

Chapter 16.36 **DRAFT** NEIGHBORHOOD COMMERCIAL DISTRICT

16.36.010 Permitted uses.

- A. The following uses are permitted in the Neighborhood Commercial zone provided the use meets the requirements of this chapter and the design review standards of Chapter [14.23](#) LMC.
- a. Neighborhood commercial zones within the designated McAllister Springs Geologically Sensitive Area shall be limited to those uses the Thurston [County](#) Health Department determines are appropriate to the sensitive area.

Residential Uses above ground floor commercial (consistent with 14.23.080)
Ground Floor Multifamily Residential Uses (consistent with 14.23.080) are permitted within Neighborhood Commercial Districts with a minimum of 15,000 square feet of commercial space. <ul style="list-style-type: none"> • Ground floor residential units are required to meet affordable housing definitions as identified within RCW 36.70A.030(5) <ul style="list-style-type: none"> ○ Units must be maintained as affordable for at least 50 years and record a covenant or deed restriction that ensures continued affordability. • Residential uses are not exempt from 14.23.086 when located within Neighborhood Commercial Districts.
Live/Work, Home Occupations (The “work” component in live/work is limited to those uses permitted within this district). Live/work units may account for up to 5,000 square feet of the commercial minimums necessary for ground floor multifamily residential uses.
Medical and Health Services
Community and Civic Facilities
Commercial Uses, Professional Services, Offices
Brewpub and Public House (consistent with RCW 66.24.580)
Drive-through as an accessory use to a Pharmacy, Bakery, Café, or Coffee Shop with indoor seating (not permitted between the street and building, or in locations where vehicles would impede pedestrian access to storefront). These uses are exempt from 14.23.082(I)(4) .
Eating and drinking establishment (non-drive-through)
Grocery stores and Supermarkets
Retail (Retail uses are required to primarily conduct in-person, direct customer sales along the designated pedestrian street storefront)
Services (all activities must occur within buildings)
Rooftop Community Solar (as accessory to permitted use)
Gasoline fueling stations as an accessory use to a full-service grocery store or not less than 1.5 linear miles from another station. Stations are limited to a maximum of 4 fueling station pump islands serving no more than 8 vehicles at any one time. Stacking lanes and parking areas will be located to the side or rear of the building.
Gasoline fueling stations existing or vested on the effective date of the ordinance codified in this section.

- B. Uses similar to those listed above may be approved by the site plan review committee upon finding the use is consistent with the remaining sections of this chapter and the design standards of [14.23.080](#), [14.23.082](#), [14.23.084](#), and [14.23.086](#).

16.36.015 Prohibited uses.

Uses other than those identified or described in LMC [16.36.020](#) are prohibited.

Stacking lanes and truck loading zones adjacent to residential uses
Outdoor storage or repair
Warehousing and ministorage

16.36.020 Environmental performance standards.

- A. Compliance. It shall be the responsibility of the operator and/or the proprietor of any permitted use to provide such reasonable evidence and technical data as the [enforcing officer](#) may require to demonstrate that the use or activity is or will be in compliance with the environmental performance standards of Chapter [16.57](#) LMC.
- a. Failure of the [enforcing officer](#) to require such information shall not be construed as relieving the operator and/or the proprietor from compliance with the environmental performance standards of this title.
- B. General Character. Developments in this district shall be characterized by small [buildings](#) that add [visual interest and human scale](#) through façade articulation, varied building materials, landscaping, covered walkways, art, and decorative elements. Additional defining characteristics include low traffic generation, considerable walk-in trade, moderate lighting, and quiet operations.
- a. Operating hours for businesses shall be limited to the hours between 6:00 a.m. and 11:00 p.m. The site plan review committee has the ability to establish an expanded or reduced range of hours of operation for any activity based on potential impacts to the surrounding neighborhood.
- C. Location. Neighborhood commercial districts shall generally not be located within less than a one-half mile radius from commercial districts providing similar services or facilities.

16.36.030 Site area.

The size and shape of sites shall be as follows:

- A. Minimum [lot](#) size for the development of a site in this classification shall be ten thousand square feet.
- B. Maximum size for a site containing one or more of the permitted uses shall be ten acres.
- C. The shape of [parcels](#) shall be appropriate to the function of the zone within the surrounding neighborhood.

16.36.040 Building scale.

The size of [buildings](#) shall be as follows:

- A. Maximum [gross floor area](#) of [building](#) for single commercial use, six thousand square feet;
 - a. Full-service grocery stores have a maximum [building coverage](#) of 30 thousand square feet provided they remain consistent with all other elements of this chapter.
 - b. Preschools have a maximum [gross floor area](#) of 10 thousand square feet provided they remain consistent with all other elements of this chapter.
- B. Maximum [gross floor area](#) of [buildings](#) for multi-commercial, seventeen thousand square feet; maximum individual [building coverage](#) of 8,500 square feet.
- C. Maximum [gross floor area](#) of [buildings](#) for multifamily uses, twenty five thousand square feet; maximum individual [building coverage](#) of 8,500 square feet.
- D. Maximum [gross floor area](#) of [buildings](#) for mixed-uses (commercial and residential), forty thousand square feet; maximum individual [building coverage](#) of 10,000 square feet.
- E. Maximum total [building coverage](#), fifty percent;
 - a. Fifteen percent bonus. Projects providing a shared [pedestrian-oriented plaza](#) of at least one hundred fifty square feet along a pedestrian walkway, at an intersection, corner, bus stop, or other key pedestrian area approved by the [site plan review committee](#).
 - i. Such areas shall contain seating for at least six people, a trash and recycling receptacle, drinking fountain, bike rack, pedestrian scale lights, pavers or textured walkways, trees, and landscaping.
 - b. Maximum total building coverage may be increased by up to twenty-five percent proportional to the amount of required parking located on-street, within the building, or below grade at a ratio of 2:1 consistent with the following table:

Street/Below Grade Parking as Percentage of Required Parking:	Building Coverage Bonus:
10%	5%
20%	10%
30%	15%
40%	20%
50%	25%

- F. Maximum [development coverage](#): Maximum coverage by impervious surfaces eighty percent, unless increased to a maximum of ninety percent consistent with the elements of 16.36.040(E)

- a. Note: Bonuses are to be added to the base allowable building coverage. The provisions of the Drainage Design and Erosion Control Manual, landscaping requirements and design review requirements may place further limitations on these allowances reducing the maximum development coverage possible on an individual site.
- G. Maximum [building height](#), three stories up to a maximum of forty feet;
 - a. Heights may be increased to a maximum of 55 feet provided the total number of floors is limited to four stories and the top two floors are reserved for residential uses. Below grade parking facilities are excluded from this calculation.
 - b. Elevations above thirty-five feet will be stepped back at a ratio of 1.5 feet of stepback for every 1 foot of elevation when located along a property line shared with a low-density residential use.
 - c. A fifteen-foot buffer of [Type 1](#) landscaping is required between the building wall and any abutting single-family residential property line and shall include a six-foot sight obscuring wall or fence.
 - d. All rooftop patios and gathering spaces, utility boxes, antennas, and other rooftop fixtures shall be located away from the roofline in a way that reduces their visual impacts on adjacent residential uses.
 - e. Upper-story balconies facing existing single-family residential uses on buildings exceeding thirty-five feet shall be constructed with opaque sides a minimum of forty-two inches high.
- H. Setbacks:
 - a. Front, maximum ten feet;
 - i. Setbacks may be increased to a maximum of 15 feet to accommodate outdoor seating adjacent to eating establishments, pedestrian oriented plaza 16.36.040E(a), or for ground floor residential uses.
 - b. Rear, minimum fifteen feet;
 - c. Side, minimum ten feet.
 - i. Unless located on a corner lot with frontage on both adjoining streets in which case, front yard setbacks and design standards shall apply.

16.36.050 Public right-of-way Frontage

- A. Relationship to Public Right-of-way. Land classified in this district shall be located on an arterial or collector, preferably on a collector cross street.
- B. [Weather Protection](#): Located along commercial frontage and residential entrances.
 - a. Protected area: 5 feet min. depth dimension.
 - b. Awnings on a given block shall be the same or similar height.
 - c. Canopies, awnings, marquees and [arcades](#) may project into the public right-of-way with approval of the [site plan review committee](#).

- C. Commercial Windows: Transparent ground floor windows must be provided between two feet and seven feet above the sidewalk along a minimum of 60% of the ground floor, total street-facing facade area.
 - a. Required window areas shall allow views between the building and the street.
 - b. Reflective, dark, highly tinted or textured glass (below 70% Visible Light Transmission) is not permitted.
 - c. The site plan review committee has the ability to establish different window coverage requirements for full-service grocery stores.
- D. Primary Commercial Entry Doors: Shall face street. At least one building entrance shall be directly connected to the primary or secondary street with sidewalks and walkways measuring a minimum of 6 feet wide.
- E. Minimize the number of vehicular access points by sharing driveways and linking parking lots between adjacent uses.
- F. Coordinate circulation drives and staging areas to accommodate routes needed by fire, refuse collection, delivery vehicles, moving vans, etc.
- G. Consideration shall be given to load/unload parking zones near the entry of the building. These spaces shall be located in such a manner as to minimize interferences with the entryway.
- H. Ingress and Egress. Access to a site which is a [corner lot](#) shall be limited to one driveway on each of the intersecting streets. Access to a site which is an [interior lot](#) shall be limited to one driveway unless the site plan review committee approves two driveways.

16.36.060 Parking.

- A. The number of [parking spaces](#) required shall be in accordance with Chapter [16.72](#) LMC and Table [16T-13](#) (Neighborhood commercial shopping area).
- B. Parking allocations for affordable residential units shall be consistent with [RCW 36.70A.040](#) - Minimum residential parking requirements.
- C. On-street parking can be provided to serve customers of commercial uses to help satisfy parking requirements provided street widths provide adequate room pursuant to city standards for on street parking.
 - a. In all instances of on street parking, curb extensions/bulb outs shall be used to improve sightlines and reduce crossing distances for pedestrians.
- D. [Parking spaces](#) may be used for loading zones in this district, provided loading operations shall not obstruct driveways, sightlines, or direct pedestrian access to storefronts.
- E. [Off-street parking](#) shall be provided to the rear or side of the [structure](#). No parking shall be permitted between the [building](#) and the right-of-way.
- F. All required bicycle parking shall be covered or sited in a way that provides weather protection.

16.36.070 Landscaping.

- A. Requirements of Chapters [14.32](#) and [16.80](#) LMC shall be satisfied.
- B. Create [common open spaces](#) that are inviting to district patrons, residents, and the neighborhood in which it is located.
- C. A plan of all proposed landscaping shall be submitted along with the site plan for review by the site plan review committee.

16.36.080 Architectural compatibility and site design.

- A. All requirements of Chapter [14.23](#) LMC for mixed use zones shall be satisfied. Specific attention will be given to how proposed uses align with the design standards of [14.23.080](#), [14.23.082](#), [14.23.084](#), and [14.23.086](#). In the event of a conflict between this chapter and any other provision of any Lacey Municipal Code, the most restrictive section consistent with Section 16.36.020(B) of this chapter shall guide site plan review.
- B. Corner Buildings. Buildings located at street corners are encouraged to utilize prominent building elements to emphasize these highly visible locations. This could include a corner facing building entry, public spaces, changes in building materials, atrium, or special roofline features with approval of the [site plan review committee](#).
- C. Site Continuity. When ground floor residential uses are included within a district, visual and physical continuity will be maintained. Residential and commercial uses will be integrated within a district without hard separations of use, physical barriers, or fencing intended to isolate or segment uses from the rest of the district.
- D. Where applicable, ground floor residential uses will be located away from primary district corners and as a buffer between adjacent residential properties and commercial uses located within the district.
- E. Development proposals contiguous to undeveloped parcels shall show conceptually how the adjacent property may be developed in relationship to the lot or parcel proposed for development. The plan should generally indicate how open space, parking, driveways, walkways, etc., will relate or connect to adjacent parcels.
- F. Light fixtures attached to the exterior of a building shall be architecturally compatible with the style, materials, colors, and details of the building and shall comply with local building codes. The type of light source used on the exterior of buildings, signs, pedestrian walkways, and other areas of a site, shall provide adequate light quality, while minimizing adverse impacts, such as glare and overhead sky glow, on adjacent properties and the public right-of-way. The [site plan review committee](#) may place additional requirements on outdoor lighting consistent with 16.36.020.B(a).
 - a. Light fixtures shall be of a pedestrian scale, provided lights within the interior of a parking lot may be at a greater height for security purposes. Facades shall be lit from the exterior, and, as a general rule, lights should be non-glaring, and concealed through shielding, diffusion, or recessed behind architectural features.

16.36.090 Stormwater runoff.

[Stormwater management](#) is required and shall comply with the current [City](#) of Lacey Stormwater Design Manual and shall be subject to the [city](#)'s review and approval, and shall, moreover, comply with Chapter [15.22](#) LMC pertaining to community facilities.

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