

ORDINANCE NO. 1507

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATED TO SEPA FLEXIBLE THRESHOLD AMENDMENTS AND IMPACT FEES, AMENDING SECTIONS 14.24.020, 14.24.060, 14.24.070, 14.24.160, 14.24.180, 16.53.010 AND 16.53.020, ADDING SECTIONS 14.24.055 AND 16.53.080, ADDING CHAPTER 14.25, ALL OF THE LACEY MUNICIPAL CODE, AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, city staff previously proposed amendments to Lacey Municipal Code Chapters 14.24 (Environmental Policy) and 16.53 (Historic Preservation) to address legislative amendments and policy rules to reduce redundancy in the environmental permitting process; and

WHEREAS, on September 1, 2015, the Lacey Planning Commission conducted a public hearing on the proposed amendments; and

WHEREAS, after considering written comments the Planning Commission voted unanimously to recommend adoption of the proposed amendments; and

WHEREAS, Impact fees are charges paid by new development to reimburse local governments for the capital cost of public facilities necessary to serve the new development; and

WHEREAS, Impact fees are currently assessed for mitigating impacts for school facilities under the State Environmental Policy Act (SEPA); and

WHEREAS, the addition of an impact fee chapter to the Lacey Municipal Code would improve the procedure for collecting school impact fees and allow for the deferral of such fees as required by state law; and

WHEREAS, city staff followed the requirements of RCW 82.02 and worked with representatives from the North Thurston School District in the formation of the proposed impact fee chapter; and

WHEREAS, the Lacey Planning Commission conducted a public hearing on the proposed impact fee chapter on February 7, 2017; and

WHEREAS, written and oral comments were presented at said public hearing by the North Thurston School District, South Puget Sound Habitat for Humanity, and the Olympia Master Builders, all of whom expressed support for the proposed chapter; and

WHEREAS, the Planning Commission voted unanimously to recommend adoption of the proposed impact fee chapter; and

WHEREAS, the City Council finds that the adoption of the proposed amendments and proposed impact fee chapter will be in the public interest,

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

Section 1. Section 14.24.020 of the Lacey Municipal Code is hereby amended to read as follows:

14.24.020 Adoption by reference.

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

- 197-11-040 Definitions
- 197-11-050 Lead Agency
- 197-11-055 Timing of the SEPA Process
- 197-11-060 Content of Environmental Review
- 197-11-070 Limitations on Action During SEPA Process
- 197-11-080 Incomplete or Unavailable Information
- 197-11-090 Supporting Documents
- 197-11-100 Information Required of Applicants
- 197-11-158 SEPA/GMA project review - Reliance on existing plans, law, and regulations
- 197-11-164 Planned actions - Definition and criteria

- 197-11-168 Ordinances or resolutions designating planned actions - Procedures for adoption
- 197-11-172 Planned actions - Project review
- 197-11-210 SEPA/GMA integration
- 197-11-220 SEPA/GMA definitions
- 197-11-228 Overall SEPA/GMA integration procedures
- 197-11-230 Timing of an integrated GMA/SEPA process
- 197-11-232 SEPA/GMA integration procedures for preliminary planning, environmental analysis and expanded scoping
- 197-11-235 [SEPA/GMA integration](#) documents
- 197-11-238 [SEPA/GMA integration](#) monitoring
- 197-11-250 SEPA/Model Toxics Control Act integration
- 197-11-253 SEPA lead agency for MTCA actions
- 197-11-256 Preliminary evaluation
- 197-11-259 Determination of nonsignificance for MTCA remedial action
- 197-11-262 Determination of significance and EIS for MTCA remedial actions
- 197-11-265 Early scoping for MTCA remedial actions
- 197-11-268 MTCA interim actions
- 197-11-300 Purpose of this Part
- 197-11-305 Categorical Exemptions

- 197-11-310 Threshold Determination Required
- 197-11-315 Environmental Checklist
- 197-11-330 Threshold Determination Process
- 197-11-335 Additional Information
- 197-11-340 Determination of Nonsignificance (DNS)
- 197-11-350 Mitigated DNS
- 197-11-355 Optional DNS process
- 197-11-360 Determination of Significance (DS)/Initiation of Scoping
- 197-11-390 Effect of Threshold Determination
- 197-11-400 Purpose of EIS
- 197-11-402 General Requirements
- 197-11-405 EIS Types
- 197-11-406 EIS Timing
- 197-11-408 Scoping
- 197-11-410 Expanded Scoping
- 197-11-420 EIS Preparation
- 197-11-425 Style and Size
- 197-11-430 Format
- 197-11-435 Cover Letter or Memo

- 197-11-440 EIS Contents
- 197-11-442 Contents of EIS on Nonproject Proposals
- 197-11-443 EIS Contents When Prior Nonproject EIS
- 197-11-444 Elements of the Environment
- 197-11-448 Relationship of EIS to Other Considerations
- 197-11-450 Cost-Benefit Analysis
- 197-11-455 Issuance of DEIS
- 197-11-460 Issuance of FEIS
- 197-11-500 Purpose of this Part
- 197-11-502 Inviting comment
- 197-11-504 Availability and Cost of Environmental Documents
- 197-11-508 SEPA Register
- 197-11-510 Public Notice
- 197-11-535 Public Hearing and Meetings
- 197-11-545 Effect of No Comment
- 197-11-550 Specificity of Comments
- 197-11-560 FEIS Response to Comments
- 197-11-570 Consulted Agency Costs to Assist Lead Agency
- 197-11-600 When to Use Existing Environmental Documents
- 197-11-610 Use of NEPA Documents

197-11-620 Supplemental Environmental Impact Statement--
Procedures

197-11-625 Addenda--Procedures

197-11-630 Adoption--Procedures

197-11-635 Incorporation by Reference--Procedures

197-11-640 Combining Documents

197-11-650 Purpose of this Part

197-11-655 Implementation

197-11-660 Substantive Authority and Mitigation

197-11-680 Appeals

197-11-700 Definitions

197-11-702 Act

197-11-704 Action

197-11-706 Addendum

197-11-708 Adoption

197-11-710 Affected Tribe

197-11-712 Affecting

197-11-714 Agency

197-11-716 Applicant

197-11-718 Built Environment

197-11-720 Categorical Exemptions

197-11-721 Closed Record Appeal

197-11-722 Consolidated Appeal

197-11-724 Consulted Agency

197-11-726 Cost-Benefit Analysis

197-11-728 County/City

197-11-730 Decision maker

197-11-732 Department

197-11-734 Determination of Nonsignificance (DNS)

197-11-736 Determination of Significance (DS)

197-11-738 EIS

197-11-740 Environment

197-11-742 Environmental Checklist

197-11-744 Environmental Document

197-11-746 Environmental Review

197-11-748 Environmentally Sensitive Area

197-11-750 Expanded Scoping

197-11-752 Impacts

197-11-754 Incorporation by Reference

197-11-756 Lands Covered by Water

197-11-758 Lead Agency

197-11-760 License

197-11-762 Local Agency

197-11-764 Major Action

197-11-766 Mitigated DNS

197-11-768 Mitigation

197-11-770 Natural Environment

197-11-772 NEPA

197-11-774 Nonproject

197-11-775 Open Record Hearing

197-11-776 Phased Review

197-11-778 Preparation

197-11-780 Private Project

197-11-782 Probable

197-11-784 Proposal

197-11-786 Reasonable Alternative

197-11-788 Responsible Official

197-11-790 SEPA

197-11-792 Scope

- 197-11-793 Scoping
- 197-11-794 Significant
- 197-11-796 State Agency
- 197-11-797 Threshold Determination
- 197-11-799 Underlying Governmental Action
- 197-11-800 Categorical Exemptions
- 197-11-880 Emergencies
- 197-11-890 Petitioning DOE to Change Exemptions
- 197-11-900 Purpose of this Part
- 197-11-902 Agency SEPA Policies
- 197-11-904 Agency SEPA Procedures
- 197-11-906 Content and Consistency of Agency Procedures
- 197-11-908 Critical Areas
- 197-11-910 Designation of Responsible Official
- 197-11-912 Procedures of Consulted Agencies
- 197-11-914 SEPA Fees and Costs
- 197-11-916 Application to Ongoing Actions
- 197-11-917 Relationship to Chapter 197-10 Washington
Administrative Code
- 197-11-918 Lack of Agency Procedures

- 197-11-920 Agencies with Environmental Expertise
- 197-11-922 Lead Agency Rules
- 197-11-924 Determining the Lead Agency
- 197-11-926 Lead Agency for Governmental Proposals
- 197-11-928 Lead Agency for Public and Private Proposals
- 197-11-930 Lead Agency for Private Projects with One Agency with Jurisdiction
- 197-11-932 Lead Agency for Private Projects Requiring Licenses from more than one Agency, when One of the Agencies is a County/City
- 197-11-934 Lead Agency for Private Projects Requiring Licenses from a Local Agency, not a County/City, and one or more State Agencies
- 197-11-936 Lead Agency for Private Projects Requiring Licenses from more than one State Agency
- 197-11-938 Lead Agencies for Specific Proposals
- 197-11-940 Transfer of Lead Agency Status to a State Agency
- 197-11-942 Agreements on Lead Agency Status
- 197-11-944 Agreements on Division of Lead Agency Duties
- 197-11-946 DOE Resolution of Lead Agency Disputes
- 197-11-948 Assumption of Lead Agency Status
- 197-11-950 Severability
- 197-11-955 Effective Date

- 197-11-960 Environmental Checklist
- 197-11-965 Adoption Notice
- 197-11-970 Determination of Nonsignificance (DNS)
- 197-11-980 Determination of Significance and Scoping Notice (DS)
- 197-11-985 Notice of Assumption of Lead Agency Status
- 197-11-990 Notice of Action

Section 2. There is hereby adopted a new Section 14.24.055 of the Lacey Municipal Code to read as follows:

14.24.055 Categorical exemptions without flexible thresholds.

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

- 1. Actions listed in Chapter 197-11-800, Sections 1 – 24 WAC, except as provided for in LMC 14.24.060.**

Section 3. Section 14.24.060 of the Lacey Municipal Code is hereby amended to read as follows:

14.24.060 Flexible thresholds for categorical exemptions.

A. The city establishes the following exempt threshold levels for minor new construction under WAC 197-11-800(1)(~~db~~) based on local conditions:

A. For residential dwelling units in WAC 197-11-800(1)(b)(i) the following exempt levels shall apply:

- 1. Moderate density residential district: up to twelve dwelling units;**
- 2. High density residential district: up to twenty dwelling units.**

B. For office, school, commercial, recreational, service or storage buildings in WAC 197-11-800(1)(b)(iii): up to forty parking spaces. (Ord. 1035 §17, 1996; Ord. 701 §2 (part), 1984).

1. The construction or location of any multi-family residential structure up to sixty dwelling units;

2. The construction of an office, school, commercial, recreational service, or storage building up to 30,000 square feet and associated parking designed for up to ninety parking spaces;

3. Landfill or excavation up to 1,000 cubic yards throughout the total lifetime of the fill or excavation.

Section 4. Section 14.24.070 of the Lacey Municipal Code is hereby amended to read as follows:

14.24.070 Use of exemptions.

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

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

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

Section 5. Section 14.24.0160 of the Lacey Municipal Code is hereby amended to read as follows:

14.24.160 Substantive authority.

A. The policies and goals set forth in this chapter are supplementary to those in the existing authorization of the city.

B. The city may attach conditions to a permit or approval for a proposal so long as:

1. Such conditions are necessary to mitigate specific probably significant adverse environmental impacts identified in environmental documents prepared pursuant to this chapter;
2. Such conditions are in writing;
3. The mitigation measures included in such conditions are reasonable and capable of being accomplished;
4. The city has considered whether other local, state or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts;
5. Such conditions are based on one or more policies in subsection D of this section and cited in the license or other decision document.

C. The city may deny a permit or approval for a proposal on the basis of SEPA so long as:

1. A finding is made that approving the proposal would result in probably significant adverse environmental impacts that are identified in a final EIS or final supplemental EIS prepared pursuant to this chapter;
2. A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to mitigate the identified impact;
3. The denial is based on one or more policies identified in subsection D of this section and identified in writing in the decision document.

D. The city designates and adopts by reference the following policies as the basis for the city's exercise of authority pursuant to this section:

1. The city shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

- a. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- b. Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- c. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
- d. Preserve important historic, cultural, and natural aspects of our national heritage;
- e. Maintain, wherever possible, an environment which supports diversity and variety of individual choice;
- f. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities;
- g. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

2. The city recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

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

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

- m. The transportation plans of Thurston County, the City of Olympia and the City of Tumwater, and allowed means of mitigating impacts of development upon such plans;
 - n. The City's requirements for the undergrounding of communication facilities as set forth in Chapter 12.22 LMC.
 - o. The City of Lacey 2010 Stormwater Design Manual.
4. The city establishes the following additional policies: The city may apply any mitigation conditions necessary to properly mitigate identified adverse environmental impacts associated with license or permit applications. In implementation of this policy for each individual license application the city shall review all of the elements of the environment listed in WAC 197-11-444 and shall attempt to apply conditions as appropriate to mitigate identified adverse environmental impacts under all elements of the environment. Mitigation conditions may include but shall not be limited to: timing and scheduling of construction and operation, modification of site design, project design or location, modification of the physical environment, installation of physical and vegetative improvements, mitigation of pollution sources, installation of pollution abatement equipment or safety equipment or improvements, providing of or upgrading of on- and off-site infrastructure improvements, preservation or protection of specified habitat and species of flora and fauna, provision for buffers and open spaces, layout and design of open space including centralization and consolidation, provision of safe and attractive pedestrian improvements, provision of bus stop improvements to Intercity Transit and North Thurston School District Standards, site restoration and improvements after surface mining or mineral extraction or other activity, provision for lot owners or homeowners maintenance associations, and requiring of conditions identified in a wetlands mitigation plan or report for protection of wetlands or wetland buffers.

E. The legislative appeals authorized by RCW 43.21C.060 are eliminated from this chapter.

Section 6. Section 14.24.180 of the Lacey Municipal Code is hereby amended to read as follows:

14.24.180 Environmentally sensitive areas.

- A. Those areas in the city of Lacey that are considered environmentally sensitive areas designated or described pursuant to Chapter 16.54 LMC and are further described or designated under Chapters 14.28, 14.33, 14.34, 14.36, and 14.37 LMC retain their status as categorical exemptions except as provided for in LMC 14.24.180(B), and maps contained in the city Environmental Protection and Resource Conservation Plan. Pursuant to WAC 197-11-908(2) the following activities normally exempt under the categorical exemptions are hereby removed from categorical exemption status and are required to file an environmental checklist: WAC 197-11-800(1), (2)(a) through (h), (3), (5), (6)(a), (14)(e), (24)(a) through (g), and (25)(d), (f), (h), and (i).
- B. ~~The city shall treat proposals located wholly or partially within an environmentally sensitive area no differently than other proposals under this chapter making a threshold determination for all such proposals. The city shall not automatically require an EIS for a proposal merely because it is proposed for location in an environmentally sensitive area.~~

BE. Certain exemptions do not apply on lands covered by water, and this remains true regardless of whether or not lands covered by water are mapped.

Section 7. There is hereby adopted a new Chapter 14.25 of the Lacey Municipal Code to read as follows:

Chapter 14.25

IMPACT FEES

Sections:

14.25.010 Title

14.25.020 Authority

14.25.030 Additional definitions

14.25.040 Service areas

14.25.050 Assessment of impact fees

14.25.060 School impact fees

14.25.070 Independent fee calculations

14.25.080 Exemptions

14.25.090 Credits

14.25.100 Tax adjustments

14.25.110 Appeals

14.25.120 Authorization for school interlocal agreement and the establishment of the school impact account

14.25.130 Refunds

14.25.140 Deferral of impact fees

14.25.150 Use of funds

14.25.160 Administrative guidelines

14.25.170 Review

14.25.180 Administrative fees

14.25.010 Title.

The ordinance from which this chapter is derived shall be known and may be cited as the "Impact Fee Ordinance of the city of Lacey."

14.25.020 Authority.

This chapter is adopted to assess impact fees for school facilities pursuant to Chapter 82.02 RCW. Traffic mitigation and concurrency requirements are outlined in Chapter 14.21 LMC and are not subject to this chapter.

14.25.030 Additional definitions.

The following words and terms when used in this chapter shall mean as follows. Terms otherwise not defined herein shall be defined pursuant to Chapter 16.06 LMC and RCW 82.02, or given their usual and customary meaning.

- A. “Act” means the Growth Management Act as codified in RCW 36.70A as now in existence or as hereafter amended.
- B. “Building permit” means an official document or certification which is issued by the Building Official and which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, change of use, demolition, moving, or repair of a building or structure or any portion thereof.
- C. “Capital facilities” means the facilities or improvements included in a capital budget or capital facilities plan.
- D. “Capital Facilities Plan” means a capital facilities plan of a comprehensive plan adopted by the city of Lacey.
- E. “City” means the city of Lacey.
- F. “Council” means the City Council of the city of Lacey.
- G. “Concurrent” or “Concurrency” means that the improvements are in place at the time the impacts of development occur, or that the necessary financial commitments are in place, which shall include the impact fees anticipated to be generated by the development, to complete the improvements necessary to meet the specified and defined standards of service within six (6) years of the time the impacts of development occur.
- H. “County” means Thurston County.
- I. “Department” means the Lacey Community and Economic Development Department.
- J. “Development activity” means any construction, expansion, or change in the use of a building or structure that creates additional demand and need for public facilities.
- K. “Development approval” means any written authorization from the city of Lacey which authorizes the commencement of a development activity.
- L. “Director” means the Director of the Community and Economic Development Department or designee, unless specified in this chapter.
- M. “Encumbered” means to reserve, set aside, or otherwise earmark the impact fees in order to pay for commitments, contractual obligations, or other liabilities incurred for public facilities.
- N. “Feepayer” is a person, collection of persons, corporation, partnership, an incorporated association, or other similar entity, or department or bureau of any governmental entity or municipal corporation commencing a land development activity which creates the demand for additional system improvements, and requires the issuance of a building permit. “Feepayer” includes an applicant for an impact fee credit.
- O. “Hearing examiner” means the Examiner who acts on behalf of the Council in considering and applying land use regulatory codes as provided under Chapter 2.30 of the Lacey Municipal Code. Where appropriate, “hearings examiner” also refers to the office of the hearing examiner.
- P. “Impact fee” means a payment of money imposed by the city of Lacey on development activity pursuant to this title as a condition of granting development approval in order to pay for the public facilities needed to serve new growth and development. “Impact fee” does not include a reasonable permit fee, an application fee, the administrative fee for collecting and handling school impact fees, the cost of reviewing independent fee calculations, or the fee for deferring payment of impact fees.
- Q. “Impact fee account” or “Account” means the account(s) established for each type of public facility for which impact fees are collected. The accounts shall be established pursuant to Section 14.25.120 of this title, and comply with the requirements of RCW 82.02.070.

R. “Independent fee calculation” means the school impact calculation, and/or economic documentation prepared by a fee payer, to support the assessment of an impact fee other than by the use of the City’s impact fee schedule, or the calculations prepared by the director where none of the fee categories or fee amounts in the City’s impact fee schedule accurately describe or capture the impacts of the new development on public facilities.

S. “Interest” means the average interest rate earned by the city of Lacey.

T. “Interlocal agreement” or “Agreement” means an agreement between the City and a governmental agency, department or district authorized under this title as authorized in Section 14.25.120 herein.

U. “Low-income housing” means, for the purposes of this chapter, any form of housing occupied by households whose income when adjusted for size, is at or below eighty (80) percent of the area median income, as annually adjusted by the U.S. Department of Housing and Urban Development.

V. “Occupancy permit” means the permit issued by the city of Lacey where development activity results in a change in use of a pre-existing structure.

W. “Open space” means, for the purposes of this chapter, undeveloped public land that is permanently protected from development (except for the development of trails or other passive public access or use).

X. “Owner” means the owner of record of real property, or a person with an unrestricted written option to purchase property; provided that, if the real property is being purchased under a recorded real estate contract, the purchaser shall be considered the owner of the real property.

Y. “Project improvements” mean site improvements and facilities that are planned and designed to provide service for a particular development or users of the project, are necessary for the use and convenience of the occupants or users, or users of the project, and are not system improvements. No improvement or facility included in a capital facilities plan adopted by the Council shall be considered a project improvement.

Z. “Proportionate share” means that portion of the cost of public facility improvements that are reasonably related to the service demands and needs of new development.

AA. “Public facilities” means capital facilities owned or operated by the city of Lacey or other governmental entities.

BB. “Residential” or “Residential development” means all types of construction intended for human habitation. This shall include, but is not limited to, single-family, duplex, triplex, and other multifamily development.

CC. “Senior housing development” means a residential development of 10 units or more that is occupied exclusively by residents 55 years of age or older. In order to qualify for the Senior Development impact fee rate, a restrictive covenant is required to be placed on the deed limiting the development to residents 55 years of age or older.

DD. “Service area” means a geographic area defined by a county, city, town, or intergovernmental agreement in which a defined set of public facilities provide service to development in the area. Service areas shall be designated on the basis of sound planning or engineering principles.

EE. “Single family attached or detached dwelling unit” means a dwelling designated and intended for use by one family that may be site built or manufactured, or a townhouse defined as an attached single family dwelling unit that is contained on a separate legal lot of record for the purposes of section 14.25.160, deferral of impact fees.

FF. "Square footage" means the square footage of the gross floor area of the development.

GG. "System improvements" means public facilities that are included in the city of Lacey's capital facilities plan and are designed to provide service to service areas within the community at large, in contrast to project improvements.

HH. "Use or use area" means the portion of property or a building that is physically occupied or used by the land use activity.

14.25.040 Service areas.

A. The service area for school impact fees is the portions of the boundary of the North Thurston School District within the incorporated city limits of Lacey.

B. The service areas for the North Thurston School District Capital Facilities Plan, as amended, is hereby found to be reasonable and established on the basis of sound planning and engineering principles and are consistent with RCW 82.02.

14.25.050 Assessment of impact fees.

A. The city shall collect impact fees based on the adopted city impact fee schedule or an independent fee calculation as provided for in Section 14.25.070 and the applicable interlocal agreement pursuant to Section 14.25.120, from any applicant seeking development approval from the city for development activity within the city limits of Lacey, where such development activity requires the issuance of a building or occupancy permit for new residential development. This shall include the expansion of existing structures that increase the number of dwelling units.

B. For mixed-use developments, impact fees shall be imposed for the proportionate share of the residential land use, based on impact fee rates in the city impact fee schedule.

C. Impact fees shall be assessed at the time the complete building permit application is submitted for each unit in the development, using either the impact fee schedules in effect or an independent fee calculation, at the election of the applicant and pursuant to the requirements set forth in Section 14.25.060. The city shall not accept an application for a building permit if short plat, final plat, binding site plan, site plan review or planned community approval is needed and has not yet been granted by the city. Furthermore, the city shall not accept an application for a building permit unless prior to submittal or concurrent with submittal, the feepayer submits complete applications for all other discretionary reviews needed.

D. Applicants that have been awarded credits prior to the submittal of the completed building permit application pursuant to Section 14.25.090, shall submit, along with the complete building permit application, a copy of the letter or certificate prepared by the director pursuant to Section 14.25.090 setting forth the dollar amount of the credit awarded.

E. A feepayer may identify in the application information regarding fees that the feepayer has paid or will be required to pay under the State Environmental Policy Act (Ch. 43.21 RCW), or that are being assessed upon the feepayer by other municipalities, in either case which the feepayer believes would duplicate the impact fee. The Director will respond to the

information in writing, determining whether collection of the impact fee under the circumstances would be lawful under RCW 82.02.100 or other applicable law, and the determination may be appealed through procedures provided under this title.

F. Impact fees, as determined after the application of appropriate credits, shall be collected from the feepayer prior to the time the building permit is issued for each unit in the development, unless payment of fees is deferred pursuant to Section 14.25.140.

14.25.060 School impact fees.

The school impact fees as set forth in the city impact fee schedule are generated from the formula for calculating impact fees set forth in the Capital Facility Plan for the North Thurston School District, as amended, which is incorporated herein by reference. Except as otherwise provided in Sections 14.25.070 through 14.25.090, all new identified residential development in the North Thurston School District shall be charged school impact fees from the city impact fee schedule.

14.25.070 Independent fee calculations.

A. If the North Thurston School District for which the impact fee is being charged believes in good faith that none of the fee categories or fee amounts set forth in the city's impact fee schedule accurately describe or capture the impacts of a new development on schools, the district may conduct independent fee calculations and submit such calculations to the Director. The Director may impose alternative fees on a specific development based on the calculations of the school district, or may impose alternative fees based on the calculations of the department. The alternative fees and the calculations shall be set forth in writing and shall be mailed to the applicant.

B. An applicant may elect to prepare and submit an independent fee calculation for the development activity for which a building permit is sought. The applicant must make the election between fees calculated under the city's impact fee schedule and an independent fee calculation prior to issuance of the building permit for the development. If the applicant elects to prepare his/her own independent fee calculation, the applicant must submit documentation showing the basis upon which the independent calculation was made. An independent fee calculation shall use the same methodology used to establish the district's fee schedule for the school district.

C. While there is a presumption that the calculations set forth in the city's impact fee schedule based on school calculations are valid, the Director shall consider the documentation submitted by the applicant but is not required to accept such documentation or analysis which the Director reasonably deems to be inapplicable, inaccurate, incomplete, or not reliable, and may modify or deny the request, or, in the alternative, require the applicant to submit additional or different documentation for consideration. The Director is authorized to adjust the impact fees on a case by case basis based on the independent fee calculation and the specific characteristics of the development. The Director's decision shall be set forth in writing and shall be mailed to the feepayer.

14.25.080 Exemptions.

A. The following shall be exempted from the payment of impact fees:

1. Alteration of an existing nonresidential structure that does not expand the usable space or add any dwelling units;
2. Miscellaneous improvements, including but not limited to, fences, walls, residential swimming pools, mining, dredging, filling, grading, paving, excavation, or drilling operations, storage of equipment or materials, and signage;
3. Demolition or moving of a structure, or dwelling unit;
4. Expansion of an existing residential structure that does not increase the number of residential units.;
5. Replacement of a structure with a new structure of the same use at the same site or lot when such replacement occurs within six (6) years of the demolition or destruction of the prior structure;
6. Dwelling units located in housing developments intended for and solely occupied by persons fifty five (55) years and older, including nursing homes and retirement centers, shall be exempt from the payment of school impact fees as long as those uses are maintained, and the necessary covenants or declarations of restrictions in a form approved by the city attorney and the school district attorney, required to ensure the maintenance of such uses, are recorded on the property;
7. The creation of an accessory dwelling unit including but not limited to family member units, shall be exempt from the payment of school impact fees;
8. A single room occupancy dwelling shall be exempt from the payment of school impact fees;
9. A partial exemption of not more than eighty (80) percent of school impact fees for any form of low-income housing occupied by households whose income when adjusted for size, is at or below eighty (80) percent of the area median income, as annually adjusted by the U.S. Department of Housing and Urban Development provided that a covenant approved by the school district to assure continued use for low-income housing is executed, and that the covenant is an obligation that runs with the land upon which the housing is located and is recorded against the title of the property.

B. The Director shall be authorized to determine whether a particular development activity falls within an exemption identified in this section. Determinations of the Director shall be subject to the appeals procedures set forth in Section 14.25.110.

14.25.090 Credits.

A. A feepayer may request that a credit or credits for impact fees be awarded to him/her for the total value of system improvements, including dedications of land and improvements, and/or construction provided by the feepayer. The application for credits shall be presented by the feepayer and shall include documentation, such as receipts, to establish the amount of credit requested by the feepayer. Credits will be given only if the land, improvements, and/or the facility constructed are:

1. Included in the North Thurston School District Capital Facilities Plan as projects providing capacity to serve new growth;
2. Determined by the Director to be suitable sites and constructed at acceptable quality;
3. Offsetting impacts of the feepayer's development activity; and
4. For one or more of the projects listed in the school district's capital facilities plan as the basis for calculating the impact fee.

B. For each credit request, the Director shall determine the value of dedicated land by using available documentation or selecting an appraiser who is a member of the American Institute of Appraisers and be licensed in good standing under Chapter 18.40 RCW in the category for the property to be appraised. A description of the appraiser's certification shall be included with the appraisal and the appraiser shall certify that he/she does not have a fiduciary or personal interest in the property being appraised. The feepayer shall pay the cost of the appraisal and shall deposit on account the estimated cost of the appraisal as determined by the city at the time the feepayer requests consideration for a credit.

C. Where the dedicated land, improvements, and/or construction are for the benefit of the school district, the request will be directed to the appropriate agency to determine the general suitability of the land, improvements, and/or construction for district purposes. The district shall determine whether the land, improvements, and/or the facility constructed are included within the district's adopted capital facilities plan or the board of directors of the school district makes a finding that such land, improvements, and/or facilities would serve the goals and objectives of the capital facilities plan. The district shall forward its determination to the Director, including cases where the district determines that the dedicated land, improvements, and/or construction are not suitable for district purposes. The Director may adopt the determination of the district and may award or decline to award a credit, or the director may make an alternative determination and set forth in writing the rationale for the alternative determination.

D. After receiving the appraisal, the Director shall provide the applicant with a letter or certificate setting forth the dollar amount of the credit, the reason for the credit, where applicable, the legal description of the site donated, and the legal description or other adequate description of the project or development to which the credit may be applied. The applicant must sign and date a notarized duplicate copy of such letter or certificate indicating his/her agreement to the terms of the letter or certificate and return such signed document to

the Director before the impact fee credit will be awarded. The failure of the applicant to sign, date, and return such document within sixty (60) days shall nullify the credit.

E. Any claim for credit must be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.

F. In no event shall the credit exceed the amount of the impact fees that would have been due for the proposed development activity.

G. No credit shall be given for project improvements.

H. Determinations made by the Director pursuant to this section shall be subject to the appeals procedures set forth in Section 14.25.110.

14.25.100 Tax Adjustments.

Pursuant to and consistent with the requirements of RCW 82.02.060, the school study has provided adjustments for future taxes to be paid by the new development which are earmarked or proratable to the same new public facilities which will serve the new development. The impact fees on the city's impact fee schedule have been reasonably adjusted for taxes and other revenue sources which are anticipated to be available to fund these public improvements.

14.25.110 Appeals.

A. Determinations of the director with respect to the applicability of the impact fees imposed by this title to a given development activity, the availability or value of a credit, or the Director's decision concerning the independent fee calculation, or exemptions, or any other determination which the director is authorized to make pursuant to this title, can be appealed to the hearing examiner subject to the procedures set forth in LMC 2.30 and Chapter 1D of the City of Lacey Development Guidelines and Public Works Standards within fourteen (14) days of the written determination.

B. Any feepayer may pay the impact fees imposed by this title under protest in order to obtain a building permit or certificate of occupancy permit. No appeal submitted under protest shall be permitted unless and until the impact fees have been paid. Alternatively, any feepayer may appeal the impact fees determined by the director without first paying the fees, providing the applicant is willing to postpone issuance of the building permit until after the exhaustion of the appeal process when the final fee is known.

C. Appeals regarding the impact fees imposed on any development shall only be filed by the feepayer of the property where such development activity will occur.

14.25.120 Authorization for school interlocal agreement and establishment of school impact account.

A. The City Manager is authorized to execute, on behalf of the city, an interlocal agreement for the collection, expenditure, and reporting of school impact fees; provided that such interlocal agreement complies with the provisions of this section.

B. As a condition of the interlocal agreement, a school district impact fund will be established with the finance department of the city of Lacey, who will serve as the treasurer for the school district funds. The fund shall be an interest-bearing fund invested in a manner consistent with the investment policies of the city and the school district.

C. Funds withdrawn from the school impact fund for the school district must be used in accordance with the provisions of Section 14.25.150 of this title. The interest earned shall be retained in this fund and expended for the purposes for which the school impact fees were collected.

D. On an annual basis, pursuant to the interlocal agreement, the school district shall provide a report to the city council on the school impact account, showing the source and amount of all monies collected, earned, or received, and the public improvements that were financed in whole or part by impact fees.

E. School impact fees shall be expended or encumbered within ten (10) years of receipt, unless the council identifies in written findings an extraordinary and compelling reason or reasons for the school district to hold the fees beyond the ten-year period. Under such circumstances, the council shall establish the period of time within which the fees shall be expended or encumbered, after consultation with the school district.

14.25.130 Refunds.

A. If the school district fails to expend or encumber the impact fees within ten (10) years of when the fees were paid, or where extraordinary or compelling reasons exist, such other time periods established pursuant to Sections 14.25.120, the current owner of the property on which impact fees have been paid may receive a refund of such fees. In determining whether impact fees have been expended or encumbered, impact fees shall be considered expended or encumbered on a first in, first out basis.

B. The city shall notify claimants by first class mail deposited with the United States Postal Service at the last known address of such claimants. The potential claimant must be the current owner of record of the property for which the impact fee was paid.

C. Current owner(s) seeking a refund of impact fees must submit a written request for a refund of the fees to the school district within one (1) year of the date that the right to claim the refund arises or the date that notice is given, whichever is later.

D. Any impact fees for which no application for a refund has been made by the claimant within this one (1) year period shall be retained by the school district and expended on the

appropriate public facilities. Claimants shall have no right to refund if not timely requested pursuant to Section 14.25.130(C).

E. Refunds of impact fees under this section shall include any interest earned on the impact fees.

F. When the city seeks to terminate any or all components of the impact fee program, all unexpended or unencumbered funds from any terminated component or components, including interest earned, shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the city shall place notice of such termination and the availability of refunds in the newspaper of general circulation at least two (2) times and shall notify all potential claimants by first class mail at the last known address of the claimants. All funds available for refund shall be retained for a period of one (1) year. At the end of one (1) year, any remaining funds shall be retained but must be expended for the appropriate public facilities. This notice requirement shall not apply if there are no unexpended or unencumbered balances within an account or accounts being terminated.

G. The school district shall also refund the current owner of property for which impact fees have been paid all impact fees paid, including interest earned on the impact fees, if the development activity for which the impact fees were imposed did not occur; provided that if the school district has expended or encumbered the impact fees in good faith prior to the application for a refund, the school district can decline to provide the refund. If within a period of three (3) years, the same or subsequent owner of the property proceeds with the same or substantially similar development activity, the owner can petition the school for an offset against the actual impact fee amounts paid. The petitioner must provide receipts of impact fees previously paid for a development of the same or substantially similar nature on the same property or some portion thereof. In the case of school district impact fees, the school district shall forward its determination to the director, and the director may adopt the determination of the school district and may grant or decline to grant an offset, or the director may make an alternative determination and set forth rationale for the alternative determination. Determinations of the director shall be in writing and shall be subject to the appeals procedures set forth in Section 14.25.110(A).

14.25.140 Deferral of impact fees.

A. Each applicant for single-family residential attached and detached construction permit, in accordance with his or her contractor registration number or other identification number may request a deferral for the full impact fee(s) payment up to twenty (20) units for a period not to exceed eighteen (18) months from the date of building permit issuance.

B. The amount of impact fees deferred are determined by the fees in effect via ordinance, interlocal agreement or other schedule as adopted by the City Council at the time of building permit application.

C. The city of Lacey shall withhold any final inspection and/or certification for occupancy until all applicable impact fees have been paid in full.

D. An applicant seeking deferral shall grant and record a “deferred impact fee lien” in a form approved by the city against the subject property and in favor of the city, for the full amount of the impact fee(s) being deferred. Said deferred impact fee lien form shall include:

1. The legal description, tax account number, and address of the property;
2. A signature by the listed owner(s) of the property, with all signatures acknowledged as required for a deed and recorded with the Thurston County Auditor’s Office;
3. Shall indicate that the lien is binding on all successors in title;
4. Shall indicate that the lien is junior and subordinate to the mortgage for the purpose of construction upon the same real property granted by the person who applied for the deferral of impact fees.

E. If impact fees are not paid in accordance with the terms of this section; the city is authorized and may choose to institute foreclosure proceedings. (The extinguishment of a deferred impact fee lien by the foreclosure of a lien having priority shall not affect the obligation to pay impact fees as a condition of final inspection, certificate of occupancy, or equivalent certification, or at the time of closing of the first sale.)

F. If the city does not institute foreclosure proceedings for unpaid school impact fees within forty-five (45) days after receiving notice from the school district requesting that it do so, the district may institute foreclosure proceedings with respect to the unpaid school impact fees. The city shall remain responsible for collection of all remaining impact fees.

G. Upon receipt of full payment of all outstanding impact fees deferred under this section, the city shall execute a “deferred impact fee lien release” for the subject property. The property owner at the time of the release shall be responsible for recording the lien release at his or her own expense.

14.25.150 Use of funds.

A. Pursuant to this title, impact fees:

1. Shall be used for public improvements that will reasonably benefit the new development; and
2. Shall not be imposed to make up for deficiencies in public facilities; and
3. Shall not be used for maintenance or operation.

B. School impact fees may be spent for public improvements, including, but not limited to, school planning, land acquisition, site improvements, necessary off-site improvements, construction, engineering, architectural, permitting, financing, and administrative expenses,

applicable impact fees, or mitigation costs, capital equipment pertaining to educational facilities, and any other expenses which can be capitalized.

C. Impact fees may also be used to recoup public improvement costs previously incurred by the school district to the extent that new growth and development will be served by the previously constructed improvements or incurred costs.

E. In the event that bonds or similar debt instruments are or have been issued for advanced provision of public improvements for which impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this section and are used to serve the new development.

14.25.160 Administrative guidelines.

The Director shall be authorized to adopt forms, applications, brochures, and guidelines for the implementation of this title which may include the adoption of a procedures guide for impact fees.

14.25.170 Review.

A. The city's impact fee schedule shall be reviewed by the City Council as it may deem necessary and appropriate in conjunction with the annual update of the capital facilities plan element of the city's comprehensive plan.

B. The city's Community and Economic Development Department shall maintain and preserve records of impact fee deferrals in conformance with RCW 44.28.812 and RCW 43.31.980 including:

1. The number of deferrals requested and issued;
2. The type of impact fee deferred;
3. The monetary amount of deferrals;
4. The number of deferrals that were not fully, and timely paid; and
5. The cost to the city for collecting both timely and delinquent fees.

14.25.180 Administrative fees.

A. For each request for the deferral of payment of residential impact fees requested per the provisions contained in Section 14.25.140, administrative fees will be imposed per the city's fee schedule, as amended. Fees shall be paid in conjunction with the submission of the deferral request.

B. Any feepayer filing an appeal of impact fees per Section 14.25.110 shall pay the fee set forth by the city for appeals of administrative decisions set forth in LMC 2.30 and Chapter 1D

of the City of Lacey Development Guidelines and Public Works Standards. The appeal fee shall be paid at the time of filing an appeal.

C. Administration fees shall be deposited into a separate administrative fee account that is established by the city separate from any impact fees paid by the feepayer. Administrative fees shall be used to defray the actual costs associated with reviewing the permit/request.

D. Administrative fees shall not be refundable, shall not be waived, and shall not be credited against the impact fees.

Section 8. Section 16.53.010 of the Lacey Municipal Code is hereby amended to read as follows:

16.53.010 Title.

The ordinance from which this chapter is derived shall be known and may be cited as the “Historic Preservation and Cultural Resources Ordinance of the city of Lacey.”

Section 9. Section 16.53.020 of the Lacey Municipal Code is hereby amended to read as follows:

16.53.020 Definitions.

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

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

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

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

D. “Cultural Resources” is physical evidence or place of past human activity, site, object, landscape, structure; or a site, structure, landscape, object or natural feature of significance to a group of people traditionally associated with it.

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

~~DF.~~ A “district” is a geographically definable area--urban or rural, small or large--possessing a significant concentration, linkage, or continuity of sites, buildings, structures, and/or objects united by past events or aesthetically by plan or physical development.

EG. “Emergency repair” is work necessary to prevent destruction or dilapidation to real property or structural appurtenances thereto immediately threatened or damaged by fire, flood, earthquake, or other disaster.

H. “Historic” is generally considered to be fifty years old.

I. “Inadvertent Discovery” is unanticipated discovery of protected cultural material during ground-disturbing or other activities related to development.

FJ. “Incentives” are such rights or privileges, or combination thereof, which the city council, or other local, state, or federal public body or agency, by virtue of applicable present or future legislation, may be authorized to grant or obtain for the owner(s) of registered properties. Examples of economic incentives include, but are not limited to, tax relief, conditional use permits, rezoning, street vacation, planned unit development, transfer of development rights, facade easements, gifts, preferential leasing policies, beneficial placement of public improvements or amenities, or the like.

GK. “Inventory” or “historic inventory” is the comprehensive inventory of historic and pre-historic and cultural resources within the boundaries of the city of Lacey.

HL. “Lacey Historical Commission” or “Commission” is the commission designed in Chapter 2.42 LMC.

IM. “Lacey’s Register of Historic Places” or “Register” is the local listing of properties provided for in LMC 16.53.030.

JN. “Lessee” is a person or persons who are other than owner(s) of record and who hold an interest in real or personal property under a lease agreement.

O.K. “National Register of Historic Places” is the national listing of properties significant to our cultural history because of their documented importance to our history, architectural history, engineering, or cultural heritage.

P.L. “Object” is a thing of functional, aesthetic, cultural, historical, or scientific value that may or may not be, by nature or design, movable yet related to a specific setting or environment.

QM. “Ordinary repair and maintenance” is work for which a permit issued by the city is not required by law, and where the purpose and effect of such work is to correct any deterioration or decay of or damage to the real property or structure or appurtenance therein and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay, or damage; provided that all work is done in accordance with standards issued by Secretary of the Department of the Interior.

RN. “Owner” of property is the fee simple owner of record as exists on the Thurston County assessor’s records.

SO. “Prehistoric” means the time period before written record.

TP. “Significance” or “significant,” used in the context of historic significance, is the following: a property with local, state, or national significance is one which helps in the understanding of the history or pre-history of the local area, state, or nation (whichever is applicable) by illuminating the local, statewide, or nationwide impact of the events or persons associated with the property, or its architectural type or style in information potential. The local area can include the city of Lacey, Thurston County, or southwest Washington, or a modest geographical or cultural area, such as a neighborhood. Local significance may apply to a property that illustrates a theme that is important to the history of the state; and national significance to property of exceptional value in representing or illustrating an important theme in the history of the nation.

UQ. A “site” is a place where a significant event or pattern of events occurred. It may be the location of prehistoric or historic occupation or activities that may be marked by physical remains; or it may be the symbolic focus of a significant event or pattern of events that may not have been actively occupied. A site may be the location of a ruined or now nonexistent building or structure, or the location itself possesses historic, cultural or archaeological significance.

VR. “State Register of Historic Places” is the state listing of properties significant to the community, state or nation, but which may or may not meet the criteria of the national register.

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

X7. “UTM” (Universal Transverse Mercator) is a grid zone in metric measurement providing for an exact point of numerical reference.

Section 10. There is hereby adopted a new Section 16.53.080 of the Lacey Municipal Code to read as follows:

16.53.080 Inadvertent Discovery of Archaeological and Cultural Resources
Building, grading, and land clearing permits shall include the following note: When an unanticipated discovery of protected cultural material (c.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) or human remains are discovered, the property owner or contractor will immediately stop all work, completely secure the location, and contact the Washington State Department of Archaeology and Historic Preservation and other contacts as identified in the City of Lacey Standard Inadvertent Archaeological and Historic Resources Discovery Plan. The individual or representative whom the permit was issued to must send written notification of the inadvertent discovery to the City of Lacey Department of Community Development.

Section 11. That certain document entitled “Standard Inadvertent Archaeological and Historic Resources Discovery Plan – City of Lacey,” as the same may hereafter be

amended by action of the City Council, is hereby adopted in the form attached hereto as part of the Historic Preservation & Cultural Resources as referenced in LMC 16.53.080.


Section 12. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 13. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make corrections to this ordinance including, but not limited to, the corrections of scrivener's/clerical errors, references, ordinance numbering, section/subsection number and any references thereto.

Section 14. The Summary Attached is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 23rd day of March, 2017.

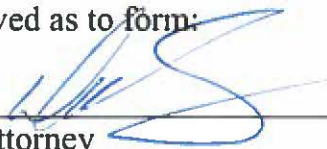
CITY COUNCIL

BY: 
Mayor

Attest:



City Clerk

Approved as to form:


City Attorney

SUMMARY FOR PUBLIC ATION
ORDINANCE NO 1507
CITY OF LACEY

The City Council of Lacey, Washington passed on March 23, 2017, Ordinance No. 1507, entitled "AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATED TO SEPA FLEXIBLE THRESHOLD AMENDMENTS AND IMPACT FEES, AMENDING SECTIONS 14.24.020, 14.24.060, 14.24.070, 14.24.160, 14.24.180, 16.53.010 AND 16.53.020, ADDING SECTIONS 14.24.055 AND 16.53.080, ADDING CHAPTER 14.25, ALL OF THE LACEY MUNICIPAL CODE, AND APPROVING A SUMMARY FOR PUBLICATION."

The main points of the Ordinance are described as follows:

1. The Ordinance amends certain sections of the Lacey Municipal Code related to Environmental Policy.
2. The Ordinance adopts an Impact Fee Chapter.
3. The Ordinance amends certain sections of the Lacey Municipal Code related to Historic Preservation and Cultural Resources.
4. The Ordinance adopts the Standard Inadvertent Archaeological and Historic Resources Discovery Plan – City of Lacey.
5. 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: March 27, 2017.