

ORDINANCE NO. 1369

CITY OF LACEY

AN ORDINANCE RELATING TO CONDOMINIUM DEVELOPMENT AND CONVERSION, ADDING A NEW CHAPTER, 15.07 AND NEW SECTIONS 15.06.015 AND 15.12.015 TO THE LACEY MUNICIPAL CODE, AMENDING SECTIONS 15.01.030, 15.01.040, 15.06.090 AND 15.02.020 OF SAID CODE AND ADOPTING A SUMMARY FOR PUBLICATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY,

WASHINGTON, as follows:

Section 1. There is hereby added a new Chapter 15.07 to the Lacey Municipal Code entitled Condominium Development and Conversion and containing the following sections:

**15.07.010 Purpose and Intent.**

To satisfy the intent and promote opportunities described in the State Condominium Act RCW 64.34.

To provide local oversight of requirements of the State Condominium Act RCW 64.34;

To provide a City review and approval process for condominium conversions and the condominium form of housing ownership;

To provide standards for conversions to mitigate identified impacts and provide for the public health, safety, welfare, use and interest;

To promote the intent of GMA to provide a range of housing types including high density forms of housing;

To provide opportunities for home ownership with a variety of housing types including high density forms of housing;

To provide the residents of the City an opportunity for a variety of housing choices and opportunities;

To promote new and maintain existing affordable housing opportunities in a variety of housing types;

To provide minimum standards for inspections of condominium conversions to promote the public's health and safety;

To provide access to necessary services for residents of rental housing, mobile home parks, manufactured home parks and other forms of housing that may be impacted by condominium conversions;

To provide opportunities and incentives for development of a variety of housing types and forms to promote the City's various housing goals, policies and programs.

**15.07.020 Applicability.**

Every condominium and condominium conversion in Lacey, as defined by RCW 64.34, is subject to the requirements of this chapter. In addition to the requirements of state law, the requirements of this chapter must be satisfied before the condominium development or conversion can be approved by the City of Lacey and filed with Thurston County or the state. For condominium development or conversions in Lacey, this chapter provides both oversight to the requirements of state law and the implementation of additional local standards and requirements as provided for and authorized by state law.

**15.07.025 Pre-submission Conference Required.**

Before making an application for a condominium development or conversion, the applicant shall attend a pre-submission conference in accordance with Section 1B.020 of the City of Lacey Development Guidelines and Public Works Standards.

**15.07.029 Administration.**

**A. Generally:** The administration of this chapter is set forth within the provisions of this chapter, other sections of LMC Chapter 15 (Land Division Ordinance) and the Development Guidelines and Public Works Standards. The Director is vested with the duty of administering and interpreting the provisions of this title.

**B. Review Process:** The process for review of a condominium development or conversion will be the administrative binding site plan process described within LMC Chapter 15.06.

**15.07.030 Application.**

An applicant shall submit a complete condominium development or conversion application to the Department of Community Development. A complete application for the purposes of this chapter shall consist of the application material required in 15.06.030.

**15.07.045 Minimum Standards, Development of Condominium, Conversions, Dependant on Development Form.**

**A. Review of State Requirements:** All standards, requirements, conditions and expectations of state law shall be satisfied as determined by the Director. No declaration to create a condominium within the City of Lacey shall be filed or recorded at Thurston County or the State of Washington without first having the approval of the City of Lacey. The City shall work with the County Treasurer, Assessor and Auditor's offices to coordinate this requirement.

**B. General Application:** The process and review applied to an application for condominium development or a conversion are described in Title 15 of the Lacey Municipal Code, specifically LMC 15.06, LMC 15.12 and as otherwise described in this Chapter.

**C. Manufactured Home Park:** New condominium development, in the form of a manufactured home park, shall be reviewed subject to the requirements and performance standards contained in LMC 16.63 and Title 15.06 as applicable.

**D. Townhomes, Duplexes, Triplexes:** New condominium development in the form of townhomes, duplex or triplex units shall be subject to the performance standards contained in LMC 16.61 and Title 15.06 as applicable.

**E. Review of conversions:** Review process and standards applied to a conversion from a previously approved land use form will generally follow the same process and standards applied to similar development forms under a different ownership type. Review, performance standards and conditions, if applicable, will be tailored to each project, based on site specific review to address unique circumstances and need. Provided, where this would include new physical improvements to infrastructure a full disclosure of deficiencies as identified in section 15.07.050 D shall be sufficient, except as otherwise may be allowed under section 15.07.050.

**F. Consistency with the Comprehensive Land Use Plan:** New condominium development must be consistent with the provisions of the Comprehensive Land Use Plan. Based upon individual site evaluations and identified impacts, conditions may be applied to new development, to achieve goals and policies of the Plan.

**G. Finding for Approval:** Prior to approval, the Director or his/her designee shall make findings that adequate provisions have been made for roads, utilities, emergency access, the general public health safety and welfare and the application is consistent with the goals and policies of the Comprehensive Plan. Provided, in application to conversions, where this would include new physical improvements to infrastructure a full disclosure of deficiencies as identified in section 15.07.050 D shall be sufficient.

**H. Decision for best process:** Where there is a question as to the most appropriate review process for a new condominium development or conversion, the Director shall be given

latitude necessary to determine and apply the process that would most reflect the underlying land form.

**I. Decision for applicable requirements and conditions:** In application of conditions to a new condominium development or conversion, the Director shall be given latitude to apply requirements and conditions necessary to achieve the objectives and intent of this chapter and state condominium law.

**15.07.050 Conversion - Inspection, Repair, Upgrades, Warranty.**

**A. Multiunit buildings:** The conversion of an existing building(s) into a condominium shall comply with the provisions of RCW 64.34.440 (6) regarding building code compliance, reports and repairs. Within 45 days of the determination of a complete application, the Building Official shall inspect the building (s) and within 14 days of inspection prepare an inspection report consisting of the following:

1. A list and summary of housing codes adopted by Lacey that are applicable regardless of whether the real property is owned as a condominium or other form of ownership.
2. A list of any violations of the International Building Code (IBC) or other applicable regulations.
3. Recommendation of corrections necessary prior to approval and recording of the final condominium.

The inspection by the Building Official does not apply to building(s) that have received a certificate of occupancy from the City of Lacey within the preceding 24 months.

**B. Building Official Determination:** The recommendations of the Building Official shall be incorporated into the preliminary approval of the application and, if necessary, incorporated

into conditions of approval that are to be satisfied prior to final approval and recording of the condominium.

**C. Contracting for services required under RCW 64.55:** The City may contract with one or more professionals that qualify as a Building Review Professional under the definition of this chapter. Said professional or professionals shall be responsible for providing the information and services required of a Building Review Professional described herein.

Individual applicants will be responsible for payment of the costs and fees of the designated Building Review Professional for projects necessitating work to be performed by the Building Review Professional that is required under RCW 64.55. The City shall be responsible for billing and collecting costs and fees charged to the applicant and transferring said payment to the Building Protection Professional unless the City has opted for some other mechanism of providing for the costs and fees, such as inclusion of such costs and fees in the schedule of application fees.

**D. Mitigation strategies for non-multiunit conversions:** An audit of infrastructure and other urban standards, typically applied to establishment of other similar urban development in a different ownership form, will be reviewed and disclosure required of any improvements that would be necessary to bring said facilities up to current standards. Said findings will be incorporated into an information disclosure along with a reserve study as part of the governing documents (covenants, conditions and restrictions) where detail of maintenance responsibilities and anticipated expenses can be addressed and disclosed to future purchasers.

**E. Structures under individual ownership exempted.** Where there is already private ownership of separate structures, such as manufactured home parks, the standards required under 15.07.050D shall apply only to infrastructure and improvements that were owned and

maintained by the park owner that will need to be assumed and maintained by the new condominium association.

**15.07.055 Conversion - Tenant Assistance.**

**A. Impacts of conversion and need for assistance for low income households:** Conversion of rental units or mobile/manufactured home parks to a condominium form of ownership may have significant impact to tenants who rent apartment units or spaces within a mobile/manufacture home park. Apartment renters may not be able to meet expenses associated with moving and relocation. Mobile/manufactured home owners who rent spaces are of particular concern, faced with significant challenges finding available space for location of their home in addition to significant relocation costs. Low income tenants are at particular risk of not being able to meet financial costs of displacement.

Pursuant to RCW 64.34.440 and RCW 59.21.021, impacted individuals, with a household income below 80% of the median income of comparable sized household in the standard metropolitan statistical area, may qualify for assistance during conversion of apartment units or mobile/manufactured home parks.

**B. Multiunit structures with existing tenants:** The City hereby exercises the option provided under 64.34.440 to require any conversion condominium to comply with the requirements of RCW 64.34.440 (6) regarding tenant relocation assistance and the requirements of RCW 64.34.440 (7) for enforcement. The Lacey Community Development Director or his/her designee shall work with the conversion applicant(s), housing authority, and other non profit housing organizations as necessary, to help coordinate the smooth transition of qualified tenants into replacement housing.

Guidelines implementing this requirement shall be developed administratively by the Community Development Department.

**C. Manufactured home parks and similar land forms:** Applications for the conversion of a manufactured home park, mobile home park or similar land form shall mitigate displacement impacts to low income tenants. To identify current impacts and provide appropriate assistance, the City will require the applicant of a manufactured or mobile home park conversion to provide an analysis of impacts.

**Identifying impacts and need:**

- 1) A current analysis (within 120 days of the application date) of the number of available spaces for location of these units within the City of Lacey and Thurston County;
- 2) A current analysis (within 120 days of the application date) of the relative cost of moving units from the subject site to replacement sites and applicability of the costs identified in RCW 59.21;
- 3) Proposed alternative mitigation strategies if moving units are not possible. This may include:
  - a) Discounts with financing on the purchase of lots once the residents' lots are converted to condominium ownership;
  - b) Purchase of the manufactured or mobile home unit at fair market value;
  - c) Other strategies that mitigate the impact of loss of the resident's housing or moving expenses.

**Forms of mitigation:** There are generally two forms of mitigation discussed in state law for low income tenants; future rents, RCW 64.34.440 (6) and relocation expenses for mobile manufactured homes, RCW 59.21.021. Both of these forms of mitigation may be used in developing a mitigation plan.

Within RCW 59.21 the state has established a program for relocation of displaced low income mobile/manufactured home owners. However, this program may have limited funds, a

backlog over a year and requires outlay of expenses that will later be reimbursed. Because of these limitations it is not a guaranteed mitigation alternative for low income homeowners.

The state program for reimbursement of relocation expenses for mobile/manufactured homes should be a part of a mitigation strategy proposed by the applicant, as well as other strategies necessary to mitigate impacts.

Other mitigation actions shall include:

- Work with low income mobile/manufactured home owners to help tenants secure loans to cover relocation expenses;
- Coordinating work with the state and tenants to qualify for relocation assistance;
- Helping locate areas to move homes through studies completed as part of the mitigation plan.
- Relocation expenses for future rents as allowed under RCW 64.34.

**15.07.057 Incentives for conservation and development of affordable housing resources.**

**A. Incentive programs for housing:** A condominium conversion will be eligible for incentives that may be available to promote housing goals. Condominium conversions are encouraged to participate in these program(s) as they become available.

**B. Forecasted planning area housing resources:** Housing incentives available to a conversion may be based upon the demographic needs of individual planning areas or other incentive criteria as established by the city; see chapter 16.58.

**15.07.060 Preliminary and Final Review.**

Preliminary and final review of the Project Plan Drawing and application shall follow the same review procedures and shall have the same review requirements for submittals and process as described in sections LMC 15.06 (Binding Site Plans),

**15.07.065 Review Criteria and Required Findings.**

The criteria used to review the application shall be as follows:

**A. Conformance with Plans and implementing codes:** To assure conformance of the proposed condominium development or conversion to the general purposes of this chapter, all elements of the Comprehensive Land Use Plan and implementing legislation including the Zoning Code (Chapter 16 of the Lacey Municipal Code), the Development Guidelines and Public Works Standards, and other applicable planning standards, specifications and policies adopted by the city council shall be considered and where appropriate, required as conditions of the conversion. Provided, where this would include new physical improvements to infrastructure a full disclosure of deficiencies as identified in section 15.07.050 D shall be sufficient;

**B. Conformance with requirements for a binding site plan.** All the requirements discussed and required for a binding site plan in section 15.06.050 shall be met. Provided, where this would include new physical improvements to infrastructure a full disclosure of deficiencies as identified in section 15.07.050 D shall be sufficient;

**C. Provisions for Inspections and relocation assistance:** Adequate provision shall be made for requirements of section 15.07.50 and 55;

**D. Findings:** Consideration shall be given to all of the above items. Written findings of fact on each item considered shall be provided in the decision.

**15.07.070 Final drafting standards for recording.**

The final Plan drawing shall conform to the general requirements of section 15.06.090 of the LMC. Provided the drawing shall have a title that is reflective of the subject, stating specifically the Plan is either for a "Condominium Development" or a "Condominium Conversion".

### **15.07.073 Notice of Resource Lands.**

**A. General requirement for notice:** Any new condominium development or condominium conversion that is within five hundred feet of a designated resource area shall have a statement on the face of the project plan drawing stating that the subject property is near a designated natural resource area. This statement shall designate on which said areas commercial activities may occur that may not be compatible with residential development 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.

**B. Intent and purpose of notice:** 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 described in Subsection A. 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.

### **15.07.080 Recording.**

**A. Requirements for recording:** The form and composition of applications for all condominiums within the City of Lacey shall meet the requirements of this chapter, as well as requirements of the Thurston County Assessor and Thurston County Auditor's office.

**B. Required form for City of Lacey approval:** A form for the signature of the Lacey Community Development Director, or designee, has been developed to demonstrate review and approval from the City of Lacey. This form, with the required signature, shall be submitted to the County Assessor and County Auditor's office with application for all condominium approvals within the City of Lacey.

**C. No condominium recorded without City of Lacey review and approval:** No declaration to create a condominium within the City of Lacey shall be filed or recorded at Thurston County or the state of Washington without first having been reviewed and approved of the City of Lacey.

Section 2. Section 15.01.030 of the Lacey Municipal Code is hereby amended to read as follows:

**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, condominium development, condominium conversions, 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.

Section 3. Section 15.01.040 of the Lacey Municipal Code is hereby amended to read as follows:

**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 five 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 of the Lacey Municipal Code;
- 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: Condominiums: A division made pursuant to the Revised Code of Washington, Chapter 64.32 the Horizontal Property Regimes Act, or the Revised Code of Washington Chapter 64.34, Condominium Act provided a site plan has been approved pursuant to Chapter 16.84 of the Lacey Municipal Code and the stated provisions of the Revised Code of Washington Chapter 58.17.040 have been approved by the city;~~

GF. 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 the Lacey Municipal Code;

HG. 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 chapter.

HH. A division for the purpose of leasing land for facilities providing personal wireless services pursuant to the Revised Code of Washington 58.17.040 (8).

JI. 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 the Revised Code of Washington Chapter 58.09.

KJ. Divisions of land due to condemnation or sale under threat thereof, by any agency or division of government vested with the power of condemnation.

Section 3. There is hereby added to the Lacey Municipal Code a new Section

15.06.015 to read as follows:

**15.06.015 Applicability Condominiums.**

A. General requirements. Every condominium in Lacey, as defined by RCW 64.34 is subject to the requirements of this chapter. In addition to the requirements of state law, the requirements of this chapter must be satisfied before the condominium can be approved by the City of Lacey and filed with Thurston County or the state. For condominiums in Lacey, this chapter provides both oversight to the requirements of state law and the implementation of additional local standards and requirements as provided for and authorized by state law.

B. Requirements for filing. No declaration to create a condominium shall be filed or recorded at Thurston County without first having the approval of the City of Lacey. The City shall work with the County Treasurer, Assessor and Auditor's offices to coordinate this requirement.

Section 4. Section 15.06.090 of the Lacey Municipal Code is hereby amended to read as follows:

**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.

G. When a condominium or condominium conversion is the subject of a site plan, the final Plan drawing shall have a title that is reflective of the subject, stating specifically the Plan is either for a "Condominium Development" or a "Condominium conversion".

Section 5. Section 15.02.020 of the Lacey Municipal Code is hereby amended to read as follows:

**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 review professional" means a licensed professional with academic training and field experience that makes him or her a recognized expert in review of buildings for compliance with building codes. The Building Review Professional shall have specific experience with review of buildings for code compliance within the state of Washington.

GH. "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.

HI. "City" means the city of Lacey, Washington.

IJ. 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.

JK. "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.

KL. "Concurrency" shall mean concurrent with development as defined in the Revised Code of Washington, 36.70A.070(6).

M. "Condominium Conversion" is a proposed conversion of an existing development or project with landuse approvals but not yet constructed to a condominium form of ownership.

N. “Condominium Development” is a new development project proposing or declaring a condominium form of ownership with its initial land use permit(s) or land use application(s).

LQ. “County” means the county of Thurston, state of Washington.

MP. “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.

NQ. “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; and
6. A statement by the owner that the short subdivision is made with his free consent.

OR. “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.

PS. "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.

QT. "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.

RU. "Flooding" means the inundation of an area of land that is not usually under water.

SV. "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.

FW. "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.

UX. "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.

Y. "Multiunit structure" means two or more units under the same ownership where the land has not been divided, i.e. duplex, triplex, quadraplex, apartment units, or in the case of commercial or industrial development a building with units designed to be rented or leased to two or more tenants.

~~VZ~~. "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.

~~WAA~~. "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.

~~XBB~~. "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.

~~YCC~~. "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 the Revised Code of Washington Chapter 58.17 and in this title adopted pursuant thereto.

~~ZDD~~. "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.

~~AAEE~~. "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.

~~BBFF~~. "Plat, short" means the map or representation of a short subdivision containing all of the pertinent information as required by this title.

~~CCGG~~. "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.

~~DDHH~~. "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.

~~EEII~~. "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.

~~FFJJ~~. "Roadway" means that portion of the street, including shoulders and bike lanes, for vehicular use.

~~GGKK~~. "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.

~~HHLL~~. "Subdivider" means a person who undertakes the subdividing of a parcel of land, also referred to as the applicant.

~~HMM~~. "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.

~~JJNN~~. "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.

~~KKOO~~. "Treasurer" means the treasurer of Thurston County, Washington.

~~LLPP~~. "Vacation" A process pursuant to the requirements of the Revised Code of Washington 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 6. The Summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,  
WASHINGTON, at a regularly-called meeting thereof, held this 9<sup>th</sup> day of  
June , 2011.

CITY COUNCIL

By: Tom Nelson  
Mayor

Approved as to form:

[Signature]  
City Attorney

Attest:

Cam Little  
City Clerk

**SUMMARY FOR PUBLICATION**

**ORDINANCE 1369**

**CITY OF LACEY**

**The City Council of the City of Lacey, Washington, passed on June 9, 2011, Ordinance No. 1369, entitled "AN ORDINANCE RELATING TO CONDOMINIUM DEVELOPMENT AND CONVERSION, ADDING A NEW CHAPTER, 15.07 AND NEW SECTIONS 15.06.015 AND 15.12.015 TO THE LACEY MUNICIPAL CODE, AMENDING SECTIONS 15.01.030, 15.01.040, 15.06.090 AND 15.02.020 OF SAID CODE AND ADOPTING A SUMMARY FOR PUBLICATION."**

The main points of the Ordinance are described as follows:

1. The ordinance adopts a new chapter, 15.07 to the Lacey Municipal Code relating to condominium development and conversion projects.
2. The ordinance amends various sections of the Lacey Municipal Code to achieve consistency with the adoption of the new condominium development and conversion chapter.
3. The ordinance approves this summary for publication.

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

Published: June 13, 2011.