

CITY OF LACEY

AN ORDINANCE RELATING TO THE DIVISION OF LAND, REPEALING THE CITY'S CURRENT SUBDIVISION ORDINANCE CODIFIED IN TITLE 15 OF THE LACEY MUNICIPAL CODE AND ADOPTING NEW REGULATIONS AND PROVISIONS AS A NEW TITLE 15 TO SAID CODE AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, the City Council and the City Planning Commission, after public hearing and public meetings and in accordance with the requirements of RCW 36.70A.130 of the State Growth Management Act, have reviewed the provisions of the City's subdivision ordinances and have determined that the regulations and procedures set forth in those ordinances are in need of modification, and

WHEREAS, as part of such review, new regulations and procedures have been developed, studied and determined to be in compliance with both the City of Lacey and Thurston County Land Use Plan for the Lacey Urban Growth Area, the Housing Element for the City of Lacey and Lacey Urban Growth Area and all other requirements of the City,

NOW, THEREFORE,

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

Section 1. Title 15 of the Lacey Municipal Code is hereby repealed and replaced by the chapters contained in this ordinance, all as part of a new Title 15 to said Code.

Section 2. As part of such Title 15, there is hereby added a new chapter, 15.01 entitled General Provisions, to read as follows:

15.01.010 Title. This title shall be known as the city of Lacey Land Division Ordinance.

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

legal description; and to adequately provide for land use, housing and commercial needs of the citizens of Lacey.

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

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

- A. Cemeteries and other burial plots while used for that purpose;
- B. Divisions of land into lots or tracts each of which is 5 acres or larger provided each lot created has legal access, and connectivity is provided to adjacent land pursuant to road grid requirements, or provision has otherwise been satisfied for future development and surrounding connectivity;
- C. Divisions made by testamentary provisions or the laws of descent. In order to be buildable, lots formed in this fashion must meet the requirements of all other ordinances including access, lot size, etc. in effect at the time of probate;
- D. A division for the purpose of lease when the land is to be developed as a manufactured or mobile home park or a recreational vehicle park and a site plan has been approved pursuant to Chapter 16.84;
- E. Contiguous lots: The transfer of ownership of contiguous platted or unplatted lots if:
 1. The lots were created after June 9, 1937, or
 2. The lots transferred and remaining lots are developed, provided that transfers pursuant to this subsection shall not be effective until the proponent is issued a certificate of compliance from the community development department. A certificate shall be issued when the owner or applicant shows that the lot conforms to the criteria of this subsection;
- F. Condominiums: A division made pursuant to RCW Chapter 64.32 the Horizontal Property Regimes Act, or RCW 64.34, Condominium Act provided a site plan has been approved pursuant to Chapter 16.84 of this code and the stated provisions of RCW 58.17.040 have been approved by the City;
- G. Industrial and commercial site plans: Divisions of land into lots or tracts classified for industrial or commercial use, provided the city has approved a binding site plan for such division pursuant to Chapter 15.06 of this title;
- H. Boundary line adjustments: An adjustment of boundary line(s) which does not create any additional lot, tract, parcel, site or division, nor create any lot, tract, parcel, site or division which

contains insufficient area and dimension to meet minimum requirements for width and area for a building site, and is approved pursuant to section 15.04 of this title.

- I. A division for the purpose of leasing land for facilities providing personal wireless services pursuant to RCW 58.17.040 (8).
- J. A division of land for the purpose of providing sites for public and private utility facilities. "Facilities" means unstaffed facilities used for the conveyance of the utility limited to well houses, pump houses, substations, lift stations and similar utility facilities. Provided, any remaining lot or lots are consistent with applicable zoning and land use plans. Provided further, the division shall be surveyed and recorded and a record of survey filed in accordance with RCW 58.09.
- K. Divisions of land due to condemnation or sale under threat thereof, by any agency or division of government vested with the power of condemnation.

15.01.050 Regulations mandatory. Any map, plat, replat or plan hereafter made of a proposed division of land pursuant to this title or any part thereof shall be presented for approval and be recorded as prescribed by this title. No such map, plat, replat or plan shall be recorded or have any validity unless or until it is approved as may be required by this title. No person shall sell, lease, transfer or offer to sell, lease or transfer any lot, tract or parcel subject to the requirement of this title without first receiving approval hereunder and filing a map of the approved division with the auditor, provided, that if performance of an offer or agreement to sell, lease, or otherwise transfer a lot, tract, or parcel of land is expressly conditioned on the recording of the plat containing the lot, tract, or parcel, the offer or agreement is not subject to RCW 58.17.200 or 58.17.300 and does not violate any provision of this title. All payments on account of an offer or agreement conditioned as provided in this section shall be deposited in an escrow or other regulated trust account and no disbursement to sellers shall be permitted until the plat is recorded.

15.01.055 Conformance with other regulations.

- A. No subdivision, short subdivision, or binding site plan shall be approved unless it is found to be in conformance with all adopted and applicable city ordinances, plans and policies. The City of Lacey Comprehensive Land Use Plan shall guide the use of all land within the city's urban growth area boundary. The type and intensity of land use as shown in the Comprehensive Land Use Plan shall be used as a guide to determine the character of land division, which includes but is not limited to lot size and arrangement, type and extent of streets and roads, dedications, improvements, services, and other utilities and public facilities.
- B. All records and surveys in connection with any plat, short plat or binding site plan shall be in conformance with chapter 58.09 RCW.

15.01.060 Concurrency for public facilities, utilities and roads. Those public facilities and utilities required to be provided as a condition of approval shall be fully operational or shall have bonding or other financial security provided for concurrently with the use and occupancy of the development, pursuant to concurrency policies of the city.

15.01.065 Subdivisions adjacent to resource lands. Subdivisions within five hundred (500) feet of designated resource lands shall contain a notice that a variety of commercial or operational activities may occur that are not compatible with residential development for certain periods of limited duration.

15.01.070 Administration. The Lacey community development department, is vested with the duty of administering this title, and may prepare and require the use of such forms as are essential to the administration of this title.

Section 3. As part of such Title 15, there is hereby added a new chapter, 15.02 entitled Definitions, to read as follows:

15.02.010 Construction. For the purpose of this title certain words and terms are defined in this chapter. When not inconsistent with the context, words used in the present tense shall include the future; the singular term shall include the plural and the plural the singular; the word "shall" is always mandatory and the word "may" denotes a use of discretion.

15.02.020 Definitions.

- A. "Access panhandle" means a strip of land having a width narrower than that of the lot, tract or parcel to be served thereby and designed for the purpose of providing access to lot, tract or parcel being less in width than the minimum lot width allowed under the applicable zoning.
- B. "Alley" means a passage or way, meeting specifications of the development Guidelines and Public Works Standards as shown in figure 4-5.1 of that document.
- C. "Auditor" means the auditor of Thurston County, Washington.
- D. "Block" means a group of lots, tracts or parcels within well defined and fixed boundaries.
- E. "Buildable lot" means a lot meeting all of the requirements of size, shape, frontage, sanitation, etc., contained in this title and other ordinances of the city, for any specific type of development.
- F. "Building line" means a line on a plat indicating the limit beyond which any portion of a building, structure, septic tank, etc., may not be placed. This may be applied by the subdivider or required by the city when certain conditions exist which make special setbacks necessary.
- G. "Building site" means a parcel of land occupied or intended to be occupied by one main building and its accessory buildings, together with all of the required yards and open space and setbacks.
- H. "City" means the city of Lacey, Washington.
- I. City Officials. The word "council" means the Lacey city council. The word "planner" or "director" means the Lacey Community Development Department. The word "city engineer" means the engineer or director of public works of the city. "Health officer" means health officer of the Thurston County health department.
- J. "Comprehensive Land Use Plan" means a plan with a number of elements adopted by the city council under the State Growth Management Act (GMA) as a guide to the growth and improvement of the city, including modifications or refinements which may be made from time to time.
- K. "Concurrency" shall mean concurrent with development as defined in RCW 36.70A.070 (6).

- L. "County" means the county of Thurston, state of Washington.
- M. "Cul-de-sac" A local street open at one end only which should have a special turning area at the closed end. This turning area should be circular and have a radius appropriate to the types of vehicles expected.
- N. "Declaration of short subdivision" is a statement on the face of the short plat signed by all persons having any real interest in the land being subdivided and acknowledged before a notary that they signed the same as their free act and deed. The declaration shall as a minimum contain the elements of:
1. A legal description of the tract being divided;
 2. A survey map;
 3. Any restrictive covenants;
 4. A statement by the signatory that he is in fact the owner of the property being subdivided;
 5. An agreement by the signatory to indemnify the city for all costs or damages including attorney's fees incurred by or charged against the city as a result of the signatory not being the owner of the property being subdivided;
 6. A statement by the owner that the short subdivision is made with his free consent.
- O. "Dedication" means the deliberate appropriation of land by an owner for any general and public uses, reserving to the owner no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat or short plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat for filing by the appropriate governmental unit.
- P. "Easement" means a right granted by a property owner to specifically named parties or to the general public for the use of certain areas or strips of land for particular purposes. Where appropriate to the context, "easement" may also refer to the land covered by the grant. This may include pedestrian paths, bicycle paths, utility easements, drainage, open space, etc.
- Q. "Final approval" means the final official action taken by the city on the proposed division of land or dedication or portion thereof as previously received preliminary approval.
- R. "Flooding" means the inundation of an area of land that is not usually under water.
- S. "Lacey Coordinate System" means the ground scale coordinate system derived from the Washington Coordinate System NAD 83/91 south zone. Coordinate values for control points of the Lacey Coordinate System are available from the City of Lacey Public Works Department Engineering Division.
- T. "Land division" is a general term that refers to the division of land by means described in this chapter, including land divided through a plat, short plat or binding site plan.
- U. "Lot" means a fractional part of divided land having fixed boundaries, being of sufficient area and dimensions to meet minimum zoning requirements for width and area. The term shall include tracts or parcels. The term shall not include land divided for purposes of financing or taxation.

- V. "Owner" means the owner of record, as determined by the records of the auditor, provided that the owner under a real estate contract is the purchaser-vendee and the owner of mortgaged property is the mortgagor.
- W. "Person" means every natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other group or combination acting as a unit.
- X. "Plat" means a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions or dedications.
- Y. "Plat, final" or "final short plat" means the final drawing of the subdivision or short subdivision and the dedication prepared for filing for record with the auditor and containing all elements and requirements set forth in RCW Chapter 58.17 and in this title adopted pursuant thereto.
- Z. "Plat, Preliminary" means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks and other elements of a subdivision consistent with the requirements of this title.
- AA. "Plat, Preliminary short" means a neat and approximate drawing of a proposed short subdivision showing the general layout of streets and alleys, lots, blocks and other elements of a short subdivision consistent with the requirements of this title.
- BB. "Plat, Short" means the map or representation of a short subdivision containing all of the pertinent information as required by this title
- CC. "Preliminary approval" means the official action approving a proposed division of land when provision of improvements or fulfillment of conditions are to occur prior to final approval.
- DD. "Reserve strip" means a parcel of ground located usually at the edge of a subdivision or short subdivision for the purpose of restricting access from the end or side of a street.
- EE. "Right-of-way" means the area between boundary lines of a dedicated street, alley or easement dedicated to or owned by the City for public use.
- FF. "Roadway" means that portion of the street, including shoulders and bike lanes, for vehicular use.
- GG. "Street" A street is a public way for purposes of travel and includes the entire area within the right of way. A street serves public transit, vehicular, pedestrian and bicycle traffic plus the accommodation of all utility facilities within the right-of-way.
- HH. "Subdivider" means a person who undertakes the subdividing of a parcel of land, also referred to as the applicant.
- II. "Subdivision, Short" means every division or resubdivision of contiguous land into nine or less lots, tracts, parcels, sites, or subdivisions for the purpose of transfer of ownership, sale, or lease.
- JJ. "Subdivision" or "Subdivision, long" means the division or resubdivision of land into ten or more lots, tracts, parcels, sites or divisions, whether immediate or future, for the purpose of sale, lease or transfer of ownership.
- KK. "Treasurer" means the treasurer of Thurston County, Washington.

LL. "Vacation" A process pursuant to the requirements of RCW 58.17.212 of voiding a plat, short plat, binding site plan, or portion thereof, or any area designated or dedicated for public use.

Section 4. As part of such Title 15, there is hereby added a new chapter, 15.04 entitled Boundary Line Adjustments And Lot Consolidations, to read as follows:

15.04.010 Applicability. Every adjustment made for the purpose of adjusting boundary lines between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site shall proceed in compliance with this chapter. A consolidation of lots shall proceed through the same process as outlined for boundary line adjustments described in this chapter. Boundary line adjustments and lot consolidations may also be accomplished as part of a plat, or short plat.

15.04.030 Criteria. All boundary line adjustment requests shall be subject to the following limitations:

- A. A boundary line adjustment shall not result in the creation of any additional lots, sites, tracts, or parcels;
- B. A boundary line adjustment shall not result in the entire relocation of lots, sites, tracts, or parcels from one area to another;
- C. A boundary line adjustment shall not violate or be inconsistent with any conditions of approval for a previously filed plat, short plat, or binding site plan;
- D. No lot shall be reconfigured or adjusted which would render access for vehicles, utilities, fire protection, or existing easements impractical to serve their purpose.
- E. No adjustment shall be used to provide new frontage for a lot that will create an expectation of, or require, a new access right to said road. Provided nothing shall prohibit the City from granting an adjustment with a new access if the City determines it creates a better overall road geometric for the site consistent with City Transportation Plan goals and policies;
- F. Any lot or parcel that is a legally created lot of record shall be qualified for a boundary line adjustment;
- G. The adjustment does not result in a lot, tract or parcel smaller than the minimum lot size required by Title 16, Zoning, LMC, in effect at the time the application is filed, except as follows: whenever any one or more lots involved in the proposed change are smaller than the allowable minimum size, the change may be approved so long as no resulting lot is smaller than the smallest of the existing lots and the adjustment does not increase the existing nonconformity in consideration of land use regulations and standards;
- H. The boundary line adjustment process shall not be used to adjust easements, utilities, or other non-property line features;
- I. A boundary line adjustment approved by the City of Lacey is not to be construed as a statement as to the lot's suitability for building purposes.

15.04.040 Application. An applicant shall submit a complete boundary line adjustment application to the Department of Community Development. A complete application for the purposes of this chapter shall consist of the following:

A. A fully completed and signed (by those individuals or corporations holding any ownership or security interest) boundary line adjustment application form provided by the Department of Community Development that contains the following information:

1. The names, addresses, and telephone numbers of all persons holding interest in the land;
2. The existing and proposed legal descriptions of the affected lots prepared by a land surveyor licensed by the State of Washington or by a title company;
3. The assessor's tax parcel numbers;
4. A brief narrative description of the proposed boundary line adjustment;
5. A scale drawing prepared by a licensed land surveyor in accordance with WAC 332-130-050 of the existing and proposed boundary lines. Existing boundary lines shall be shown as dashed lines, and proposed boundary lines shown as solid lines. The drawing shall also include all lot measurements in feet, existing and proposed lot areas, location of all existing improvements such as buildings, roads, easements, and other pertinent features;
6. An access plan approved by the Department of Public Works, if the Boundary line adjustment changes existing access requirements.
7. A signed dated, and notarized Statement of Declaration of Boundary Line Adjustment and Covenants;

B. Application fees.

C. A plat certificate issued within the preceding thirty (30) days that includes confirmation that the title to the lands as described and shown on said boundary line adjustment is vested in the owners whose names appear on the plat certificate and includes any easements or restrictions affecting the property.

15.04.050 Review and approval.

A. Upon submittal and acceptance of a complete application, the assigned planner shall review the boundary line adjustment and determine if it contains sufficient information to furnish a basis for a decision in conformance with application and processing requirements of Chapter 1 of the Development Guidelines and Public Works Standards. The planner may refer the request to other departments that, in his/her judgment, may have information or comments that bear directly on the application. Referral agencies and departments, if any, shall have fourteen (14) days to comment on the application. Their failure to respond within the referral period will be considered as having no comment on the application as submitted.

Section 5. As part of such Title 15, there is hereby added a new chapter, 15.05 entitled Plat, Short Plat And Binding Site Plan Alterations And Vacations, to read as follows:

15.05.010 Applicability – alteration.

- A. Every alteration of a subdivision, short subdivision or binding site plan or portion thereof, except as provided for in Chapter 15.04, shall proceed in compliance with this chapter. This process cannot be used to create additional lots, tracts, or parcels.
- B. Easements established by a dedication are property rights that cannot be extinguished or altered without the approval of the easement owner or owners, unless the plat or other document creating the dedicated easement provides for an alternative method or methods to extinguish or alter the easement.

15.05.020 Application – alteration. An applicant shall submit a complete alteration application to the Department of Community Development. A complete application for the purposes of this chapter shall consist of the following:

- A. A fully completed, and signed alteration application form provided by the director that contains the information as required by this chapter.
- B. Information that would be required for a final plat, short plat or binding site plan, whichever is applicable, provided the director may waive information requirements he/she deems unnecessary for adequate review of the specific alteration proposed;
- C. Any other information deemed necessary by the director for the adequate review of the proposed alteration in conformance with the provisions of this title and all other applicable federal, state and local regulations.
- D. Payment of all applicable review fees by the person requesting the alteration or vacation.

15.05.030 Review criteria and process – alteration.

- A. When a person is interested in alteration of any division of property or altering of any portion thereof, except as provided in RCW 58.17.04 and chapter 15.04 of this title (boundary line adjustments and lot consolidations) that person shall submit an application to request the alteration. The application shall contain the signatures of the majority of persons having an ownership interest of the lots, tracts, or parcels, sites or divisions in the subject land division or portion to be altered. If the land division is subject to protective covenants which were filed at the time of approval of the land division and the alteration would result in violation of the covenants, the application shall contain an agreement signed by all parties subject to the covenants. The agreement shall provide that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the land division or portion thereof.
- B. An application submitted for a plat, or for a short plat or binding site plan that contains a public dedication, shall meet all requirements and standards provided for in RCW 58.17.215.
- C. Public notice shall be given for alteration of plats, and for alteration of short plats and binding site plans that contain a public dedication, as provided in RCW 58.17.080 and 58.17.090. A public hearing shall be required if a person receiving notice requests a hearing within fourteen (14) days of receiving notice or if the department determines that the public hearing is within the public interest. Where a public hearing is required or requested, the Hearings Examiner may approve, conditionally approve or deny the application for an alteration after determining the public use and interest will be served by the alteration of the land division. If a public hearing is not required or requested, the

director may administratively approve, conditionally approve or deny the alteration after determining the public use and interest will be served by the alteration of the land division.

- D. Alteration of a short subdivision or binding site plan or portion thereof that does not contain a public dedication may be administratively approved or denied by the director after determining that the public use and interest will be served by the alteration of the short subdivision or binding site plan.
- E. If any land within the alteration is part of an assessment district, any outstanding assessments shall be equitably divided and levied against the remaining lots, parcels, or tracts, or be levied equitably on the lots resulting from the alteration.
- F. If any land within the alteration contains a dedication to the general use of persons residing within the land division, such land may be altered and divided equitably between the adjacent properties, provided open space designated as a requirement of a plat, short plat, or binding site plan shall not be altered unless it is replaced as part of the alteration and meets the requirements of this title for the provision of open space.
- G. If the alteration is approved, the applicant shall produce a revised drawing of the final plat or final short plat or binding site plan, in compliance with the requirements of this title for a final plat or short plat or binding site plan, whichever is applicable.

15.05.040 Applicability - vacation.

- A. Every vacation of a recorded short plat, or binding site plan, or portion thereof that involves a public dedication, or a plat or portion thereof, or any area designed or dedicated for public use shall proceed in compliance with this chapter. If the land division is subject to protective covenants which were filed at the time of approval of the land division and the vacation would result in violation of the covenants, the application shall contain an agreement signed by all parties subject to the covenants. The agreement shall provide that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the vacation of the land division or portion thereof.
- B. Vacations of streets or roads may be approved through this process only when the street or road vacation is proposed with the vacation of a land division, or portions thereof.
- C. When a vacation is specifically for a road the procedures for road or street vacation in RCW Chapter 35.79, pursuant to chapter 12.32 of the Lacey Municipal Code, shall apply.
- D. Vacations of streets or roads may not be made that are prohibited under RCW 35.79.035.

15.05.050 Application - vacation. An applicant shall submit a complete vacation application to the community development director. A complete application for the purposes of this chapter shall consist of the following:

- A. A fully completed, signed and notarized vacation application form provided by the Department of Community Development that contains the information as required by this chapter and signed by all parties having an ownership interest in that portion of the land division subject to the vacation;
- B. Information that would be required pursuant to this title for a final plat, short plat or binding site plan, whichever is applicable, provided that such information is relevant to the vacation and

necessary for adequate review. The director may waive information requirements he/she deems unnecessary for review of the specific vacation proposed;

- C. Any other information deemed necessary by the director for the review of the vacation in conformance with the provisions of this Title and all other applicable federal, state and local regulations; and
- D. Payment of all applicable review fees.

15.05.060 Review criteria and process – vacation.

- A. Vacation of a plat or portion thereof, or vacation of a short plat, or binding site plan that contains a public dedication, or any area designated or dedicated for public use shall follow the review procedures as outlined in RCW 58.17.212.
- B. Applications following procedures and requirements of RCW 58.17.212 shall be subject to Hearing Examiner review. Public notice shall be provided as required in RCW 58.17.080 and 58.17.090. A public hearing by the Hearing Examiner shall be held and the Hearing Examiner may approve or deny the application for a vacation after determining the public use and interest will be served by the vacation of the land division.
- C. Vacation of a short plat or binding site plan or portion thereof that does not contain a public dedication may be administratively approved or denied by the director after determining that the public use and interest will be served by the vacation of the short subdivision.
- D. If any portion of the land contained in the land division was dedicated to the public for public use or benefit, such land, if not deeded to the city shall be deeded to the city unless findings are set forth that the public use would not be served in retaining title to those lands.
- E. Title to the vacated property shall vest with the rightful owner in conformance with RCW 58.17.212.

Section 5.6 ^{ent} As part of such Title 15, there is hereby added a new chapter, 15.06 entitled Binding Site Plans, to read as follows:

15.06.010 Applicability. A binding site plan may be performed as an alternate method of land division under the following circumstances:

- A. The division of land into two (2) or more lots, parcels, or tracts located in a commercial or industrial zoning district.
- B. The division of land into lots or tracts when performed in accordance with RCW Chapter 64.32, RCW Chapter 64.34, and RCW 58.17.040(7).

15.06.020 Administration. The administration of this chapter is set forth within the provisions of this chapter and the Development Guidelines and Public works Standards in section 1C.040 (full administrative review). The director is vested with the duty of administering and interpreting the provisions of this title and with the authority to summarily approve, approve with conditions, disapprove, or return for modification all proposed binding site plans. Prior to the submission of a binding site plan application, the applicant shall arrange for a pre-application meeting as required and outlined in the development Guidelines and Public works Standards section 1B.020.

15.06.03 Application. An applicant shall submit a complete binding site plan application to the Department of Community Development. A complete application for the purposes of this chapter shall consist of the following:

A. Binding site plan application and supporting materials.

B. Environmental Checklist.

C. Preliminary binding site plan.

1. The preliminary binding site plan shall show specifically and clearly all of the requested information in the application information on one or more maps, drawings or application forms. Specific items may be waived if it is the opinion of both the planner and city engineer they are not necessary.
2. Accuracy for all data and information submitted on or with a binding site plan shall be the responsibility of the applicant. Any proposed binding site plan found to be inaccurate or misleading shall not be considered a complete application and shall be returned to the applicant with a letter stating the application is incomplete, pursuant to the requirements of the Development Guidelines and Public Works Standards section 1B.040 and 1B.050.

D. Scale and Size. The preliminary binding site plan shall be at a scale of not less than fifty feet to the inch, nor more than two hundred feet to the inch.

E. General Information Required.

1. Proposed name of the binding site plan. This name shall not duplicate nor resemble the name of another land division in Thurston County and shall be approved by the Thurston County Auditor.
2. The names and addresses of all landowners within the proposed binding site plan, the developer if other than the owners, the land surveyor and/or the professional registered engineer responsible for laying out the land division.
3. The legal description of all lands included in the proposed binding site plan.
4. The site plan scale, datum, north arrow and date.
5. The boundary lines of the tract to be divided.
6. Proposed and existing access and cross easements on site, adjacent to, and across the street.

F. Existing Conditions.

1. A vicinity sketch indicating the boundary lines and names of adjacent subdivisions, streets and boundary lines of adjacent parcels, and the relationship of the proposed binding site plan to major highways, schools, parks, shopping centers and similar facilities.
2. The location and direction of all watercourses, lakes and streams and the location of all areas subject to flooding. Watercourses and drainage ways shall be located within an easement which reserves to the city the right to enter such properties for the purpose of flood control or maintenance.
3. Natural features such as rock outcroppings, marshes, wooded areas and trees and those natural features to be preserved in the land division.

4. Existing uses on the property, including location of all existing structures to remain on the property after the binding site plan is developed.
5. Existing zoning on the land to be divided and also on the surrounding land for a distance of three hundred feet.
6. The location and size of all pertinent existing sewers, septic tank systems, water mains, wells, culverts, and other public or private underground installations within the subdivision and immediately adjacent thereto and elevations of sewers at points of probable connections.
7. The location, widths and names of both unopened and open streets, easements and other access points including pedestrian, within or adjacent to the proposed development. The location of other important features such as the general outline of permanent buildings, water sources, power lines, telephone lines, railroads, city boundaries, section lines and section corners.
8. All parcels of land intended to be dedicated or temporarily reserved for public use, or to be reserved in the deeds for common use of the property owners in the land division with the purpose, conditions, or limitations of such dedications or reservations clearly indicated.

G. Proposed Plan of Partitioning.

1. The location, width, name and approximate grade and radii of curves of streets. The relationship of streets to any projected streets as shown on the Comprehensive Land Use Plan and the Transportation Plan.
2. Approximate centerline profiles with extensions for a reasonable distance beyond the limits of the proposed land division showing the finished grade of streets and the nature and extent of street construction.
3. A proposal for domestic water supply stating the source and preliminary distribution system layout.
4. Proposals for sewage disposal, storm water drainage and flood control.
5. If lot areas are to be substantially graded, a plan showing the nature of cuts and fills and information on the character of the soil.
6. Proposals for other improvements such as electric utilities and boat docks, pathways, recreation facilities, etc.
7. The layout of proposed street rights-of-way, alleys, street easements, utility easements, lots and blocks, and the approximate dimensions of each.
8. All parcels of land intended to be dedicated or temporarily reserved for public use, or to be reserved in the deeds for common use of the property owners in the binding site plan with the purpose, conditions, or limitation of such dedications or reservations clearly indicated.

H. Partial Development. If the proposed binding site plan pertains to only part of the tract owned or controlled by the applicant, a sketch showing the tentative layout for streets and contemplated land use in the un-divided portion shall be submitted.

I. Additional Information. The applicant shall supply any additional information as may be required by the Department of Community Development.

J. Wetland, Habitat and other sensitive area information. A binding site plan application that involves wetlands, wetland buffer areas, habitat area or other sensitive areas pursuant to LMC Chapters 14.28, 14.33, 14.34, 14.36, or 14.37 shall include all information required by these Chapters for proper consideration of wetlands, habitat and other sensitive area issues during binding site plan review.

15.06.040 Preliminary binding site plan review.

Binding site plans shall be subject to the procedures established in the Development Guidelines and Public Works Standards, application process, section 1C.040, full administrative review. A preliminary and final review and approval process will be utilized that is similar to the subdivision process, except that it will be handled in an administrative capacity.

15.06.050 Review criteria and required findings.

A. The proposed preliminary binding site plan shall be reviewed and approved only when the following criteria and findings are satisfied:

1. Compliance with the provisions of this title including Chapter 15.12, Design Standards.
2. Conformity with all applicable zoning requirements of Title 16 LMC.
3. Conformance with the goals and policies contained in the Comprehensive Land Use Plan and all associated elements.
4. Consistency with applicable design standards of Chapter 14.23.
5. Compliance with the provisions of any applicable federal, state and local law.
6. Appropriate provisions are made for; but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, access points, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and all other relevant requirements, including safe walking conditions for students who walk to and from school..
7. The public interest will be served by the binding site plan and dedications.

B. The director may disapprove a proposed binding site plan because of flood, inundation, or sensitive area limitations. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final map. No binding site plan shall be approved covering any land situated in a flood control zone (floodway) as provided in Chapter 86.16 RCW without the prior written consent of the Washington State Department of Ecology unless a note and identification of this area is shown on the face of the final plat which prohibits the development of this area in any manner except as specifically approved by law. These areas cannot be included in the area calculated to meet the requirements for minimum lot area.

C. As a condition of approval, the director may require dedication of land to any public body, provisions of public improvements to serve the land division, and/or mitigation fees authorized by law.

D. Preliminary binding site plan approvals are valid for a period of five (5) years. During that period the conditions of approval must be fulfilled or financial security provided for as required in LMC Chapter 15.16. If the conditions attached to the preliminary binding site plan approval are not satisfied or appropriately bonded for, and the binding site plan is not filed for record within the required period, preliminary approval of the binding site plan shall become null and void.

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:

- A. Certificate of title by a recognized title insurance company, dated not to exceed thirty days prior to submitting a plat for final approval, showing the names of all persons whose consent is necessary to dedicate roads, streets and other easements shown upon the map.
- B. Names, addresses, phone numbers, fax and email of the owner, land-divider, engineer, and surveyor.
- C. A copy of any deed restrictions applicable to the binding site plan.
- D. A copy of any dedication requiring separate documents.
- E. A certificate by the city engineer that the land-divider has complied with one of the following:
 - 1. All improvements have been installed in accordance with the requirements of these regulations and with the action of the director giving approval of the preliminary binding site plan.
 - 2. An agreement has been executed as provided for in Section 15.16.020 to assure completion of required improvements.
- F. The date, scale, north arrow, legend, binding site plan number, controlling topography and existing features such as highways and railroads.
- G. Legal description of the tract boundaries.
- H. Reference points and lines of existing surveys identified, related to the plat as follows:
 - 1. Stakes, monuments, or other evidence found on the ground and used to determine the boundaries of the binding site plan.
 - 2. Adjoining corners of adjoining subdivisions.
 - 3. City or county boundary lines when crossing or adjacent to the land division.
 - 4. Section and donation land claim lines within and adjacent to the binding site plan.
 - 5. Whenever the county or city has established the centerline of a street adjacent to or within the proposed binding site plan, the location of this line and monuments found or reset.
 - 6. All other monuments found or established in making the survey of this binding site plan or required to be installed by provisions of this title.
- I. Mathematical boundary closures of the binding site plan showing the error of closure, if any.
- J. The mathematical lot closures and street centerline closures, and square footage of each parcel.
- K. The exact location and width of streets and easements intersecting the boundary of the tract and additional information required by the Public Works Department.

- L. Tract, block, and lot boundary lines and street rights-of-way and centerlines with dimensions, bearings or deflection angles, radii, arcs, points of curvature, and tangent bearings. Tract boundaries, lot boundaries and street bearings shall be shown to the nearest second with basis of bearings. The basis of the bearings shall be the Lacey Coordinate System. All distances shall be shown to the nearest one-hundredth foot.
- M. The width of the portion of streets being dedicated, the width of any existing right-of-way, and the width on each side of the centerline. For streets on curvature, curve data shall be based on the street centerline. In addition to the centerline dimensions, the radius and central angle shall be indicated.
- N. Easements denoted by fine dotted lines clearly identified and, if already of record, their recorded reference. The width of the easement, its length and bearings, and sufficient ties to locate the easement with respect to the binding site plan must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication.
- O. Lot numbers beginning with number "1" and numbered consecutively without omission or duplication throughout the binding site plan. The numbers shall be solid, of sufficient size and thickness to stand out, and so placed as not to obliterate any figure. Lot numbers in an addition to a binding site plan of the same name shall be a continuation of the numbering in the original land division.
- P. Land parcels to be dedicated for any purpose, public or private, shall be distinguished from lots intended for sale.
- Q. The following certificates may be combined where appropriate:
 - 1. A certificate signed and acknowledged by all parties with any record title interest in the land divided, consenting to the preparation and recording of the binding site plan.
 - 2. A certificate signed and acknowledged as above, dedicating all parcels of land shown on the final map intended for any public use except those parcels which are intended for the exclusive use of the lot owners in the binding site plan, their licensees, visitors, tenants and servants.
 - 3. A certificate with the seal of and signed by the engineer or the surveyor responsible for the survey and final map.
 - 4. Other certifications now or hereafter required by law.
- R. Lots containing one acre or more shall show net acreage to nearest hundredth.
- 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 reestablished 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.

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.
- T. Final application shall include information necessary for the administrator to determine whether all conditions of approval have been met.
- U. An approved binding site plan shall not be filed for record with the Thurston County Auditor until the applicant has constructed or provided financial security for all improvements and satisfied all conditions as required by the director in the granting of preliminary approval.
- V. A binding site plan shall not be considered final until recorded with the Thurston County Auditor.

15.06.070 Final binding site plan permanent control monuments. Permanent control monuments shall be established at each and every controlling corner on the boundaries of the parcel of land being divided. The city shall determine the number and location of permanent control monuments within the binding site plan, if any.

15.06.080 Final Survey of binding site plan and preparation of map. The survey of the proposed binding site plan and preparation of the binding site plan shall be made by or under the supervision of a registered land surveyor who shall certify on the binding site plan that it is a true and correct representation of the lands actually surveyed.

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.
- 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 shall be at least three-thirty seconds inch high. The perimeter of the 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 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.

Section 6 ^{7^{city}} As part of such Title 15, there is hereby added a new chapter, 15.08 entitled Short Subdivision, to read as follows:

15.08.010 Applicability. Every division of contiguous land for the purpose of lease, sale or development into two or more but less than ten lots within the incorporated area of the city shall proceed in compliance with this chapter.

15.08.020 Presubmission conferences. Before making an application for short subdivision approval, the applicant shall attend a presubmission conference in accordance with Section 1B.020 of the City of Lacey Development Guidelines and Public Works Standards.

15.08.030 Minimum standards. Design standards shall be substantially the same as those for subdivisions as itemized in Chapter 15.12 , design standards.

15.08.040 Application. An applicant shall submit a complete short subdivision application to the Community Development Department. A complete application for the purposes of this chapter shall consist of the following:

- A. Short subdivision application, supporting materials and fees.
- B. Environmental checklist, unless exempt under Chapter 197-11-800 of the Washington Administrative Code or Chapter 14.24.060 of the Lacey Municipal Code.
- C. A vicinity sketch clearly identifying the location of the property being short subdivided, the sketch having a scale of not less than three inches to the mile;
- D. Copies of restrictions, if any, presently encumbering the land;
- E. Copies of restrictions, if any, proposed to be imposed upon the use of the land. Such restrictions, if required by the city, must be recorded either prior to or simultaneously with the moment the short plat becomes effective;
- F. In any short subdivision where lots are served or to be served by a private street, the subdivider shall furnish copies of such further covenants or documents that will result in:
 1. Each lot owner having access thereto having responsibility for maintenance of any private street contained within the short subdivision, and
 2. Such covenants or documents shall obligate any seller to give actual notice to any prospective purchaser of the method of maintenance of the private road, which notice shall be caused to be included in any deeds or contracts relating to such sale, and such covenants or documents shall be recorded either prior to or simultaneously with the short subdivision.
- G. Be accompanied by a plat certificate no more than thirty days old from a title company showing interest of the persons signing the declaration of short subdivision and showing restrictions encumbering the land.
- H. Each application for short plat including wetlands or wetland buffers as defined in Chapter 14.28 of the Lacey Municipal Code shall include all informational requirements of said chapter.

15.08.050 Preliminary and final maps. A preliminary map of the proposed short plat shall be submitted for preliminary short plat approval. The preliminary map need not be based upon a survey

and shall be of the following dimensions: eighteen inches by twenty-four inches. A final short plat map shall be prepared in accordance with the standards contained in WAC 332-130-050 and shall be done on the Lacey Coordinate System by or under the supervision of a registered land surveyor. The final and preliminary map shall contain the following information:

- A. A description of the boundaries of the tract, including the objects that fix the corners, the length and direction of the lines, and the area of the tract. Also included shall be a description of the lots, tracts or parcels together with the legal description of the private roads and easement therein, all prepared by or under the direction of a registered land surveyor. In addition, where it differs from the description of the short subdivision, a legal description of the contiguous land owned by the subdivider;
- B. The date, scale and north arrow;
- C. The boundary lines to scale of the tract to be subdivided and each lot contained therein;
- D. The number assigned to each lot;
- E. The location and widths of any easements and rights-of-way for public services or utilities within the area contained within the short subdivision;
- F. The boundaries of all lands reserved in the deeds for the common use of the property owners of the short subdivision;
- G. The location of permanent features outside the land to be subdivided which will have an impact upon the short subdivision, such as all existing or platted streets and roads adjacent to the short subdivision, watercourse, railroad rights-of-way, all utility rights-of-way, township lines and section lines;
- H. The location of existing houses and outbuildings, with notation as to type of structure, sufficiently accurate to ensure compliance with setback requirements;
- I. Short plat maps shall show the location of environmentally sensitive areas, including, but not limited to, wetlands, shorelines, and streams. All pertinent information shall be shown on the preliminary and final short plat maps.

15.08.060 Identification marker posting. The subdivider shall, for property location and identification purposes only, cause markers of a type approved by the community development department to be placed upon each of the approximate road frontage corners of the subject land and maintain them thereon during the period extending from the time of application to the time of final action for the purpose of permitting field checks of the proposed short subdivision.

15.08.070 Posting of other data and markers. Where other data or where identification markers are found necessary by any relevant agency to assist it in identification of the property or specific portions of the property in making its determination, such data and markers shall be placed upon the land and maintained thereon during the period extending from the time of application to the time of final action for the purpose of permitting field checks by the applicable agencies.

15.08.080 Time for preliminary action. Preliminary short subdivisions shall be reviewed according to the full administrative review process and timelines outlined in Section 1C.040 of the City of Lacey Development Guidelines and Public Works Standards.

15.08.090 Department action.

A. The community development department shall consider and review the proposed short subdivision with regard to:

1. Its conformance to the general purposes, goals and policies of the Comprehensive Land Use Plan and standards of the Zoning Code, Title 16 of the Lacey Municipal Code, and other implementing legislation developed under the state Growth management Act;
2. Its conformance with the city Development Guidelines and public works Standards and whether appropriate provisions are made for: drainage ways, streets, alleys, other public ways, water supplies and sanitary wastes;
3. Its conformance with the Environmental Protection and Resource Conservation Plan and implementing legislation in title 14 of the Lacey municipal Code including wetland, habitat, flood plain, steep slopes and geological sensitive areas. The physical characteristics of the short subdivision site shall be considered and the short plat may be denied because of environmentally sensitive features pursuant to Title 14 of the Lacey Municipal Code. Construction of protective improvements as a condition of approval may be required;
4. All other relevant facts to determine whether the public use and interest will be served by the short subdivision.

B. The community development department may:

1. Approve the preliminary short plat with or without conditions; or
2. Return the short plat to the applicant for correction or for applicant's construction of improvements in a manner consistent with the department findings; or
3. Disapprove the short subdivision and the short plat thereof; or
4. Submit the proposed short plat to the hearings examiner for consideration.

15.08.100 Conditional approvals. When the community development department's approval of the preliminary short plat requires the meeting of conditions, the approval of such short plat shall not be final until said conditions are met and all required improvements have been installed and approved. Provided financial security may be provided to guarantee provision of required improvements pursuant to LMC Chapter 15.16. The applicant shall have one year following preliminary short plat approval to fulfill said conditions. Provided, however, if a written request for extension is filed with the community development department prior to the expiration of such time period and the applicant has attempted in good faith to fulfill such conditions, the community development department may grant an additional one year period for the fulfillment of such conditions.

15.08.110 Final approval and recording. When all of the requirements of preliminary approval have been fulfilled and the subdivider has provided all of the required documentation and certification, then written approval shall be inscribed upon the face of the short plat.

15.08.120 Certificates. The following declarations and certificates must be obtained prior to final approval of the short subdivision:

A. A declaration of short subdivision shown on the face of the short plat; and

B. Certification of approval by the community development department given when it finds the short plat serves a public use and interest and complies with all adopted recommendations for approval.

15.08.130 Certification. The director of the Community Development Department shall sign the short plat once it is determined the short plat conditions have been satisfied. The plat shall also contain the inscription of the surveyor that the map correctly represents a survey made by or under his supervision. If the short plat contains a private road, there shall also be inscribed on the face of the short plat the following language:

NOTICE: The City of Lacey has no responsibility to build, improve, maintain or otherwise service the private roads within or providing access to the property described in this short plat.

15.08.140 Treasurer's certification. No final short plat shall be filed with the auditor until the treasurer has certified that all taxes and assessments on the property as of the date of filing have been paid in accordance with RCW 58.17.160 (4).

15.08.150 Redivisions. Land within a short subdivision, the short plat of which has been approved within five years immediately preceding, may not be further divided in any manner until a final plat thereof has been approved and filed for record pursuant to the regulations concerning the subdivision of property into ten or more lots, tracts or parcels. Provided, however, when a short plat contains fewer than 9 lots nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of nine lots within the original short plat boundaries pursuant to RCW 58.17.060 (1).

Where there have been no sales of any lots in a short subdivision, nothing contained in this section shall prohibit a subdivider from completely withdrawing the entire short plat and thereafter presenting a new application.

15.08.160 Appeals. Any decision of the community development department may be appealed in accordance with Chapter 1D of the City of Lacey Development Guidelines and Public Works Standards.

15.08.170 Revocation procedure. Prior to the revocation of any approved short plat, notice will be mailed to the subdivider at the address listed on the application form setting a date and time not less than fifteen days or more than thirty days after date of mailing where the matter will be considered by the city council. Issuance of or final approvals of any building permits may be withheld until action on the proposed revocation is completed. Appropriate administrative or legal action may be taken after the meeting date provided for herein. If it is determined that such is necessary to prevent imminent sales, legal action may be instituted without notice by the city.

Section 7.8 ^{can} As part of such Title 15, there is hereby added a new chapter, 15.10 entitled Subdivision, to read as follows:

15.10.010 Preliminary plat presubmission conference. Prior to the submission of an application for a preliminary plat, the applicant shall attend a presubmission meeting in accordance with Section 1B.020 of the City of Lacey Development Guidelines and Public Works Standards.

15.10.020 Preliminary plat review process and time limit for action. Preliminary plats of any proposed subdivision shall be reviewed according to the quasi-judicial process and timelines outlined in Section 1C.050 of the City of Lacey Development Guidelines and Public Works Standards.

15.10.030 Preliminary plats within flood plain. No plat shall be approved covering any land situated in a flood control zone as provided in Chapter 86.16 of the Revised Code of Washington without the proper written approval of the Department of Ecology, state of Washington.

15.10.040 Preliminary plat specific submission requirements. An applicant shall submit a complete subdivision application through the Department of Community Development. A complete application for the purposes of this chapter shall consist of the following:

A. Preliminary plat application and supporting materials

B. Environmental Checklist

C. Preliminary Plats

1. The preliminary plat shall show specifically and clearly all of the following features and information on one or more maps, drawings or application forms. Specific items may be waived if in the opinion of both the assigned planner and city engineer they are not necessary.
2. Accuracy for all data and information submitted on or with a preliminary plat shall be the responsibility of the applicant. Any proposed plat found to be inaccurate or misleading shall not be considered a complete application and shall be returned to the applicant with a letter stating the application is incomplete pursuant to the requirements of the Development Guidelines and Public Works Standards section 1B.040 and 1B.050.

D. Scale and Size. The preliminary plat shall be at a scale of not more than fifty feet to the inch, nor less than two hundred feet to the inch.

E. General Information Required.

1. Proposed Name of the Subdivision. This name shall not duplicate nor resemble the name of another subdivision in Thurston County and shall be approved by the hearings examiner;
2. The names and addresses of all landowners within the proposed subdivision, the developer if other than the owners, the land surveyor and/or the professional registered engineer responsible for laying out the plat;
3. The legal description of all lands included in the proposed subdivision;
4. The plat scale, datum, north arrow and date;
5. The boundary lines of the tract to be divided.

F. Existing Conditions.

1. A vicinity sketch indicating the boundary lines and names of adjacent subdivisions, streets and boundary lines of adjacent parcels, and the relationship of the proposed subdivision to major highways, schools, parks, shopping centers and similar facilities;
2. Replats. If the plat constitutes a replat, the lots, blocks, streets, etc., of the original plat shall be shown with dotted lines in their proper positions in relation to the new arrangement of the plat;

the new plat being so clearly shown in solid lines so as to avoid ambiguity, all as required by Chapter 58.12 of the Revised Code of Washington;

3. The location and direction of all watercourses, lakes and streams and the location of all areas subject to flooding. Watercourses and drainage ways shall be located within an easement which reserves to the city the right to enter such properties for the purpose of flood control or maintenance;
4. Natural features such as rock outcroppings, marshes, wooded areas;
5. Existing uses on the property, including location of all existing structures to remain on the property after platting;
6. Existing zoning on the land to be platted and also on the surrounding land for a distance of three hundred feet;
7. The location and size of all pertinent existing sewers, water mains, culverts, and other public or private underground installations within the subdivision and immediately adjacent thereto and elevations of sewers at points of probable connections;
8. The location, widths and names of both unopened and open streets, access points on both sides of the street, site distance information at proposed intersections, easements and other ways within or adjacent to the proposed development. The location of other important features such as the general outline of permanent buildings, water sources, power lines, telephone lines, railroads, city boundaries, section lines and section corners;
9. All parcels of land intended to be dedicated or temporarily reserved for public use, or to be reserved in the deeds for common use of the property owners in the subdivision with the purpose, conditions, or limitations of such dedications or reservations clearly indicated;
10. Trees and natural features which are to be preserved in the subdivision.

G. Proposed Plan of Partitioning.

1. The location, width, name and approximate grade and radii of curves of streets. The relationship of streets to any projected streets as shown on the Comprehensive Land Use Plan and the Transportation Plan.
2. Sites, if any, allocated for purposes other than single-family dwellings.
3. Approximate centerline profiles with extensions for a reasonable distance beyond the limits of the proposed subdivision showing the finished grade of streets and the nature and extent of street construction.
4. A proposal for domestic water supply stating the source and preliminary distribution system layout.
5. Proposals for sewage disposal, storm water drainage and flood control.
6. If lot areas are to be substantially graded, a plan showing the nature of cuts and fills and information on the character of the soil.
7. Proposals for other improvements such as electric utilities and boat docks, pathways, recreation facilities, etc.

8. The layout of proposed street rights-of-way, alleys, easements, lots and blocks, and the approximate dimensions of each.
9. All parcels of land intended to be dedicated or temporarily reserved for public use, or to be reserved in the deeds for common use of the property owners in the subdivision with the purpose, conditions, or limitation of such dedications or reservations clearly indicated.
10. Trees and natural features which are to be preserved in the subdivision.

H. **Partial Development.** If the proposed plat pertains to only part of the tract owned or controlled by the subdivider, a sketch showing the tentative layout for streets and contemplated land use in the unsubdivided portion shall be submitted.

I. **Additional Information.** The subdivider shall supply any additional information as may be required by the staff.

J. **Wetland, Habitat and other sensitive area Information.** A preliminary plat application that involves wetlands, wetland buffer areas, habitat area or other sensitive areas pursuant to Chapter 14.28, 14.33, 14.34, 14.36, or 14.37 shall include all information required by those Chapters for proper consideration of wetlands, habitat and other sensitive area issues during preliminary plat review.

15.10.050 Standards. Preliminary plats shall meet all of the design standards of Chapter 15.12 of this Title.

15.10.060 Preliminary plat distribution. The assigned planner shall distribute copies of the preliminary plat and pertinent information to agencies and departments affected by the proposal or with review authority. Other departments and agencies may charge additional fees.

15.10.070 Preliminary plat hearing--notice procedure. Upon receipt of a preliminary plat and all required data, the planner shall set a date for public hearing before the hearings examiner. Notice of the date, time and place of the public hearing before the hearings examiner shall follow the guidelines for quasi-judicial review in Section 1C.050 of the City of Lacey Development Guidelines and Public Works Standards, in addition to the following notifications:

- A. Notice to any town, city or county whose boundaries are adjacent to or within one mile of the proposed subdivision;
- B. Notice to the state Department of Transportation on every proposed subdivision located within three hundred feet of the right-of-way of a state highway;
- C. Notice to the state Department of Ecology, Division of Water Resources, if the land is situated in a floodplain or flood control zone as provided in Chapter 86.16 of the Revised Code of Washington;
- D. Notice to any city or town whose utilities are contemplated to be used by the proposed subdivision;
- E. Notice to other federal, state or local agencies as may be relevant to determine if the public use and interest may be served by the proposed subdivision.

15.10.080 Preliminary plat hearing--public record. All hearings shall be public. Records of the hearings examiner hearings on preliminary plats shall be kept by the community development department and shall be made available to the public upon request.

15.10.090 Preliminary plat hearings examiner review procedure. At the public hearing the hearings examiner shall consider all relevant evidence to determine whether to recommend that the preliminary plat be approved or disapproved by the city council. Any hearing may be continued at the discretion of the hearings examiner within the time limits allowed by law. The hearings examiner's obligation to review the preliminary plat shall be as follows:

- A. To assure conformance of the proposed subdivision to the general purposes of this chapter, all elements of the Comprehensive Land Use Plan and implementing legislation including the Zoning Code (Chapter 16 LMC), the Development Guidelines and Public Works Standards, and other applicable planning standards, specifications and policies adopted by the city council shall be considered;
- B. To inquire into the public use and interest proposed to be served by the establishment of the subdivision and/or dedication, the examiner shall determine if appropriate provisions are made for, but not limited to, the following:
 1. Prevention of Overcrowding. Consideration shall be given to designations of the Comprehensive Land Use Plan and Zoning Code, and the requirements of the Development Guidelines and Public Works Standards in consideration of the physical characteristics of the land in relation to the number of persons, buildings or sites proposed to be located thereon, and also to the availability of public facilities such as water, sewers, fire protection, streets, schools, parks, etc., if not adequately provided for within the subdivision.
 2. Conformance with the Transportation Plan and Development Guidelines and Public Works Standards to facilitate traffic circulation on the streets and highways. Proposed streets must be aligned or built in such a way as to best facilitate the movement of pedestrians and vehicles and reduce the possibility of crashes. Traffic calming techniques and other standards of the Development Guidelines and Public Works Standards will be required. Key pedestrian intersection improvements for pedestrians will be considered where so designated on the Comprehensive land use Plan map.
 3. Meeting requirements of the Zoning Code (Title 16 LMC) and Design Review (chapter 14.23) to provide adequate light air and privacy by meeting setbacks, dimensional standards, yard areas and design principals. Assurance that the plat is arranged in such a way that all lots have adequate light, air, and opportunity for privacy.
 4. Satisfying principals, goals and policies of the Comprehensive Land Use Plan and Comprehensive Plan for outdoor recreation for proper arrangement and provision of easements and pathways and other bicycle-pedestrian paths, etc. Adequate provisions for pathways, sidewalks and other pedestrian features connecting various parts of a subdivision shall be an emphasis of design. Goals and policies of the Comprehensive Land Use Plan for key pedestrian intersections and improvements shall be used when designing pedestrian movement and circulation. Consideration shall be given to key focus areas in every neighborhood, particularly considering local grade schools and open space, and how each subdivision relates to these areas and provides connectivity to key sites within each neighborhood. Provisions for trail systems in areas conducive to such (along creeks, rivers, scenic areas, etc.) shall also be considered.
 5. Conformance with goals, policies and standards of the Comprehensive Plan for Outdoor Recreation and standards of this title for provision of adequate recreation and open space and buffers. Sufficient guaranteed open space and recreational areas shall be designed and provided to adequately serve the subdivision. Plans for connectivity between subdivisions and

throughout neighborhood areas shall be provided to residents of the subdivision and shall be implemented in the design of each subdivision. This shall include trail systems, key pedestrian intersection concepts, sensitive area buffers and corridors with trails systems and other global circulation concepts (including more than just the local circulation of the individual subdivision) for the neighborhood and community;

- C. To consider the physical characteristics of the proposed subdivision site. The hearings examiner may recommend disapproval because of flood, inundation or wetland or other sensitive area conditions pursuant to the standards of Title 14. LMC. The examiner may recommend the construction of protective improvements be required as a condition of approval, with such improvements to be noted on the final plat in order to assure that:
1. All such proposals are consistent with the need to minimize flood damage;
 2. All public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage; and
 3. Adequate drainage is provided so as to reduce exposure to flood hazards.
 4. Other purposes as described in the City Environmental Protection and Resource Conservation Plan and implementing legislation of title 14. LMC are achieved.

The hearings examiner shall give due consideration to all of the above items. Written findings of fact on each item considered shall be submitted to the city council with the preliminary plat.

15.10.100 Preliminary plat hearings examiner report to city council. The hearings examiner shall prepare a recommendation to the city council according to the process outlined in Section 1C.050 of the City of Lacey Development Guidelines and Public Works Standards. The hearings examiner shall submit such written decision and findings of fact and recommendations to the city council. The hearings examiner may recommend that the proposed plat be approved, conditionally approved or disapproved. In the event that a decision cannot be reached by the hearings examiner, the preliminary plat shall be forwarded to the city council with no recommendation.

15.10.110 Preliminary plat city council—procedure. Upon receipt of the recommendations on any preliminary plat, the city council shall, at a public meeting held no longer than thirty days from the date of the hearings examiner's recommendation, adopt, reject or modify with findings the hearings examiner's recommendations.

After reviewing the written record and hearings examiner's report, the city council shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine if appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for schools and school grounds, and shall consider all other relevant facts and determine whether the public interest will be served by the subdivision and dedication. If it finds that the proposed plat makes appropriate provisions for the public health, safety and general welfare and for such open spaces, drainage ways, streets, alleys, access points, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for schools and school grounds and that the public use and interest will be served by the platting of such subdivision, then it shall be approved. If it finds the proposed plat does not make such appropriate

provisions or the public use and interest will not be served, then the city council may disapprove the proposed plat.

15.10.120 Preliminary plat council record. A record of all public meetings of the council shall be kept by the city clerk and shall be made available to the public upon request.

15.10.130 Preliminary plat notice of final decision. Upon approval, disapproval or modification of the preliminary plat by the council, the assigned planner shall so notify the applicant by mail pursuant to the notice requirements of the Development Guidelines and Public Works Standards section 1C.070 within ten days of said action. The action of the council shall be noted on two copies of the preliminary plat, including reference to any attached documents describing conditions imposed by the council. The planner shall return one copy to the subdivider and retain one copy for the permanent file.

15.10.140 Preliminary plat duration of approval.

- A. Approval of the preliminary plat shall be effective for five years from the date of approval by the city council, during which time a final plat or plats may be submitted. During this time the terms and conditions upon which the preliminary approval was given will not be changed.
- B. An applicant who files a written request with the community development department at least thirty days before the expiration of this five-year period, shall be granted a one-year time extension by the hearings examiner upon showing that the applicant has attempted in good faith to submit the final plat within the five-year period.
- C. An applicant who files a written request with the community development department prior to the expiration of the one one-year time extension may be granted additional extension(s) for not more than one year at a time by the hearings examiner. If this additional extension of time is approved, the preliminary plat shall be subject to all new and amended regulations, requirements, policies or standards which are adopted or in effect at the time the additional extension is granted.
- D. Knowledge of the expiration date and initiation of a request for extension of approval time is the responsibility of the applicant. The city shall not be held accountable for notification, although it may notify an applicant of the date of expiration. All requests for an extension of time must be submitted prior to expiration of the preliminary plat or any prior extensions, whichever is applicable.

15.10.150 Preliminary plat alterations. Once the preliminary plat has been submitted it shall not be altered unless approved by both the assigned planner and city engineer. If the alteration is felt to be of a substantial nature by the planner and city engineer, then it shall be required that the plat be resubmitted in compliance with these regulations.

15.10.160 Final plat submission. Within five years after approval or within one year following extension of the preliminary plat, the subdivider shall prepare a final plat in conformance with the preliminary plat (or portion thereof) as approved, and submit it to the department of community development.

15.10.170 Final plat specific requirements. The following shall be shown or accompany the final plat at the time it is submitted to the department of community development:

- A. A certificate of title by a recognized title insurance company, dated not to exceed thirty days prior to submitting a plat for final approval, showing the names of all persons whose consent is necessary to dedicate roads, streets and other easements shown upon the map;
- B. Names, addresses, and phone numbers of the owner, subdivider, engineer, and/or surveyor;
- C. A copy of any deed restrictions applicable to the subdivision;
- D. A copy of any dedication requiring separate documents;
- E. A certificate by the city engineer that the subdivider has complied with one of the following:
 - 1. All improvements have been installed in accordance with the requirements of these regulations and with the action of the council giving conditional approval with approval of the preliminary plat,
 - 2. An agreement has been executed as provided for in Section 15.20.020 to assure completion of required improvements;
- F. The date, scale, north arrow, legend, controlling topography and existing features such as highways and railroads. The basis for bearings shall be the Lacey coordinate system;
- G. Legal description of the tract boundaries;
- H. Reference points and lines of existing surveys identified, related to the plat as follows:
 - 1. Stakes, monuments, or other evidence found on the ground and used to determine the boundaries of the subdivision,
 - 2. Adjoining corners of adjoining subdivisions,
 - 3. City or county boundary lines when crossing or adjacent to the subdivision,
 - 4. Section and donation land claim lines within and adjacent to the plat,
 - 5. Whenever the county or a city has established the centerline of a street adjacent to or within the proposed subdivision, the location of this line and monuments found or reset,
 - 6. All other monuments found or established in making the survey of this subdivision or required to be installed by provisions of this title;
- I. Mathematical boundary closures of the subdivision showing the error of closure, if any;
- J. The mathematical lot closures and street centerline closures, and square footage of each parcel;
- K. The exact location and width of streets and easements intersecting the boundary of the tract;
- L. Tract, block, and lot boundary lines and street rights-of-way and centerlines, with dimensions, bearings or deflection angles, radii, arcs, points of curvature, and tangent bearings. Tract boundaries, lot boundaries and street bearings shall be shown to the nearest second with basis of bearings. All distances shall be shown to the nearest one-hundredth foot;
- M. The width of the portion of streets being dedicated, the width of any existing right-of-way, and the width on each side of the centerline. For streets on curvature, curve data shall be based on the street centerline. In addition to the centerline dimensions, the radius and central angle shall be indicated;
- N. Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. The width of the easement, its length and bearings, and sufficient ties to locate the

easement with respect to the subdivision must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication;

- O. Lot numbers beginning with number "1" and numbered consecutively without omission or duplication throughout the plat. The numbers shall be solid, of sufficient size and thickness to stand out, and so placed as not to obliterate any figure. Lot numbers in an addition to a subdivision of the same name shall be a continuation of the numbering in the original subdivision;
- P. Land parcels to be dedicated for any purpose, public or private, shall be distinguished from lots intended for sale;
- Q. The following certificates may be combined where appropriate:
 - 1. A certificate signed and acknowledged by all parties with any record title interest in the land subdivided, consenting to the preparation and recording of the plat,
 - 2. A certificate signed and acknowledged as above, dedicating all parcels of land shown on the final map intended for any public use except those parcels which are intended for the exclusive use of the lot owners in the subdivision, their licensees, visitors, tenants and servants,
 - 3. A certificate with the seal of and signed by the engineer or the surveyor responsible for the survey and final map,
 - 4. Other certifications now or hereafter required by law;
- R. Lots containing one acre or more shall show net acreage to nearest hundredth, whenever possible;
- S. Each and every plat, or replat, 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 subdividing and platting of the land for which subdivision approval is sought shall examine and approve such plats on behalf of the city.
 - 2. Be accompanied by a complete survey of the section or sections in which the plat or replat is located, or as much thereof as may be necessary to properly orient the plat within such section or sections. The plat and section survey shall be submitted with complete field and computation notes showing the original or reestablished 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 plat shall accompany this data. The allowable error of closure shall not exceed one foot in five thousand feet.
 - 3. Be acknowledged by the person filing the plat 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 plat 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;
- T. Final application shall include information necessary to determine whether all conditions of approval have been met.

15.10.180 Final plat permanent control monuments. Permanent control monuments shall be established at each and every controlling corner on the boundaries of the parcel of land being subdivided. The city shall determine the number and location of permanent control monuments within the plat, if any.

15.10.190 Final plat survey of subdivision and preparation of plat. The survey of the proposed subdivision and preparation of the plat shall be done using the City of Lacey Coordinate System and shall be made by or under the supervision of a registered land surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed.

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.
- 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 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.

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 LMC Chapter 15.16 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.
- 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 Section 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.

15.10.220 Final plats within flood zone. No plat shall be approved covering any land situated in a flood control zone as provided in Chapter 86.16 RCW without the proper written approval of the Department of Ecology, state of Washington.

15.10.230 Final plats containing private streets. If the plat contains a private road, there shall be inscribed on the face of the plat the following language:

“Notice: The City of Lacey has no responsibility to build, improve, maintain or otherwise service the private roads within or providing access to property described in this plat.”

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. 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.

15.10.250 Final plat filing by subdivider. Approval of the final plat shall be null and void if the plat is not recorded with thirty days after the date the last required signature has been obtained.

15.10.260 Final plat composition.

- A. Dedication. The completed plat must contain a dedication which shall read as shown on *Table 15T-01*, or as approved by the planner.
- B. Acknowledgment. The completed plat must show an acknowledgment in the form as shown on *Table 15T-02*, or as approved by the planner.
- C. Certificate--Land Surveyor. The completed plat must show certificate from engineer or land surveyor who platted the property in the form as shown on *Table 15T-03*, or as approved by the planner.¹
- D. Any plat that is within five hundred (500) feet of a designated resource area shall have a statement on the face of the plat stating that the subject property is near a designated natural resource area on which commercial activities may occur that may not be compatible with residential development

¹ Editor's Note: See Table 15T-04 for an example of a final plat map.

for certain periods of limited duration. If the designated resource area is a mineral extraction site, like a gravel pit, the notice should also state that activities may include such things as mining, mineral extraction, washing, crushing, stockpiling, blasting and transporting and recycling of minerals. In the Lacey growth area there are no areas of designated "long term commercial significance". Nevertheless, there are designated areas of short term use including mineral extraction, agricultural and forestry. These areas are expected to be utilized throughout the foreseeable future, and might have conflicts with other land use planned within the urban growth area. As such, the statements above are required to provide notice to perspective lot purchasers that are close to these areas for disclosure purposes, and also the protection of the short term resource activities established within the urban growth boundaries.

Section 8-9 As part of such Title 15, there is hereby added a new chapter, 15.12 entitled Design Standards for Subdivisions, Short Subdivisions and Binding Site Plans, to read as follows:

15.12.010 General standards.

- A. The design and development of a subdivision, short plat or binding site plan shall conform with the goals and policies of all of the elements of the Lacey Comprehensive Land Use Plan, and standards and requirements of the Zoning Ordinance title 16, Development Guidelines and Public Works Standards, environmental legislation contained in title 14 LMC, Design criteria of chapter 14.23 LMC, and other regulations and resolutions adopted by the city council.
- B. The design and development of subdivisions, short plats and binding site plans shall, insofar as it is possible, preserve or enhance the natural terrain, natural drainage, trees and other natural vegetation.
- C. Design standards for short subdivisions shall be substantially the same as those for subdivisions. Provided, residential short plats shall have no common open space requirements. In addition, short plats designed for infilling on parcels of record and with existing residential development shall meet the following minimum requirements:
 - 1. Each newly created lot shall provide minimum street frontage as provided in the zoning district in which it is located. Private streets or drives shall not be used to provide access to new lots.
 - 2. Each newly created lot shall be configured in a manner so that new residential construction will be oriented parallel to the fronting public road. Flag lots or other configurations that result in the placement of a structure behind an adjacent residential unit shall not be allowed.
 - 3. Each new lot shall have sufficient area for the construction of a new residential structure meeting all requirements of the underlying zoning standards of the Lacey Municipal Code Title 16, and Design Review Standards of the Lacey Municipal Code Chapter 14.23.
- D. Design standards for commercial short plats and binding site plans shall be substantially the same as for commercial plats.

15.12.020 Streets.

- A. Streets shall satisfy the goals and policies of the City Transportation Plan and the Comprehensive Land Use Plan and meet City Development Guidelines and Public Works Standards.

- B. A modified grid pattern with alleys is encouraged.
- C. The alignment of major streets shall conform as nearly as possible with that shown on the Comprehensive Land Use Plan and associated Transportation Element (the City Transportation Plan) of the growth area.
- D. The layout of streets shall provide for the continuation of principal streets existing in adjoining subdivision or of their proper connections when adjoining property is not subdivided. The layout shall also provide for future connection of streets into areas which presently are not subdivided.
- E. The layout of streets should consider orientation to be able to take advantage of solar access opportunities for development of lots.
- F. Local residential streets which serve primarily to provide access to abutting property only shall be designed to discourage through traffic. A full range of traffic calming techniques may be required.
- G. Where a subdivision abuts or contains an existing or proposed arterial or collector street, the subdivision shall, be required to provide a 20 foot buffer between the road and lot lines, designated as common property, with screen planting separated from the lots for protection of residential properties from noise, light and glare and to afford separation of through and local traffic.
- H. All streets within a subdivision shall either be dedicated to the public, or be private streets to be owned and maintained by an approved homeowners' association. Public and private streets shall be subject to the design and construction requirements of the city's Development Guidelines and Public Works Standards.

15.12.030 Water supply. All lots shall be served by the sanitary water system approved by the City of Lacey. All water supply systems shall be designed and constructed according to all applicable provisions of Title 14 and the City's Development Guidelines and Public Works Standards.

15.12.040 Sewage disposal. All lots shall be served by the sanitary sewer system of the City of Lacey or an approved septic tank system approved by the Thurston County Department of Health. All sanitary sewers shall be designed and constructed according to all applicable provisions of Development Guidelines and Public Works Standards.

15.12.050 Storm drainage. All lots shall be provided with adequate provisions for storm drainage that is connected to the storm drainage system of the City or other on-site system as approved by the director of Public Works. All storm drainage systems shall be designed and constructed according to all applicable provisions of the Development Guidelines and Public Works Standards.

15.12.060 Fire protection standards. The land division shall meet all fire protection requirements pursuant to the Development Guidelines and Public Works Standards and chapter 14 LMC.

15.12.070 Utility standards.

- A. Utilities serving all land divisions shall be placed underground and shall be in conformance with the provisions contained in the Development Guidelines and Public Works Standards. If topographic constraints otherwise prohibit their placement underground, the public works director may waive this requirement.

- B. Where possible, utilities shall serve lots through alleys. If alleys are not available, easements may be required along the lot lines or through blocks where necessary for the extension of existing or planned utilities. Such easements shall have written approval from the utility purveyor prior to the acceptance of the final plat.

15.12.080 Lots.

- A. Lot size, width, shape and orientation shall be appropriate for the location and contemplated use of the subdivision. Each lot shall contain a satisfactory building site and shall conform to requirements of the Zoning Code and Comprehensive Land Use Plan.
- B. Consideration should be given to orientation of lots that takes advantage of solar access.
- C. Each lot shall be provided with satisfactory access by means of a public street or by some other legally sufficient right-of-access which is permanent and inseparable from the lot served.
- D. Side lot lines shall be substantially at right angles or radial to street lines.
- E. Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. For such lots, there shall be a reserve strip designated alongside the lot lines abutting such a traffic arterial to which there shall be no right-of-access.

15.12.090 Pedestrian features.

- A. Adequate provisions for pathways, sidewalks and other pedestrian features connecting various parts of the land division shall be an emphasis of design. Goals and policies of the Comprehensive Land Use Plan for key pedestrian intersections and improvements and applicable criteria of the Design Review chapter of title 14.23 shall be used when designing pedestrian movement and circulation.
- B. For residential land divisions, consideration shall be given to key focus areas in every neighborhood, particularly considering local grade schools, and how each land division relates to these areas and provides connectivity to key sites within each neighborhood. Particular emphasis shall be given to provision of sidewalks and other planning features that assure safe walking conditions for students who walk to and from school pursuant to RCW 58.17.060 (2).
- C. For commercial land divisions, emphasis shall be connectivity with adjacent neighborhoods, commercial uses on site and providing a comfortable, safe and convenient pedestrian movement throughout the land division.
- D. The overall design of the land division shall emphasize the pedestrian and shall provide for pedestrian circulation within the public right of way. However, pedestrian corridors and walks shall be provided outside the public right of way where necessary to provide access and connectivity to key areas within or adjacent to the land division or neighborhood. Generally, the private right of way for such areas should be a minimum of ten feet wide and the paved surface wide enough to accommodate the anticipated use. These areas shall be located where it is most convenient for pedestrians to provide circulation or access to schools, playgrounds, shopping centers, bus stops and other community facilities. Such areas shall be designed as common property and maintained by the home owners/lot owners association or dedicated to a public entity.
- E. Residential or commercial land divisions shall meet the pedestrian design requirements for the zone in which it is located pursuant to requirements of Chapter 14.23.

15.12.100 Blocks.

- A. Blocks shall be consistent with the topography and the needs for convenient access, circulation, control and safety of street traffic, and type of land use proposed, but ordinarily, block lengths shall not exceed five hundred feet or be less than two hundred fifty feet.
- B. Except for reverse frontage parcels, the width of blocks shall ordinarily be sufficient to allow for two tiers of lots of depths consistent with the type of land use proposed and an alley. The depth of lots will depend upon the zoning district the subdivision is in.

15.12.110 Easements.

- A. Easements for public utilities shall be provided in alleys or on front or side lot lines where necessary when alleys are not available. Such easements shall not be more than is required for normal provision of utilities and maintenance; normally five feet. Insofar as possible, the easements shall be continuous and aligned from block to block within the subdivision and with adjoining subdivisions.
- B. Easements for unusual facilities such as high voltage electrical lines, shall be of such widths as is adequate for the purpose, including any necessary maintenance roads.

15.12.120 Open space/park. The minimum usable open space/park area for subdivisions and commercial/industrial land divisions of ten acres or more and all residential subdivisions as defined in Section 15.02.020.JJ. shall be ten percent of the total site. Such open space shall at a minimum meet the following standards:

- A. Open space area must be designed to be attractive and usable for active as well as passive recreation opportunities. No use shall be allowed within open space that adversely affects the aesthetic appeal or usability of the open space.
- B. For the purpose of calculation of the ten percent requirement, open space shall be separate and distinct from buffers, required yard areas, setbacks, and other undeveloped portions of the site.
- C. Open space area shall have convenient access for residences of the development and normally shall be consolidated to provide maximum access, visibility, usability, minimization of impacts to residential uses, and ease of maintenance.
- D. Open space areas shall be designed and placed in consideration of existing and potential open space on adjacent parcels to provide consolidation or opportunities for future consolidation of neighborhood open space areas.
- E. Existing trees and significant vegetation shall be maintained in open space areas unless an alternate landscaping plan for such areas is required or approved or unless planned active recreational activities would conflict with existing vegetation. In case of conflicts with planned activities, the design should strike a balance, as determined by the City, where it maximizes active recreation opportunities while trying to maintain the most important stands of trees and vegetation.
- F. The open space shall include amenities such as benches, trails or picnic tables to provide usable relief from buildings and pavement.

- G. Cash or like value of land area and improvements may be donated to the city for open space purposes to fulfill a portion of open space requirements within that specific parks planning area. Acceptance of such donation will be at the discretion of the city and consistent with city policies for the provision of open space.
- H. Up to fifty percent of a development's open space requirement may be satisfied by wetland and/or critical area habitat and required critical area buffers in consideration of the significant passive recreation opportunities provided by said lands. The remaining fifty percent open space requirement must be set aside outside of the wetland and wetland buffer area to provide for and accommodate proposed or potential future active (high intensity) recreational use.

15.12.130 Street lights.

- A. Street lights within residential subdivisions shall be of a pedestrian scale, meeting requirements of the Development Guidelines and Public Works Standards and the intent of the Comprehensive Land Use Plan to provide a pedestrian emphasis in our residential neighborhoods. Street lights shall be of a design and shall be spaced according to the city's Development Guidelines and Public Works Standards.
- B. In addition to, normal collector and arterial street lighting, street lights in commercial subdivisions and in commercial zones with a pedestrian emphasis shall provide pedestrian scale street lights for pedestrian areas. The design shall be consistent with the lighting standards for the specific commercial zone pursuant to the Development Guidelines and Public Works Standards, local planning area Plan or Neighborhood Plan, if any.

15.12.140 Pedestrian and transit friendly improvements. Each residential or commercial subdivision shall meet the pedestrian design requirements for the zone in which it is located pursuant to requirements of Chapter 14.23.

Section 9.10 As part of such Title 15, there is hereby added a new chapter, 15.14 entitled Dedications--Plats, Short Plats and Binding Site Plans, to read as follows:

15.14.010 Requirements.

- A. All streets, highways and parcels of land shown on the final map and intended for any public use shall be offered for dedication for public use, except where the provisions of this title provide for private streets.
- B. Streets intended for future use as access to adjoining properties must be dedicated and constructed even though their immediate use is not required.
- C. Easements being dedicated shall be so indicated in the certificate of dedication and on the face of the plat.
- D. Every final plat, short plat or binding site plan filed for record must contain a certificate giving a full and correct description of the lands divided as they appear on the plat, short plat, or binding site plan, including a statement that the subdivision, short subdivision, or binding site plan has been made with the free consent and in accordance with the desires of the owner or owners. If the plat, short plat, or binding site plan includes a dedication, the certificate shall also contain the dedication

of all streets and other areas to the public, and individual or individuals, religious society or societies or to any corporation, public or private, as shown on the plat, short plat, or binding site plan, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided.

- E. Every plat, short plat, and binding site plan containing a dedication filed for record must be accompanied by a title report confirming that the title of the lands as described and shown on said plat, short plat or binding site plan is in the name of the owners signing the certificate.
- F. An offer of dedication may include a waiver of right of direct access to any street from any property, and if the dedication is accepted, any such waiver is effective. Such waiver may be required by local authorities as a condition of approval. Roads not dedicated to the public must be clearly marked on the face of the plat, short plat or binding site plan. Any dedications, donation or grant as shown on the face of the plat, short plat or binding site plan shall be considered, to all intents and purposes, as a quit claim deed to the said donee or donees, grantee or grantees for his, her or their use for the purpose intended by the donors or grantors as aforesaid.
- G. All wetland and buffer areas shall be shown dedicated to the city of Lacey or other entity approved by the city of Lacey on the final plat, short plat or binding site plan map.

15.14.020 Shown on plat, short plat or binding site plan. All dedications of land shall be clearly and precisely indicated on the face of the plat, short plat or binding site plan.

15.14.030 Access to lots. Convenient access to every lot shall be provided by a dedicated road unless served by a private road approved in accordance with this title.

15.14.040 Exemption--Conveyance to corporation.

- A. If the council concludes that the public interest will be served thereby, the council may, in lieu of requiring the dedication of land in a land division for protective improvements, drainage ways, streets, alleys, sidewalks, parks, playgrounds, recreational, community or other general purposes, allow the land to be conveyed to a homeowner's association or similar nonprofit corporation.
- B. When park, playground, recreational, community or other general purpose areas are conveyed to a homeowner's association or similar nonprofit corporation, the following shall be placed on the face of the final plat:
 - 1. "Community area(s) (as identified on the map) shall be designated as community open space to be owned and maintained in common for the benefit of all lot owners."
 - 2. "The ownership interest in the community area(s) (as identified on the map) shall be stated in the deed to each lot."
- C. A statement similar to the following shall be placed on the face of the final plat, short plat or binding site plan when park, playground, recreational, community or other general purpose areas have specific restrictive uses attached by the city council:

"Community area(s) (as identified on the map) shall be left in a substantially natural state. No clearing, grading, filling or construction shall occur within the tract(s) other than that specifically

authorized by the City of Lacey and the (Name of land division) homeowners/lot owner's association."

15.14.050 Exemption--corporate membership and responsibilities--conditions. A subdivider who wishes to make a conveyance as permitted by Section 15.14.040, shall, at or prior to the time of filing a final plat, short plat or binding site plan for approval, supply the city with copies of the grantee organization's articles of incorporation and bylaws, and protective covenants or lot owner's agreement applicable to the land together with evidence of the conveyance or a binding commitment to convey. Such articles of incorporation, by-laws, protective covenants or lot owner's agreement shall contain at a minimum the following provisions:

- A. Membership in the lot owners association will be mandatory for all lot owners.
- B. The lot owners association shall have the power to levy fees and dues necessary to successfully maintain all common areas, including, but not limited to, utilities, shared parking facilities, open space, landscaped areas, drainage areas and streets;
- C. Such agreement shall provide for the collection of attorney fees extended in collecting delinquent assessments from lot owners;
- D. The responsibility of the lot owners association in relationship to the maintenance of the various common facilities and areas shall be detailed;
- E. The amount of the initial fees or dues shall be established and be subject to approval of the city;
- F. All agreements and requirements for shared parking shall be set forth;
- G. All protective covenants and declarations applicable to the properties within the site shall be subject to approval of the city.

The city may impose such other conditions as it deems appropriate to assure that the property and improvements will be adequately constructed and maintained.

Section 10. ^{11 cont} As part of such Title 15, there is hereby added a new chapter, 15.16 entitled Improvements, to read as follows:

15.16.010 Agreement. Before council approval is certified on the final plat or before the director approves the short plat or binding site plan the subdivider shall either install required improvements and repair existing streets and other public facilities damaged in the development of the subdivision; or execute and file with the city an agreement between the subdivider and the city specifying the period within which required improvements and repairs shall be completed. The agreement shall provide that if the work is not completed within the period specified, including any extensions of time authorized by the council, the city may complete the work and recover the full cost and expense thereof from the subdivider. The agreement may provide for the construction of the improvements in units and for an extension of time under specified conditions. In addition, the agreement must contain a provision whereby the subdivider will be responsible for the successful operation of all repairs to the improvements for a one-year period following their installation.

15.16.020 Financial security.

- A. The subdivider shall file with the agreement to assure full and faithful performance thereof, one of the following:
1. A surety bond executed by a surety company authorized to transact business in the state of Washington in a form approved by the city attorney;
 2. A personal bond approved by the city attorney cosigned by at least one additional person together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of ability to proceed in accordance with the agreement;
 3. Cash;
 4. Letter of credit approved by the city attorney from a financial institution stating that the money is held for the purposes of development of the stated project.
 5. Assignment of savings from a financial institution approved by the city attorney stating that the money is held for the purposes of development of the stated project.
- B. Such assurance of full and faithful performance shall be for a sum equal to one hundred fifty percent of the amount determined by the city engineer as sufficient to cover the cost of the improvements and repairs, including related engineering and incidental expenses.
- C. If the subdivider fails to carry out provisions of the agreement and the city has unreimbursed costs or expenses resulting from such failure, the city shall call on the bond or cash deposit for reimbursement. If the amount of the bond or cash deposit exceeds the cost and expense incurred by the city, the city shall release the remainder. If the amount of the bond or cash deposit is less than the cost and expense incurred by the city, the subdivider shall be liable to the city for the difference.

Section ~~11~~ ¹² ~~ent~~ As part of such Title 15, there is hereby added a new chapter, 15.20 entitled Land Division Fees, Variances, Exceptions and Enforcement, to read as follows:

15.20.010 Fees. The fees to be paid to the city at the time of submission of land divisions for approval shall be established by resolution of the city council. All fees paid shall be nonrefundable if substantial work has been accomplished in review or processing of the land division. If the time involved in the land division application has not been substantial, having only included normal checking of the application for completeness, and not having yet involved review of the land division or advertisements or notices for hearing, the director may authorize a pro-rated portion of the application fee returned, provided that all of the city's expenses have been fully paid.

15.20.020 Variance--Determination. The city council, upon recommendation of the land use hearing examiner, may grant conditional variances to the requirements of this title. Application for a variance to this title shall be made by petition by the subdivider, stating fully the necessity of the variance and the specific requirements for which the variance is requested. Before a variance may be granted, it shall first be determined:

- A. That special conditions and circumstances exist which are peculiar to the land such as size, shape, topography or location, not applicable to other lands in the same district and that literal interpretation of the provisions of this title would deprive the property owner of rights commonly enjoyed by other properties similarly situated in the same district under the terms of this title.

- B. That the special conditions and circumstances do not result from the actions of the applicant.
- C. That granting of the variance requested will not confer a special privilege to subject property that is denied other lands in the same district.
- D. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject property is situated.
- E. A finding shall further be made that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land.
- F. A finding shall further be made that the granting of the variance will be in harmony with the general purpose and intent of this title and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
- G. The fact that property may be utilized more profitably will not be an element of consideration.
- H. Before granting any variance, appropriate conditions and safeguards may be prescribed that will ensure that the purpose and intent of this title shall not be violated. Violation of such conditions and safeguards when made part of the terms under which the variance is granted, shall be deemed a violation of this title and punishable under Chapter 1.12.

If a variance is in conjunction with a preliminary plat, it shall be so stated in the public notice of hearing. A separate hearing shall be held for all other requests for variances.

15.20.030 Variance--Land use hearing examiner action. In recommending a variance, the land use hearing examiner shall make a written record of findings and shall specifically describe the variance and any conditions which the examiner may designate. The hearing examiner shall keep the findings on file as a matter of public record.

15.20.040 Variance--council action. Upon receipt the recommendation of the land use hearing examiner, the council shall act upon the variance in the same manner as authorized in Section 15.10.110.

15.20.050 Restrictions on other permits. No building permit, septic tank permit, or other development permit shall be issued for any lot, tract, or parcel of land divided in violation of Chapter 58.17 RCW or this title unless the official authorized to issue such permit finds that the public interest shall not be adversely affected thereby. The prohibition contained in this section shall not apply to an innocent purchaser for value without actual notice.

Section 12.13 ^{ent} As part of such Title 15, there is hereby added a new chapter, 15.22 entitled Community Facilities, to read as follows:

15.22.010 Definitions. The following words and phrases, when used in this chapter, have the meaning as set out in this section:

- A. "Community facility" or "community facilities" means stormwater control facilities or open space, park and recreation facilities, wetlands and wetland buffers, or any combination thereof.

- B. "Open space, park and recreation facilities" means any public facility, improvement, development, property or right or interest therein for public park, recreational, greenbelt, wetlands and wetland buffers, arboretum, athletic, historic, scenic viewpoint, aesthetic, ornamental or natural resource preservation purposes and shall include the surface land over interim common sewerage facilities.
- C. "Planned unit development" includes planned residential developments in accordance with Chapter 16.56 and similar developments of a nonresidential nature.
- D. "Stormwater control facilities" means any facility, improvement, development, property or interest therein, made, constructed or acquired for the purpose of controlling or protecting life or property from any storm, waste, flood or surplus waters wherever located.

15.22.020 Purpose.

- A. The city council finds that stormwater control facilities within subdivisions of the city must be adequately maintained and in some circumstances improved in order to protect property and persons within the subdivisions and also to protect property and persons outside of the subdivision from the effect of storm, flood or surplus storm and surface waters. The city currently requires the construction of adequate stormwater control facilities in accordance with the standards of the city but existing means of enforcing maintenance and adequate operation of said facilities by private property owners or homeowners' associations within subdivisions may not be sufficient to accomplish this purpose.
- B. The city council also finds that open space, park and recreation facilities within subdivisions of the city must be adequately maintained and operated in a manner which will be a benefit of residents within their subdivisions as well as all residents of the city to promote public health and safety. The city currently requires open space, park and recreation facilities to be set aside and constructed as part of subdivision approval by the city and such requirements are necessary in order to provide for the recreational development and leisure time activities of members of the community and to provide for the preservation of natural resources and aesthetic attributes of subdivisions, but existing means of maintenance of said facilities by private homeowners and homeowners' associations may not be sufficient to accomplish this purpose.
- C. There is a need to have a process and mechanism for providing maintenance for community facilities in case of a home owners association's inability or failure to properly maintain common facilities.
- D. During the platting process and when setting up home owner associations every effort shall be made to provide home owner associations with the necessary authority, financial capability, and resources to promote each associations independence and success in proper maintenance of community facilities.
- E. Provisions of the Community Facilities District should only be utilized when a home owners association has failed its maintenance responsibilities and there is an inability on the part of the association to accomplish proper maintenance of community improvements.
- F. Activation of a community facilities district shall be at the discretion of the City, and if activated the City shall collect fees necessary to pay for all costs of the district's maintenance responsibilities.

15.22.030 Community facilities committee. There is established within the city a community facilities committee consisting of the director of parks and recreation, the director of public works and the Lacey staff planner. The powers and functions of said committee shall be as follows:

- A. The committee shall review the preliminary plat, short plat or binding site plan of each proposed land division and advise the city council, site plan review committee or appropriate approval authority as to whether the community facilities proposed in said land division are acceptable for inclusion within a community facilities district; what changes, if any, will be necessary to make the proposed facilities acceptable for inclusion; and any additional facilities which should be constructed or reserved within the subdivision for inclusion in a community facilities district.
- B. The committee shall review all applications from homeowners' associations or a majority of the lot owners in subdivisions which existed prior to July 8, 1979, for the inclusion of community facilities within said subdivisions in a community facilities district and recommend to the city council whether or not such facilities should be accepted by the city for inclusion in a community facilities district.
- C. The committee shall, subject to the legislative policy of the city council and the administrative policy of the city manager, make all necessary decisions regarding existing community facilities districts, including, but not limited to, the frequency and amount of maintenance required for said facilities, the improvement or expansion of said facilities, and the recommended rates and charges to be paid by the property owners within said districts for the costs of such maintenance, operation and improvement.

15.22.040 Form of statement required on land divisions in community facilities districts. All final plat, short plat or binding site plans filed after July 8, 1979, where the city council has required community facilities therein to be part of a community facilities district, shall contain on the face of the plat, short plat or binding site plan, in a manner which will bind all property owners and future property owners of land within the land division, a statement substantially as follows:

"All land area within the boundaries of this plat (or short plat or binding site plan whichever is applicable) is within a Community Facilities District of the City of Lacey and all saleable lots are subject to all service fees and charges which may be levied by the City of Lacey for the maintenance, operation and improvement of community facilities and for liens for any unpaid service fees or charges."

15.22.050 Existing land divisions and planned unit developments. The city council may establish by ordinance a community facilities district within a land division or planned unit development which existed prior to July 8, 1979, after receiving recommendations from the community facilities committee and holding a public hearing upon application of a homeowners' association or other regularly constituted body representing the property owners within the affected area or upon the receipt of an application signed by the owners of more than fifty percent of the lots within a land division.

15.22.060 Advisory committees. The property owners within a land division or planned unit development which contains a community facilities district may elect or appoint an advisory committee. The duty of such advisory committee shall be to advise the community facilities committee as to the wishes and needs of residents of the land division or planned unit development regarding maintenance, operation and improvement of community facilities within their subject area.

15.22.070 Service fees and charges. The city council shall fix service fee rates and charges for the furnishing of maintenance and operation services and for the making of improvements for all community facilities within each community facilities district after receiving recommendation of such fees and charges from the community facilities committee. In fixing rates and charges, the council may consider services furnished or to be furnished, benefits received or to be received, the improvements made or to be made, and in the case of stormwater control facilities, the water run-off characteristics of the land within the district and the cost to control said water after it leaves the district and any other matters which present a reasonable basis for setting rates or present a reasonable difference as grounds for distinction in setting the rates for one district in relationship to other districts.

15.22.080 Lien for delinquent service fees and charges. The city shall have a lien for delinquent service charges, including interest thereon, against any property against which they were levied pursuant to this chapter, which liens shall be superior to all other liens and encumbrances except general taxes and local and special assessments. Such liens shall be effective and shall be enforced and foreclosed in the same manner as city charges for water and sewerage service.

Section 12 ^{if correct} The Summary attached hereto is hereby approved for publication.


PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this

13th day of January, 2005

CITY COUNCIL

By 
Mayor

Approved as to form:


City Attorney

Attest:


City Clerk

Published: 1-17-05
(Monday)

SUMMARY FOR PUBLICATION

ORDINANCE 1235

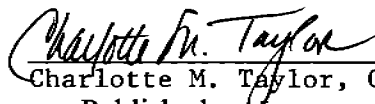
CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on January 13, 2005, Ordinance No. 1235, entitled "AN ORDINANCE RELATING TO THE DIVISION OF LAND, REPEALING THE CITY'S CURRENT SUBDIVISION ORDINANCE CODIFIED IN TITLE 15 OF THE LACEY MUNICIPAL CODE AND ADOPTING NEW REGULATIONS AND PROVISIONS AS A NEW TITLE 15 TO SAID CODE AND APPROVING A SUMMARY FOR PUBLICATION."

The main points of the Ordinance are described as follows:

1. The Ordinance reflects that the Planning Commission and City Council have, after public hearing and public meetings, determined that revisions to the City's subdivision ordinances are necessary and that the new procedures and standards set forth in this ordinance are in compliance with the City's Comprehensive Plan and other plans and regulations of the City.
2. The new provisions recognize and are consistent with requirements of the State Growth Management Act, enables those subject to its provisions and City staff to better comply with and administer the provisions of the adopted regulations and accurately reflect the current land use environment.
3. New provisions adopted as part of this ordinance include those for boundary line adjustments and lot consolidations in binding site plans.
4. 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.



Charlotte M. Taylor, City Clerk

Published: January 17, 2005.