

ORDINANCE NO. 1576

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY RELATED TO SQUARE FOOTAGE REQUIREMENTS IN LIGHT INDUSTRIAL-COMMERCIAL DISTRICTS, AMENDING SECTION 16.39.030 AND ADDING A NEW SECTION, 16.39.042, OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, the City of Lacey Community and Economic Development Department received a private applicant-initiated zoning text amendment request pertaining to square footage requirements in Light Industrial-Commercial Districts; and

WHEREAS, the request is to amend Chapter 16.39 of the Lacey Municipal Code to allow buildings between 200,000 square feet and 500,000 and establish standards applying to these uses within the Light Industrial-Commercial zone; and

WHEREAS, the Planning Commission reviewed the requested amendments and conducted a public hearing on November 17, 2020; and

WHEREAS, all of the public comments received were in support of the requested amendments; and

WHEREAS, the Planning Commission voted to recommend approval of the requested amendments to the City Council; and

WHEREAS, the City Council has reviewed the Planning Commission's recommendation and Findings of Fact and finds the proposed amendments to be in the public interest.

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

Section 1. Section 16.39.030 of the Lacey Municipal Code is hereby amended as follows:

**16.39.030 Prohibited Uses**

Uses other than those identified or described in LMC 16.39.020 are prohibited, including but not limited to:

A. All buildings over two hundred thousand square feet in size- except in accordance with the requirements of LMC 16.39.042.

B. All uses or activities which would require extraordinary equipment, devices or technology for the control of odors, dust, fumes, smoke, noise or other wastes and/or by-products which, if uncontrolled, would contaminate the environment to a degree unacceptable by contemporary community standards; or which would exceed the acceptable limits established by competent and recognized public and quasi-public agencies for the protection of industrial and/or environmental health.

C. Examples of prohibited uses are:

1. Animal slaughtering;
2. Care and/or sale of livestock, poultry or similar animals;
3. Storage, manufacture or sale of highly volatile or otherwise extremely hazardous substances or materials;
4. Any heavy industrial activity including truck terminals, cross dock facilities or any structure designed for similar type use.

Section 2. There is hereby added to the Lacey Municipal Code a new section, 16.39.042 to read as follows:

**16.39.042 Sites of forty acres or more.**

Site plan review and binding site plan approval may be given for projects proposed to contain one building greater than two hundred thousand square feet but not more than five hundred

thousand square feet; provided the following site and design standards are met:

A. The site shall consist of a parcel or contiguous parcels totaling a minimum of forty acres.

B. Existing buildings retained within a 6-month, 1-year or 5-year zone of a wellhead protection area shall be transferred from septic systems to public sewers within twenty-four months after approval of the first building permit unless otherwise provided for by a development agreement.

C. To reduce the displacement of existing small and medium sized businesses the applicant shall enter into a development agreement that identifies an area consisting of no less than 5 contiguous acres where the existing buildings would be initially retained until a later redevelopment phase of the project subject to the following standards:

1. Future redevelopment within this area shall be designed to incorporate multiple buildings and/or one or more multi-tenant buildings to create spaces of varying size which are intended for a mix of small to medium size businesses.

2. Where this redevelopment area abuts a major transportation corridor (e.g. Marvin Road), the redevelopment shall create a transition in building sizes that reduce the scale and intensity of adjacent buildings greater than 200,000 square feet, and incorporate setbacks and landscaping along the frontage that is consistent with that corridor.

D. When uses identified in LMC 16.39.020(A) will be adjacent to a residential zoned property (LD-04, LD3-6, MD or HD), or an open space institutional zoned property (OSI), the minimum yard setback between the residential or open space institutional zone shall be fifty feet and include a twenty foot Type I landscaping buffer as defined in LMC 16.80.050(B). Provided however that these use are separated from a residential or open space institutional zone by commercial development, the required buffer shall be fifteen feet and include at least an eight-foot Type II landscaping buffer as defined in LMC 16.80.050(B).

E. Truck bay doors and/or loading or unloading areas shall not face residential zoned property (LD-04, LD3-6, MD or HD), if within two hundred fifty feet of said zones, unless separated by the placement of a building without bay doors or landscape or other screening that reduces visual and noise impacts.

F. When adjacent to a residential zoned property (LD-04, LD3-6, MD or HD), a noise study shall be performed to demonstrate that the proposed use can comply with the maximum noise limits established by LMC 16.57.030 and WAC 173.60.

G. Site design shall incorporate a mix of landscaping, berms, fencing, building setbacks, and/or other site design elements to establish internal transitions between light industrial and commercial uses within the master site plan which reduce visual and noise impacts created by truck movements, loading and unloading.

H. Truck access and circulation shall be designed to reduce or restrict the travel of truck traffic through residential areas. Such measures may include, but not be limited to, median controls, signage, driveway design, and internal circulation. All methods are subject to approval by the city of Lacey community development and public works departments.

I. New commercial and industrial buildings shall be consistent with the applicable city of Lacey design review standards found in LMC 14.23.082 for commercial buildings and LMC 14.23.083 for industrial buildings.

K. When a site is adjacent to a residential zone, the applicant shall hold a neighborhood meeting to provide information on the proposed development. Notice of the meeting shall be sent by mail to all property owners within three hundred feet, as well as to adjacent homeowners' association or neighborhood groups within the radius.

Section 3. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or

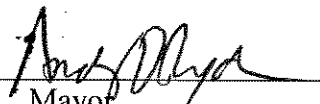
unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.


Section 5. 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 7<sup>th</sup> day of January,  
2021.

CITY COUNCIL

By:   
Mayor

Approved as to form:

  
City Attorney

Attest:

  
City Clerk

SUMMARY FOR PUBLICATION  
ORDINANCE NO 1576  
CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on January 7, 2021, “AN ORDINANCE OF THE CITY OF LACEY RELATED TO SQUARE FOOTAGE REQUIREMENTS IN LIGHT INDUSTRIAL-COMMERCIAL DISTRICTS, AMENDING SECTION 16.39.030 AND ADDING A NEW SECTION, 16.39.042, OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION.”

The main points of the Ordinance are described as follows:

1. The Ordinance amends section 16.39.030 of the Lacey Municipal Code related to building requirements within Light Industrial-Commercial Districts.
2. The Ordinance adds section 16.39.042 of the Lacey Municipal Code related to building requirements within Light Industrial-Commercial Districts.
3. 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: January 11, 2021