

ORDINANCE NO. 1588

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY RELATED TO HAWKS PRAIRIE BUSINESS DISTRICT ZONING, AMENDING SECTIONS 16.37.020 AND 16.37.070 OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, the City of Lacey Community and Economic Development Department received a private applicant-initiated zoning text amendment request pertaining to the Hawks Prairie Business District; and

WHEREAS, the request is to 1) amend Chapter 16.37 of the Lacey Municipal Code to allow medical and dental offices and clinics within a multi-tenant building in the Commercial sub-district, 2) allow residential uses with design standards in the Hawks Prairie Business District-Commercial sub-district, and 3) remove density limits per parcel on residential uses within the Hawks Prairie Business District-Commercial zone and Business-Commercial zone on parcels smaller than twenty (20) acres in size; and

WHEREAS, the Planning Commission reviewed the requested amendments and conducted a public hearing on April 20, 2021; and

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

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

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

Section 1. Section 16.37.020 of the Lacey Municipal Code is hereby amended as follows:

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)

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

Medical and dental offices and clinics (within multi-tenant buildings)

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(I).

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

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

H.J. Urban agricultural uses as provided for and limited under Chapter 16.21 LMC.

Section 2. Section 16.37.070 of the Lacey Municipal Code is hereby amended as follows:

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.

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 sixty percent of the facade surface area.

2. Showroom building width shall be a minimum of forty percent 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. Fifteen feet of Type II landscaping is required on any right-of-way frontages not containing a showroom or other building.

6. 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.

7. Any existing buildings modified for the purposes of auto sales shall meet the requirements of this chapter.

L. Standards for Residential.

1. Residential units shall be located in mixed use buildings that have the first floor dedicated to offices or other nonresidential uses. An exception may be granted by the community and economic 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 one thousand 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 fifty percent of the total units shall be used for townhomes or row homes.

2. Maximum residential density shall be calculated at twenty units per acre. No more than ten percent of a parcel shall be used to calculate the number of units permitted on that parcel. However, this ten percent limitation shall not apply to parcels that measured less than 20 acres as of June 1, 2021.

M. Design Review. All development in the Hawks Prairie Business District shall be consistent with the appropriate provisions of Chapter 14.23 LMC.

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

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

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

Section 5. The Summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,
WASHINGTON, at a regularly-called meeting thereof, held this 20th day of May,
2021.

CITY COUNCIL

By: Andy D. Ryd
Mayor

Approved as to form:


City Attorney

Attest:

Puri Edmonds
City Clerk

SUMMARY FOR PUBLICATION

ORDINANCE NO 1588

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on May 20, 2021, "AN ORDINANCE OF THE CITY OF LACEY RELATED TO HAWKS PRAIRIE BUSINESS DISTRICT ZONING, AMENDING SECTIONS 16.37.020 AND 16.37.070 OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION."

The main points of the Ordinance are described as follows:

1. The Ordinance amends section 16.37.020 of the Lacey Municipal Code related to permitting residential and small-scale medical/dental uses in the HPBD-C subdistrict.
2. The Ordinance amends section 16.37.070 of the Lacey Municipal Code related to maximum residential density for parcels less than 20 acres.
3. The Ordinance approves this Summary for Publication.

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

Published: May 24, 2021