

**AGENDA**  
LACEY PLANNING COMMISSION MEETING  
Tuesday, August 18, 2015 – 7:00 p.m.  
Lacey City Hall Council Chambers, 420 College St. SE

**Call to Order:** 7:00 p.m.

- A. Roll Call
- B. Approval of Agenda & Consent Agenda Items\*  
Approval of the August 4, 2015, Planning Commission Meeting Minutes

\*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.

**Public Comments:** 7:01 p.m.

**Commission Members Reports:** 7:03 p.m.

**Director's Report:** 7:05 p.m.

**Public Hearing:** 7:10 p.m.

**2015 Development Code Amendments: Ryan Andrews, Planning Manager; Christy Osborn, Associate Planner.** The Planning Commission will conduct a public hearing to take testimony on the following proposed amendments to the Lacey Municipal Code related to the package of 2015 development code amendments. At the conclusion of the hearing, the Planning Commission is requested to analyze the testimony and make a formal recommendation on the amendments to the City Council.

- Updates to Lacey Municipal Code 14.24 related to recent revisions permitted under the State Environmental Policy Act for flexible thresholds under WAC 197-11-800
- Revisions to LMC 16.37 for the Hawks Prairie Business District related to ground floor residential uses, auto sales, and park and rides.
- Private-applicant initiated amendment to LMC 16.40 to eliminate the 500,000 square foot building cap.
- Municipal code housekeeping amendments.

**Communications and Announcements:** 8:55 p.m.

**Next Meeting:** September 8, 2015.

**Adjournment:** 9:00 p.m.

8/11/15

## CITY OF LACEY PLANNING COMMISSION WORK SCHEDULE

**Planning Commission Meeting  
August 18, 2015**

1. **Public Hearing:** Development Code Updates (HPBD Amendments, SEPA Amendments, LI Building Size, Development Code)

**Packets due: August 13<sup>th</sup>**

**Planning Commission Meeting  
September 1, 2015**

1. **Worksession:** Economic Analysis
2. **Worksession:** Economic Development Element
3. **Worksession:** Land Use Element Chapter 3 Topic Sections: Commercial, Industrial

**Packets due: August 27<sup>th</sup>**

**Joint Worksession  
September 3, 2015, 6:00 p.m.**

1. **Worksession:** 2015/2016 Planning Commission Work Program
2. **Presentation:** Economic Analysis
3. **Tour:** SPSCC Woodland District Campus

**Packets due: August 19<sup>th</sup>**

**Planning Commission Meeting  
September 15, 2015**

1. **Worksession:** Woodland District Form-Based Code

**Packets due: September 10<sup>th</sup>**

8/11/15

**Planning Commission Meeting  
October 6, 2015**

**1. Public Hearing: Woodland District Form-Based Code**

**Packets due: October 1<sup>st</sup>**

**Pending items:**

Housing Element

Update Meeting with Library Board

## MINUTES

Lacey Planning Commission Meeting  
Tuesday, August 4, 2015 – 7:00 p.m.  
Lacey City Hall Council Chambers, 420 College Street SE

Meeting was called to order at 7:00 p.m. by Mike Beehler.

Planning Commission members present: Mike Beehler, Carolyn St. Claire, Jason Gordon, Sharon Kophs, Cathy Murcia and Carolyn Cox. Staff present: Ryan Andrews and Cindy Carmichael.

Mike Beehler noted a quorum present.

**Carolyn St Claire made a motion, seconded by Sharon Kophs, to approve the agenda for tonight's meeting. All were in favor, the motion carried. Carolyn Cox made a motion, seconded by Cathy Murcia, to approve the minutes of the July 7, 2015, meeting. All were in favor, the motion carried.**

1. **Public Comments:** None.

2. **Commission Member's Report:**

- Cathy Murcia manned the Woodland District Form-Based Code booth at the recent South Sound BBQ Festival and reported that everyone who stopped by was thrilled with the concept and she had great feedback.
- Mike Beehler was at a committee meeting that focused on Lacey's 50<sup>th</sup> anniversary coming up in 2016 and are gathering ideas for a celebration. They are hoping to present their plans to Council in late September.
- Cathy Murcia asked if there is a possibility of the City having a Facebook page to which Ryan Andrews replied it is currently being planned.
- Sharon Kophs went to the Cops, Cars & Kids Day recently and reported it was very well attended.

3. **Director's Report:**

- Ryan Andrews explained the background for the recent tree removal in nearby Woodland Square Loop. There is a Forest Practice Application that has been applied for and Kevin McFarland is working on a report for mitigation of the trees removed beyond the scope.
- Ryan announced to the Commission that there would not be a bus tour this year. There will be a joint work session with Wahlstrom and Associates, the City's economic consultant who will brief everyone on the results of their economic analysis followed by a tour of the new South Puget Sound Community College Campus located on 6<sup>th</sup> Avenue SE.
- Ryan mentioned recruitment is still going on to fill the vacant positions on the Planning Commission. Brochures have been handed out at the various booths with the hopes of getting more interest.
- After staffing the Envision Lacey booths Ryan reported that the number one question is when will Intercity Transit be coming to the NE area? He has advised on the Land Use Elements policies to address this and has suggested that concerned citizens contact Intercity Transit to let them know the need is there.

4. **Old Business:**

- John Teutsch and Loren Davis from J&J Lacey LLC handed out materials and spoke supporting their application to eliminate the 500,000 square foot building cap in the Light Industrial zoning district. Ryan explained the history of the issue with a previous moratorium and 200,000 square foot limit based on job density and truck traffic concerns. The cap was raised in 2010 to 500,000 square feet and has led to Harbor Wholesale and Trader Joe's locating warehouses in Hawks Prairie. John and Loren's documentation ultimately explained that high cubic warehouses would generate more jobs and less truck traffic compared to multiple smaller warehouses. They mentioned having a client, Medline Industries, who are interested in building a 700,000 square foot structure. There will be a public hearing at the next Planning Commission meeting which will address this building cap.
- Ryan went over the proposed changes to Chapter 14.24 Environmental Policy with focus on increasing the flexible threshold determinations under the State Environmental Policy Act
- Ryan also discussed the general housekeeping amendments to the 2015 Development Code which included fencing, auto sales, ground floor residential uses, and swimming pool setbacks.
- With reference to the building square footage cap being eliminated Carolyn St. Claire raised a concern about the roundabouts being able to handle the truck traffic. There is truck-accessible curb built into inside the lane of the roundabouts for the turning trucks, and the future dedicated truck lane from Exit 111 will also help. Possible sustainability and green building design elements were also discussed amongst the Commission.
- The Planning Commission set a public hearing date of August 18 for the slate of 2015

5. **Communications and Announcements:** None.
6. **Next meeting:** August 18, 2015.
7. **Adjournment:** 9:05 p.m.



## PLANNING COMMISSION STAFF REPORT

August 18, 2015

**SUBJECT:** 2015 Zoning Text Amendments Public Hearing

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**RECOMMENDATION:** Conduct a public hearing and make a formal recommendation to the City Council on the slate of 2015 zoning text amendments.

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**TO:** Lacey Planning Commission

**STAFF CONTACTS:** Rick Walk, Director of Community Development  
Ryan Andrews, Planning Manager *RA*  
Christy Osborn, Associate Planner *CO*

**ATTACHMENT(S):** 1. Proposed Draft Amended Lacey Municipal Code Text  
2. J & J Lacey LLC Zoning Text Amendment Application #15-184

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

Planning Commission Worksession August 4, 2015  
Planning Commission Worksession July 7, 2015

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### BACKGROUND:

The 2014/2015 Planning Commission Work Program identified zoning code updates as an on-going work item. As the many Plan elements are updated and adopted, implementation ordinances also require review and amendment to ensure consistency with the Comprehensive Plan. There are four major topic items that are being considered with this update including:

- Updates to Lacey Municipal Code 14.24 related to recent revisions permitted under the State Environmental Policy Act for flexible thresholds under WAC 197-11-800.
- Revisions to LMC 16.37 for the Hawks Prairie Business District related to ground floor residential uses, auto sales, and park and rides.
- Private-applicant initiated amendment submitted by J & J Lacey LLC to LMC 16.40 to eliminate the 500,000 square foot building cap.
- Municipal code housekeeping amendments.

### SEPA FLEXIBLE THRESHOLD MODIFICATION:

Prior to the adoption of development regulations and comprehensive plans in conformance with the requirements of the GMA, the SEPA process was widely used in the land use permitting process to mitigate environmental impacts for a range of issues. Twenty-five years after the

adoption of the Act, local development regulations and plans have been amended to address many of these environmental impacts. For many projects, SEPA review has become more of a procedural process than a means to mitigate environmental impacts.

The 2012 legislature enacted a number of amendments to Chapter 43.21C RCW, the State Environmental Policy Act (SEPA) and directed Department of Ecology (DOE) to amend the SEPA rules to reduce redundancy in the environmental permitting process. State statute and SEPA rules contain categorical exemptions for certain actions that are not deemed major actions that significantly affect the quality of the environment. These exempt actions do not require environmental review.

Many of the rule changes are adopted into the municipal code by reference. Other changes require amending the Environmental Policy chapter of the Lacey Municipal Code (LMC), Chapter 14.24. Changes included in the revised SEPA rules included Planned Actions, infill development, non-project actions, SEPA checklist, and flexible exemption thresholds.

#### LMC CHAPTER 14.24, ENVIRONMENTAL POLICY

The city's provisions for SEPA are contained in Chapter 14.24 LMC, Environmental Policy. Sections of the chapter are revised as amendments to SEPA rules occur. Flexible thresholds for categorical exemptions were last amended in 1996 to exempt the following:

- Up to twelve dwelling units in the Moderate-Density Residential District;
- Up to twenty dwelling units in the High-Density Residential District; and
- Office, school, commercial, recreational, service or storage buildings up to 4,000 square feet in size with up to forty parking spaces.

#### DISCUSSION

The Planning Commission discussed draft amendments to the SEPA chapter in previous worksessions and recommended some minor changes. These changes included removing the exemption of an agricultural structure up to 40,000 square feet due to the lack of agricultural lands in the urban growth boundary and demand for accessory structures of this size. The existing exemption level of 10,000 square feet would remain in its place. Other recommended changes included amending language to clarify the intent of the provisions.

Planning staff prepared proposed amendments to Chapter 14.24 based on the review by the Planning Commission. Planning staff reviewed our local environmental provisions and made technical corrections and aligned the environmental requirements with the development regulations and Comprehensive Plan. Proposed changes to the environmental policy chapter include the following:

- **Reference citations:** Sections of the Chapter 197-11 WAC that are adopted by reference by the city are proposed to be amended to reflect the correct citation contained in the rule;
- **Categorical exemptions without flexible thresholds - Section 14.24.055:** A section was added to reflect changes in the WAC provisions that identify categorical exemptions with and without flexible threshold levels
- **Flexible Threshold Levels for categorical exemptions - Section 14.24.060:** staff recommends revising the flexible threshold levels for categorical exemptions for multi-family residential structures up to 60 dwelling units; the construction of an office, school, commercial, recreational service or storage building up to 30,000 square feet

and associated parking for up to 90 parking spaces; and landfill and excavation up to 1,000 cubic yards throughout the total lifetime of the fill or excavation.

The provisions to allow for the exemption for up to 30 single family residential units was not included in the flexible thresholds due to encouraging multi-family and infill development in the limited available land remaining in the city's urban growth area. Encouraging multi-family development is also in line with the policy direction contained in the Comprehensive Plan.

The provision for barns and accessory agricultural structures up to 40,000 square feet has been removed as an exemption from the flexible threshold levels. Minor construction thresholds would allow for the size of these structures to be up to 10,000 square feet when proposed in conjunction with agricultural use of the subject property.

- **Environmentally sensitive areas:** The requirement to not consider designated environmentally sensitive areas as categorically exempt was removed from Section 14.24.180. Based on comments received from the Planning Commission that the proposed language was unclear, the language was modified to clarify that these areas are not excluded outright from exemption thresholds. Protections of these areas are currently addressed in the city's municipal code, critical area regulations, the Shoreline Master Program, and numerous state and federal laws.

Amendments to Chapter 15.53 are also included to address the protection of cultural and historic resources as required by state law in order to raise categorical exemption levels. The adoption of a Standard Inadvertent Archaeological and Historic Resources Discovery Plan has also been recommended by the Washington State Department of Archaeology and Historic Preservation.

#### **HAWKS PRAIRIE BUSINESS DISTRICT AMENDMENTS:**

After review of the Hawks Prairie Business District (HPBD) zoning, 1992 Northeast Subarea Element, and working on the Gateway Town Center master proposal, the Community Development Department has identified three topics related to the HPBD zoning district for consideration by the Planning Commission. First, allowing ground floor residential. Second, considering park and rides as a permitted use, and finally whether specific design and performance standards should be established for auto sales within the District.

The residential and park and ride topics came to light directly out of the work on the Gateway Town Center Supplemental Environmental Impact Statement (SEIS). The Gateway Master Plan Final SEIS was issued by the City of Lacey in 2010. Basis of the environmental analysis was a mixed-use development within the Hawks Prairie Business District. The Town Center is anticipated to total of 1.2 million square feet of development on 120 acres containing five principle types of land uses: retail commercial, office, entertainment, residential, and hospitality. The arrangement of these uses in an integrated and connected manner promoted pedestrians, transit, and housing close to commercial services and employment. The SEIS recommended allowing ground floor residential to facilitate better mixed-use design.

Another key factor in the SEIS was creating a Town Center where residents and employees would not have to rely on the automobile for mobility. Having options to walk, bike, or use transit is considered a strategy to reduce overall vehicular trips, especially commute trips to job markets

located to the north on Interstate 5. As the Town Center develops, transit services will need to be developed to serve support future residents and employees. The SEIS identifies park and ride facilities as one of those facilities necessary to support future demand.

Auto sales have historically been discouraged in the HPBD because these types of uses were not considered to be able to meet the design standards of the District. Now, with over 25 years of design evolution and potential market opportunity, is it time to develop specific design standards that auto sale uses would need to meet to be considered permitted in the HPBD.

#### BACKGROUND—1992 PLAN

The Hawks Prairie Business District was created as a result of the Northeast Planning Area Element adopted by the City in 1992 and subsequently incorporated in the City of Lacey Comprehensive Plan. The focus of the '92 Northeast Area element was to develop a model general plan for an area of the City that was expected to experience a high rate of growth and development within the near future. The study area contained approximately 970 acres mostly located north of Interstate 5 between Carpenter Road to the west and Hogum Bay Road to the East. The planning area also included both sides of Marvin Road between Interstate 5 and Martin Way. A great majority of the area studied in 1992 was undeveloped and zoned Light Industrial.

The '92 element identified areas suitable for general commercial, business park, light industrial, and residential uses. In addition, it was a desire at the time to create a "mixed-use dense node" of employment opportunities, residential units, recreational opportunities, and consumer services that would work toward reducing vehicle traffic and foster opportunities for transit services. As a result, the Hawks Prairie Business District designation was created.

The 1992 Northeast Area Plan identified the Hawks Prairie District as the most significant change from previous land use recommendations. The property designated as Hawks Prairie Business District totaled just less than 560 acres and was located north of Interstate 5, south of Britton Parkway, between Carpenter Road and Hogum Bay road to the east. It was the intent of the Hawks Prairie District to support residential, regional/commercial, business, retail mix, banks, office and corporate facilities. The designation is to provide for a dense mixed-use node to develop with jobs, commercial facilities, residences, and recreational activities close together. Uses identified by the '92 element that would complement and promote mixed-use development, creating an urban district include:

- Residential - high density: 20 units/acre maximum and minimum, limited to 10% of the zone.
- Medical facilities
- Hotels, motels, conference facilities
- Cultural, entertainment, recreation facilities
- Parks, playfields
- Public services
- Retail/commercial
- Financial
- Mass Transit
- Offices
- Corporate headquarters
- Open space/linkages

To implement the 1992 Northeast Area Plan, the City of Lacey created and adopted the new zoning chapter, LMC 16.37 Hawks Prairie Business District, in 1994. The zoning chapter incorporated the above uses as permitted uses under the zoning classification and also set site and design performance standards to apply to any new development within the established zoning district. In 1997, the City adopted a new ordinance for the Hawks Prairie Business District after further work on refining a design vision was completed. The following is a summary of how the ordinances addressed residential, park and ride, and auto sales.

#### 1994 ORDINANCE

**Ground Floor Residential:** The 1992 Northeast Planning Area Element emphasized the HPBD as a mixed-use district densely developed with jobs, commercial services, recreational activities, and residences in close proximity. The original HPBD ordinance (LMC 16.37) adopted in 1994 allowed residential use at a density of 20 units per acre minimum. The '94 ordinance also allowed mixed-use occupancies with few limitations. For example, non-residential uses must have vehicular access via a commercial street; businesses occupied ground floors; and, business and residential portions were to be separated by sound proofing construction.

**Park and Ride:** Opportunities for transit services and facilities was a strong focus of the 1992 Northeast Planning Area Element. Transit services can take many forms from bus services, van pools, and rail. These services are supported by facilities such as bus stops, transit centers, park and ride lots, and stations. Consistent with the '92 element, the 1994 ordinance allowed mass transit to include high speed rail facilities, bus facilities, car pool facilities, and shuttle facilities, (i.e., helicopter).

**Auto Sales:** Auto sales were not specifically addressed in the 1994 ordinance as a permitted or prohibited use. Because auto dealerships at the time did not have a development design that would be compatible with the aesthetic standards of the district, dealerships had been considered prohibited in the HPBD. In addition, the '92 Northeast Element stressed that development within the area should be designed and constructed to a high quality aesthetic and "urban" standard.

#### 1997 ORDINANCE

HPBD is considered instrumental in the City's long term economic strategy to develop and expand revenues. As a result, the City continued to focus on refining the standards for the HPBD to protect the community's economic strategy and land use vision. The City hired Freeman, Bottomly & Tung to develop several concepts of how the HPBD could be developed and also to create prescriptive design and performance standards that would reinforce urban style mixed-use development envisioned in '92. The result was the repeal of the LMC 16.37 adopted in '94 and adoption of the current LMC 16.37 ordinance. The main difference is the creation of the HPBD-Commercial (HPBD-C) and HPBD-business commercial (HPBD-BC) sub-districts. The HPBD-C was created to allow commercial/retail uses and prohibit the medical, office, and residential type uses. This sub-district is focused on the properties fronting Marvin Road NE. The remainder of the HPBD was designated HPBD-BC which would allow in addition to commercial/retail, the medical, office, and residential uses. The strategy of creating the HPBD-C was to preserve area with prime street frontage for retail development, which alleviated the concern that this area would be develop with office or residential uses and effectively prevent substantial retail development.

**Ground Floor Residential:** To address the concern that future residential market forces could dominate the office and commercial market, additional performance standards were placed on

residential uses by the 1997 ordinance. The ordinance re-enforced the 1992 plan by limited residential to 10% of the District and maintained the 20 units per acre density requirement. The new ordinance also required that residential uses had to be within mixed use buildings with the ground floor office or commercial. This was intended to achieve two goals: to create multi-floor urban style buildings and to prevent a single family or garden style multi-family development from absorbing acreage and competing with office and commercial opportunities.

Park and Ride: The 1997 ordinance continued to allow mass transit facilities, specifically bus transfer stations, as a permitted use. However, the '97 ordinance specifically prohibited park and rides. The intent was to address the following concern: the HPBD was undeveloped with prime and direct arterial frontage to Marvin Road and close proximity to Exit 111. With the growing residential market and commuter traffic heading north for employment, the need for standalone parking facilities to serve commuters was increasing. The City wanted to protect the aesthetic standards of the district and prevent a standalone parking facility to be developed without mixed-use development framing the facility. In addition, it was considered that there were more appropriate locations for park and ride facilities north of I-5 in the adjacent Light Industrial and Light Industrial/Commercial properties.

Auto Sales: Like the 1994 ordinance, auto sales were not specifically addressed in the 1997 ordinance as a permitted or prohibited uses. Because auto dealerships up until recent years, did not have a development design that would be compatible with the aesthetic standards of the district, dealerships had been considered prohibited in the HPBD. In addition, the '92 Northeast Element stresses that development within the area should be designed and constructed to a high quality aesthetic and "urban" standard.

#### PLANNING COMMISSION DISCUSSION

On July 7<sup>th</sup>, the Planning Commission was briefed on proposed amendments to the Hawks Prairie Business District specifically related to allowing ground floor residential, considering park and rides as a permitted use, and whether specific design and performance standards should be established for auto sales within the District. At a meeting on August 4<sup>th</sup>, staff presented some options for updating the municipal code to reflect the changing needs of the area related to the three topics as follows:

Ground Floor Residential: To provide more opportunity, flexibility, and proximity of uses to create a vibrant mixed-use district, staff is recommending removing the current language in LMC 16.37 restricting residential uses to upper floors of mixed use buildings. In doing so, performance standards have been proposed to address:

- If not in a mixed use building then allowed as part of a master plan.
- Types of ground floor residential uses that would be allowed (i.e. town homes, urban walk-up apartments, live/work units etc.)
- Level of connectivity to other uses in the district.
- Maximum distance from other land uses.
- Building and material design.
- Maximum density.

Park and Ride Lots: As the HPBD develops, transit will be a key feature to serve future residents, employees, and shoppers within the district. Performance standards have been included that allow park and ride lots in the business/commercial area of the HPBD provided that they are

integrated into a commercial/mixed use site plan and parking facilities are shared with other uses.

**Auto Sales:** The proposed amendment will allow auto sales as a permitted use in the Hawks Prairie Business District- Commercial zoning district. Auto sales have been defined as new or used cars, campers, trailers, motorcycles and boats. Standards have been drafted to address the design standards associated with new and used car dealerships to include:

- Requiring a showroom building pushed up to the street with minimum glazing standards for showrooms and displays.
- Requiring that the showroom comprise a minimum of 40% of the width of the parcel fronting the street.
- Outdoor vehicle displays at the side or rear of the showroom building.
- Service facilities located to the rear of the showroom building, or internal to or at the rear of a site if located in a separate building.
- Requiring compliance with architectural standards of the HPBD.

#### **J & J LACEY LIGHT INDUSTRIAL BUILDING CAP REQUEST:**

The City has received a private applicant request related to Lacey Municipal Code 16.40 in the Light Industrial zoning chapter to eliminate the maximum square footage requirement of 500,000 square feet. Prior to discussing the request, some history is needed on the building square footage requirement in the Light Industrial zone as this will be the third time in the last ten years that the Planning Commission has addressed the issue.

#### HISTORY OF LIGHT INDUSTRIAL BUILDING CAP

In 2002, based on the availability of large parcels of land in Lacey, proximity to I-5, proximity to the Port of Tacoma, and major companies using distribution models requiring large warehouse/distribution facilities for merchandise, several large corporations were looking to locate distribution facilities in the Hawks Prairie area. The Target and Home Depot distribution facilities were also constructed around this time with Target at 2+million square feet and Home Depot at 750,000 square feet.

The City Council at the time had concerns that the bulk of Lacey's larger parcels with Light Industrial zoning would be absorbed by these large distribution warehouse facilities that would have relatively low job per square foot ratio and had major impacts to transportation infrastructure. In response in September of 2005, the Lacey City Council imposed a moratorium on development of buildings in the Hawks Prairie Light Industrial zone (LI) and referred concerns over the siting of large distribution centers to the Planning Commission. In early 2006, the Planning Commission forwarded recommendations for amendment of the LI zone to address issues that had led to the moratorium. Based upon the Planning Commission's recommendations, the Council amended the LI zone and the design section of the Lacey Municipal code to prohibit buildings over 200,000 square feet in size and required a number of design considerations for LI projects. Additionally, through the State Environmental Policy Act, the City established mitigation requirements related to heavy truck traffic to offset transportation impacts. The action was the culmination of a long and contentious year-long process.

Once the 200,000 square foot building cap was put in place, light industrial warehouse development was limited in northeast Lacey to a few projects in the Meridian Campus industrial area until 2010 when a private applicant amendment was approved by the City Council to

increase the building square footage cap to 500,000 square feet provided that certain design standards were met including: compatibility and notice requirements for adjacent residential properties, requiring a multiple building complex with no more than 75% of buildings greater than 200,000 square feet, and requiring design review. The 2010 process included a city review of industrial absorption capacity, typical building size for the market, employment ratio data, re-use of large buildings, trip distribution and truck routes, and an analysis of parcels that can accommodate large buildings.

The 2010 building cap increase was also an opportunity to accommodate a local business from Tumwater that needed to expand in order to grow the business. This business was Harbor Wholesale who completed their building construction in the Hawks Prairie 111 Corporate Park as a result of the amendments with construction of a 200,000 square foot warehouse that is able to expand to 300,000 square feet to accommodate their growing business. In 2012, Trader Joe's constructed a distribution warehouse also in the Hawks Prairie 111 Corporate Park at 500,000 square feet. Had the building cap remained at 200,000, Lacey would not have been able to accommodate this use nor the jobs associated with it. Since the Trader Joe's distribution center was constructed, Lacey has not had any warehouse buildings constructed greater than 200,000 square feet.

#### J & J LACEY REQUEST

The City has received a request by the owners of the Hawks Prairie 111 Corporate Park to eliminate the current 500,000 square foot building cap (see attached application materials). The application is to eliminate the 500,000 square foot cap but keep the remaining design standards as is i.e. compatibility requirements adjacent to residential, requiring multiple building complexes with no more than 75% of buildings greater than 200,000 square feet, and design review. Removing the square footage cap will allow J & J Lacey to potentially locate on 700,000 +/- square foot building on their property and are currently in negotiations with a medical supply distributor to do so.

According to J&J Lacey, since Harbor Wholesale and Trader Joe's have located the city has not been able to compete for several distribution and manufacturing prospects that require sites that can accommodate buildings larger than 500,000 square feet and has provided a representative list of building users who have located elsewhere. Additionally, the applicant has provided a list of large users that have been interested in locating larger buildings for distribution warehouses.

As previously mentioned at the center of the last debates were two primary issues: job density and transportation impacts. These issues are important to consider when analyzing the request to eliminate the building square footage cap. J & J Lacey has submitted information related to job density throughout the northeast Lacey area. The data specifically shows that the average job density in the Meridian Campus area for buildings built between 2007 and 2010 at 6.54 jobs per acre. The Trader Joe's and Harbor Wholesale warehouses in the Hawks Prairie 111 Corporate Park average around 15.7 employees per acre. This shows that having larger buildings isn't always an indicator of low job density and shows that large buildings can generate as many or more jobs than small buildings.

Additionally that data provided by J & J Lacey, shows that larger buildings and distribution warehouses generate less daily truck trips and less PM peak hour trips than regular warehouses. This data, coupled with the city's requirements for truck trip mitigation under the State Environmental Policy Act, ensure that the transportation system is in line to support these types

of uses. Additionally, there are several planned improvements to the transportation infrastructure that will improve truck movement in the area. The first major improvement will be to the Exit 111 on/off ramp at Interstate 5 that was recently funded by the passage of the transportation bill passed by the Washington State Legislature and signed by the Governor. This project will convert Exit 111 to a single-point urban interchange which will effectively eliminate several intersections and consolidate them into one—relieving congestion in the area. Another improvement will be installation of a truck ramp at the southbound exit off of Interstate 5. This off-ramp will be for truck usage and will divert truck trips directly off of the off-ramp, behind the existing Mayan restaurant, and will tie into Hogum Bay Road which will be improved to a full truck section and roundabout at Hogum Bay and Willamette Drive NE. Finally, Marvin Road is slated to be improved with a joint project between the City and the Hill-Betti Business Park between the roundabout at Britton Parkway north to 29<sup>th</sup> Avenue NE. These improvements will eliminate the choke point at the Britton Parkway roundabout where lanes convert from two to one and will improve traffic flow in the area. Many of these are grant-funded projects that used the developer-paid SEPA mitigation truck fees as match.

#### COMPREHENSIVE PLAN ANALYSIS

In reviewing the Comprehensive Plan related to the building square footage issue, there are several goals and policies that speak to the issue. In general, the Comprehensive Plan strives for high quality industrial development in the City's northeast area to support tax base, provide employment opportunities and to diversify the local economy. Additional language is also included to require buffering and compatibility requirements between industrial areas and other land uses.

Related to the building square footage size issue, policy 1.d. (page 6-17) speaks to the issue: "Industrial areas should be reasonably scaled to the probable demand and need." In reviewing this statement, it is important to consider that the probable demand and need changes over time for industrial buildings. Today, the demand and need demonstrated by J & J Lacey is for buildings larger than 500,000 square feet.

It is also important to consider that with raising the building cap, the other design standard requirements would remain the same, specifically, the requirement to have the larger building as part of a multiple building complex. J & J Lacey has submitted a representative site plan of where a larger building would fit on their site as well as where other larger warehouses could be located. The site plan shows that northeast Lacey has the capability of supporting four more buildings of 500,000 square feet or larger based on the proposed amendment with one located at the Hawks Prairie 111 Corporate Park, one located immediately south on an adjacent property under separate ownership, one located on the former South Puget Sound Community College site and one at the Seattle Archdiocese property west of the existing Nutriom building.

The market demand for buildings over 500,000 square feet is also tempered in Lacey by land capacity and site suitability and a building size cap is not necessary. The industrial lands analysis also shows a large number of parcels that can only accommodate the smaller industrial buildings. This information demonstrates that the City can still maintain a mixed of building sizes that will promote employer/company diversity.

#### GREEN BUILDING DESIGN REQUIREMENTS

At the briefing on August 4<sup>th</sup>, the Planning Commission considered requiring green building techniques to be integrated into the design requirements for Light Industrial properties as a trade-off related to allowing relatively large-sized buildings. The green building techniques

that were mentioned included potentially requiring LEED certification, installation of solar panels, pervious asphalt/concrete, etc.

The City has not yet adopted the CR<sub>2</sub> Plan as it currently undergoing community-wide review as part of the Envision Lacey campaign. The CR<sub>2</sub> Plan sets goals and policies related to green buildings, not only for Light Industrial buildings, but all buildings in Lacey. As part of the Envision Lacey campaign, the community is prioritizing the community-wide measures identified in the CR<sub>2</sub> Plan to reduce the overall carbon emissions in the city below the 380,520 tons of CO<sub>2</sub> emissions the community generated in 2005. Once adopted, the City will use the information gathered through the Envision Lacey campaign to implement and prioritize the plan including potential integration of green building techniques—not only for light industrial buildings but for all buildings constructed in Lacey.

Another important green building requirement is coming forward with the state-mandated update to the City's development codes to require integration of low impact development techniques for stormwater. By December 31, 2016 LID stormwater techniques will be mandatory in all new development in Lacey and will require many of the options that would be considered green design including more pervious hard surfaces (asphalt, concrete, etc.), rain gardens, green roofs, etc.

#### SUMMARY

The Planning Commission is requested to review the application submitted by J & J Lacey LLC and conduct a public hearing to eliminate the maximum square footage requirement for buildings in the Light Industrial zone. Staff has provided the Planning Commission with draft code language as part of the 2015 slate of zoning text amendments that would remove the 500,000 square foot building requirement in the Light Industrial zoning district provided that the existing development standards related to large buildings and parcels remain the same.

#### **GENERAL MUNICIPAL CODE HOUSEKEEPING UPDATES:**

The package of zoning text amendments also contains general "housekeeping" amendments. Housekeeping amendments are done on an as needed basis to clarify policy intent, correct irregularities in the code, and refine concepts. Notes are included in the right hand column of the proposed edits that states the intent of the proposed amendment. The following list details the 2015 housekeeping amendments:

- Clarification of allowed zones for use of barbed wire security fencing.
- Revision of drafting standards as recommended by City Surveyor.
- Eliminating Health Department approval for subdivisions when city water and sewer are provided to a development.
- Adding setbacks for swimming pools.
- Clarifying the definition for multifamily and amending the multi-family mix in residential zones.
- Amending the front setbacks for residential.
- Clarifying maintenance bond requirements for landscaping.

#### **RECOMMENDATION:**

The Planning Commission will conduct a public hearing to take testimony and comment on the slate of 2015 zoning text amendments. At the conclusion of the public hearing, the Planning

Commission will analyze the testimony, ask questions, and discuss any amendments to the draft. At the conclusion of the worksession, the Planning Commission is requested make a recommendation on the amendments to the City Council for consideration and may accept and/or modify the staff findings below.

Staff **recommends approval** of the proposed 2015 zoning text amendments based on analysis and the findings as follows:

SEPA Flexible Threshold Modification:

1. The Washington State legislature adopted Senate Bill 6406 directing the Washington State Department of Ecology to modernize rules contained in WAC Chapter 197-11-State Environmental Policy Act in light of increased environmental protections in place under Growth Management Laws (RCW 36.70A), the Shoreline Management Act (RCW 90.58), and other laws.
2. Proposed amendments to LMC Chapter 14.24 will allow for an increase in the size and scope of certain protects that are exempt from review under the State Environmental Policy Act (SEPA).
3. Proposed amendments to LMC Chapter 16.53 and the inclusion of the City of Lacey Standard Inadvertent Archaeological and Historic Resources Discovery Plan are intended to increase the protection of cultural and historic resources.
4. The process contained in WAC 197-11-800(c) to raise categorical exemption threshold levels has been fulfilled including providing a minimum 60-day notification to the Department of Commerce, affected tribes, agencies with expertise, the Department of Ecology, and the public; and documentation of the requirements for environmental analysis, protection, and mitigation for impacts to elements of the environment have been adequately addressed.
5. The revised SEPA provisions for categorical exemptions are better aligned with current regulatory processes and will not reduce the protection of the natural and built environment

Hawks Prairie Business District Amendments:

1. The proposed amendments are consistent with the Land Use Element, the 1992 Northeast Planning Element, and the Economic Development Element of the Comprehensive Plan.
2. The proposed amendments are consistent with the goals of the 1992 Northeast Planning Element that stresses that development within the area should be designed and constructed to a high quality aesthetic and "urban" standard.
3. The standards for ground floor residential will provide more opportunity, flexibility, and better proximity of uses to create a vibrant mixed-use district provided that ground floor residential units are designed to an urban standard and are within walking distance to other uses in the district.
4. Park and ride lot standards will ensure that transit will serve future residents, employees, and shoppers within the HPBD and regionally especially given the Hawks Prairie Business District's proximity to Interstate 5. Standards are included to ensure that lots are

integrated into a commercial/mixed use site plan and parking facilities are shared with other uses.

5. The standards for auto sales will ensure the architectural and aesthetic requirements of this type of use is consistent with a high quality aesthetic and urban standard as identified in the 1992 Northeast Planning Element.

#### J&J Lacey Light Industrial Modification:

1. The proposed amendments are consistent with the Land Use Element of the Comprehensive Plan which identifies the need for land resources to support high quality industrial development, job creation, and employment diversification; supports buffering and compatibility requirements between industrial areas and other land uses; and supports industrial areas that are reasonably sized to meet probable demand and need.

2. J&J Lacey have demonstrated through submitted documentation that the probable demand and need are for buildings larger than 500,000 square feet. The industrial demands analysis shows that a small number of parcels will support buildings 500,000 square feet or larger in northeast Lacey.

3. The materials submitted with the application demonstrate that job density (employee per square foot) for larger buildings may be larger than that for smaller buildings (less than 200,000 square feet).

4. Larger buildings and distribution warehouses generate less daily truck trips and less PM peak hour trips than standard warehouses putting less demand on city transportation infrastructure per building square foot. Planned or constructed city improvements in northeast Lacey will enhance the transportation system to accommodate all modes including large trucks.

5. The proposal will keep in effect the standards related to large buildings being part of multiple building complexes, residential compatibility requirements, and design review compliance.

#### General Municipal Code Housekeeping Updates:

1. The general housekeeping updates to the municipal code clarify policy intent, correct irregularities in the code, and refine concepts consistent with the Land Use Element of the Comprehensive Plan.

2015 Development Code Update  
8/13/15 Draft

~~9.20.050 Barbed wire and electric fences.~~

- ~~A.— No person or firm being the owner of or agent for or in possession and control of any property within the city limits which is located in zone districts low density, moderate density, medium density and high density residential, central business, general commercial, highway commercial, office commercial, limited business, community commercial, neighborhood commercial and open space/institutional shall construct, maintain or allow to exist any barbed wire or electric fence except as herein provided.~~
- ~~B.— No person or firm being the owner of or agent for or in possession and control of any property within the city limits and located in a zone district other than those designated in Section 9.20.050.A shall construct, maintain or allow to exist any barbed wire or electric fence within ten feet of any property line of such property which abuts any of the zone districts designated in Section 9.20.050.A or which abuts upon any public street, alley or other public place except as herein provided.~~
- ~~C.— This section shall not apply to barbed wire fences existing within the city limits on or before March 28, 1974, or to fences containing barbed wire only above a level six feet above the ground and containing fencing material other than electric or barbed wire below such level, commonly known as security fences.~~
- ~~D.— Any person who violates the provisions of this section shall be guilty of a misdemeanor. (Ord. 968 §11, 1993; Ord. 499 §2 (part), 1978).~~

**Comment [RA1]:** Eliminated old language in Title 9 related to barbed wire because of conflicting language in zoning code.

...

**14.23.074 Design Criteria For Lacey Villas Historical Neighborhood.**

To recognize and preserve the historical values and neighborhood character of the Lacey Villas area, special development standards are necessary. These standards should allow reasonable infill while maintaining the older neighborhood historical characteristics, including large lot sizes and single family traditional housing styles.

- A. Each lot may have one single family detached structure and one accessory dwelling unit that meets the design criteria of LMC 14.23.071. Home occupations meeting requirements of Chapter 16.69 LMC and uses as listed in Chapter 16.24 LMC in chart 16.24.020(1) may also be permitted. (See *Table 16T-06.2*.)
- B. Minimum lot size shall be 17,424 square feet.
- C. Maximum Density shall be 2 1/2 units per acre.
- D. A neotraditional, single family detached housing style is required, with the following features:
  - 1. A usable front porch;
  - 2. A focused, predominant entryway;
  - 3. An alternative garage style, including a detached or recessed garage; ~~see design requirement LMC 14.23.072(A)(5);~~
  - 4. A pitched roof with architectural interest; dormers, chimneys and roof breaks recommended;
  - 5. Horizontal lap siding shall be used on the front, back and all sides.
- E. Minimum setbacks shall be as follows:
  - 1. Front yard, 15 feet;
  - 2. Side yard, minimum 5 feet each side;
  - 3. Rear yard:
    - a. Main house, 15 feet;
    - b. Accessory structures or accessory dwelling units, 5 feet.
- F. Narrow local access streets with no sidewalks, typical of existing streets, are permitted.
- G. If street lights are used, they shall be of decorative design and pedestrian scale (12-18 ft. in height). (Ord. 1124 §8, 2000; Ord. 1024 §3, 1995).

**Comment [RA2]:** 14.23.072(A)(5) no longer exists.

...

Sections:

- 14.24.010 Authority
- 14.24.020 Adoption by reference
- 14.24.030 Additional definitions
- 14.24.035 Compliance with Chapter 36.70B RCW.
- 14.24.040 Repealed
- 14.24.050 Additional timing considerations

- 14.24.055 Categorical exemptions without flexible thresholds
- 14.24.060 Flexible thresholds for categorical exemptions
- 14.24.070 Use of exemptions
- 14.24.080 Lead agency determination and responsibilities
- 14.24.090 Environmental checklist
- 14.24.100 Mitigated DNS
- 14.24.105 Optional DNS Process
- 14.24.110 Preparation of EIS--Additional considerations
- 14.24.120 Additional elements to be covered in an EIS
- 14.24.130 Public notice
- 14.24.140 Role of the responsible official
- 14.24.150 Designation of responsible official
- 14.24.160 Substantive authority
- 14.24.170 Appeals
- 14.24.180 Environmentally sensitive areas
- 14.24.190 Responsibility of agencies--SEPA public information
- 14.24.200 Fees
- 14.24.210 Notice--Statute of limitations
- 14.24.220 Severability

**Comment [CO3]:** Addition of a new section to distinguish categorical exemption provisions

...  
**14.24.020 Adoption by reference.**

The city adopts the following sections or subsections of Chapter 197-11 WAC as now existing or hereinafter amended, by reference.

- 197-11-158 SEPA/GMA project review - Reliance on existing plans, law, and regulations
- 197-11-235 SEPA/GMA integration documents
- 197-11-238 SEPA/GMA integration monitoring

**Comment [CO4]:** Reference changes are in compliance with changes in WAC citations

...  
14.24.055 Categorical exemptions without flexible thresholds

A. The following proposed actions that do not have flexible thresholds are categorically exempt from threshold determination and EIS requirements, subject to the rules and limitations on categorical exemptions contained in 197-11-305 WAC.

- 1. Actions listed in Chapter 197-11-800, Sections 2 – 24 WAC.

**Comment [CO5]:** Changes to the WAC provisions for categorical exemptions have been identified with flexible thresholds and without flexible threshold allowances. Suggested revisions in the code reflect these changes.

...  
**14.24.060 Flexible thresholds for categorical exemptions.**

A. The city establishes the following exempt threshold levels under WAC 197-11-800(1)(d) based on local conditions:

- 1. The construction or location of any multi-family residential structure up to sixty dwelling units;
- 2. The construction of an office, school, commercial, recreational service, or storage building up to 30,000 square feet and associated parking designed for up to ninety parking spaces;
- 3. Landfill or excavation up to 1,000 cubic yards throughout the total lifetime of the fill or excavation.

**Comment [CO6]:** Removed construction of a barn, storage building, or packing structure 40,000 sq. feet in size per PC comments. Exemption level for these structures will be up to 10,000 sq. feet and are addressed in LMC 14.24.055.

...

**14.24.070 Use of exemptions.**

A. If a proposal is exempt, none of the procedural requirements of this chapter apply to the proposal. The city shall not require completion of an environmental checklist for an exempt proposal.

B. In determining whether or not a proposal is exempt, the department shall make certain the proposal is properly defined and shall identify the governmental licenses required (WAC 197-11-060). If a proposal includes exempt and nonexempt actions, the department shall determine the lead agency, even if the license application that triggers the department's consideration is exempt. (Ord. 701 §2 (part), 1984).

c. The determination of whether a proposal is categorically exempt shall be made by the Responsible Official.

...

**14.24.160 Substantive authority.**

3. The city adopts by reference the policies in the following codes, ordinances and plans:

- a. Lacey zoning ordinance;
- b. Lacey Comprehensive Plan;
- c. Lacey platting and subdivision ordinance;
- d. Lacey six-year street plan;
- e. ~~Shoreline master program for the Thurston region~~Lacey Shoreline Master Program
- f. Thurston Regional Transportation Plan;
- g. The City of Lacey Buildings and Construction Code as set forth in Chapters 14.02 through 14.20 LMC;
- h. Lacey bikeway plan;
- i. The City's Traffic Mitigation and Concurrency Regulations as set forth in Chapter 14.21 LMC;
- j. The city of Lacey's environmental regulations as set forth in Chapters 14.26 (Shoreline Master Program), 14.28 (Wetlands Protection), 14.30 (Removal of Top Soil), 14.31 (Drainage Discharge), 14.32 (Tree and Vegetation Protection and Preservation), 14.33 (Habitat Conservation Areas Protection), 14.34 (Flood Hazard Prevention), 14.36 (Critical Aquifer Recharge Areas Protection), and 14.37 LMC (Geologically Sensitive Areas Protection);
- k. City of Lacey Development Guidelines and Public Works Standards as adopted by the Chapter 12.28 LMC;
- l. The Capital Improvement Plan of the North Thurston Public Schools and means for mitigating impacts upon such plan;
- m. The transportation plans of Thurston County, the City of Olympia and the City of Tumwater, and allowed means of mitigating impacts of development upon such plans;
- n. The City's requirements for the undergrounding of communication facilities as set forth in Chapter 12.22 LMC.
- o. The City of Lacey 2010 Stormwater Design Manual.

...

**14.24.180 Environmentally sensitive areas.**

A. Those areas in the city of Lacey that are considered environmentally sensitive areas designated or described pursuant to Chapter 16.54 LMC and are further described or designated under Chapters 14.28, 14.33, 14.34, 14.36, and 14.37 LMC retain their status as categorical exemptions except as provided for in LMC 14.24.180(B), and maps contained in the city Environmental Protection and Resource Conservation Plan.

Comment [CO7]: Clarified language in this section per PC review.

Pursuant to WAC 197-11-908(2) the following activities normally exempt under the categorical exemptions are hereby removed from categorical exemption status and are required to file an environmental checklist: WAC 197-11-800(1), (2)(a) through (h), (3), (5), (6)(a), (14)(c), (24)(a) through (g), and (25)(d), (f), (h), and (i).

B. The city shall treat proposals located wholly or partially within an environmentally sensitive area no differently than other proposals under this chapter making a threshold determination for all such proposals. The city shall not automatically require an EIS for a proposal merely because it is proposed for location in an environmentally sensitive area.

Comment [CO8]: Protections for environmentally sensitive areas are provided for in the Lacey Municipal Code, the Shoreline Master Program, and numerous state and federal laws.

BC. Certain exemptions do not apply on lands covered by water, and this remains true regardless of whether or not lands covered by water are mapped. (Ord. 935 §12, 1992; Ord. 701 §2 (part), 1984 ).

...

**15.06.060 Final approval and recording.**

The following shall be shown or accompany the final binding site plan at the time it is submitted to the department of community development:

...

S. Each and every binding site plan of any property filed for record shall:

1. Contain a statement of approval from the city engineer or by a licensed engineer acting on behalf of the city as to the survey data, the layout of streets, alleys, and other rights-of-way, design of bridges, sewage and water systems, and other structures. No engineer who is connected in any way with the binding site plan and dividing of the land for which binding site plan approval is sought shall examine and approve such binding site plan on behalf of the city.

2. Be accompanied by a complete survey of the section or sections in which the binding site plan is located, or as much thereof as may be necessary to properly orient the binding site plan within such section or sections. The binding site plan and section survey shall be submitted with complete field and computation notes showing the original or re-established corners with descriptions of the same and the actual traverse showing error of closure and method of balancing. A sketch showing all distances, angles, and calculations required to determine corners and distances of the binding site plan shall accompany this data. The allowable error of closure shall not exceed one foot in five thousand feet.

Comment [RA9]: No longer applicable per city surveyor.

3. Be acknowledged by the person filing the binding site plan before the auditor, or any other officer who is authorized by law to take acknowledgment of deeds, and a certificate of the acknowledgment shall be enclosed or annexed to such binding site plan and recorded therewith.

4. Contain a certification from the Thurston County Treasurer that all taxes and delinquent assessments for which the property may be liable, as of the date of certification, have been duly paid, satisfied or discharged.

...

**15.06.090 Final binding site plan drafting standards.**

All final binding site plans shall be drawn in accordance with the following:

A. The final binding site plan shall be clearly and legibly drawn in permanent black ink upon mylar or paper.

B. The scale of the binding site plan shall be not less than one inch equals fifty feet nor greater than two hundred feet.

Lettering size shall be at least eight point font shall be at least three thirty seconds inch high. The perimeter of the

Comment [RA10]: Updated requirements per city surveyor.

binding site plan being recorded shall be depicted with heavier lines wider than the remaining portion of the binding site plan.

C. The size of each sheet shall be eighteen by twenty-four inches.

D. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of ~~three-two~~ inches on the left side, and one-half inch on each of the other three sides.

E. If more than two sheets are used, an index of the entire binding site plan showing the arrangement of all sheets shall be included. Each shall be appropriately numbered.

F. The binding site plan title and number, date, scale, and north arrow shall be shown on each appropriate sheet of the final binding site plan.

G. When a condominium or condominium conversion is the subject of a site plan, the final Plan drawing shall have a title that is reflective of the subject, stating specifically the plan is either for a "condominium development" or a "condominium conversion." (Ord. 1369 §4, 2011; Ord. 1235 §1, 6, 2005).

...

**15.10.200 Final plat drafting standards.**

All final plats shall be drawn in accordance with the following:

A. The final plat shall be clearly and legibly drawn in permanent black ink upon mylar or paper.

B. The scale of the plat shall be not less than one inch equals two hundred feet. Lettering shall be at least .08 inch high. The perimeter of the plat or subdivision being recorded shall be depicted with heavier lines wider than the remaining portion of the plat or subdivision.

C. The size of each sheet shall be eighteen by twenty-four inches.

D. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of ~~three-two~~ inches on the left side, and one-half inch on each of the other three sides.

E. If more than two sheets are used, an index of the entire subdivision showing the arrangement of all sheets shall be included. Each shall be appropriately numbered.

F. The plat title, date, scale and north arrow shall be shown on each appropriate sheet of the final plat.

G. All signatures placed on the final plat shall be original signatures written in permanent black ink. (Ord. 1235 §1, 8, 2005).

Comment [RA11]: Updated requirement per city surveyor.

...

**15.10.210 Final plat approval.**

A. Upon receipt of the final plat and accompanying data, the staff of the planning, engineering, ~~health department~~ and other commenting departments and agencies shall review the final map and documents to determine that the plan conforms with the approved preliminary plat, and that there is compliance with provisions of the law and of this title. The staff may make checks in the field to verify that the map is sufficiently correct on the ground, and may enter the property for this purpose.

B. In lieu of the completion of actual construction of any required improvements prior to final plat approval the city may accept financial security as provided for in Chapter 15.16 LMC for securing the actual construction and installation of such improvements. In addition, the city may require that financial security provide for the successful maintenance and operation of required improvements for up to two years after final construction, installation and approval.

C. If the city engineer, planner and health department determine the final plat conforms fully with all applicable regulations and standards, they shall then affix their signatures thereto. ~~Health department signature is not required when potable water and sanitary sewer are provided by the City.~~

Comment [RA12]: Health department approval is only necessary for those subdivisions with private wells and/or septic systems.

D. After being approved as required above, the final plat shall be presented to the city council. After finding that the final plat has been completed in accordance with the provisions of this title, and that all required improvements have been completed or that financial security has been provided to guarantee that such required improvements will be completed, and that the interests of the city are fully protected, the mayor shall sign the final plat accepting such dedications and easements as may be included thereon, and the final plat shall be returned to the applicant for filing for record with the county auditor as provided in LMC 15.10.240.

E. Final plats shall be approved, disapproved or returned to the applicant within thirty days from the date of filing with the planner thereof, unless the applicant consents to an extension of such time period. (Ord. 1235 §1, 8, 2005).

...

**15.10.240 Filing for record.**

The original of the final plat shall be filed for record with the auditor. ~~One reproducible copy on mylar shall be furnished to the city engineer.~~ One paper copy shall be filed with the assessor, community development department, health department, building department, city engineer and the fire chief. All required paper copies shall bear the auditor's recording data.

**Comment [RA13]:** City engineer no longer needs mylar copy per survey department.

The auditor shall refuse to accept any plat for filing and recording until approval of the plat has been given by the council. Should a plat or dedication be filed or recorded without such approval, the prosecuting attorney shall apply for writ of mandate in the name of and on behalf of the city council directing the auditor and assessor to remove from their files or records the unapproved plat or dedication of record. (Ord. 1235 §1, 8, 2005).

...

**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 \_\_\_\_.

\_\_\_\_\_  
Title

NOTE: -Health Officer signature is not required when potable water and sanitary sewer are provided by the City.

**Comment [RA14]:** Health Dept. approval only required for those projects with private wells and/or septic systems.

3. Certificate--Assessor.  
Examined and approved this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
Thurston County Assessor

4. Certificate--Treasurer.

I hereby certify that all taxes on the land described hereon have been fully paid to and including the year \_\_\_\_\_.

\_\_\_\_\_  
Treasurer, Thurston County

5. Certificate--City Planner.

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

\_\_\_\_\_  
City Planner

6. Certificate--Mayor for Lacey City Council.

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

Lacey City Council  
  
By \_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

7. Certificate--County Auditor.

Filed for record at the request of \_\_\_\_\_ this day \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ m. and recorded in Volume \_\_\_\_ of Plats, on Page \_\_\_\_\_, records of Thurston County, Washington.

\_\_\_\_\_  
Thurston County Auditor

\_\_\_\_\_  
Deputy Auditor

...

**16.03.065 Residential swimming pools.**

All residential swimming pools, both above and in-ground, shall be located outside of required front yard setbacks and be set back at least five feet from rear and side property lines. Residential swimming pools shall comply with the International Residential Code including structural and barrier requirements.

**Comment [RA15]:** Added new section related to residential setbacks for swimming pools.

...

**16.03.070 Fencing standards.**

**A. Maximum height.**

1. Front yards. The maximum height of free-standing walls, fences, or hedges placed in the front yard of residential buildings directly adjacent to public streets or sidewalks shall be three feet unless a taller masonry wall is required, per the responsible official, to mitigate significant noise impacts.

2. Side or rear yard. If the fencing along a side or rear yard is facing a public street or sidewalk, the maximum height shall be six feet.

3. Transparent fencing. The maximum height of any decorative wall or fence which allows visibility, such as wrought iron or split rail fences, shall be eight feet.

**B. Chain link fencing:**

1. The maximum height of chain link fencing placed in the front yard of residential buildings directly adjacent to public streets or sidewalks shall be three feet.

2. All chain link fences shall be setback at least three feet from the back of the sidewalk to allow for landscaping elements to screen the fence.

3. Temporary construction fences are exempt from the above requirements.

**C. Prohibited material.** Electrified and other dangerous fences are prohibited. Barbed and razor wire is prohibited in all zones except for Light Industrial or Light Industrial/Commercial zones where the barbed and razor wire shall be placed on security fences at a minimum height of 6 feet from the ground. No portion of any barbed or razor wire located on a security fence shall extend into the right-of-way.

**Comment [RA16]:** Relocated from landscaping chapter 16.80.

**Comment [RA17]:** Clarified policy on use of barbed wire fencing.

...

**16.06.532 Multifamily.**

"Multifamily" means ~~two~~ three or more living units under the same ownership where land has not been divided, i.e., ~~duplex~~, triplex, quadraplex and apartment units.

**Comment [RA18]:** Amend the definition of multi-family to remove duplexes to be consistent with SPR requirements and International Building Code definition.

...

**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.~~

Sixteen feet.

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.

**Comment [RA19]:** Changed LD 0-4 front setback for main structure consistent with Village Center design standards.

**CHANGE OR REPEAL TABLES TO REFLECT UPDATED FRONT SETBACK REQUIREMENT**

...

**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. Sixteen feet.~~

In addition, setbacks ~~may be encouraged to 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.

**CHANGE OR REPEAL TABLES TO REFLECT UPDATED FRONT SETBACK REQUIREMENT**

...

**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~~ multifamily 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 Chapter 14.23 LMC 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 LMC 14.23.071;
2. Home occupations as provided in Chapter 16.69 LMC;
3. Accessory dwelling as defined in LMC 16.06.055;
4. Conditional uses as provided in Chapter 16.66 LMC;
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 LMC;
7. Family day care homes as provided in Chapter 16.65 LMC. (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).

...

**16.15.050 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.~~

**Comment [RA20]:** Changed LD 3-6 front setback for main structure consistent with Village Center design standards.

**Comment [RA21]:** Changed to reflect minimum 50% multifamily use in Moderate Density Residential zone.

~~Sixteen feet.~~

In addition, setbacks ~~may be encouraged to 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.

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.

...

D. Other lot standards:

...

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-five~~ feet.

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

**CHANGE OR REPEAL TABLES TO REFLECT UPDATED FRONT SETBACK REQUIREMENT**

...

**16.18.020 Permitted uses.**

A. Specific types permitted in the high-density residential district:

Any residential use with a density of at least six units per acre but not greater than twenty 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 ~~twenty-five~~ fifty percent of the units designated for ~~single family~~ multifamily 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 Chapter 14.23 LMC that is applicable to the particular type of residential use.

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 LMC 14.23.071;
2. Home occupations as provided in Chapter 16.69 LMC;
3. Accessory dwelling as defined in LMC 16.06.055;
4. Conditional uses as provided in Chapter 16.66 LMC;
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 LMC;
7. Family day care homes as provided in Chapter 16.65 LMC. (Ord. 1368 §23, 2011; Ord. 1310 §35, 2008; Ord. 1192 §139, 2002; Ord. 1137 §6, 2000; Ord. 1024 §32, 1995; Ord. 931 §9, 1992; Ord. 927 §8, 1992; Ord. 691 §12, 1984; Ord. 583 §2.14(B), 1980).

...

**16.18.040 Lot area.**

A. The size and shape of single family detached lots shall be as follows:

1. Minimum lot area, two thousand square feet where alleys are utilized, three thousand five hundred square feet if alleys are not provided.
2. Minimum lot width, thirty feet when alleys are utilized, forty feet if 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:

**Comment [RA22]:** Changed MD front setback for main structure consistent with Village Center design standards.

**Comment [RA23]:** Changed in Moderate Density Residential zoning district to be consistent with other residential districts.

**Comment [RA24]:** Changed to reflect minimum 50% multifamily use in High Density Residential zone.

~~Ten feet with a ten-foot minimum planter strip between the street and sidewalk. Fifteen feet with a planter strip less than ten feet wide between the street and sidewalk.~~  
~~Sixteen feet.~~ In addition, setbacks ~~are encouraged to may~~ be staggered as provided in LMC 15.12.080(F) for the purpose of modulating the streetscape, providing more convenient opportunities for offsetting windows for privacy of individual homes or other desired design outcomes.  
 Garages facing the street, twenty 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.

**Comment [RA25]:** Changed in High Density Residential zoning district to be consistent with other residential districts.

**CHANGE OR REPEAL TABLES TO REFLECT UPDATED FRONT SETBACK REQUIREMENT**

...

**16.25.090 Pedestrian circulation requirements.**

...

O. A pedestrian-oriented facility may utilize a zero foot front yard setback if it meets all of the following criteria:

1. Use is pedestrian-oriented as determined by the director of community development or designee;
2. ~~F~~acade has pedestrian-friendly features, such as awnings, main entrances, and pedestrian scale;
3. Pedestrian entrance is direct to building with no parking or vehicle access lane between sidewalk and the main pedestrian entrance to the building;
4. ~~A planter strip is provided between the street and the sidewalk which meets requirements of LMC 14.23.087(H) and Table 14T-16.~~

**Comment [RA26]:** 14.23.087(H) and Table 14T-16 have been replaced with other legislation but this reference still exists. Recommend that the reference be removed.

...

**Chapter 16.37  
 HAWKS PRAIRIE BUSINESS DISTRICT<sup>1</sup>**

Sections:

- [16.37.010 Intent](#)
- [16.37.020 Permitted uses in the designated commercial area](#)
- [16.37.030 Permitted uses in the business/retail area](#)
- [16.37.040 Prohibited uses](#)
- [16.37.050 Conditional uses](#)
- [16.37.060 Site requirements](#)
- [16.37.070 Design standards](#)
- [16.37.080 Site plan requirements](#)
- [16.37.090 Landscaping requirements](#)
- [16.37.100 Stormwater runoff](#)
- [16.37.110 Common open space](#)
- [16.37.120 Environmental performance standards](#)

**16.37.010 Intent.**

It is the intent of this chapter to:

- A. Implement the goals and policies of the Northeast Area Element of the Comprehensive Plan as they relate to the area designated Hawks Prairie Business District.
- B. Encourage development of an integrated, planned community where people will want to live and work, by permitting residential and compatible business uses to develop in close proximity to each other, with strong functional and aesthetic links, through the implementation of strict performance standards.
- C. Assure that development is site sensitive, user efficient, and furthers the mixed-use policies of the Northeast Area Element of the Comprehensive Plan.
- D. Assure that early development does not unnecessarily foreclose options for later projects and that new uses can be added without jeopardizing uses already established or planned.
- E. Encourage originality, flexibility, and innovation in site planning and development, including architecture, landscaping, and graphic design, as well as circulation and infrastructure systems.
- F. Assure that the natural and environmental characteristics and attributes of the district are preserved and enhanced.
- G. Encourage and facilitate the use of mass transit and other forms of transportation alternatives to the single occupancy vehicle.
- H. Provide for development consistent with the vision represented on the conceptual Hawks Prairie Business District site plans. This vision is of an area with distinctive character which includes such things as focal points at intersections and special site planning and building design considerations, all of which create a distinctive place to gather. The conceptual Hawks Prairie Business District site plans, Tables 16T-67 through 16T-70, are intended to serve as a guide in fulfilling the intent and provisions of the Hawks Prairie Business District.
- I. Preserve an adequate supply of commercial areas located to maximize future market potential and to ensure the city is able to provide services for the projected growth in the region. (Ord. 1139 §4, 2000; Ord. 1054 §2, 1997).

**16.37.020 Permitted uses in the designated commercial area.**

The following uses are permitted in that portion of the Hawks Prairie Business District designated as commercial area on Table 16T-67.

A. Commercial

Apparel

Automotive supplies

Auto sales including new or used cars, campers, trailers, motorcycles and boats subject to the provisions of LMC 16.37.070(K).

**Comment [RA27]:** Clarified that auto sales are allowed subject to design requirements.

Books and stationery

Convenience stores and service stations designed for fueling no more than eight automobiles simultaneously and subject to the provisions of LMC [16.37.070\(H\)](#).

Department stores

Drug stores and pharmacies

Fabric stores

Florists

Food stores

General merchandise

Gifts/specialty

Hobby/special interest

Homes appliances/electronics

Home furnishings

Home improvement centers/garden supplies

Jewelry and cosmetics

Liquor

Personal services

Professional services when provided as an integral part of a commercial center.

Sporting goods and related stores.

B. Hotels and motels

C. Convention centers and conference facilities.

D. Eating and drinking establishments. Restaurants with drive through windows shall meet the provisions of LMC [16.37.070\(D\)](#).

E. Cultural, entertainment and recreation.

Art galleries

Athletic facilities and health clubs

Bowling alleys

Cinemas

Libraries and museums

F. Day care facilities when provided as an integral part of a commercial center and in support of the other uses therein.

G. Financial institutions

Banks

Brokerages

Finance companies

Insurance and real estate offices

Such uses shall be allowed only when provided as an integral part of a commercial center and in support of the other uses therein.

H. Other similar and related uses consistent with the intent of the zone as determined by the site plan review committee.

I. Urban agricultural uses as provided for and limited under Chapter 16.21 LMC. (Ord. 1368 §33, 2011; Ord. 1054 §2, 1997).

**16.37.030 Permitted uses in the business/commercial area.**

The following uses are permitted in that portion of the Hawks Prairie Business District designated as business/commercial area on Table 16T-67.

A. All uses listed under LMC [16.37.020](#).

B. Public services

Higher education facilities

Vocational schools

Local public services including charitable and service organizations, employment centers, fire stations, police stations and other local government offices.

C. Mass transit

Bus transfer facilities.

Park and ride lots, provided facilities are integrated into a commercial/mixed use site plan and parking facilities are shared with other uses.

**Comment [RA28]:** Park and ride lots included as a permitted use provided that they are integrated into a commercial site plan and the parking is shared with other uses (can be used for commercial or other uses outside of typical commuting hours).

D. Offices and manufacturing

Computer hardware and software development and assembly

Conference facilities

Corporate/regional/administrative offices

Daycare facilities

Electrical equipment research, development, and assembly

Financial institutions including banks, brokerages, finance companies, insurance and real estate offices

High-tech industry

Medical offices and clinics

Offices and manufacturing

Photo and optical goods design and development

Professional and business offices

Scientific research and development

Scientific, analytic or control instrument research and development

E. Eating and drinking establishments. Restaurants with drive through windows shall be subject to LMC [16.37.070\(I\)](#).

F. Warehouse and distribution activities, when developed in conjunction with a primary function such as business headquarters, research and design, marketing or retail sales and subject to the granting of a conditional use permit.

G. Medical facilities

H. Residential subject to the provisions of LMC 16.37.070(L).

~~1. High density residential, twenty units per acre. All residential units must be located in mixed use buildings that have the first floor dedicated to offices or other non residential uses.~~

~~2. No more than ten percent of a parcel shall be used to calculate the number of units permitted on that parcel.~~

I. Other similar and related uses in accordance with the intent of this chapter as determined by the site plan review committee.

J. Urban agricultural uses as provided for and limited under Chapter 16.21 LMC. (Ord. 1368 §34, 2011; Ord. 1054 §2, 1997).

**16.37.040 Prohibited uses in all Hawks Prairie Business District areas.**

The following types of uses are prohibited in the Hawks Prairie Business District.

A. Uses with physical and operational requirements generating substantial:

Truck traffic

Dust

Glare

Heat or vibration

Noise

Odors

B. Uses of a character which are either not compatible with the high aesthetic standards of the area, will not enhance the marketability of the Hawks Prairie Business District, or will adversely impact the city’s economic development strategies for this zone. These uses shall include, but are not limited to:

Activities entailing movement of heavy equipment on and off the site except during construction;

Auto or truck storage or repair as a primary use;

Cemeteries and crematoria;

Machine shops;

Motor freight terminals;

~~Park and ride lots;~~

State, federal or public regional offices or facilities other than educational facilities as set forth in LMC [16.37.030](#);

Solid waste disposal facilities, including transfer stations, incinerators and sanitary landfills;

Stand alone warehouse and distribution facilities. (Ord. 1054 §2, 1997).

...

**Comment [RA29]:** New residential provisions allowing ground floor added to 16.37.070(L).

**Comment [RA30]:** Relocated to 16.37.070(L)

**Comment [RA31]:** Park and ride lots moved from prohibited to permitted use provided conditions are met.

**16.37.070 Design standards.**

- A. Relationship between buildings. Proposed buildings shall be related harmoniously to the terrain and to other buildings in the vicinity that have a visual relationship to the proposed buildings.
- B. Interior circulation. Development proposals shall include the following components:
  - 1. Location and number of access points to the public streets.
  - 2. Sidewalks that provide continuous pedestrian and bicycle access along public, state, or private access roads and to primary uses within the development.
  - 3. General interior circulation.
  - 4. Separation of pedestrian and vehicular traffic, via strategically located, clearly defined pedestrian corridors through parking lots and other means of clearly differentiating pedestrian areas from vehicle areas. The number and location of pedestrian corridors shall be determined by the city based on the size and scale of the development.
  - 5. Arrangement of parking areas that are safe and convenient and do not detract from the design of proposed buildings and structures and the neighboring properties.
- C. Access. Connection to arterials shall be made at city determined locations. Full access to arterials may be restricted by the city where necessary to facilitate efficient traffic circulation.
- D. Transit. Buildings shall be located so as to encourage and facilitate the use of transit and other forms of transportation alternatives to the single occupancy vehicle.
- E. Signs. The size, location, design, color, texture, lighting and materials of all signs shall not detract from the design of proposed buildings and structures and shall comply with Chapter 16.75 LMC.
- F. Parking. All parking areas and structures shall comply with the standards of Chapter 16.72 LMC.
- G. Utilities. All permanent utility lines, pipes and conduits shall be located below ground, and all other utility facilities, except fire hydrants, shall be landscaped and screened with sight-obscuring vegetation.
- H. Standards for convenience stores and service stations.
  - 1. Must be sized and designed to be compatible with the Hawks Prairie Business District zone.
  - 2. Convenience stores and service stations shall not be permitted on any parcel adjacent to an intersection.
  - 3. Special attention must be given to assure compliance with the standards for the area. The site plan review committee may require revisions to the proposed layout in order to achieve such consistency.
  - 4. Maximum front building setback shall be fifteen feet.
  - 5. Signs must be consistent with the sign regulations contained in Chapter 16.75 LMC.
  - 6. Buildings must be of an architectural style that is harmonious with and complementary to surrounding structures.
- I. Standards for restaurants with drive through windows.
  - 1. Buildings must be of an architectural style that is harmonious with and complementary to surrounding structures.
  - 2. Drive through lanes and parking areas may not be located between the building and any public street.
  - 3. Restaurants with drive through windows shall not be permitted on any parcel adjacent to an intersection.

J. Mixed use occupancies. Residential units and retail business or office uses shall be permitted within the same structure, subject to the following limitations:

1. The nonresidential uses must have vehicular access via a business street or arterial and shall front directly on an adjacent sidewalk or pedestrian walkway, or on a front or side yard from which vehicles are excluded.
2. Business/commercial uses shall occupy the floors below the residential uses to preserve a residential atmosphere for the residents above.
3. Business and residential portions of the building must be separated by a soundproofed concrete or wood floor, insulated or otherwise soundproofed with the intervening space unoccupied except for utility lines, heating and air conditioning ducts, and similar devices not producing noise or vibration or requiring regular access.

K. Standards for auto sales.

Comment [RA32]: New standards for auto sales

1. A showroom building is required. Maximum front building setback shall be fifteen feet. Showroom windows and displays shall face the fronting street encompassing a minimum of 60% of the façade surface area.
2. Showroom building width shall be a minimum of 40% of the width of the parcel fronting the street.
3. Outdoor vehicle display shall be located at the side or rear of the showroom building.
4. Service facilities shall be located to the rear of the showroom building with bay doors oriented to the rear of the building. Any separate service buildings shall be located internal to or at the rear of the site.
5. 15 feet of Type II landscaping is required on any right-of-way frontages not containing a showroom or other building.
5. Buildings must be of an architectural style that is harmonious with and complementary to surrounding structures in compliance with the Design Review Checklist for the Hawks Prairie Business District.
6. Any existing buildings modified for the purposes of auto sales shall meet the requirements of this chapter.

Comment [RA33]: Included landscape buffer requirements for frontages where no building is present.

L. Standards for residential.

Comment [RA34]: New standards for first-floor residential uses.

1. Residential units shall be located in mixed use buildings that have the first floor dedicated to offices or other non-residential uses. An exception may be granted by the Community Development Director for allowing ground floor residential under the following conditions:
  - a. As part of an approved master plan, provided that the distance to a commercial or office building does not exceed 1000 feet.
  - b. The ground floor residential uses are directly connected by pedestrian amenities to commercial and/or office uses.
  - c. Buildings must be of an urban architectural style that is harmonious with and complementary to surrounding structures in compliance with the Design Review Checklist for the Hawks Prairie Business District.
  - d. Ground floor residential uses shall be limited to townhomes, row homes, live/work, and urban walk-up apartments. No more than 50% of the total units shall be used for townhomes or row homes.
2. Maximum residential density shall be calculated at 20 units per acre. No more than ten percent of a parcel shall be used to calculate the number of units permitted on that parcel.

~~K~~M. Design review. All development in the Hawks Prairie Business District shall be consistent with the appropriate provisions of Chapter 14.23 LMC. (Ord. 1220 §38, 2004; Ord. 1154 §13, 2001; Ord. 1139 § 5, 2000; Ord. 1054 §2, 1997).

...

**Chapter 16.40  
LIGHT INDUSTRIAL DISTRICT**

Sections:

- [16.40.010 Intent](#)
- [16.40.020 Permitted uses](#)
- [16.40.030 Prohibited uses](#)
- [16.40.040 Environmental performance standards](#)
- [16.40.050 Site requirements](#)
- [16.40.051 Master SPR requirement](#)
- [16.40.052 Site of forty acres or more](#)
- [16.40.060 Building allowance](#)
- [16.40.070 Off-street parking](#)
- [16.40.080 Landscaping](#)
- [16.40.085 Refuse](#)
- [16.40.090 Stormwater runoff](#)
- [16.40.093 Design review](#)

...

**16.40.030 Prohibited uses.**

Uses other than those identified or described in LMC [16.40.020](#) are prohibited, including but not limited to:

~~A. All buildings with a footprint in excess of five hundred thousand square feet in size, except as provided in LMC [16.40.020\(A\)\(6\)](#)~~

~~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 which would exceed the acceptable limits established by competent and recognized public and quasi-public agencies;~~

~~C. Examples of prohibited uses are:~~

1. Animal slaughtering,
2. Care and/or sale of livestock, poultry or similar animals,
3. Storage, manufacturing or sale of highly volatile or otherwise extremely hazardous substances or materials.
4. Any heavy industrial activity including truck terminals, cross dock facilities or any structure designed for similar type use. (Ord. 1348 §3, 2010; Ord. 1264 §10, 2006; Ord. 758 §1 (part), 1985).

...

**Comment [RA35]:** Eliminate buildings greater than 500,000 square feet from prohibited uses.

**16.40.050 Site requirements.**

Minimum site requirements shall be as follows:

- A. Lot area, twenty thousand square feet.
- B. Lot width, one hundred feet.
- C. Side yard setback, fifteen feet.
- D. Rear yard setback, twenty-five feet.
- E. Front yard setback, twenty feet.

~~F. Maximum size of each building shall be a footprint of more than two hundred thousand square feet shall meet the , provided, however, that such footprint may be as large as five hundred thousand square feet for those sites meeting the requirements of LMC 16.40.052.~~

**Comment [RA36]:** Refer to site requirements for larger buildings.

~~G.~~ Wherever there are multiple buildings on the same lot, a minimum separation distance, meeting the requirements of LMC 14.23.083, shall be maintained between such buildings.

~~H.~~ When adjacent to a residential zoned property (LD 0-4, LD 3-6 MD or HD), or an open space institutional zoned property (OSI), the minimum yard setback adjacent to the residential or open space institutional zone shall be fifty feet.

~~I.~~ Truck bay doors and/or loading or unloading areas shall not face residential zoned property (LD-04, LD 3-6, MD or HD), if within two hundred fifty feet of said zones, unless separated by the placement of a building without bay doors and/or loading or unloading areas facing the residential zone. (Ord. 1348 §4, 2010; Ord. 1264 §11, 2006; Ord. 758 §1 (part), 1985).

...

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

Master site plan review and binding site plan approval may be given for projects proposed to contain buildings with a footprint of more than two hundred thousand square feet ~~but not exceeding five hundred thousand square feet~~ when the following site standards have been met:

**Comment [RA37]:** Master site plan requirement is still required for sites of 40 acres or more, however, there is no maximum building square footage limit as long as the rest of section .052 is met (three or more buildings, access requirements, buildings larger than 200k limited to 75% of a complex, residential compatibility, etc.).

- A. The site consists of a parcel or contiguous parcels totaling a minimum of forty acres.
- B. The master plan shall provide for a multiple-building complex consisting of three or more buildings.
- C. Truck access to the site shall be from a city of Lacey street. Methods to discourage and/or restrict truck traffic from traveling through residential areas shall be incorporated into the site design and/or project approval. Methods to restrict truck access may include, but are not 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.
- D. When adjacent to a residential zone, a one-hundred-foot natural treed buffer tract shall be established meeting the city of Lacey tree tract standards established in LMC 14.32.064 and 14.32.065 at the time of building construction.
- E. Buildings shall be consistent with the city of Lacey industrial design review standards contained in LMC 14.23.083.
- F. Construction pads for buildings with a footprint greater than two hundred thousand square feet shall be limited to seventy-five percent of the buildable area of the site in order to provide a variety of building sizes throughout a multiple-building complex.

G. When a site is adjacent to a residential zone, the applicant shall be encouraged to meet with the adjacent homeowners' association or neighborhood group to provide project and contact information to the residents. (Ord. 1397 §1, 2012; Ord. 1380, §1, 2012; Ord. 1348 §5, 2010).

...

**16.80.080 Maintenance of plant materials.**

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

B. Unless entirely landscaped with significant trees preserved under LMC 16.80.040, all areas where new landscaping is being required shall be provided with irrigation systems designed by a licensed landscape architect, Washington-certified nurseryperson, Washington-certified landscaper or professional engineer. Said irrigation systems shall be designed, installed and operated to maintain the plant materials to the standards detailed in subsection A of this section.

C. The city shall require a maintenance assurance device ~~for a period of one year from the completion of planting in order~~ to insure compliance with the requirements of this chapter. The value of a maintenance assurance device must equal at least ~~one hundred~~ twenty percent of the replacement cost of the landscape materials, and shall be utilized by the city to perform any necessary maintenance, and to reimburse the city for documented administrative costs associated with action on the device. The maintenance assurance shall be for a minimum period of one year from the completion of planting; however for Type 1 landscaping, the period shall be three years. The Community Development Director may adjust the period of maintenance assurances on a case-by-case basis. A separate financial guarantee for maintenance associated with landscaping in the right-of-way and stormwater facilities shall be submitted to the Public Works Department in accordance with section 3.090 of the Development Guidelines and Public Works Standards.-

**Comment [RA38]:** Make consistent with current policy.

**Comment [RA39]:** Longer maintenance bond requirements for buffer plantings associated with Type 1 landscaping. Clarified that there is a separate maintenance financial assurance with PW for right-of-way and stormwater facilities.

D. The city may accept, as an alternative to a maintenance assurance device, a contractual agreement or bond between the owner/developer and a licensed landscape architect, Washington- certified nurseryperson, or Washington- certified landscaper, along with a rider or endorsement specifically identifying the city as a party to the agreement for purposes of enforcement. Nothing in this alternative shall be interpreted to in any way modify the conditions of subsection B of this section.

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

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

G. All trees, plant materials and landscaped areas shall receive sufficient water to be kept in a healthy and growing manner. (Ord. 1310 §54, 2008; Ord. 1179 §11, 2002; Ord. 965, §17, 1993; Ord. 871 §2 (part), 1989).

...

**16.80.110 Fencing standards.**

**A.— Maximum height.**

~~1.— Front yards. The maximum height of free standing walls, fences, or hedges in the front yard of residential buildings along public streets or sidewalks shall be three feet unless a taller masonry wall is required, per the responsible official, to mitigate significant noise impacts.~~

~~2.— Side or rear yard. If the fencing along a side or rear yard is facing a public street or sidewalk, the maximum height shall be six feet.~~

**Comment [RA40]:** Section on fencing moved to General Provisions (LMC 16.03) from landscaping chapter.

~~3.— Transparent fencing: The maximum height of any decorative wall or fence which allows visibility, such as wrought iron or split rail fences, shall be eight feet.~~

~~B.— Chain link fencing:~~

~~1.— Chain link fences shall be limited to three feet in height in any front yard and in any location between the street and any residential structure.~~

~~2.— All chain link fences shall be setback at least three feet from the back of the sidewalk to allow for landscaping elements to screen the fence.~~

~~3.— Temporary construction fences are exempt from the above requirements.~~

~~C.— Prohibited material: Barbed wire, razor wire, electric and other dangerous fences are prohibited.~~

~~D.— Retaining wall standards: Retaining walls taller than three feet six inches and visible from the street shall be terraced so that no individual segment is taller than four feet. Terraced walls shall be separated by a landscaping bed at least two feet in width including one shrub every three lineal feet of retaining wall. Alternative landscaping treatments will be considered provided they reduce the bulk and scale of the retaining wall and enhance the streetscape. (Ord. 1310 §56, 2008).~~

**Chapter 16.53**

**HISTORIC PRESERVATION & CULTURAL RESOURCES**

Sections:

- 16.53.010 Title
- 16.53.020 Definitions
- 16.53.030 Register of historic places
- 16.53.040 Review of changes to historic register properties
- 16.53.050 Review and monitoring of properties for special property tax valuation
- 16.53.060 Relationship of provisions to zoning
- 16.53.070 Provisions not to affect Building or Fire Codes
- 16.53.080 Inadvertent Discovery of Archaeological and Cultural Resources

**16.53.010 Title.**

The ordinance from which this chapter is derived shall be known and may be cited as the “Historic Preservation and Cultural Resources Ordinance of the city of Lacey.” (Ord. 796 §1, 1986).

**16.53.020 Definitions.**

The following words and terms when used in this chapter shall mean as follows, unless a different meaning clearly appears from the context:

A. A “building” is a structure constructed by human beings. This includes both residential and nonresidential buildings, main and accessory buildings.

B. “Certificate of appropriateness” is the document indicating that the commission has reviewed the proposed changes to a local Register property or within a local Register Historical District and certified the changes as not adversely affecting the historic characteristics of the property which contribute to its designation.

C. “Class of properties eligible to apply for special valuation” are the class of properties eligible for special valuation listed on the Lacey Register of Historic Places or properties listed as contributing to a Lacey Register historic district, and on a local, state, and/or National Register.

D. “DAHP” is the Washington State Department of Archaeology and Historic Preservation.

- | DE. A “district” is a geographically definable area--urban or rural, small or large--possessing a significant concentration, linkage, or continuity of sites, buildings, structures, and/or objects united by past events or aesthetically by plan or physical development.
- | EE. “Emergency repair” is work necessary to prevent destruction or dilapidation to real property or structural appurtenances thereto immediately threatened or damaged by fire, flood, earthquake, or other disaster.
- | FG. “Incentives” are such rights or privileges, or combination thereof, which the city council, or other local, state, or federal public body or agency, by virtue of applicable present or future legislation, may be authorized to grant or obtain for the owner(s) of registered properties. Examples of economic incentives include, but are not limited to, tax relief, conditional use permits, rezoning, street vacation, planned unit development, transfer of development rights, facade easements, gifts, preferential leasing policies, beneficial placement of public improvements or amenities, or the like.
- | GH. “Inventory” or “historic inventory” is the comprehensive inventory of historic and pre-historic resources within the boundaries of the city of Lacey.
- | HJ. “Lacey Historical Commission” or “Commission” is the commission designed in Chapter 2.42 LMC.
- | IJ. “Lacey’s Register of Historic Places” or “Register” is the local listing of properties provided for in LMC 16.53.030.
- | JK. “Lessee” is a person or persons who are other than owner(s) of record and who hold an interest in real or personal property under a lease agreement.
- | KL. “National Register of Historic Places” is the national listing of properties significant to our cultural history because of their documented importance to our history, architectural history, engineering, or cultural heritage.
- | LM. “Object” is a thing of functional, aesthetic, cultural, historical, or scientific value that may or may not be, by nature or design, movable yet related to a specific setting or environment.
- | MN. “Ordinary repair and maintenance” is work for which a permit issued by the city is not required by law, and where the purpose and effect of such work is to correct any deterioration or decay of or damage to the real property or structure or appurtenance therein and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay, or damage; provided that all work is done in accordance with standards issued by Secretary of the Department of the Interior.
- | NO. “Owner” of property is the fee simple owner of record as exists on the Thurston County assessor’s records.
- | OP. “Prehistoric” means the time period before written record.
- | PQ. “Significance” or “significant,” used in the context of historic significance, is the following: a property with local, state, or national significance is one which helps in the understanding of the history or pre-history of the local area, state, or nation (whichever is applicable) by illuminating the local, statewide, or nationwide impact of the events or persons associated with the property, or its architectural type or style in information potential. The local area can include the city of Lacey, Thurston County, or southwest Washington, or a modest geographical or cultural area, such as a neighborhood. Local significance may apply to a property that illustrates a theme that is important to the history of the state; and national significance to property of exceptional value in representing or illustrating an important theme in the history of the nation.
- | QR. A “site” is a place where a significant event or pattern of events occurred. It may be the location of prehistoric or historic occupation or activities that may be marked by physical remains; or it may be the symbolic focus of a significant event or pattern of events that may not have been actively occupied. A site may be the location of a ruined or now nonexistent building or structure, or the location itself possesses historic, cultural or archaeological significance.
- | RS. “State Register of Historic Places” is the state listing of properties significant to the community, state or nation, but which may or may not meet the criteria of the national register.

ST. “Structure” is a work made up of interdependent and interrelated parts in a definite pattern of organization. Generally constructed by man, it is often an architectural and/or engineering project.

FU. “UTM” (Universal Transverse Mercator) is a grid zone in metric measurement providing for an exact point of numerical reference. (Ord. 1370 §1, 2011; Ord. 796 §2, 1986).

**16.53.080 Inadvertent Discovery of Archaeological and Cultural Resources**

Building, grading, and land clearing permits shall include the following note: When an unanticipated discovery of protected cultural material (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) or human remains are discovered, the property owner or contractor will immediately stop all work, completely secure the location, and contact the Washington State Department of Archaeology and Historic Preservation and other contacts as identified in the City of Lacey Standard Inadvertent Archaeological and Historic Resources Discovery Plan.

**Standard Inadvertent Archaeological and Historic Resources  
Discovery Plan – City of Lacey**

In the event that any ground-disturbing activities or other project activities related to this development or in any future development uncover protected cultural material (e.g., bones, shell, antler, horn or stone tools, or the evidence of historic artifacts), the following actions will be taken:

1. When an unanticipated discovery of protected cultural material (see definitions below) occurs, the property owner or contractor will completely secure the location and contact:

- a. The property owner and project representative;
- b. A professional archaeologist;
- c. The Department of Archaeology and Historic Preservation (DAHP) – Contact Gretchen Kaehler or assign, 360-586-3088, 360-628-2755 cell);
- d. Nisqually Indian Tribe – Contact Annette “Nettsie” Bullchild, 360-456-5221 ext. 1106 or Jackie Wall, 360-456-5221 ext. 2180, or assign;
- e. Squaxin Island Tribe – Contact Rhonda Foster or assign, 360-423-3850; and
- f. City of Lacey Department of Community Development Department – 360-491-5642

2. If the discovery is human remains, the property owner or contractor will stop work in and adjacent to the discovery, completely secure the work area by moving the land-altering equipment to a reasonable distance, and will immediately contact:

- a. The property owner;
- b. The City of Lacey Police Department – 360-459-4333;
- c. The Thurston County Coroner, Gary Warnock or assign, 360-867-2140 to determine if the remains are forensic in nature;
- d. If the remains are not forensic in nature, the Department of Archaeology and Historic Preservation (DAHP) – Contact Gretchen Kaehler, 360-586-3088 or Guy Tasa,

**Comment [CO41]:** Increasing flexible thresholds must demonstrate protection of cultural and historic resources. Added comments from PC worksession.

**Comment [CO42]:** Proposed adoption of an Inadvertent Archaeological and Historic Resources Discovery Plan to mitigate potential impacts to these resources.

**Comment [CO43]:** Added language for historic artifacts from PC worksession.

360-586-3534, or assigns; will take the lead on determining the appropriate method of treatment for the remains and will consult with the affected tribes;

e. A professional archaeologist; and

f. City of Lacey Department of Community Development – 360-491-5642

3. Cultural material that may be protected by law could include but is not limited to:

a. Buried layers of black soil with layers of shell, charcoal, and fish and mammal bones (Figure 1);

b. Buried cobbles that may indicate a hearth feature;

c. Non-natural sediment or stone deposits that may be related to activity areas of people;

d. Stone, bone, shell, horn, or antler tools that may include projectile points (arrowheads), scrapers, cutting tools, wood working wedges or axes, and grinding stones (Figures 2 and 3); and

e. Stone tools or stone flakes (Figures 2 and 3)

4. Perennially damp areas may have preservation conditions that allow for remnants of wood and other plant fibers; in these locations there may be remains including:

a. Fragments of basketry, weaving, wood tools, or carved pieces, and

b. Human remains.

5. Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, RCW 27.44 and WAC 25-48) and with human remains (RCW 68.50) is required. Failure to comply with these requirements could constitute a Class C Felony.

**Figure 1: Shell Midden**



**Figure 2: Example of Stone Tool**

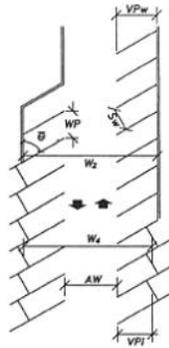


**Figure 3: Example of Stone Flake and Tools**



(Ord. 1130 §15, 2000)

- $\theta$  Parking angle
- Sw Stall width
- Wp Stall width parallel to aisle
- VPw Stall depth from curb to aisle
- VPi Stall depth to interlock
- AW Aisle width
- W<sub>2</sub> Parking module width (curb to curb), double loaded aisle
- W<sub>4</sub> Parking module width (interlock to interlock), double loaded aisle



	$\theta$	Sw	Wp	VPw	VPi	AW	W <sub>2</sub>	W <sub>4</sub>
STANDARD CAR PARKING	45°	9'	12.7'	18'	16.5'	24'	60'	57'
	60°	9'	10.4'	19.5'	18.5'	25'	64'	62'
	90°	9'	9'	19'	19'	26'	64'	64'
COMPACT CAR PARKING	45°	8.25'	11.7'	15.5'	14'	24'	60'	57'
	60°	8.25'	9.5'	17'	16'	25'	64'	62'
	90°	8.25'	8.25'	16.5'	16.5'	26'	64'	64'
PARALLEL PARKING	24'	24'	8'	8'	24'	40'	40'	

Note: For two-sided compact car parking at 90 degree double-loaded aisle W<sub>2</sub> and W<sub>4</sub> should be 59' (16.5' parking stall + 26' aisle + 16.5' parking stall).

CITY OF LACEY, WASHINGTON DEPT. OF PUBLIC WORKS			
PARKING LAYOUT TWO WAY TRAFFIC			
APPROVED <i>My A. S. [Signature]</i> CITY ENGINEER		DATE 3/28/00	
DES. MAH		DATE 3/28/00	
DWN. GGW		CHKD. LRW	
		DWG. NO. 4-5.72	

0045-72.DWG

**Comment [RA44]:** Add note to table 16T-19 that for two-sided compact car parking at 90 degree double-loaded aisle should be 59' (16.5' parking stall + 26' aisle + 16.5' parking stall).



**CITY OF LACEY**  
 Community Development Department  
 420 College Street SE  
 Lacey, WA 98503  
 (360) 491-5642

**OFFICIAL USE ONLY**

Case Number: \_\_\_\_\_

Date Received: \_\_\_\_\_

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

Related Case Numbers:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**ZONING TEXT AMENDMENT  
 APPLICATION**

**SECTION I**

**APPLICANT NAME:** J & J Lacey LLC

**MAILING ADDRESS:** 2001 Western Avenue, Suite 330

**CITY, STATE, ZIP:** Seattle, WA 98121

**TELEPHONE:** (206) 728-1130

**REPRESENTATIVE NAME: \*** Loren Davis

**MAILING ADDRESS:** Same as above.

**CITY, STATE, ZIP:** Same as above.

**TELEPHONE:** (206) 999-5177

The representative is the person whom staff will contact regarding the application, and to whom all notices and reports shall be sent, unless otherwise stipulated by the applicant.

**SECTION II**

**A. GENERAL DESCRIPTION OF PROPOSAL; DESCRIBE THE INTENT AND REASON FOR PROPOSING A CHANGE TO THE TEXT OF THE ZONING CODE**

**The elimination of the building size cap of 500,000 square feet within the Light Industrial zone. The City of Lacey has not been able to compete for several distribution and manufacturing prospects that require land sites that can accommodate buildings larger than 500,000 square feet, or buildings that will initially be within the existing cap, but require the ability to grow to a size larger than 500,000 square feet.**

(See Exhibit 1, supporting documentation, including: i) discussion of the size of a building and associated job creation, ii) a representative list of companies that have selected other South Puget Sound submarkets in which to locate their industrial facilities that are larger than the City of Lacey's 500,000 SF building size cap, iii) energy efficiencies of large buildings, traffic / truck trip of large building vs smaller buildings, and iv) sites that could potentially accommodate large buildings in the city of Lacey's Light Industrial zone.

**B. GENERAL PURPOSE OF THE ZONE TO BE CHANGED? CONSIDER WHAT FUNCTION THE ZONE SERVES AS DESCRIBED IN THE COMPREHENSIVE LAND USE PLAN AND HOW THAT FUNCTION OR PURPOSE MIGHT BE IMPACTED BY THE PROPOSED CHANGE**

**The Light Industrial Zone provides the zoning for Light industrial activities involving the manufacture, assembly, repair, servicing of goods or products which can be performed with minimal adverse impact on, and pose no special hazard to, the environment and the community and activities involving the assembly of manufactured products and processing of materials and other uses such as warehousing and distribution facilities and storage of equipment, commodities and products.**

**The function of Light Industrial Zone will only be impacted in a positive manner by this zoning Text Amendment as it will allow the City of Lacey to compete for more companies to locate within the City.**

**C. TEXT CHANGE REQUESTED**

**CURRENT ZONING LANGUAGE**

**16.40.030 Prohibited uses.**

**Uses other than those identified or described in LMC 16.40.020 are prohibited, including but not limited to:**

- A. All buildings with a footprint in excess of five hundred thousand square feet in size, except as provided in LMC 16.40.020(A)(6).**

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

**Master site plan review and binding site plan approval may be given for projects proposed to contain buildings with a footprint of more than two hundred thousand square feet but not exceeding five hundred thousand square feet when the following site standards have been met**

**REQUESTED NEW ZONING LANGUAGE:**

**16.40.030 Prohibited uses.**

**Uses other than those identified or described in LMC 16.40.020 are prohibited, including but not limited to:**

- ~~A. All buildings with a footprint in excess of five hundred thousand square feet in size, except as provided in LMC 16.40.020(A)(6).~~**

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

**Master site plan review and binding site plan approval may be given for projects proposed to contain buildings with a footprint of more than two hundred thousand square feet but not exceeding five hundred thousand square feet when the following site standards have been met**

**D. DOES THE PROPOSED AMENDMENT AFFECT BOTH THE CITY AND THURSTON COUNTY? IS THE ZONE TO BE CHANGED IN BOTH INCORPORATED AND UNINCORPORATED AREAS; LACEY AND LACEY'S GROWTH AREA? (PLEASE EXPLAIN):**

**The proposed amendment only affects the City of Lacey**

**E. WAS THIS ISSUE, THE ZONES SPECIFIC ALLOWED USES OR STANDARDS PROPOSED FOR CHANGE, DISCUSSED DURING THE COMPREHENSIVE PLAN AND ZONING REGULATIONS REVIEW AND ADOPTION PROCESS? IF SO, PLEASE EXPLAIN:**

**No**

**F. IS THE PRESENT ZONING LANGUAGE THE RESULT OF A MISTAKE? WHAT KIND OF MISTAKE (i.e., ACCIDENTAL OMISSION, INTENT NOT CLARIFIED)? PLEASE EXPLAIN:**

**NO**

**G. HOW MANY ACRES OF DEVELOPED AND UNDEVELOPED PROPERTY IN THIS ZONING DESIGNATION COULD BE IMPACTED BY THE CHANGE?**

**DEVELOPED: 649 UNDEVELOPED: 539**

**WHAT ZONES ARE LOCATED ADJACENT TO THESE AREAS?**

**LI-C (Light Industrial Commercial), BP (Business Park), OS-I (Open Space Institutional), OSI-S (Open Space School), and limited amounts of MD, LD 3-6, HPBDBC, and HPBD-C.**

**H. WHAT POTENTIAL LAND USE CONFLICTS COULD RESULT FROM THE PROPOSED CHANGE? CONSIDER ALL LAND IN THE ZONE TO BE CHANGED AS WELL AS EXISTING AND PLANNED LAND USES IN ADJACENT ZONES. DO NOT LIMIT CONSIDERATION ONLY TO THE SPECIFIC PARCEL(S) THAT YOU ARE INTERESTED IN. REMEMBER, A TEXT AMENDMENT WILL IMPACT ALL PROPERTY WITHIN THAT ZONE AND COULD POTENTIALLY IMPACT PROPERTY IN ADJACENT ZONES AS WELL.**

**The Light Industrial Zone has adequate buffers and standards are already established to assure consistency with surrounding land uses.**

**EXPLAIN HOW THE AMENDMENT IS CONSISTENT WITH THE FOLLOWING:**

- **State Growth Management Act (GMA):**  
The requested amendment only allows the increase in building size and does not increase over all density in the light industrial zone so it would not have any effect on the GMA
- **County-Wide Planning Policies (CWPP):**  
The requested amendment only allows the increase in building size and does not increase over all density in the light industrial zone so it would not have any effect on the CWPP
- **Lacey Comprehensive Plan:**  
The requested amendment only allows the increase in building size and does not increase over all density in the light industrial zone so it would not have any effect on the The Lacey Comprehensive Plan
- **Regional Transportation Plan (RTP):**  
The requested amendment only allows the increase in building size and does not increase over all density in the light industrial zone so it would not have any effect on the RTP
- **Other Applicable City Plans or Documents:**  
The requested amendment only allows the increase in building size and does not increase over all density in the light industrial zone so it would not have any effect on the Other Applicable City Plans or Documents
- **Neighboring Jurisdictions' Comprehensive Plan (when your proposal affects multiple jurisdictions):**  
Not Applicable

**SUPPLEMENTAL INFORMATION**

**THIS APPLICATION MUST BE ACCOMPANIED BY THE FOLLOWING INFORMATION:**

- 1- Environmental checklist (must include 2 CD's containing .pdf copies of all submittal materials, including applications)
- 2- Supplemental information and/or special reports may be required including:
  - a. Environmental issues;
  - b. Anticipated impacts from a change in uses or standards of the zone;
  - c. Other.

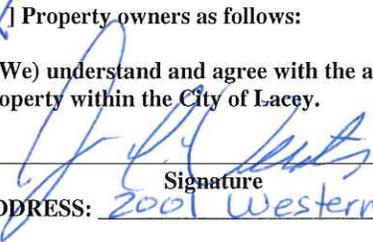
**INITIATED BY:**

Planning Commission. Date of Initiation: \_\_\_\_\_

City Council. Date of Initiation: \_\_\_\_\_

Property owners as follows:

I (We) understand and agree with the above explained need for the map change and are current owners of the property within the City of Lacey.

 \_\_\_\_\_  
Signature Printed Name  
ADDRESS: 2001 Western Avenue, Suite 330, Seattle, WA 98121

\_\_\_\_\_  
Signature Printed Name  
ADDRESS: \_\_\_\_\_

\_\_\_\_\_  
Signature Printed Name  
ADDRESS: \_\_\_\_\_

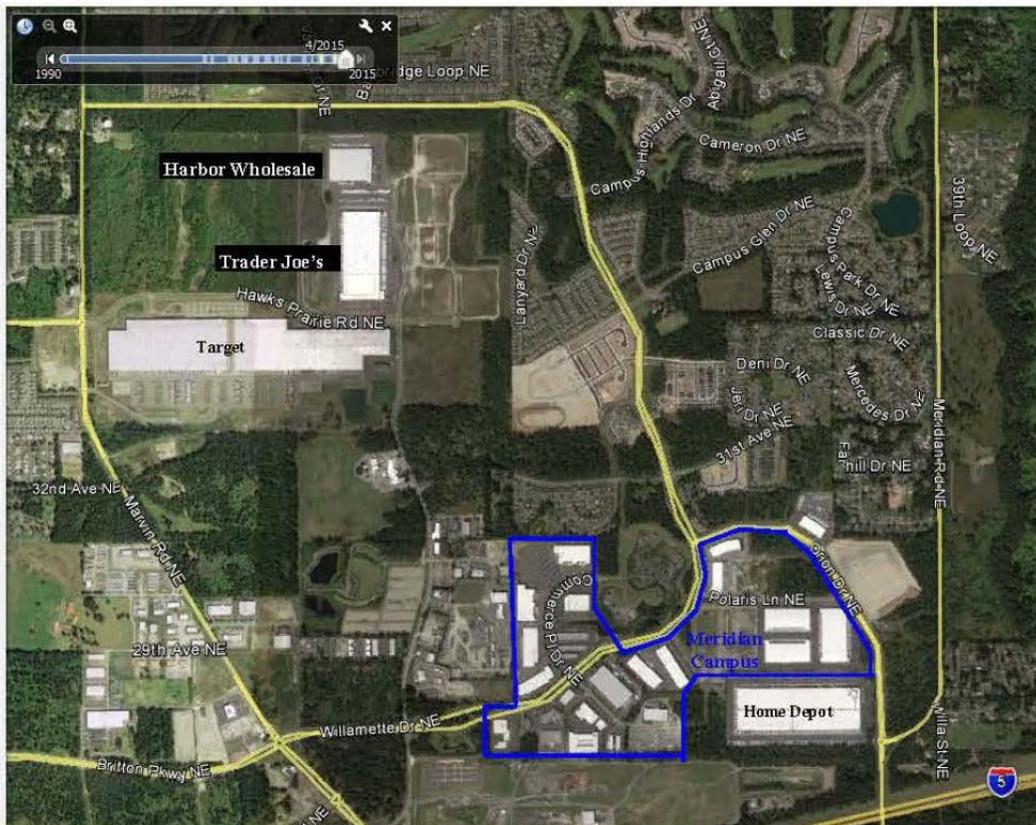
# Exhibit 1

The cap was raised from 200,000 square feet to 500,000 square feet in 2010. Two companies have located facilities in the Hawks Prairie 111 Park directly as a result of the cap being raised, Harbor Wholesale Grocery with a 200,000 square foot distribution center expandable to 300,000 square feet and Trader Joe's with a 500,000 square foot distribution center. These two companies have collectively brought over 600 jobs to Lacey or approximately 16 jobs per acre, which is almost twice the number of jobs per acre than the average jobs per acre for the Meridian Campus area (which is composed of smaller multi tenant buildings) of the light industrial zone (see 2015 Jobs Density Analysis below) thus demonstrating that large buildings can generate as many or more jobs than small buildings.

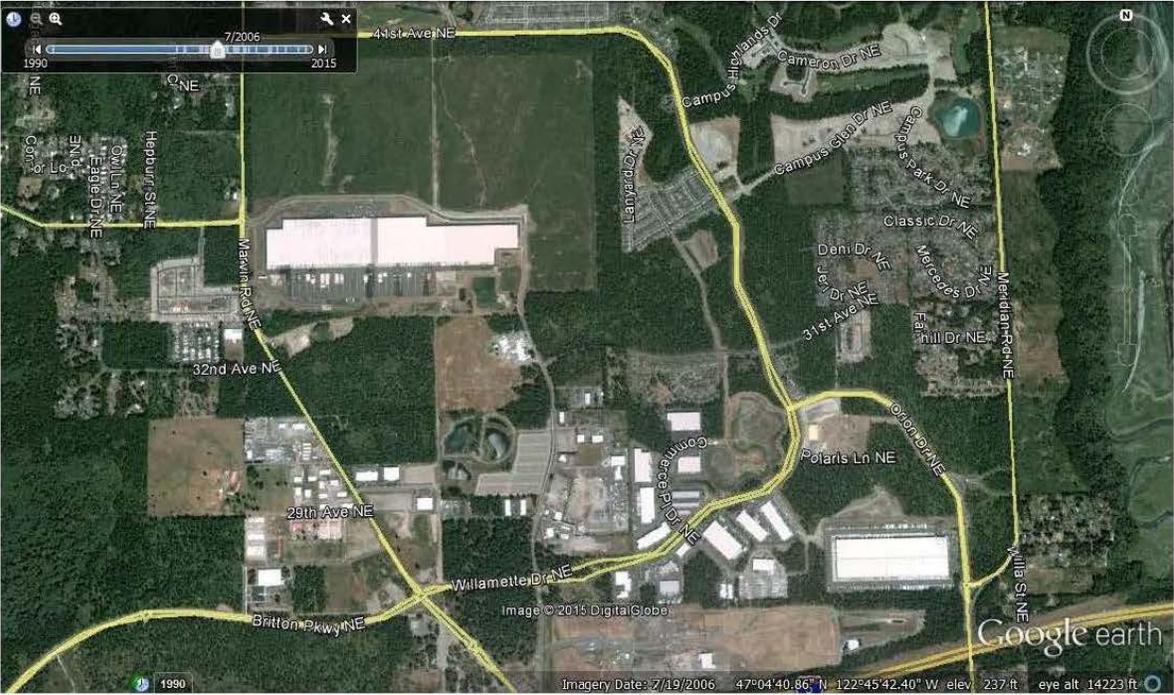
## 2015 Job Density Meridian Campus Light Industrial Zone Area vs.

### High Cube Warehouses Built between 2010 and 2015

	Number of Employees	Site Size Acres	Employees per Acre	Approx. Bldg. Size
<b>HARBOR WHOLESale</b>	228	11.5	19.9	200,000
<b>TRADER JOES</b>	400	28.6	14.0	500,000
	<b>628</b>	<b>40.1</b>	<b>15.7</b>	<b>700,000</b>
			Avg. Employees per Acre	
<b>Buildings Built in Meridian Campus between 2007 &amp; 2010</b>	238	36.4	6.5	780,056
<b>Buildings Built in Meridian Campus through 2006</b>	653	70.2	9.3	668,000
	<b>891</b>	<b>106.6</b>	<b>8.4</b>	<b>1,448,056</b>
			Avg. Employees per Acre	
Home Depot	175	43.7	4.0	750,000
Target	400	125.0	3.2	1,900,000
	<b>575</b>	<b>168.7</b>	<b>3.4</b>	<b>2,650,000</b>
			Avg. Employees per Acre	



# Light Industrial Zone 7-2006



# Meridian Campus 7 - 2006

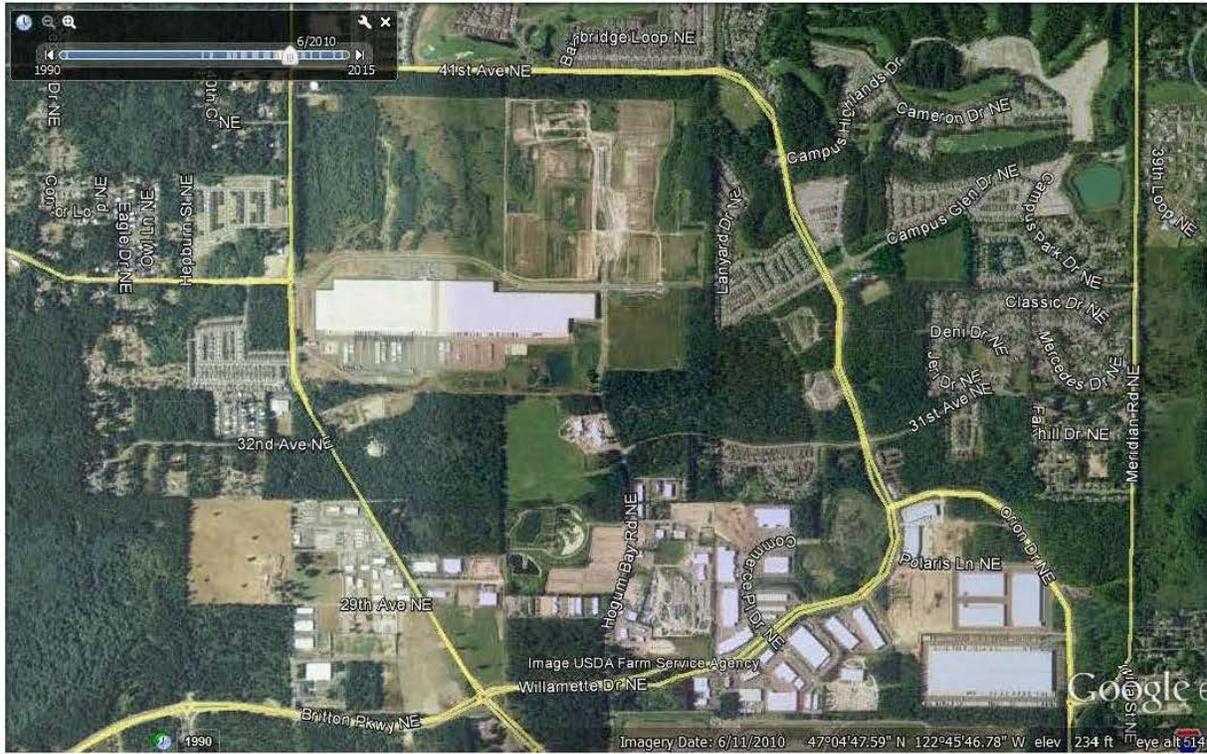


## 2015 Job Density Meridian Campus Light Industrial Zone Area Buildings Built Through 2006

	Meridian Campus Buildings Tenants	Number of Employees	Site Size Acres	Number of Employees	Site Size Acres	Employees per Acre	Building Size
1	Pipe Fitter Union Training Facility	12	4.35	12	4.35	2.76	43,057
2	Morgan Transfer	30		30			
	A&E Relocation	50		50			
	Golden Services	10		10			
	SUBTOTAL	90	4.03		4.03	22.33	42,600
3	I-5 Design & Manufacture	40	2.00	40	2.00	20.00	
4	Mutal Materials	20	20.07	20	20.07	1.00	38,500
5	Small Office Building		0.99				
6	Sierra Pacific Window	18		18			
	Right! Systems (primarily an office bldg.)	45		45			
	SUBTOTAL	63	1.91		1.91	32.98	20,793
7	Hummingbird Scientific	20	2.10	20	2.10	9.52	16,200
8	Sealy Mattress	150	8.78	150	8.78	17.08	132,872
9	EcoNet (Univera)	21		21			
	Undisclosed I-502 Producer?	12		12			
	AllWest Transportation	27		27			
	Access Info Mngt.	4		4			
	SUBTOTAL	64	5.10		5.10	12.55	141,710
10	Direct TV	18		18			
	Vacant	0		0			
	Vacant	0		0			
	Western Hydro Corp.	6		6			
	Espresso Products	6		6			
	SUBTOTAL	30	1.91		1.91	15.71	63,920
11	Dish Network	12		12			
	R-T London Norse	35		35			
	SUBTOTAL	47	5.800		5.80	8.10	81,960
12	Auto Additions	1		1			
	Stottle Winery	2		2			
	Salish Sea distillery	2		2			
	Prince Telecom	4		4			
	Northwest Landscape Services	6		6			
	Full Steam Staffing	4		4			
	Sign-a-rama	4		4			
	Auto Tint Northwest	4		4			
	West Coast Plumbing, Pump and Filtration	5		5			
	Alliance Enterprises Inc	29		29			
	SUBTOTAL	61	4.90		4.90	12.45	56,504
13	J B Trucking	9		9			
	International Paper / File Storage	2		2			
	SUBTOTAL	11	4.79		4.79	2.30	82,740
14	Ship Wreck Beads	45	4.49	45	4.49	10.02	59,200
15	Xerox ACS	400					
	Washington Insulation / MASCO	9					
	SUBTOTAL	409	11.98				
	See map for building location			653	70.23	9.3	780,056
						Avg. per Acre	

Note: The Small Office Building (5) and the Xerox call center (15) are office buildings and therefore not included in the jobs per acre calculation for Light Industrial Buildings.

# Light Industrial Zone 2007 - 2010



# Meridian Campus 2007 - 2010



## 2015 Job Density Meridian Campus Light Industrial Zone Area Buildings Built Between 2007 & 2010

Map Location	Meridian Campus Buildings Tenants	Number of Employees	Site Size Acres	Number of Employees	Site Size Acres	Employees per Acre	Approx. Bldg. Size
<b>A</b>	Earth Friendly Products	50	3.9	50	3.9	12.82	85,000
<b>B</b>	Direct Buy	30	2.37	30	2.37	12.66	36,000
<b>C</b>	Exeltech (10,000 sf Office Building)	38	0.96				
<b>D</b>	Providence Health & Services (160,000 sf) Vacant (40,000 sf)	100		100			
		100	10.43		10.43	9.59	200,000
<b>E</b>	Vacant	0	6.9	0	6.9	0.00	130,000
<b>F</b>	Crown Cork & Seal (60,000 sf) Vacant (70,000 sf)	5		5			
		5	6.9	5	6.9	0.72	130,000
<b>G</b>	Macy's West	6		6			
	Nistevo LLC	9		9			
	ACI	8		8			
	Pacific Green Room	4		4			
	Midwest equip sales	3		3			
	Funeral Alternatives	16		16			
	Sealy Mattress Storage	2		2			
	SUBTOTAL	48	5.88		5.88	8.17	87,000
	See map for building location			238	36.38	6.54	668,000
						Avg. per Acre	

**Note:** Building (C) was excluded as it is an office building.  
Also note that Buildings D, E & F have large vacancies which are common in the smaller multi-tenanted buildings as the companies are smaller and are more affected by the economy and market conditions. These three buildings built under the cap have had difficulties staying leased and have had to lease to tenants that were using them for car storage for the military with about 5 jobs per building or have been vacant for periods of time.

Unfortunately, since Harbor Wholesale and Trader Joe's have located here the city has not been able to compete for several distribution and manufacturing prospects that require sites that can accommodate buildings larger than 500,000 square feet or companies that will initially be within the cap, but want the ability to grow their facilities to a size larger than 500,000 square feet. Companies that have located elsewhere and companies that are in the market but could not locate in Lacey due to the building size cap are as follows:

**REPRESENTATIVE LIST OF LARGE BUILDING USERS  
LOCATED IN THE SOUTH PUGET SOUND AREA  
AFTER 2005**

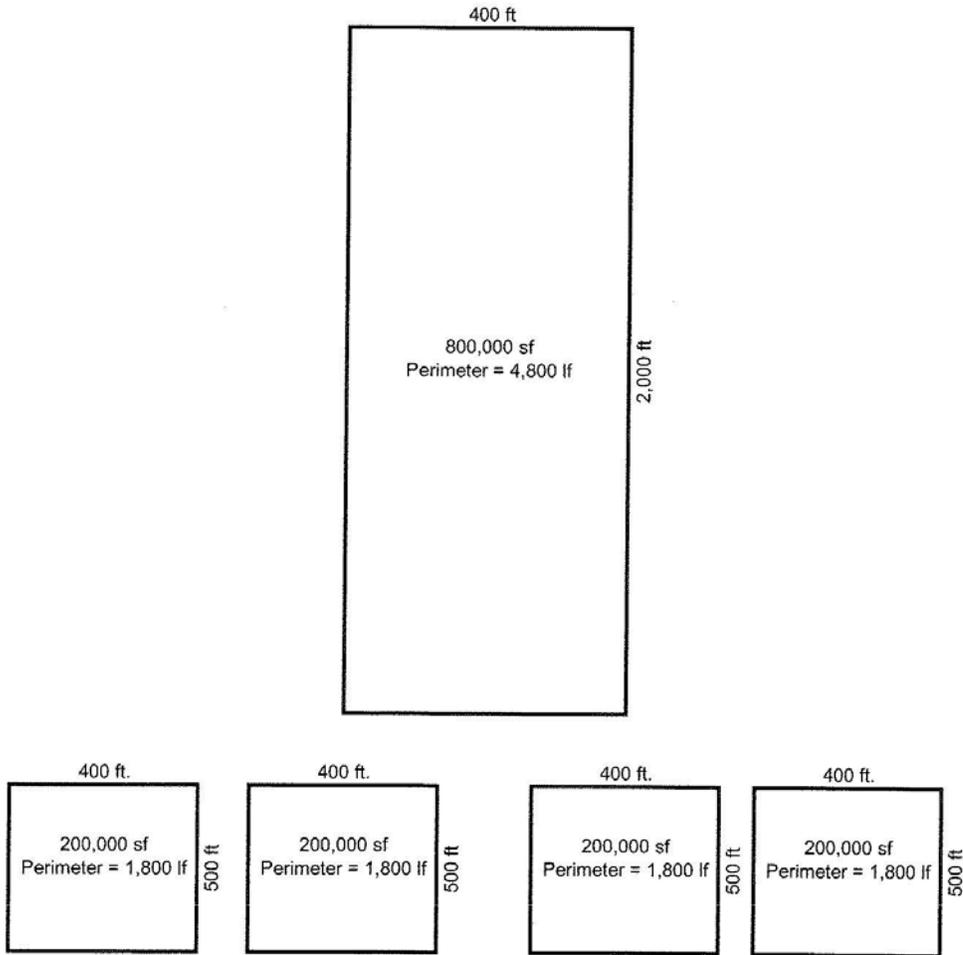
<b>Users</b>	<b>Approximate Total Area (SF)</b>	<b>Final Location</b>	<b>Reported # of Jobs</b>
Kimberly-Clark Worldwide	520,000 sf expandable to 650,000 sf	<b>Kent</b>	n/a
Macy's	530,000 sf	<b>Tukwila</b>	n/a
James Hardie Building Products	600,000 sf w/ possible expansion	<b>Frederickson</b>	200
Amazon.com	1.1 million sf (plus mezz.)	<b>Kent</b>	~500+
PepsiCo / Quaker	520,000 sf expandable to 650,000 sf	<b>Tacoma</b>	n/a
Pacific Distribution	590,000 sf	<b>Sumner</b>	n/a
Amazon.com	1.5 million sf (incl mezz.)	<b>DuPont</b>	500
UPS Supply Chain Solutions	616,827	<b>Auburn</b>	n/a
Regal Logistics	~1 million sf	<b>Fife</b>	n/a
Whirlpool	900,000 sf	<b>Frederickson</b>	150
DHL / Exel Logistics (Starbucks Acct.)	500,000 sf expandable to 750,000 sf	<b>Auburn</b>	n/a
MEGA Brands	850,000 sf	<b>Fife</b>	200
Ikea	650,000 sf expandable to 1 million sf	<b>Frederickson</b>	125
Michael's Arts & Crafts	715,000 sf expandable to 1 million sf	<b>Centralia</b>	225

**REPRESENTATIVE LIST OF LARGE USERS THAT  
HAVE BEEN INTERESTED IN LARGE BUILDINGS  
LOCATED IN THE SOUTH PUGET SOUND AREA**

<b>Company</b>	<b>Approximate Total Area (SF)</b>
Medline Industries	500,000 sf expandable to 700,000 sf
Walmart	800,000 to 1,200,000 sf
Proctor & Gamble	600,000 sf w/ possible expansion
Uline Packaging	500,000 sf expandable to 700,000 sf
Unified Grocers	600-800,000 sf
Cabela's	500-650,000 sf
Dart Container / Solo Cup	500,000 sf
Conagra / Ralcorp	400,000 sf expandable to 600,000 sf
Ashley Furniture	400-600,000 sf

Larger buildings have proven to be more energy efficient and generate less truck traffic. Moreover, the truck traffic quite often occurs in off-peak hours thus reducing peak traffic period congestion. The operations of Harbor Wholesale Grocery and Trader Joe's facilities have proven to be compatible with the surrounding residential neighborhoods.

### Building Perimeters



**Total Perimeter 4 x 200,000 bldg. = 7,200 lf which is 150% of a 800,000 sf single bldg.**

Large buildings consume less materials to build, have less perimeter wall to lose or absorbed heat. Large buildings are thus more energy efficient during operations and use less energy for the initial construction.

## High-Cube Warehouses Generate Less Truck Trips Than Regular Warehouses

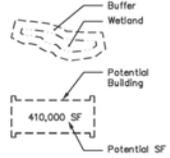
ITE Land Use Code:		110	120	130		140	150	152		
Land Use Name:		(General Light Industrial)	(General Heavy Industrial)	(Industrial Park)	Average Light Industrial and Industrial/Park Areas	(Manufacturing)	(Warehousing)	(High-Cube Warehouse)	Average High-Cube and Warehousing	3-way average: High-Cube, Warehouse, Light Ind/Ind Park
Per:		(1000 Sq. Feet Gross Floor Area) (Weekday, PM Peak of Adj. Street, 1 hr. 4-6 PM)	(1000 Sq. Feet Gross Floor Area) (Weekday, PM Peak of Adj. Street)	(1000 Sq. Feet Gross Floor Area) (Weekday, PM Peak of Adj. Street, 1 hr. 4-6 PM)		(1000 Sq. Feet Gross Floor Area) (Weekday, PM Peak of Adj. Street, 1 hr. 4-6 PM)	(1000 Sq. Feet Gross Floor Area) (Weekday, PM Peak of Adj. Street, 1 hr. 4-6 PM)	(1000 Sq. Feet Gross Floor Area) (Weekday, PM Peak of Adj. Street, 1 hr. 4-6 PM)		
During:										
Project Gross Square Feet:		5,158,000	5,158,000	5,158,000	5,158,000	5,158,000	5,158,000	5,158,000	5,158,000	5,158,000
Internal Capture Rate		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Passby Rate		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
PM Peak Trip Rate:		0.98	0.19	0.86	0.92	0.74	0.47	0.12	0.30	0.50
PM Trips Generated		5055	980	4436	4745	3817	2424	619	1522	2596
PM Peak - New Trips		5055	980	4436	4745	3817	2424	619	1522	2596
Daily Trip Rate per tsf:		6.97	1.50	6.96	6.97	3.82	4.96	1.27	3.12	4.40
Daily - All Vehicles		35,951	7,737	35,900	35,925	19,704	25,584	6,551	16,067	22,687
All Trucks, % of daily		8.00%	18.24%	8.00%	8.00%	13.09%	31.62%	35.00%	33.31%	24.87%
Daily - All Trucks		2,876	1,411	2,872	2,874	2,579	8,090	2,293	5,352	5,643
Daily Articulated Trucks, % of daily		3.60%	12.38%	3.33%	3.47%	5.24%	17.95%	25.54%	21.74%	15.65%
Daily - Semi Trucks		1,294	958	1,197	1,245	1,032	4,591	1,673	3,494	2,744

This trip generation table shows that High Cube Warehouse generates less daily truck trips and less PM peak hour truck trips than regular warehouses and manufacturing facilities, as shown on the above comparison table produced by City of Lacey using the Institute of Transportation Engineers trip generation tables.

# Potential Building Sizes of the Remaining Undeveloped Land in the Lacey Light Industrial Zone



ZONING IS IN THE PROCESS OF BEING CHANGED TO LIGHT INDUSTRIAL AND BUILDINGS SHOWN ARE FOR A LIGHT INDUSTRIAL USE.



- NOTES-
1. Wetland information from Thurston County GeoData
  2. Potential buildings 200,000 SF and smaller are part of existing Blending Site Plans or Site Plan Reviews

- LI LIGHT INDUSTRIAL
- OS\* OPEN SPACE INSTITUTIONAL
- OS-S\* OPEN SPACE INSTITUTIONAL-SCHOOL

TEUTSCH PARTNERS  
Real Estate Services

TAHOMA DESIGN GROUP

**Summary**

This zoning text amendment changes the Light Industrial allowable building size back to the permitted size of industrial / distribution buildings in the Hawks Prairie Light Industrial Zone in 2005. This will enable Lacey to compete with all of the other south sound communities in attracting both regional and national companies that require buildings in excess of 500,000 square feet at their initial build out or require the ability to grow beyond a 500,000 square foot size. This change will bring jobs and increase the local tax base. Surrounding property owners will not experience or see any change in the uses on the property from what is permitted in the comprehensive plan proposed for the Light Industrial Designation.