleys are utilized, lots shall provide a contiguous open space equivalent to ten percent of the lot size. Specific open space requirements:

Shall feature minimum dimensions of twenty feet on all sides. For example, a sixty-five hundred square foot lot would require a contiguous open space of at least six hundred fifty square feet, or approximately twenty by thirty-three feet in area.

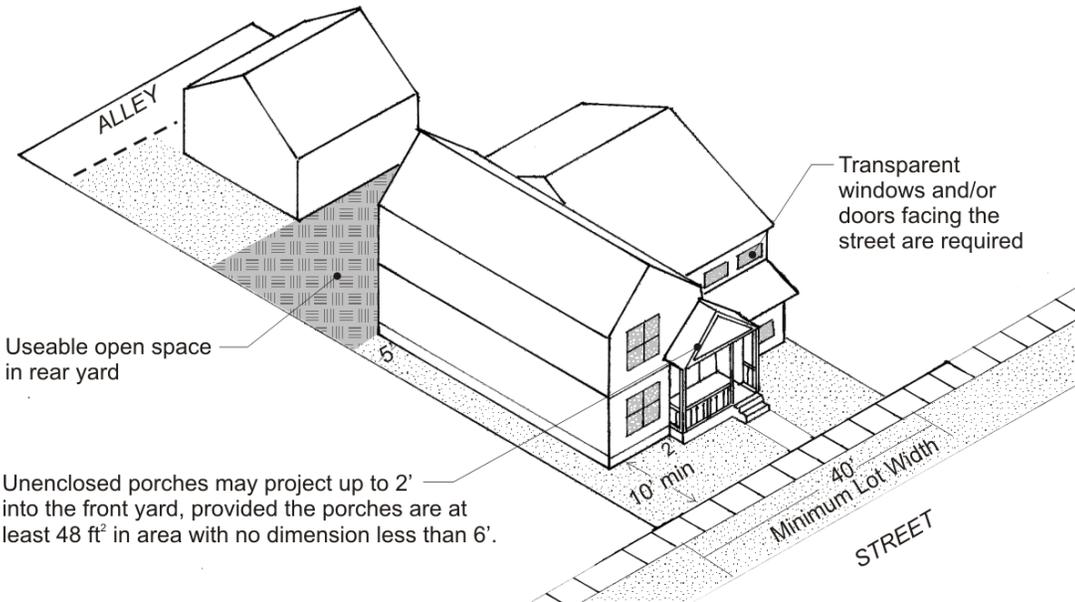
Such open space shall not be located within the front yard. (See **Tables 16T-73 and 16T-74.**)

**Table 16T-73**



*Minimum standards for front-loaded lots in the Low Density Residential (0-4) District.*

**Table 16T-74**



Minimum standards for alley-loaded lots in the Low Density Residential (0-4) District.

G. Maximum building coverage, forty percent. Undeveloped lots vested prior to May 15, 2008 shall be exempted from this standard provided they meet minimum usable open space requirements herein.

H. Maximum development coverage, fifty-five percent. Side and rear yard patios are exempt from development coverage restrictions provided the paving material used is considered a pervious pavement by the city of Lacey's public works department.

I. Maximum height of buildings:

Main building and accessory dwelling, twenty-five feet; thirty-five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.

~~Accessory building, sixteen feet.~~

Accessory building, shall be limited to the height of the primary building, provided structures over 16 feet in height shall require design review. Design shall demonstrate a compatibility with the primary structure and shall not dominate the site visually.

An additional two feet in height is permitted for structures with green roofs occupying at least fifty percent of the area of the roof.

J. Accessory buildings: All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than two hundred square feet, the following setbacks are permitted:

Front yard, twenty feet.

Side yard, five feet.

Rear yard, three feet. (Ord. 1310 §21, 2008; Repealed Ord. 1310 §20, 2008; Ord. 1243 §8, 2005; Ord. 1220 §5, 2004; Ord. 1218 §10, 2004; Ord. 1179 §2, 2002; Ord. 1024 §27, 1995; Ord. 691 §8, 1984; Ord. 618 §1, 1981; Ord. 583 §2.12(C)(2)(a), 1980).

**16.12.060 Off-street parking.** Off-street parking shall be provided in accordance with Chapter 16.72 of this title. (Ord. 583 §2.12(C)(2)(b), 1980).

**16.12.070 Landscaping.** Landscaping is required for the purpose of minimizing surface water runoff and diversion, preventing soil erosion, and promoting the aesthetic character of the community. Natural vegetation, ground cover, stands of trees or shrubs existing prior to development of the site may be acceptable to meet the landscaping requirement. Areas which have been cleared of vegetation or ground cover prior to or during construction, and which are not otherwise developed, shall be landscaped with trees, shrubs and suitable ground cover. Suitable materials for ground cover are those which permit rain water infiltration of the soil and may include sod, shrubs, trees, and/or other natural planting materials. Bark may be used as a mulch for natural planting materials, but not in place of natural planting materials. (Ord. 1310 §22, 2008; Ord. 691 §9, 1984; Ord. 583 §2.12(C)(2)(c), 1980).

**16.12.080 Stormwater runoff.** All stormwater runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the city and shall be subject to its review and approval, and shall, moreover, comply Lacey Municipal Code Chapter 15.22 pertaining to community facilities. (Ord. 583 §2.12(C)(2)(d), 1980; Ord. 1380, §1, 2012 ).

# Height amendments for LD 3-6 zone

## 4. Maximum height:

Main building and accessory dwelling, twenty-five feet; thirty-five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.

Townhouses, thirty feet; thirty-five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.

~~Accessory building, sixteen feet.~~

Accessory building, shall be limited to the height of the primary building, provided structures over 16 feet in height shall require design review. Design shall demonstrate a compatibility with the primary structure and shall not dominate the site visually.

An additional two feet in height is permitted for structures with green roofs occupying at least fifty percent of the area of the roof;

5. Accessory buildings. All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than two hundred square feet, the following setbacks are permitted:

Front yard, fifteen feet.

Side yard, five feet.

Rear yard, three feet. (Ord. 1310 §26, 2008; Repealed Ord. 1310 §25, 2008; Ord. 1220 §6, 2004; Ord. 1218 §12, 2004; Ord 1179 §3, 2002; Ord. 1024 §30, 1995; Ord. 769 §1 (part), 1986).

**Chapter 16.15**  
**MODERATE-DENSITY RESIDENTIAL DISTRICT**  
**Height amendments for Moderate and High density zones. July**  
**2013**

**Sections:**

- 16.15.010 Intent
- 16.15.020 Types of uses permitted
- 16.15.030 Prohibited uses
- 16.15.035 Individual lots required
- 16.15.040 Environmental performance standards
- 16.15.050 Lot area
- 16.15.060 Off-street parking
- 16.15.070 Landscaping
- 16.15.080 Stormwater runoff
- 16.15.090 Open space for multi-family projects

**16.15.010 Intent.** It is the intent of this chapter to:

- A. Enhance the residential quality of the city by providing a high standard of development for residential areas of moderate density;
- B. Permit a greater variety of housing types than are permitted in the low density residential districts;
- C. Permit a higher density of development as a means of achieving more economical housing;
- D. Permit moderate density development along arterials and collectors as a means of achieving more opportunity for mass transit;
- E. Guide moderate density residential development to those areas where:
  - 1. Public sewers are in place prior to residential building construction, or
  - 2. Where sewers can be extended at minimal cost to the city, and
  - 3. The Regional Transportation Plan designated moderate and high density transportation corridors to enhance and promote mass transit opportunities.
- F. Guide development of residential areas in such manner as to encourage and plan for the availability of public services and community facilities such as utilities, police and fire protection, streets, schools, parks and recreation;
- G. Preserve within developments as much open space and related amenities as possible. (Ord. 1024 §31, 1995; Ord. 583 §2.13(A), 1980).

**16.15.020 Types of uses permitted.**

- A. Specific types permitted in the moderate-density residential district:
  - 1. Any residential use with a density of at least six but not greater than twelve units per acre and any additional bonus density that might be applicable. All parcels over ten acres in size shall provide a mix of housing types with no less than fifty percent of the units designated for single family use. The required mix should be integrated throughout the entire site as much as possible. All residential structures are subject to the design criteria established in Section 14.23 that is applicable to the particular type of residential use.
  - 2. Housing for people with functional disabilities.

B. Other or related uses permitted:

1. Accessory buildings or structures clearly incidental to the residential use of the lot, such as storage of personal property (including boats, recreational vehicles, etc.), or for the pursuit of avocational interests; or structures designed for and related to recreational needs of the residents of a residential complex. All such buildings or structures over sixteen feet in height shall comply with the design requirements of Section 14.23.071 of the Lacey Municipal Code;
2. Home occupations as provided in Chapter 16.69 of the Lacey Municipal Code;
3. Accessory dwelling as defined in Section 16.06.055 of the Lacey Municipal Code;
4. Conditional uses as provided in Chapter 16.66 of the Lacey Municipal Code;
5. The keeping of common household animals or pets is permitted provided that their keeping does not constitute a nuisance or hazard to the peace, health and welfare of the community in general and neighbors in particular;
6. Urban agricultural uses as provided for and limited under chapter 16.21;
7. Family day care homes as provided in Chapter 16.65 of the Lacey Municipal Code. (Ord. 1368 §21, 2011; Ord. 1310 §29, 2008; Ord. 1192 §137, 2002; Ord. 1137 §5, 2000; Ord. 1024 §31, 1995; Ord. 931 §7, 1992; Ord. 927 §6, 1992; Ord. 691 §10, 1984; Ord. 583 §2.13(B)(1,2), 1980).

**16.15.030 Prohibited uses.**

- A. Kennels are prohibited.
- B. Uses other than those identified or described in Section 16.15.020 are prohibited. (Ord. 583 §2.13(B)(3), 1980).

**16.15.035 Individual lots required.**

Every detached single family dwelling, with the exception of an accessory dwelling meeting the requirements of Section 16.06.055 of the Lacey Municipal Code, and every duplex, triplex, or other residential building shall be located on its own lot. Exception: Townhouses developed through a condominium ordinance and apartment buildings designed as a single development may be located on one lot. Creation of a lot or lots shall meet all requirements of Chapter 15 the Lacey Land Division ordinance of the Lacey Municipal Code. (Ord. 1310 §30, 2008; Ord. 1218 §13, 2004).

**16.15.040 Environmental performance standards.**

- A. Permitted uses shall create no noise, emissions, odors or other nuisances which are demonstrably disruptive or disturbing to other residences in the area, or which are of a quality or quantity not normally associated with residential use.
- B. Accessory buildings shall be complementary to the basic architectural character of the main building on the lot, or appropriate to the accessory use.
- C. Conditional uses shall comply with the development standards described for such uses in Chapter 16.66 of the Lacey Municipal Code.
- D. All uses shall comply with the applicable environmental performance standards of Chapter 16.57 of the Lacey Municipal Code. (Ord. 1368 §22, 2011; Ord. 1192 §138, 2002; Ord. 1024 §31, 1995; Ord. 583 §2.13(C)(1), 1980).

**16.15.050 Lot area.**

- A. The size and shape of lots for detached single family shall be as follows, provided they adhere to the density requirements:
  1. Minimum lot area, three thousand square feet where alleys are utilized, four thousand square feet if alleys are not provided.

2. Minimum lot width, thirty feet when alleys are utilized, forty feet where alleys are not provided. Minimum lot width and street frontage for infill lots designed for construction of a single family residence shall be thirty feet when alleys are utilized and forty feet when alleys are not utilized. Infill lots to be used for duplexes or other multi-family uses shall have a minimum lot width and street frontage of fifty feet.
  3. Minimum front yard:
 

Ten feet with a ten foot planter strip between the street and sidewalk when alleys are provided for rear lot access. Twenty feet with a standard planter strip when alleys are not provided for rear lot access.

In addition, Setbacks may be staggered as provided in section 15.12.080(F) for the purpose of modulating the streetscape and providing more convenient opportunities for offsetting windows for privacy of individual homes.

Garages facing the street, twenty feet.

On front yard flanking streets, ten feet.

Unenclosed porches may project up to six feet into the front yard, provided the porches are at least forty-eight square feet in area with no dimension less than six feet.
  4. Minimum side yards:
 

Minimum on one side, five feet.

Minimum total both sides, ten feet.
  5. Alternative lot configurations may be approved provided they comply with all of the following additional standards and design:
    - a. Other applicable standards in this chapter.
    - b. Design criteria in Section 14.23.072, particularly Section 14.23.072(L).
    - c. The design results in a superior land division layout considering its functionality and character with particular consideration given to privacy for individual lots, pedestrian access and convenience, and the design of public and/or private open space opportunities and natural features,
  6. Minimum rear yard, fifteen feet, provided garages may be within three feet of the rear yard line, alley easement or paved surface when adjacent to an alley.
- B. Lots intended for attached single family, condominiums and multi-family shall be reviewed and approved through a subdivision, townhouse, PRD, site plan review, or building plan review process where such concept is identified and the project is designed and conditioned subject to design requirements of Section 14.23.
- C. Development of lots not on sewer. Areas without sewer must be developed in a manner that maintains long term potential to achieve minimum required densities and efficient provisions of sewer once sewer becomes available. Areas developing without sewer must meet the following requirements;
1. The Health Department must review and approve plans for alternative sewage disposal.
  2. Lots must be clustered in a configuration that results in urban size lots with one large reserve lot for future development.
  3. Clustered lots must be between 4,000 and 10,890 square feet.
  4. Excluding the reserve parcel, clustered lots must meet density requirements of Section 16.15.020.

5. Subdivisions and short subdivisions must have a statement on the face of the plat or short plat that when sewer becomes available to the area, clustered lots shall hook up to sewer at each lot owner's expense. Such requirement shall also be provided for in protective covenants.

D. Other lot standards:

1. Minimum usable open space:

Where alleys are utilized, lots shall provide a contiguous open space equivalent to ten percent of the lot size. Specific open space requirements:

Shall feature minimum dimensions of fifteen feet on all sides, provided one side may be reduced to 10 feet by the Site Plan Review Committee if it determines the space is designed with features that make it more inviting, private and useable. Design for reduction of the minimum dimension must include at least two of the following techniques;

- a. A pergola or other architectural feature with landscaping;
- b. An improved patio area with features for associated use such as sitting or barbeque;
- c. Other design features and improvements that add to the usability, privacy and desirability of the private space.

As an example, a three thousand square foot lot would require a contiguous open space of at least three hundred square feet, or fifteen feet by twenty feet in area for a standard dimension, or ten feet by thirty feet if the dimension is reduced and design features added.

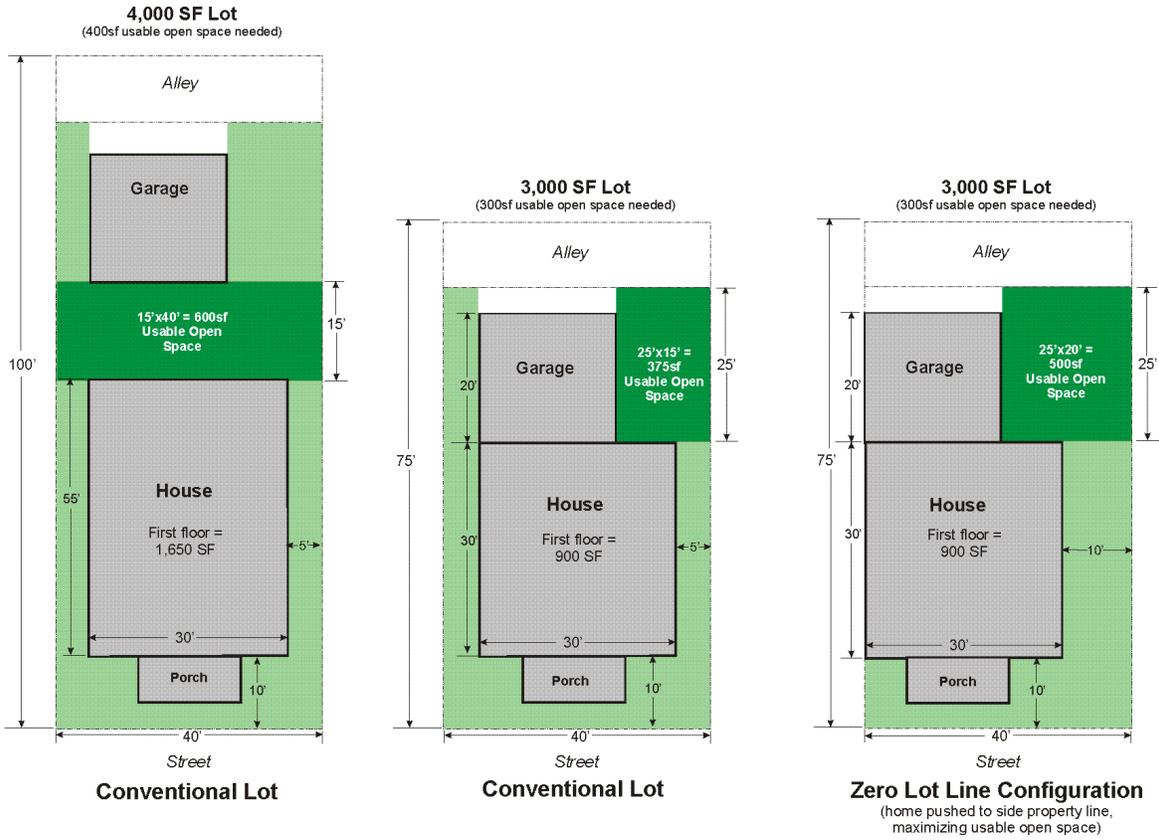
Such open space shall not be located within the front yard.

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

For townhouse developments, refer to Sections 14.23.080 and 16.61.040.

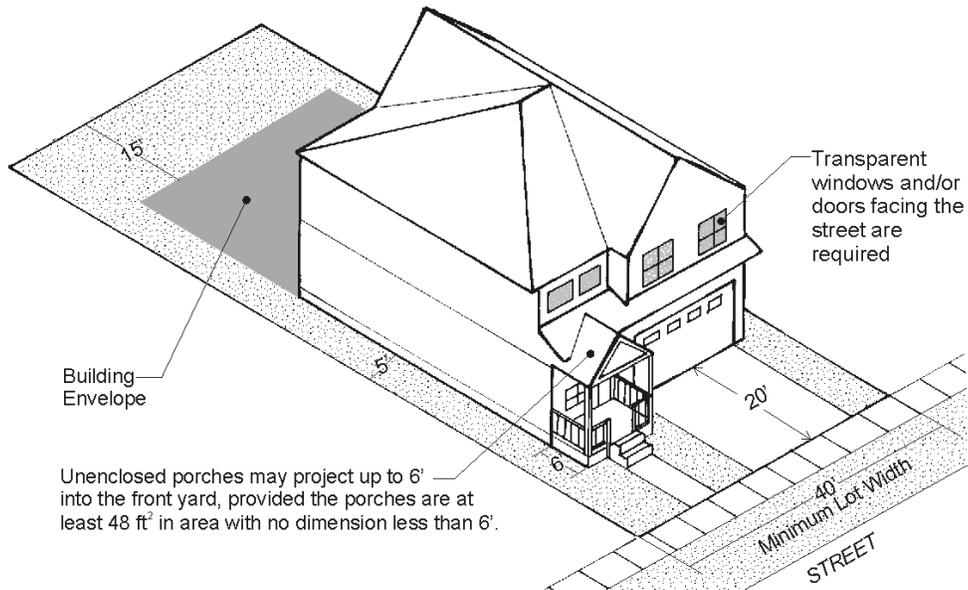
For multi-family developments, refer to Section 14.23.080. (See **Tables 16T-77, 16T-78, and 16T-79.**)

**TABLE 16T-77**



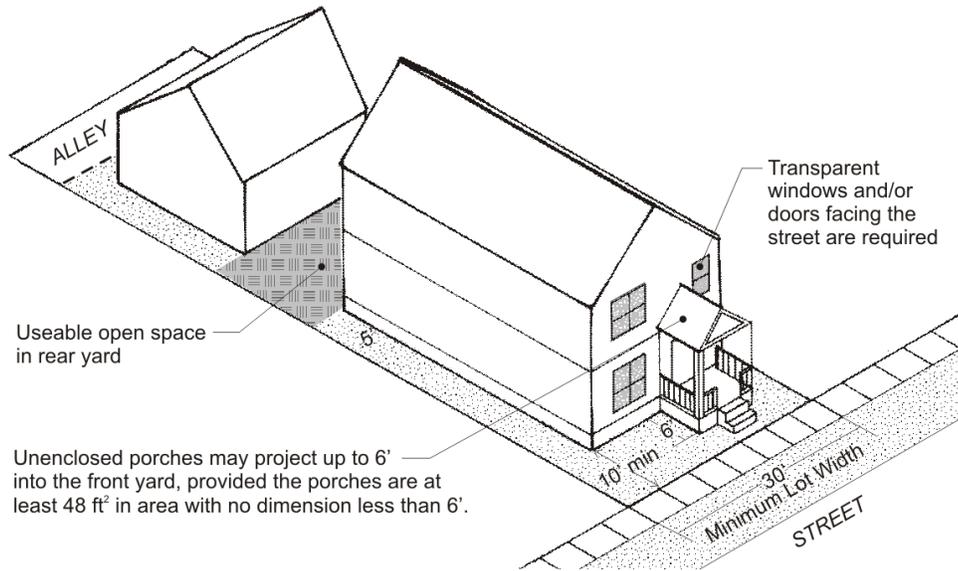
Example configurations of usable open space on small lots.

**TABLE 16T-78**



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

TABLE 16T-79



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

2. Maximum building area coverage, fifty percent. Undeveloped lots vested prior to May 15, 2008 shall be exempted from this standard provided they meet minimum usable open space requirements herein.
3. Maximum development coverage, seventy-five percent. Side and rear yard patios are exempt from development coverage restrictions provided the paving material used is considered a pervious pavement by the City of Lacey's Public Works Department.
4. Maximum height:  
Main building and accessory dwelling, twenty-five feet; thirty-five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.  
Townhouse and multi-family buildings, thirty feet; thirty-five feet where the roof pitch is at least four feet vertical to twelve feet horizontal.

~~Accessory building, sixteen feet.~~

An accessory building is permitted a height of sixteen feet, provided accessory buildings within an apartment complex and designed with a green roof occupying at least fifty percent of the area of the roof, can be up to the height of the main structure.

Accessory structures over 16 feet in height are subject to design review requirements. Design shall demonstrate a compatibility with the primary structure and shall not dominate the site visually.

~~An additional two feet in height is permitted for structures with green roofs occupying at least fifty percent of the area of the roof;~~

5. Accessory buildings: All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than two hundred square feet, the following setbacks are permitted:

Front yard, ten feet.

Side yard, three feet.

Rear yard, five feet, or three feet to rear yard line alley easement or paved surface if adjacent to an alley. (Ord. 1310 §32, 2008; Repealed Ord. 1310 §31, 2008; Ord. 1220 §8, 2004; Ord. 1218 §14, 2004; Ord. 1179 §4, 2002; Ord. 1044 §9, 1996; Ord. 1024 §31, 1995; Ord. 691 §11, 1984; Ord. 618 §3, 1981).

**16.15.060 Off-street parking.** Off-street parking shall be provided in accordance with Chapter 16.72 of this title. (Ord. 583 §2.13(C)(2)(b), 1980).

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

Natural vegetation, ground cover, stands of trees or shrubs existing prior to development of the site may be acceptable to meet the landscaping requirement. Areas which have been cleared of vegetation or ground cover prior to or during construction, and which are not otherwise developed, shall be landscaped with trees, shrubs and suitable ground cover. Suitable materials for ground cover are those which permit rainwater infiltration of the soil and may include sod, shrubs, trees, and/or other natural planting materials. Bark may be used as a mulch for natural planting materials, but not in place of natural planting materials. (Ord. 1310 §33, 2008; Ord. 583 §2.13(C)(2)(c), 1980).

**16.15.080 Stormwater runoff.** All stormwater runoff shall be retained and disposed of on site or disposed of in a system designed for such runoff and which does not flood or damage adjacent properties. Systems designed for runoff retention and control shall comply with specifications provided by the city and shall be subject to its review and approval, and shall, moreover, comply with Lacey Municipal Code Chapter 15.22 pertaining to community facilities. (Ord. 583 §2.13(C)(2)(d), 1980; Ord. 1380, §1, 2012).

**16.15.090 Repealed.**

(Ord. 1310 §34, 2008; Ord. 1098 §11, 1999; Ord. 881 §2, 1990).

## Chapter 16.21 URBAN AGRICULTURE

### Amendment to include multifamily housing under certain conditions July 2013

Sections:

[16.21.005](#) Purpose

[16.21.010](#) Intent

[16.21.014](#) Urban agriculture activities

[16.21.020](#) Permitted uses

[16.21.030](#) Prohibited uses

[16.21.040](#) Environmental performance standards

[16.21.050](#) Lot area

#### **16.21.005 Purpose.**

---

The City of Lacey finds there is a need to accommodate farming activity commonly referred to as urban agriculture. This can include a range of activities, such as production of food on a single family residential lot for a family's personal use, urban vegetable gardens on common property for community use, or a small commercial farm activity located in areas zoned for this use.

While agricultural activity has often been considered inconsistent with smart growth principals of accommodating density in urban areas, the two do not need to be mutually exclusive. Urban agricultural activity for personal use on individual single family lots, or on common property for community agricultural use, or in the form of small commercial urban farms, can add to the urban fabric and create a richer context for urban neighborhoods. These beneficial uses can be accommodated without sacrificing the objectives of the state Growth Management Act (GMA) and designated urban areas.

Urban agricultural activities managed in a responsible way, with sensitivity to urban density and land use compatibility issues, can benefit the individuals participating in the activity and the community at large by providing fresh produce, additional food choices, economic development opportunity, a more sustainable lifestyle and urban neighborhoods with more variety and interest. This section has been developed with the purpose of providing Lacey citizens an opportunity to participate and benefit from these activities. (Ord. 1368 §9, 2011).

**16.21.010 Intent.**

---

It is the intent of this chapter to:

A. Develop opportunities for a range of urban agricultural activities, at a level and intensity that is compatible with Lacey's neighborhoods.

B. Define levels of urban agriculture beneficial to neighborhoods and specific zoning designations, considering the context of Lacey's urbanized areas.

C. Establish design standards to ensure urban agricultural activities do not compromise the livability of neighborhoods by introducing nuisances that could degrade the quality of life for surrounding residents. Nuisances include, but are not limited to, such things as:

- Noise.
- Odors from poor care and clean up of animal waste.
- Pest problems from improper feeding techniques.
- Aesthetic impacts.
- Other issues that are disruptive to the neighborhood or distract from the quality and enjoyment of the neighborhood environment.

D. Encourage and support personal urban agricultural opportunities for individuals and families.

E. Encourage and support urban agricultural opportunities for community groups, religious organizations, home owner associations and food co-ops.

F. Encourage the preservation of good agricultural uses for their value as economic assets as well as their value as open space, contribution to sustainability and healthy lifestyle and food choices for the community;

G. Provide a designation exclusively for agricultural activities that pre-existed Lacey's first GMA Plan and those agricultural uses that are of a size and intensity they need space and standards to coexist in an urbanized area to avoid compatibility issues.

H. Retain the Agricultural District designation to serve as a place holder with a viable use pending the need for transition to other urban uses. This is intended to facilitate the orderly transition of properties that are being

used for agricultural production to more intensive residential use, if and when such agricultural uses are no longer feasible for economic, cultural or technical reasons. (Ord. 1368 §10, 2011; Ord. 1368 §1, 2011 Repealed; Ord. 1243 §4, 2005; Ord. 583 §2.09(C) (part) 1980).

**16.21.014 Urban agriculture activities.**

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

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

:

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

a. All horticultural activity for personal use and incidental sales or distribution on site and off site at a farmers market or approved retail area. Provided commercial sales may be accommodated subject to the 2001 FDA food code Chapter [216-415](#) WAC and requirements of a home occupation pursuant to LMC [16.69](#).

b. Limited animal husbandry of small farm animals for personal use. Provided commercial sales may be accommodated subject to the 2001 FDA food code Chapter [216-415](#) WAC and requirements of a home occupation pursuant to Chapter [16.69](#) LMC. This activity shall be limited to the following:

(1) Domestic fowl and rabbits:

(a) The maximum number of all fowl permitted accessory to a single family residential home on an urban lot, shall be 1 per 1000 square feet of lot area, up to a maximum of 10.

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

(c) Rabbits kept in accordance with recommendations of the American Rabbit Breeders Association (ARBA) and a minimum 3.5 square feet of hutch space per rabbit up to a maximum of two dozen rabbits.

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

- Located 10 feet away from property lines.
- Designed to prevent rodents by incorporation of one of the following:
  - Raising the floor area 8 to 12 inches above grade
  - Portable pens moved every few days with clean up of ground.
  - Other techniques that have similar results.

(2) Miniature Goats commonly known as Pygmy, Dwarf and Miniature Goats provided:

(a) Male miniature goats are neutered.

(b) Lots accommodating miniature goats must be a minimum of 7,500 square feet and may be allowed at a ratio of four miniature goats per one acre of property.

(3) Beekeeping provided:

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

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

- A maximum of four honey bee hives is permitted as an accessory use to a single family home,
- Honey bee hive shall not be located within 25 feet of any lot line, provided this distance may be reduced to 10 feet if strategies are employed to require bees to gain elevation before crossing the property line. This may include elevation changes, solid fencing or other techniques that can achieve this objective.

(c) Area housing bee varieties other than honey bees must be a minimum of 10 feet from adjacent properties and limited in size appropriate for pollination of the owner's lot.

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

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

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

a. All uses permitted under LMC [16.21.014](#)(A)(1) according to ratios, conditions and restrictions therein.

b. On lots or parcels of one acre or more, livestock may be kept provided that the number of head of livestock shall not exceed one for each half acre of lot area; and further that barns or other structures for the housing or sheltering thereof be set back not less than thirty-five feet from all property lines. In addition, urban agricultural uses shall employ best

management practices, such as may be included in a farm plan developed by the Thurston Conservation District.

c. All uses permitted under LMC [16.21.014\(A\)\(4\)](#) (Community urban agricultural use) according to the ratios, conditions and restrictions therein.

3. Urban Agricultural activity on a non residential lot. As an accessory use or transitional use, the following urban agricultural activities may be permitted:

a. All uses permitted under LMC [16.21.014\(A\)\(1\)](#) according to ratios, conditions and restrictions therein.

b. All uses permitted under LMC [16.21.014\(A\)\(4\)](#) (Community urban agricultural use) according to the ratios, conditions and restrictions therein.

4. Community/communal urban agricultural activities. Permitted according to the following descriptions and restrictions:

a. Horticulture may include all horticultural activity organized in the form of communal farming arrangements on property used in common for these purposes or where small lots or backyards have raised beds or segregated plots for lease for gardening activity. This may include activities such as community pea patches, community garden plots, shared garden plots, publically owned garden plots for community use, gardens owned and operated by nonprofit organizations, home owner associations and religious organizations for use by members or community groups, yard area with segregated raised garden beds developed by an owner for lease and other similar activities. Said activity shall be subject to the following requirements:

(1) All horticultural activities taking place on a lot or portions of a lot that is less than two acres shall be reviewed by the Community Development Department as follows:

(a) Subject to limited administrative review under Chapter 1 of the Development Guidelines and Public Works Standards to document the proposal, discuss the level of activity and development of a project management plan necessary to ensure compatibility with adjacent neighbors.

(b) If considered necessary to ensure compatibility with adjacent land use, a formal site plan review (SPR) may be required, including preparation and approval of an urban agriculture impact mitigation plan. Such determination shall be at the sole discretion of the Community Development Director.

(2) All urban farming activities taking place on a lot or portions of a lot more than 2 acres in size shall require a site plan review approval.

(3) Produce in excess of member needs may be provided on or off site to individual community members in need, food banks, religious organizations and other non profits for distribution to the public.

(4) Incidental sales of produce in excess of member needs may occur on site, at local farmers markets or at approved commercial sites. On site retail sales must not result in adverse impacts to the neighborhood area as a result of signage, traffic or other related activity. Determinations regarding impact of onsite retail activity and mitigation requirements will be up to the sole discretion and determination of the Community Development Director and may be subject to the provisions of Chapter [16.70](#) LMC (Street Merchant Ordinance).

(a) Animal husbandry is limited to those activities permitted with requirements as specified in LMC [16.21.014\(A\)\(1\)\(b\)](#) with the following additional considerations and requirements:

- Such activity must take place as a secondary and incidental use in conjunction with community urban farming horticultural activities.
- "Personal use" in the context of community urban agricultural use shall include all members of the group participating in the urban agricultural activity.

5. Commercial urban farms: Commercial urban agricultural use in Lacey and its growth area is generally farming activity that existed at the time Lacey's first GMA Plan was adopted. Most areas with small commercial farm activity were zoned Agricultural District to provide for continuation of these activities in a zone designed to accommodate this use. Future provision

may be made for small farms in other zoning designations under criteria necessary to ensure compatibility. This concept is reserved for future consideration.

B. Permitted Where: All zoning designations will reference the urban agriculture activities and appropriate provisions of Chapter [16.21](#) LMC applicable to the zone. (Ord. 1368, §11, 2011).

**16.21.018 Agriculture District.**

---

The Agricultural District has been established for the purposes and intent described in LMC [16.21.005](#) and [16.21.010](#). (Ord. 1368, §12, 2011).

**16.21.020 Permitted uses.**

---

A. Specific types permitted in the agricultural district:

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

- a. All horticultural crops including tree farms, greenhouses and nurseries;
- b. Livestock production including grazing, dairying, poultry and egg production, and riding stables;
- c. Limited processing and packaging of produce and animal products, including slaughtering, limited to crops and animals produced on the premises;
- d. Medical cannabis collective gardens pursuant to the terms of LMC [9.44.140](#) through [9.44.180](#).

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

B. Other or related uses:

- 1. Accessory buildings or structures clearly related to the basic use of the premises such as storage of personal property, vehicles, equipment and supplies;
- 2. Stands or sheds for the sale of agricultural products produced on the premises;
- 3. Mobile homes for persons related to or employed in the agricultural pursuits of the premises;
- 4. Accessory residential dwelling as defined in LMC [16.06.055](#);

5. Home occupations as provided in Chapter [16.69](#) LMC. (Ord. 1395 §2, 2012; Ord. 1024 §36, 1995; Ord. 931 §10, 1992; Ord. 927 §9, 1992; Ord. 583 §2.15(B)(1, 2), 1980).

**16.21.030 Prohibited uses.**

---

Prohibited uses in the agricultural district are as follows:

A. Feed lots;

B. Animal product reduction facilities;

C. Slaughterhouses or processing plants or facilities larger than those required for the crops or animals grown on the site. (Ord. 583 §2.15(B)(3), 1980).

**16.21.040 Environmental performance standards.**

---

All uses in this district shall comply with the environmental performance standards of Chapter [16.57](#) LMC. (Ord. 583 §2.15(C)(1), 1980).

**16.21.050 Lot area.**

---

A. Minimum lot area, five acres;

B. Setbacks for residential structures and all accessory buildings:

Minimum front yard, twenty-five feet,

Minimum side yards, eight feet,

Minimum rear yards, twenty-five feet;

C. Setbacks for structures or enclosures housing animals or poultry:

Minimum setback from front street line, one hundred feet,

Minimum setback from side and rear property lines or from a flanking street line, fifty feet;

D. Maximum building area and development coverage for a single use or occupancy is:

Maximum building coverage for five acres or more, fifteen percent,

Maximum development coverage for five acres or more, twenty-five percent;

E. Maximum height:

Residential building, thirty-five feet,

Accessory building, sixteen feet,

Barns, silos and the like, fifty feet. (Ord. 1024 §36, 1995; Ord. 583 §2.15(C)(2), 1980).



**LACEY CITY COUNCIL MEETING**  
**December 5, 2013**

**SUBJECT:** New Memorandum of Agreement related to the ongoing support of the South Sound Military and Communities Partnership.

---

**RECOMMENDATION:** Approve a new Memorandum of Agreement related to the ongoing support of the South Sound Military and Communities Partnership, and authorize the City Manager to sign agreement.

---

**STAFF CONTACT:** Scott Spence, City Manager 

**ORIGINATED BY:** City Manager's Office

**ATTACHMENTS:**

1. [South Sound Military and Communities Partnership Memorandum of Agreement - approved by City Council on March 24, 2011](#)
2. [New South Sound Military and Communities Partnership Memorandum of Agreement - November 2013](#)

**FISCAL NOTE:** The new Memorandum of Agreement proposes a \$20,000 annual contribution by the City of Lacey as an "Executive Level Team" member of the South Sound Military and Communities Partnership.

**PRIOR REVIEW:** The activities of the South Sound Military and Communities Partnership have been presented to Council several times in the past. This specific Memorandum of Agreement, however, is new.

---

**BACKGROUND:**

In early 2010, the Department of Defense (DOD) Office of Economic Adjustment (OEA) awarded a grant for the region to study the military growth impacts in the area. The grant recognized that Joint Base Lewis-McChord (JBLM) is the largest Army installation in the western United States, and is a significant employer in the State of Washington (note: JBLM is now the second largest employer as of 2012). Its presence is recognized throughout Pierce and Thurston counties and Washington State as a significant economic benefit to the South Puget Sound Region. In turn, communities surrounding JBLM enhance the quality of life for military personnel and families by providing high quality neighborhoods, schools, recreation opportunities, and other services.

The outcome of the grant was the JBLM Growth Coordination Plan, which generated detailed analyses and recommendations for a study area that extends from the southern portion of Tacoma in Pierce County and south to the cities of Lacey and Yelm in Thurston County, including the towns of Steilacoom and Roy, the cities of DuPont and Lakewood, and eastward to State Route 507, including parts of unincorporated Pierce County.

Upon completion of this year-long study, areas of greatest impact were identified and recommendations were determined. The ten key areas identified by the JBLM Growth Coordination Plan included the following:

- Economics • Transportation • Social Services • Housing • Land Use Policy
- Public Safety • Education, Childcare, and Schools • Health
- Utilities and Infrastructure • Quality of Life

Given the scope of issues identified and potential opportunities for collaboration, the JBLM Growth Coordination Plan stressed the need for a unified voice and decision making process to address military-related issues impacting communities adjacent to JBLM.

This recommended action eventually led to the formation of the South Sound Military and Communities Partnership (SSMCP) formalized in a Memorandum of Agreement signed by governments in both Pierce and Thurston counties as well as organizations including United Way of Pierce County and Tacoma-Pierce Chamber of Commerce. On March 24, 2011, the Lacey City Council approved the Memorandum of Agreement.

Two plus years after the formation of the SSMCP, key progress has been made on several fronts including funding for transportation studies to include Lacey's Marvin Road/Exit 111 interchange, and workforce development grants. The SSMCP also coordinated the first comprehensive survey of active-duty military at JBLM to determine how many military personnel lived off-base. The results of this study identified 5,065 active duty military living in Lacey; the largest active duty population living off-base from JBLM within the South Puget Sound Region. SSMCP is also responsible for the enhanced relationship between communities adjacent to JBLM and the United States Military.

#### **PROPOSAL:**

Originally, SSMCP's efforts were sustained by a majority of funding from the federal government supplemented by member dues. Federal grants, however, will be expended by 2013 without assurance of future funding. As a result, representatives of the SSMCP have discussed ways to continue the efforts of the SSMCP without the reliance on federal grants.

Currently, the SSMCP budget totals approximately \$250,000. This pays for two fulltime staff, coordination events, special projects, travel and other related expenses. To continue the SSMCP model supported by paid staff, it is suggested a new structure and increased annual contributions be paid by members of the SSMCP. Additionally, SSMCP is anticipating it will receive a special grant to study land use issues adjacent to JBLM (i.e., Joint Land Use Study or JLUS). If awarded, SSMCP needs to match the grant with \$50,000 if the study is pursued.

Under its present structure, the SSMCP receives policy guidance from an Elected Officials Council (EOC). A single representative from each local government serves on the EOC and shares issues and interests to the larger group; the Lacey Mayor currently serves on the EOC. Additionally, oversight and strategic direction is provided to SSMCP by a Steering Committee. The chief appointed official from each local government, and other charter organizations, serve on this committee and meets monthly; Lacey's City Manager attends the monthly Steering Committee meetings.

The new Memorandum of Agreement outlines a structure similar to the current SSMCP framework with some modifications. An EOC and Steering Committee would remain part of the model to provide policy guidance and direction. A new Executive Leadership Team (ELT) would be created comprised of the chief appointed officials from the City of Lakewood and Pierce County. New language in the Memorandum of Agreement also includes the City of Lacey to participate as a member of the ELT. The City of Lacey would pay approximately \$20,000 annually as a member of the ELT. This amount reflects the size of the Lacey community and military impact compared to the City of Lakewood and Pierce County. Members of the ELT would also serve on the Steering Committee without additional expense.

In order to stay current on emerging issues, Working Groups would be formed. Once Working Groups are established, a chair of each Working Group would be appointed and have a seat at the Steering Committee meetings if approved by the Steering Committee.

An opportunity for “General Membership” would also be added. General membership does not provide any voting privileges but allows the opportunity to be connected to the activities of the SSMCP and receive information relative to JBLM.

As proposed by the Memorandum of Agreement, annual financial commitments will be required for participation. Since 2011, all members paid \$2,500 each year to support SSMCP. Contributions would change under the new agreement and charged at the following levels:

Executive Leadership Team (Lakewood and Pierce County) -	\$50,000
Executive Leadership Team (Lacey) -	\$20,000
Steering Committee Member -	\$ 6,500
Working Group Chair -	\$ 2,500
General Membership -	\$ 500

The new Memorandum of Agreement is being routed to current members of SSMCP with the goal of approving the new agreement by year’s end.

---

#### **ADVANTAGES:**

1. Affirms the City of Lacey’s commitment to the military community and helps plan for the future as it relates to activities and changes in troop levels at JBLM.
2. The partnership provides an effective regional voice representing the combined interests of Thurston and Pierce counties centered on JBLM.
3. Establishes an effective communication channel and collaborative opportunities among participants of the SSMCP and military representatives from JBLM.

#### **DISADVANTAGES:**

1. Requires a financial commitment to sustain activities undertaken by the SSMCP.



# SOUTH SOUND MILITARY & COMMUNITIES PARTNERSHIP

## MEMORANDUM OF AGREEMENT

This agreement is made between the undersigned parties and hereto it is agreed as follows:

### I. Purpose:

The purpose of this Memorandum of Agreement (MOA) is to establish the South Sound Military & Communities Partnership. The South Sound Military & Communities Partnership (the Partnership) provides a framework for collaboration with local governments, military installations, State and Federal agencies to better coordinate efforts in areas such as military relations, transportation and land use planning, environment protection, emergency preparedness, data coordination, grant applications, health care coordination, population forecasting, workforce, education, housing and community development, economic development, and other issues that may arise.

### II. Objectives:

1. Support efforts by agencies and service providers in the region to implement the recommendations and strategies of the 2010 JBLM Growth Coordination Plan.
2. Serve as a "single point of contact" to ensure that communities are fully aware of troop deployments and other base activities likely to result in impacts on or benefits to the region.
3. Assume an active role to ensure that growth coordination related recommendations are funded and sustained over the foreseeable future.
4. Work collaboratively to create, expand, and improve opportunities to collect and disseminate information and best practices that address the challenges of the communities, residents, and military families in our region.

### III. Responsibilities:

1. Create a vision, organizational structure, brand, and a 5-Year Work Plan for the Partnership consistent with the recommendations and strategies identified in the Growth Coordination Plan.
2. Form technical sub-committees that support the Partnership and the implementation of the recommendations in the Growth Coordination Plan. Consider stakeholders involved in the ten Expert Panels of the Growth Coordination Plan effort for these sub-committees.
3. Formalize a method for data sharing between JBLM and the surrounding communities which would include the most recent military related population changes including incoming personnel, deployments, Department of Defense (DoD) civilian operations, and construction projects.
4. Develop and commit to a schedule of regular meetings for the Partnership and its technical sub-committees.
5. Hold an annual forum of all JBLM and regional stakeholders to share news, report major changes at JBLM and local jurisdictions, discuss progress on recommendations and other plans, network, recognize outstanding service, and celebrate new partnerships and programs.
6. Establish periodic memoranda or press releases to share with the public, business, and real estate community regarding expansion/contraction of JBLM personnel, mobilization, and deployment.
7. Work with JBLM and the real estate community to consistently relay mobilization information as soon as it is announced to help extrapolate and anticipate housing needs (owners and renters).
8. Support information-sharing with state and federal legislative bodies. Accept an active role to ensure that growth coordination related recommendations are funded and sustained over the foreseeable future.
9. Create a regional timeline or schedule of critical JBLM and local planning events / dates that all partners could review to inform one-another of pressing items of each entity. The graphically illustrative schedule(s) could include known items such as:
  - a. Incoming and outgoing JBLM personnel movements and major construction plans.
  - b. JBLM planning and budgeting cycles.
  - c. Local plan and policy updates and budgeting cycles.
  - d. JBLM and regional standing committee events and dates.

#### IV. Membership:

1. The Elected Officials Council (EOC) will be formed to advocate for military issues of mutual concern in the south Puget Sound region. Attendance at EOC meetings is open to all elected leaders within Pierce and Thurston Counties, the surrounding cities and legislative districts, but a single representative from each agency would be requested to represent their interests on the EOC. The EOC would be convened by the Mayor of Lakewood, the Pierce County Executive, and the Chair of the Thurston County Commissioners 3-4 times annually to receive updates on military and community issues, review and confirm the annual workplan, coordinate legislative strategies and suggest outreach efforts to maintain a high level of visibility for these issues.
2. The South Sound Military & Communities Partnership is open to any group, agency, or organization interested in community/military issues in the Pierce and Thurston region. The Partnership is intended to be as inclusive as necessary to address the numerous topical areas covered in the Growth Coordination Plan.
3. A Steering Committee, which is responsible to coordinate work of the Partnership and develop an annual work plan to implement strategies of the Plan. The Steering Committee is formed by representatives from the military, affected communities, service districts, and stakeholders who participated in the creation of the JBLM Growth Coordination Plan. Steering Committee membership includes the chief appointed officials from the following 14 agencies:
  - a. Camp Murray, Washington Military Department
  - b. City of DuPont
  - c. City of Lacey
  - d. City of Lakewood
  - e. City of Tacoma
  - f. Clover Park School District
  - g. Joint Base Lewis-McChord (non-voting advisory member)
  - h. Pierce County
  - i. Tacoma-Pierce County Chamber of Commerce
  - j. Tacoma-Pierce County Health Department
  - k. Thurston County
  - l. Thurston Regional Planning Council
  - m. United Way of Pierce County
  - n. Washington State Department of Transportation
4. The Steering Committee shall meet as necessary in order to coordinate the activities of assigned staff and clarify issues, formulate strategies, and propose action plans.
5. Criteria for future membership on the Steering Committee will be determined as the vision and 5-year work plan is developed.
6. The Steering Committee shall submit within three (3) months of the execution of this MOA, and semi-annually thereafter, a progress report to the Partnership. Releases to the press, public announcements, and communication with the legislature and Congress concerning efforts conducted under this MOA may be made by Steering Committee members following coordination with the other members.

#### V. Funding:

1. There is no financial commitment required to participate in the Partnership. Agencies represented on the Steering Committee will endeavor to provide a basic level of financial commitment to help implement the Growth Coordination Plan. Plan implementation costs are expected to include administration, consultant efforts, and the commissioning of special studies.
2. For the first year, the aggregate contribution rate from Steering Committee members is expected to be no less than 10% of the total annual costs for Plan implementation. The maximum contribution required from each member for the first year will not exceed \$2,500, but members may contribute more than this amount if desired.
3. Future financial commitments will be based on the scope of projects undertaken and will be determined by the consent of the Steering Committee.

#### VI. Formation of Sub-Committees:

The Partnership may be supported by technical experts, advisors, and community staff and leadership in various agency, jurisdictional, non-profit, and institutional capacities. Subcommittees will be formed by action of the Steering Committee as necessary to carry out the specific recommendations and strategies of the Plan.

#### VII. Review/Changes:

The signatories (or their successors) will review this MOA periodically, but no less than annually. Proposed changes to this MOA will be in writing and shall be subject to approval in any event by the signatories or their successors.

VIII. Effective Date and Termination:

This MOA is effective on May 1, 2011. Any member partner may terminate its membership in the Partnership by providing no less than 30 days written notice to the Partnership of the desired termination date. A majority of the member agencies may act to terminate this MOA at any time.

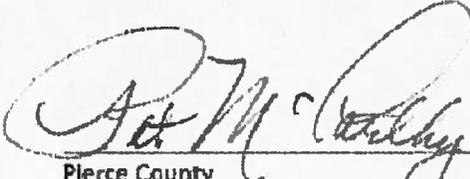
IX. Effect of Agreement:

This MOA is an internal agreement and does not confer any rights upon any individual or other entity. This MOA sets forth mutual goals and approaches. This MOA is not intended to create any rights, benefits, or other responsibilities, either substantive or procedural, nor is it enforceable as law or equity by a party against the U.S., its agencies, its officers, or any other person.

Nothing in this MOA shall obligate members to expend other monies or enter into any contract or other obligation. Nothing in the MOA shall be interpreted as limiting, superseding, or otherwise affecting the Parties' normal operations or decisions in carrying out their statutory or regulatory duties. This MOA does not limit or restrict members from participating in similar activities or arrangements with other agencies.

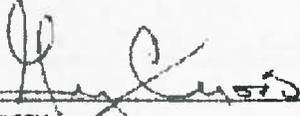
Signed, dated and acknowledged:

\_\_\_\_\_  
Camp Murray, Washington Military Department Date

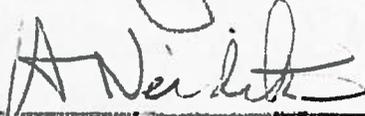
 4/8/11  
Pierce County Date

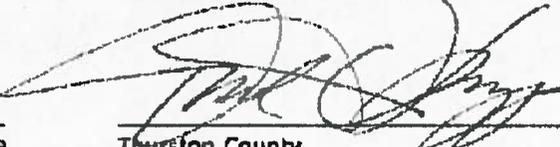
 4-26-11  
City of DuPont Date

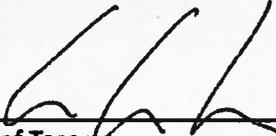
  
Tacoma-Pierce County Chamber of Commerce Date

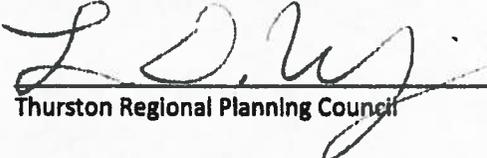
 4-22-11  
City of Lacey Date

 6/23/11  
Tacoma-Pierce County Health Department Date

 4-29-11  
City of Lakewood Date

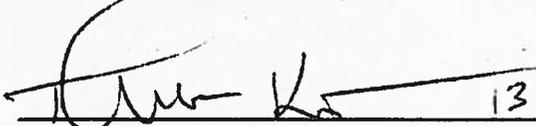
 3/9/2011  
Thurston County Date

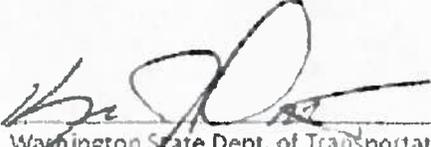
 4/11/11  
City of Tacoma Date

 5-13-11  
Thurston Regional Planning Council Date

 4/22/11  
Clover Park School District Date

 8-6-11  
United Way of Pierce County Date

 13 May 11  
Joint Base Lewis-McChord Date

 4/22/11  
Washington State Dept. of Transportation Date



## **MEMORANDUM OF AGREEMENT**

This agreement is made between the undersigned parties and hereto it is agreed as follows:

### **I. Establishment:**

This Memorandum of Agreement (MOA) establishes the structure, roles and responsibilities of the South Sound Military & Communities Partnership (SSMCP, or the Partnership). This MOA is built upon a previous MOA dated May 1, 2011 and supersedes that document.

### **II. Purpose:**

The Partnership provides a framework for collaboration in the south Puget Sound region between local governments, military installations, State agencies, and Federal agencies to better coordinate efforts in areas such as: military relations; transportation and land use planning; environmental protection; emergency preparedness; data coordination; funding requests (e.g., grant applications); health care coordination; population forecasting; workforce development; education; housing; community development; economic development; and other issues that may arise. The Partnership provides actionable recommendations to regional leaders on initiatives, programs, and topics that strengthen the role that Joint Base Lewis-McChord (JBLM), the National Guard, and Reserves play in America's defense strategy and the economic health and vitality of the region and the State of Washington. The Partnership:

- a. Focuses on the intersection of issues between local governments and the military community, engaging the support of the business, healthcare, education, workforce development, and social services communities;
- b. Assists in the coordination of governmental efforts so that all citizens of the community can receive the full benefits of the economic, civil, commercial, cultural, and educational opportunities presented to them, and so that the impact of the military community will be fairly shared;
- c. Promotes the general welfare of the region;
- d. Acts on behalf of the members as the regional organization recognized by the Federal government for applying for community assistance and grants related to mission changes and/or growth at JBLM and Camp Murray; and
- e. Acts as the regional representative of the member governments to coordinate with JBLM and Camp Murray regarding the ability of each installation to accomplish its current and future projected mission.

### **III. Objectives:**

1. Work collaboratively to create, expand, and improve opportunities to collect and disseminate information and best practices that address the challenges of the local communities, residents, businesses, and military installations in our region to succeed in meeting their own needs without preventing the others from meeting their needs, both now and in the future. Specifically:

- a. Coordinate and provide recommendations to the region's leaders to remedy and protect JBLM from encroachment or other initiatives that could result in degradation of or restriction to military operations on or based out of JBLM.
- b. Notify the local military installations of development proposals or other projects in the surrounding communities that may impact military operations.
2. Coordinate with commanders, communities, and State and Federal agencies on affairs that affect the installation and may require State coordination and assistance.
3. Serve as a "single point of contact" to ensure that communities, the military, Washington State's congressional delegation, and other Federal agencies, as appropriate, are fully aware of activities likely to result in impacts or benefits to the region.
4. Support efforts by agencies and service providers in the region to implement the recommendations and strategies of the 2010 JBLM Growth Coordination Plan (GCP), which include:
  - a. A sound infrastructure system, adequate housing and education, and transition support into Pierce and Thurston county workforces for military members and their families, military retirees, and veterans;
  - b. Support for economic development organizations and initiatives that focus on leveraging the military and related business opportunities to help create jobs and expand defense and homeland security related economic development activity in the South Sound.
5. Adopt processes, similar to those already in place for artillery firing notices, to ensure that the military installations provide timely advance notification of operations which are likely to impact other partner members, and that other partner members provide the same courtesy to the military installations.
6. Discuss and potentially act upon other issues or matters that the SSMCP deems essential to fulfilling its purpose.

#### IV. Responsibilities:

1. Maintain a vision, organizational structure, brand, and a Work Plan for the Partnership consistent with the recommendations and strategies identified in the GCP and subsequent documents.
2. Form Working Groups (WG) that support the Partnership and the implementation of the recommendations in the GCP. Consider stakeholders involved in the ten Expert Panels of the GCP effort for these working groups, but also be open to new stakeholders.
3. Develop and commit to a schedule of regular meetings for the Partnership and the WGs.
4. Hold an annual forum open to all members that includes speakers from JBLM and regional stakeholders to share news; report on major changes at JBLM and in local jurisdictions; discuss progress on GCP strategies and other plans; network; recognize outstanding service; and celebrate new partnerships and programs.
5. Formalize a method for data sharing between JBLM and the surrounding communities which would include the most recent military related population changes, including incoming personnel, deployments, Department of Defense (DoD) civilian operations, and construction projects.
6. Develop periodic memoranda, schedules or press releases to share with members regarding expansion/contraction of JBLM personnel, mobilization, and deployment.
7. Support information-sharing with state and federal legislative bodies.
8. Accept an active role to ensure that GCP-related recommendations are funded and sustained through the foreseeable future.

## V. Membership:

To ensure efforts of the Partnership are planned, coordinated, and implemented with a focus on outcomes, the structure of the SSMCP is as follows:

### 1. **General Membership.**

Role: The primary role of the general membership is to provide expertise, perspective and guidance to the Steering Committee on specific topics that promote the objectives of the SSMCP. Members will gather at least annually (more often, if necessary) to share best practices and receive information on changes at JBLM and Camp Murray, and in adjacent communities. They will also be encouraged to share their insights on existing conditions and growth trends; assist in the development of the GCP implementation; and to review any studies, products, and other information developed by staff. Working Groups (WG) will be established based on the strategies outlined in the GCP and on other topics of interest within the SSMCP membership. Each WG will select a spokesperson/chair that will serve on the Steering Committee to represent their strategy area/topic of interest. WG chairs will be expected to report on GCP strategy progress, and may also take new initiatives to the Steering Committee for consideration as part of the Partnership's annual work plan. The WGs already established include Transportation & Infrastructure (TI), Business & Development (BD), Social Services (SS), and Healthcare (HC).

Participants: The Partnership is open to any person, association, group, or organization having an interest in the purpose and objectives of the SSMCP and will be considered a member upon payment of the annual dues established by the Steering Committee. The Partnership is intended to be as inclusive as necessary to address the numerous topical areas covered in the GCP.

### 2. **Executive Leadership Team.**

Role: The Executive Leadership Team (ELT) is operational in nature, overseeing the day-to-day work of Partnership staff, activities and budget and serving as a sounding board for staff on emerging issues, problems, and initiatives that may occur during the interval between meetings of the full Steering Committee. The ELT is structured to promote timely and manageable communication and coordination between leadership and staff.

### 3. **Steering Committee.**

Role: The Steering Committee (SC) is the foundation of the Partnership and the members are committed to remaining actively involved in the Partnership moving forward. The SC provides broad oversight to the implementation of the recommendations, strategies and action items outlined in the GCP and subsequent documents. The Committee coordinates the work of assigned staff with members of the Partnership, helps develop an annual work plan to implement GCP strategies, approves the annual work plan, authorizes the annual budget, and is committed to ensuring that the SSMCP remains sustainable and has high value for the region. Finally, the SC is responsible for authorizing the creation of WGs that reflect the needs, opportunities and intersection of military and community issues. Regular members will typically represent the local military installations, local and state governments, and affected service districts in the region. The SC shall meet as necessary, but not less than quarterly, in order to coordinate the activities of assigned staff and clarify issues, formulate strategies, and propose action plans.

### 4. **Elected Officials Council.**

Role: The current Elected Officials Council (EOC) role and structure will be maintained to continue advocating for military issues of mutual concern in the south Puget Sound region.

Participants: All elected leaders within Pierce and Thurston Counties, the surrounding cities and legislative districts are invited to attend EOC meetings, but a single representative from each governmental body is requested to represent their interests on the EOC. The EOC would continue

to be convened by the Mayor of Lakewood, the Pierce County Executive, and the Chair of the Thurston County Commissioners 2-3 times annually to receive updates on military and community issues, review the annual work plan, coordinate legislative strategies, and suggest outreach efforts to maintain a high level of visibility for these priorities. EOC meetings will conform to the Open Public Meetings Act of the State of Washington, 42.30 RCW.

#### VI. Funding:

There is a financial commitment required to participate in the Partnership. To ensure smooth and continuous operations through over time, it is desirable to structure for maximum financial stability. To that end, the dues for ELT and SC members are set based on the funds needed for pay, benefits, and program overhead for two full-time SSMCP staff members to focus on the work plan priorities established by the SC. Costs are also expected to include operations and administration, consultant efforts, and the commissioning of special studies as well as other activities as approved by the Steering Committee. Each year, in conjunction with preparation of the Annual Work Plan and Budget, dues will be calculated based on a methodology agreed to by a majority of the combined ELT and SC members. This commitment is outlined in Appendix A of this Agreement.

#### VII. Formation of Subcommittees:

The Partnership may be supported by technical experts, advisors, and community staff and leadership in various agency, jurisdictional, non-profit, and institutional capacities. Subcommittees will be formed by action of the SC as necessary to carry out the specific recommendations and strategies of the GCP.

#### VIII. Review/Changes:

The signatories (or their successors) will review this MOA periodically, but no less than annually. Proposed changes to this MOA will be in writing and shall be subject to approval in any event by the signatories or their successors.

#### IX. Effective Date and Termination:

This Agreement is effective when signed and shall remain in effect until terminated by a majority of the Steering Committee members in good standing. Any member partner may terminate its membership in the Partnership by providing no less than 30 days written notice to the Partnership of the desired termination date.

#### X. Indemnification:

Each Party shall defend, indemnify and hold each other harmless from any and all claims, demands, suits, actions, judgments, recoveries, liabilities, penalties, costs and expenses, including, but not limited to reasonable attorneys' fees, resulting from damage or bodily injury, including death, to the extent caused by a Party's breach of this Agreement or the negligent actions or omissions of that Party, or its employees, agents, or officers, elected or appointed. The foregoing indemnity specially covers actions brought by the Party's own employees, and each Party agrees that the foregoing indemnity is specifically and expressly intended to constitute a waiver of immunity under Washington's Industrial Insurance Act, RCW Title 51, but only as to the Party entitled to indemnity and only to the extent necessary to provide a full and complete indemnity as required under this Section. The indemnification obligation provided in this section shall survive the expiration or earlier termination of this Agreement for the duration of any applicable statute of limitations.

XI. Effect of Agreement:

This MOA is an internal agreement and does not confer any rights upon any individual or other entity. This MOA sets forth mutual goals and approaches. This MOA is not intended to create any rights, benefits, or other responsibilities, either substantive or procedural, nor is it enforceable as law or equity by a party against the U.S., its agencies, its officers, or any other person.

Nothing in this MOA shall obligate members to expend other monies or enter into any contract or other obligation. Nothing in the MOA shall be interpreted as limiting, superseding, or otherwise affecting the Parties' normal operations or decisions in carrying out their statutory or regulatory duties. This MOA does not limit or restrict members from participating in similar activities or arrangements with other agencies.

Signed, dated and acknowledged:

City of DuPont	Tacoma - Pierce County Chamber of Commerce
City of Lacey	Tacoma - Pierce County Health Department
City of Lakewood	Thurston County
City of Tacoma	Thurston Regional Planning Council
City of Yelm	United Way of Pierce County
Joint Base Headquarters, Joint Base Lewis-McChord	Washington Military Department, Camp Murray
Pierce County	Washington State Department of Transportation

# EXHIBIT A

## Membership and Annual Financial Commitment

The Executive Leadership Team (ELT) will be comprised of the following members:

1. City of Lacey
2. City of Lakewood
3. Pierce County
4. Joint Base Lewis-McChord Headquarters (advisory only)

The chief appointed official from each of the local governments will represent their jurisdiction on the ELT. JBLM will be represented by the Joint Base Commander (JBC) and/or his Chief of Staff. ELT members will also be members of the Steering Committee, and on an annual rotating basis (or other arrangement) each member of the ELT will serve as chair of the Steering Committee at the regular monthly meeting.

The Steering Committee (SC) will be comprised of regular members and Working Group (WG) Chairs. Regular members will consist of government representatives from the following:

1. City of DuPont
2. City of Tacoma
3. City of Yelm
4. Nisqually Tribe
5. Joint Base Lewis-McChord Headquarters
6. Thurston Regional Planning Council
7. Washington Military Department (Camp Murray)

The chief appointed official from each of the local governments will represent their jurisdiction on the SC.

The SC will also include a representative from each of the Working Groups (WG) that comprises the numerous public and private sector interests in our region. The WG chairs will be the chief appointed officials or their designees from the following:

1. Tacoma-Pierce County Chamber (as Chair of the Business and Development WG)
2. United Way of Pierce County (as Chair of the Health and Social Services WG)
3. Washington State Department of Transportation (as Chair of the Transportation WG).
4. If needed, other WG will be formed at the request of the SC, and Chairs will be appointed accordingly.

## Financial Commitments

Financial commitments are tiered based on level of involvement, as follows:

1. Executive Leadership Team (ELT): City of Lacey \$20,000, City of Lakewood \$50,000, Pierce County \$50,000.
2. Steering Committee: \$6,500 annually unless this amount is prohibited by law, regulation, or local policy.
3. Working Group (WG) Chairs may be from nongovernmental entities. Their contribution will each be \$2,500 annually for as long as they actively chair a WG.
4. General Members: General member dues are \$500 annually.

Membership costs may be reduced through in-kind donations with advance approval of the majority of SC members in good standing. An example of an acceptable in-kind donation is staff time dedicated to SC Work Plan priorities that is significantly above and beyond that expected of all SC members in their role on the SC.

The City of Lakewood will act as the fiduciary agent for the SSMCP and will be responsible for invoicing the members pursuant to this agreement.

#### **Invoicing**

After signature, members will be invoiced for 2014 membership fees. Membership fee payment that is not received by February 1, 2014 will be considered late and will suspend the member's meeting attendance and voting privileges. A member's good standing will be reinstated upon receipt of the full membership fee.

**GENERAL GOVERNMENT & PUBLIC SAFETY COMMITTEE**  
**NOVEMBER 15, 2013**  
**8:00 - 8:45 A.M.**

**COUNCIL PRESENT:** Chair, Ron Lawson, Lenny Greenstein

**COUNCIL EXCUSED:** Jeff Gadman

**STAFF PRESENT:** Scott Spence, Dusty Pierpoint, Liz Gotelli, Dave Schneider, Carol Litten, Troy Woo, Phil Comstock, Steve Kirkman

**COUNCILMEMBER GREENSTEIN MOVED TO APPROVE THE AGENDA. COUNCILMEMBER LAWSON SECONDED. MOTION CARRIED.**

**NORTH THURSTON CITIZENS FOR SCHOOLS**

Co-chairs of the North Thurston Citizens for Schools, Graeme Sackrison, Ruth Weigelt and Mike Ried, presented the Committee with a request to endorse Proposition 1 Bond Proposal: *2014 District-Wide Neighborhood School Improvements, Technology & Safety Upgrades Bond Measure.*

Historically, NTPS has maintained one of the lowest school tax rates in the county through fiscally conservative measures. Approval of Prop 1 will help secure an estimated \$50 million in state construction assistance. The bond measure will be used to upgrade neighborhood schools district-wide, enhance learning environments and technology upgrades, and provide safety, health and security upgrades.

This \$175 million bond measure would cost the owner of a \$200,000 home approximately \$3.67 per month.

Councilmember Greenstein stated that generally he does not support the idea of Council taking a position on a ballot measure; however he will recommend moving this request forward to Council for consideration.

**COUNCILMEMBER GREENSTEIN MOVED TO FORWARD A RECOMMENDATION TO FULL COUNCIL TO CONSIDER APPROVAL OF A RESOLUTION TO SUPPORT THE NTPS DISTRICT BOND LEVY. COUNCILMEMBER LAWSON SECONDED. MOTION CARRIED.**

**AMENDMENT TO PAWNBROKER ORDINANCE**

Chief Pierpoint and Commander Comstock, presented the Committee with a proposal to amend LMC 5.32.090 to define firearms, power equipment, electronics, jewelry, precious metals and items identified through a serial number as those items requiring notification to the Lacey police department.

Chapter 5.32 of the Lacey Municipal Code relates to pawnbrokers and secondhand dealers and contains reporting requirements for both. The police department subscribes to an automated national system that records transactions submitted by participating businesses. This option for reporting is available to the local businesses that fall under the requirements of LMC 5.32.090. Businesses that elect not to utilize the automated system are required to submit the transaction reports via written form.

Once submitted to the police department, the transaction records are reviewed by staff. Such review includes checking the serial numbers through state and national databases for stolen items and entering the transaction record into a record management system.

A recent review of pawnbrokers and secondhand dealers showed that thirteen (13) businesses currently qualify for reporting of transactions under this section of the LMC. When contacted, three (3) of the thirteen (13) businesses questioned the necessity of the LMC requirement to report based on the nature of the items they buy and resell. These businesses deal in used furniture, used baby clothing and related items, and comic books and related collectables. Given the high volume of transactions related to these items, significant time would be spent by the businesses to complete and transmit the forms required by LMC 5.32.090. Additionally, significant police department staff time would be involved entering each transaction into the records management system.

LMC 5.32.070, which requires all secondhand dealers to record and maintain transaction records, would remain unchanged. As such, these records would still be available for inspection by law enforcement if the need arose.

**COUNCILMEMBER GREENSTEIN MOVED TO RECOMMEND TO FULL COUNCIL AMENDING LMC 5.32.090 TO DEFINE FIREARMS, POWER EQUIPMENT, ELECTRONICS, JEWELRY, PRECIOUS METALS AND ITEMS IDENTIFIED THROUGH A SERIAL NUMBER AS THOSE ITEMS REQUIRING NOTIFICATION TO THE LACEY POLICE DEPARTMENT. COUNCILMEMBER LAWSON SECONDED. MOTION CARRIED.**

### **TCTV OPERATING AGREEMENT RENEWAL**

Liz Gotelli, Human Resources and Public Affairs Director, requested Committee review of the *TCTV 2014-2016 Operating Agreement* with a recommendation to full City Council for City Manager authorization to sign the agreement. Thurston Community Television (TCTV) is Lacey's "Designated Access Provider."

Since 1986, the City of Lacey has contracted with TCTV to manage community access cable television on its behalf. An operating agreement governs the services provided by TCTV and allows for the administration of community access channels 3, 22, 26, and 77 currently available on the Comcast cable system locally.

At the end of 2013, Lacey's operating agreement with TCTV will expire. In October 2013, the City of Lacey and TCTV discussed and mutually agreed to an updated set of terms and conditions for a new multi-year operating agreement.

### **TCTV OPERATING AGREEMENT OVERVIEW:**

The TCTV Operating Agreement provides for the management of the community access channels, operation of studio facilities, and procurement of equipment in support of community access channels, and direct production support to televise public meetings as well as continued access for Lacey residents to use production assets to create content for the Public Access Channel.

The following are key provisions of the new TCTV Operating Agreement:

- **DIRECT PRODUCTION:** During the term of the contract, the City of Lacey will receive 700 hours of direct production to create, telecast, and tape public meetings, City sponsored events, special programs, and public service announcements on an annual basis. It is anticipated that hours will be used more efficiently to produce additional video content for the City's website, and potentially record Planning Commission meetings.
- **PEG SUPPORT (Capital Purchases):** Currently, the City of Lacey receives approximately \$36,000 annually in PEG funds through its cable franchise with Comcast Cable of Washington IV (Comcast Cable). This Agreement grants half of the PEG Funds to TCTV beginning in 2014 and for the duration of this Agreement. TCTV will use these funds in accordance with federal cable legislation to purchase capital equipment that will support PEG Access (i.e., playback equipment, cameras, portable production equipment, etc.). The City will use the remaining half to purchase equipment necessary for the production and broadcast of Government Access Programming.
- **COMPENSATION:** The City of Lacey will pay an amount to TCTV not to exceed \$93,000 for 2014. In subsequent years, this base amount will increase by the Seattle-Tacoma-Bremerton CPI-W, 1982-84=100, Half 1 (index used for inflation).
- **TERM:** The new operating agreement will run from January 1, 2014, through December 31, 2016, with the option for two one-year extensions (2017 and 2018) upon mutual agreement by both parties.

**COUNCILMEMBER GREENSTEIN MOVED TO RECOMMEND TO FULL COUNCIL AUTHORIZING THE CITY MANAGER TO SIGN THE TCTV OPERATING AGREEMENT. COUNCILMEMBER LAWSON SECONDED. MOTION CARRIED.**