



## COUNTY COMMISSIONERS

Carolina Mejia, District One  
Gary Edwards, District Two  
Tye Menser, District Three  
Wayne Fournier, District Four  
Emily Clouse, District Five

## COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

Joshua Cummings, Director

*Creating Solutions for Our Future*

### THURSTON COUNTY COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT HEARING EXAMINER STAFF REPORT

**For: PUBLIC HEARING**  
**Conducted: 10:00 AM, Tuesday, January 23, 2024**

**Project No.: 2023102411, Aurora Oaks - Planned Residential Development (PRD)**

**Sequence Nos: 23-106346 ZH - Planned Residential Development (PRD)**

**21-106347 XA - SEPA**

**21-106348 XB - Forest Land Conversion**

**20-106349 XD - Other Administrative  
Actions (>5 ac. CARP)**

**2022 Aerial Photo**



**Applicant Requests:** Preliminary Plat Approval for a Planned Residential Development, Forest Land Conversion, and Critical Areas Review Permit of a site greater than 5-acres.

**Request:** The applicant requests approval of a Preliminary Plat through a Planned Residential Development (PRD), consisting of 171 detached single-family homes

#### **General Information**

A. Applicant / Owner: Aurora Oaks Development LLC  
C/o: Steve Chamberlain / Mark Steepy  
4570 Avery Lane SE  
Olympia, WA 98503  
Phone – (360) 888-6002  
Email – [sca@slcemail.com](mailto:sca@slcemail.com)

Project #2023102411 – Aurora Oaks

- B. Property Owner JAS Group LLC [TP #11701220100]  
Supplemental Aurora Oaks Development LLC [TP #11701220300]  
Signature Page: Donald J. Robbins, Trustee [TP #11701230700]  
C. Point of Contact: Same as Applicant

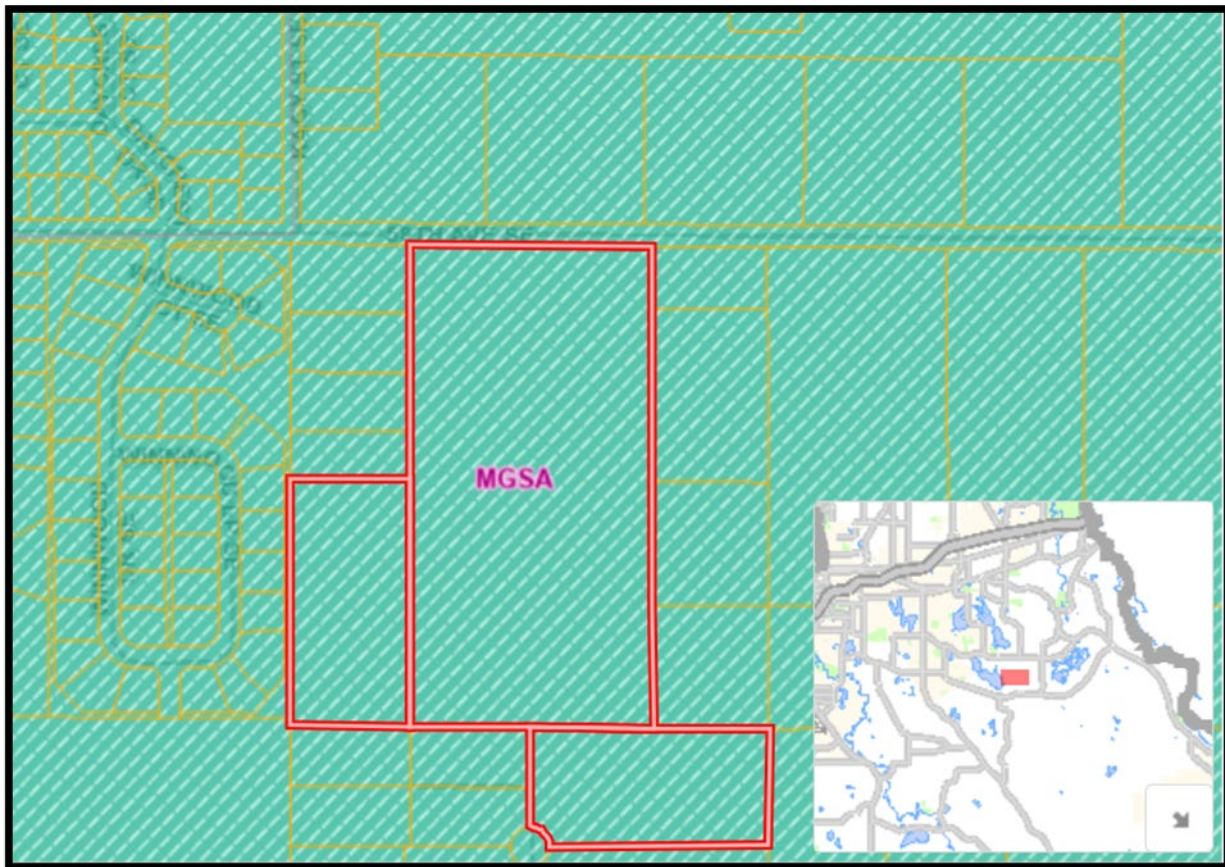
- E. Legal Description: TP #11701220100 – 1-17-1W NW NW W675.5F OF E990F LESS N30F HENSLIN RD  
[Total Acres: 20.45]  
TP #11701220300 – 1-17-1W S2 NW NW LESS E990F [Total Acres: 5.15]  
TP #11701220300 – 1-17-1W SW NW TRACT 7 OF SURVEY VOL 11 PG 61 [Total  
Acres: 4.99]

- F. Land Area: 30.59 acres

**PROJECT DESCRIPTION**

The applicant proposes to subdivide 30.59 acres into 171 single-family residential lots. A PRD process was chosen by the applicant to have flexibility in lot size. There will be 9.72 acres of open space broken into three (3) tracts with the largest located at the project entrance on the north side. Critical areas include Oregon white oaks which will be protected. Water and sewer utilities are provided by the City of Lacey. Up to 20k MBF of timber may be removed. Most trees except Oregon white oaks will be removed. Earthwork is approximately 44,263 CY cut and 24,383 CY fill. The property is located within the Lacey Urban Growth Area and is zoned McAllister Geologically Sensitive Area (MGSA) which has a standard density of between 3-6 dwelling units per acre.

**ZONING & VICINITY MAP**



### **BACKGROUND**

The subject parcels are zoned McAllister Geologically Sensitive Area (MGSA) and are within the Lacey Urban Growth Area (UGA). The permitted residential density is at least three but not greater than six residential units per acre. The Lacey-Thurston County Joint Comprehensive Plan designates the area for residential use at a density between three to six dwelling units per acre. The proposed density of this project is 6 dwelling units per acre which adheres to the PRD design guidelines. The current use of the property is undeveloped land with no existing structures. On-site vegetation consists of grasses, shrubs, and mature trees including Garry Oaks.

The Planned Residential Development (PRD) is proposed under the provisions of the Lacey Urban Growth Area zoning code, TCC Title 21, Chapter 21.60 PRD. The intent of the PRD Chapter is to:

- A. Encourage imaginative design and the creation of permanent open space by permitting greater flexibility in zoning requirements than is generally permitted by other chapters of this title;
- B. Preserve or create environmental amenities superior to those generally found in conventional developments;
- C. Create or preserve usable open space for the enjoyment of the occupants;
- D. Preserve to the greatest possible extent the natural characteristics of the land, including topography, natural vegetation, waterways, views, etc.;
- E. Encourage development of a variety of housing types;
- F. Provide for maximum efficiency in the layout of streets, utility networks, and other public improvements;
- G. Provide a guide for developers and county officials in meeting the purpose and provisions of this chapter.

The applicant's Project Narrative (Attachment-H) states that this 171-unit project is using the PRD provisions because it: The PRD is proposed to allow for lot size flexibility to support density needs and project goals on housing type and size. A PRD requires 30% open space, versus 10% for the standard site zoning within the MGSA. With the large oak tree area to be preserved (which is greater than 10% of the project area), coupled with the desire for lot size flexibility, a PRD was chosen. PRD Design standard, TCC section 21. 60. 140, is fully met with this project as described in attachment 1. This project was modeled after the adjacent Manor House PRD, which was approved in 2022.

### **PUBLIC NOTICE**

Written notice of the public hearing (Attachment-A) was sent to all property owners within 300-feet of the site on January 5, 2024, and was published in The Olympian on January 12, 2024, at least ten (10) days prior to the hearing. A Notice of Application was sent to property owners within 300-feet informing them of the proposed project on June 9, 2023 (Attachment-D.1).

### **STATE ENVIRONMENTAL POLICY ACT REVIEW**

The application was reviewed pursuant to State Environmental Policy Act (SEPA) requirements. A Mitigated Determination of Non-Significance (MDNS) was issued on December 6, 2023\* (Attachment-I). This determination was not appealed and became final on December 27, 2021. Based on "Worksheets" prepared by the City of Lacey\*\*, the MDNS established conditions and impact mitigation, and states in part:

- “...traffic impacts within the City of Lacey... and paid prior to final project approval...”
  - “...multi-modal impacts from this project shall be mitigated by constructing frontage improvements according to Lacey’s standards”; and,
  - “...Developer shall provide a refuge lane for northbound left -turning vehicles...”
- \* Staff received two public comments by phone regarding The SEPA Determination’s erroneous description of “Location of Proposal”.
- \*\*Please see worksheets prepared by the City of Lacey... CPED believes the mitigating measures of the Mitigated Determination of Non-Significance should become conditions of approval if the preliminary plat is approved.

## **DEPARTMENT ANALYSIS**

### **A. Chapter 24 - CRITICAL AREA ORDINANCE**

Thurston County reviewed a consultant report prepared by Alex Callender of Land Services Northwest (Attachment-Q), and subsequently issued a Critical Area Determination Letter on November 3, 2022 (Attachment-R). Per TCC 24.05.070.E, this critical area determination is valid for three years from the date of the letter. The following summarizes the determinations:

**Gopher/Prairie Soils:** The report states that no Mazama pocket gopher mounds were detected in the screening process. Negative screening results that follow the recommended protocol (no MPG mounds detected) allow property owners and local jurisdictions to follow their normal permitting processes.

“The U. S. Fish & Wildlife Service approved Thurston County’s Habitat Conservation Plan (HCP) in July 2022 and...implemented in 2023. Under the county’s HCP, projects that impact gophers or HCP habitat will go through a different review process and mitigation fees may apply based on your project scope.”

**Prairie Review:** The consultant surveyed the parcel for target prairie plants and prairie habitat areas as regulated under Title 24 of the Critical Areas Ordinance (CAO). Prairie criteria was not met. No Mima mounds were noted.

**Critical Aquifer Recharge Area:** The subject project site contains a Category-1 and 2 aquifer recharge area, which will be subject to performance standards by the Environmental Health Department, e.g., prevention of contaminants and toxins. The project is residential and has provided an acceptable Integrated Pest Management Plan.

**Oaks:** Oregon white oak trees were detected, and the consultant provided an oak survey map. Future development and site plans must include this information to confirm avoidance. Oregon white oak trees (*Quercus garryana*) are protected under the Thurston County Critical Area Ordinance, Title 24.

“Cutting of Oregon white oaks is prohibited. Oaks must be avoided in the building process, affording the appropriate canopy dripline buffer as stated in TCC 24. 25. 070. An Oak tree protection area (buffer) extending a minimum of 5-feet beyond the dripline of Oregon white oak trees shall be established and protected from disturbance during site development. All development, construction equipment and debris shall not be located within the Oak tree protection area, or construction setback.”

**Staff Comment:** Applicable elements should become conditions of approval if the preliminary plat is approved.

**B. Zoning: Chapter 21.10 - MCALLISTER SPRINGS GEOLOGICALLY SENSITIVE AREA RESIDENTIAL DISTRICT**

**21.10.010 Intent.** It is the intent of this chapter to:

- A. Protect the McAllister Springs geologically sensitive area by provision of sewer and application of strong water quality standards for residential uses;
- B. Provide density opportunities that will make provision of sewer economically attractive and accelerate installation of sewer to this area;
- C. Enhance residential quality of the Lacey UGA by providing a high standard of development for single-family residential development at urban densities.

Staff Response:

**21.10.020 Permitted uses.**

- A. Specific Types Permitted in the Low Density Residential District:
  - 1. Single-family structures on individual lots;
  - 2. Planned residential developments as provided in Chapter 21.60;
  - 3. Townhouse developments as provided in Chapter 21.61;
  - 4. Condominiums provided the design requirements of Chapter 21.70 are met;
  - 5. A limited percentage (up to five percent of total lots) of two and three family units;
  - 6. Housing for people with functional disabilities;

Staff Response: The applicant has chosen for their project the PRD review process.

**21.10.035 Density.** When sewer is provided, density may range from not less than three to no more than six units per acre. When sewer is not provided, a density of no greater than one unit per five acres is allowed. Permitted density on properties with critical areas shall be adjusted as shown in Chapter 21.53.

Staff Response: Densities will not exceed the those of the underlying MSGSA zoning.

**21.10.040 Environmental performance standards.**

- A. Permitted uses shall create no noise, emissions, odors or other nuisances which are demonstrably disruptive or disturbing to other residences in the area, or which are of a quality or quantity not normally associated with residential use.
- B. Accessory buildings shall be complementary to the basic architectural character of the main building on the lot, or appropriate to the accessory use.
- C. Agricultural uses shall be subject to the requirements of Chapter 21.21A TCC. In addition, agricultural uses shall employ best management practices, such as may be included in a farm plan developed by the Thurston Conservation District, to prevent contamination of the McAllister Springs geologically sensitive area groundwater resources.
- D. Special uses shall comply with the development standards described for such uses in Chapter 21.66.
- E. All uses shall comply with the applicable environmental performance standards of Chapter 21.57.
- F. All subdivisions and short subdivisions shall be required to have protective covenants adopted as a condition of approval that inform future residents of proper water quality safeguards for the aquifer sensitive area considering such issues as pesticide and herbicide use, handling and disposal of petroleum wastes, etc. The covenants shall be approved by the Thurston County environmental health department.

Staff Response: This review is subject to SEPA and these elements have been addressed.

**21.10.060 Off-street parking.** Off-street parking shall be provided in accordance with Chapter 21.72 of this title.

Staff Response: This element is addressed as part of the PRD analysis

**21.10.070 Landscaping.** For applicable landscaping requirements, see Chapter 21.80.

Staff Response: This element is addressed as part of the PRD analysis

**21.10.080 Stormwater runoff.** Stormwater management is required and shall be subject to the county's review and approval, and shall, moreover, comply with Chapter 15.05 of the Thurston County Code pertaining to stormwater facilities. Stormwater generated on site shall not cause pollution to any surface or ground waters, or violate local, state, or federal standards governing the quality of such waters. Particular care in design and maintenance shall be given to proper treatment of water prior to absorption into groundwater to prevent any contamination of McAllister Springs geologically sensitive area groundwater resources.

Staff Response: This element is addressed as part of the PRD analysis

## C. Zoning: Chapter 21.60 - PLANNED RESIDENTIAL DEVELOPMENT

**21.60.010 Intent.** It is the intent of this chapter to:

- A. Encourage imaginative design and the creation of permanent open space by permitting greater flexibility in zoning requirements than is generally permitted by other chapters of this title;
- B. Preserve or create environmental amenities superior to those generally found in conventional developments;
- C. Create or preserve usable open space for the enjoyment of the occupants;
- D. Preserve to the greatest possible extent the natural characteristics of the land, including topography, natural vegetation, waterways, views, etc.;
- E. Encourage development of a variety of housing types;
- F. Provide for maximum efficiency in the layout of streets, utility networks, and other public improvements;
- G. Provide a guide for developers and county officials in meeting the purpose and provisions of this chapter.

Staff Comment: Applicant has stated that the proposed development meets the intent in the project narrative as it modeled after Manor House Development by the same applicant in 2022, and is situated immediately north of 58<sup>th</sup> Avenue southwest.

**21.60.020 Definitions.** Certain words and phrases as defined in this section shall govern the interpretation of this chapter (21.10.020 Permitted uses.)

Staff Comment: Noted



**21.60.030 Where permitted.** Planned residential development may be permitted in the following land use districts consistent with the development standards in Sections 21.60.060 through 21.60.140:

- A. Low density residential district;

Staff Comment: The MGSA is considered a low-density zone where PRDs are allowed (21.10.020 Permitted uses.).

**21.60.040 Types of uses permitted.**

- A. Specific Types Permitted. In a planned residential development, the following uses are permitted, provided that they meet the standards and criteria established in this title:
  - 1. Those uses permitted as a matter of right in the underlying zone;
  - 2. Residential developments of all types as defined in this chapter;
  - 3. N/A

Staff Comment: This is a residential development

- B. N/A

**21.60.050 Relationship to other ordinance provisions.**

- A. Zoning Requirements. The provisions of the Zoning Ordinance pertaining to land use of the underlying zoning district shall govern the use of land in a planned residential development. The specific setback, lot size, height limits and other dimensional requirements are waived, and the regulations for PRDs shall be those indicated in Section 21.60.140

Staff Comment: This requirement is noted. Please see staff comments related to TCC 21.60.140 below.

- B. Platting Requirements. A PRD shall be exempt from the specific design requirements of the Subdivision Ordinance, except that when any parcel of land in a PRD is intended for individual ownership, sale or public dedication, the platting and procedural requirements of the Subdivision Ordinance and applicable state laws pertaining to the subdivision and conveyancing of land and the preparation of maps shall be followed.

Staff Comment: This requirement is noted.

- C. Public Hearing Required. Applications for PRDs shall require a public hearing before the hearing examiner with notice thereof to be given as provided in Section 21.81.040C.

Staff Comment: This requirement is noted.

**21.60.060 Development standards—Generally.** The standards in Sections 21.60.070 through 21.60.140 shall govern the interpretation and administration of this chapter.

---

**21.60.070 Relationship of PRD site to adjacent areas.** The design of a planned residential development shall take into account the relationship of the site to the surrounding areas. The perimeter of the PRD shall be so designed as to minimize undesirable impact of the PRD on adjacent properties and, conversely, to minimize undesirable impact of adjacent land use and development characteristics on the PRD.

Staff Comment: The project includes proposed landscaping and irrigation in all planter strips, open space, and lot frontage areas. A 30-foot incompatible use buffer and landscape screening is proposed along the project boundary to meet Thurston County requirements.

**21.60.080 Site acreage.** The minimum site for a planned residential development shall be a full block or a portion of a block if it was a numbered block in the original plat of the county, or a numbered block of a subdivision recorded prior to the adoption of the ordinance codified in this title. For all previously unplatted areas, the minimum site shall be two acres.

Staff Comment: This proposal is for a previously unplatted area of 30.59 acres.

**21.60.090 Access to public right-of-way.** The major internal street serving the PRD shall be connected to at least one major arterial, secondary arterial or collector street.

Staff Comment: The project proposes a vehicular entrance onto 58<sup>th</sup> Avenue SE.

**21.60.100 Lot size.** The minimum lot size provisions of other chapters of the zoning title are waived in a planned residential development.

Staff Comment: This element is noted.

**21.60.110 Setback and side yard requirements.**

- A. Setbacks from the exterior boundary line of the PRD area shall be comparable to or compatible with those of the existing development of adjacent properties, or, if adjacent properties are undeveloped, the type of development which may reasonably be expected on such properties given the existing zoning of such properties or the projections of the comprehensive plan. In no event shall such setback be less than twenty feet.

Staff Comment: The Revised Overall Preliminary Plat Drawings (Attachment-O) show a minimum of ten feet between all buildings. The setbacks from the exterior boundary lines of the PRD are greater than twenty feet.

- B. Setbacks or Side Yards Between Buildings. The standard setbacks and yard requirements between buildings may be waived in a PRD. Buildings may have common walls and, therefore, built to the property line as in townhouse construction. Wherever buildings are separated, a minimum distance of ten feet shall be maintained between such buildings.

Staff Comment: Off-street parking shall be provided in a PRD in the same ratios for types of buildings and uses as required for the underlying zoning district, and as described in Chapter 21.72 of this title. (21.60.120 Off-street parking.)

**21.60.130 Secondary use limitations.**



Staff Comment: N/A

**21.60.140 Design standards.**

A. Open space requirements shall be as follows:

1. Common Open Space. Each planned residential development shall provide not less than thirty percent of the gross land area for common open space which shall be either:
  - a. Held in single ownership where such ownership assumes full responsibility for maintenance and operation; or
  - b. Held in common ownership by all the owners in the development area; or
  - c. Dedicated for public use, if acceptable to the county.

Staff Comment: 30% of the overall site (30.59 acres) is 9.18 acre. However, the applicant is electing to preserve 9.72 acres to remain open, or about 32% of the overall site. Approximately 45%, or 4.43 acres of the site will be maintained for the preservation of Oak trees in, Tract “A” (Attachment-N). The applicant does not intend to dedicate open space to Thurston County and indicated all open spaces shall be help in common ownership by the homeowners and memorialized in the HOAs.

2. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of residents of the PRD, provided that the building coverage of such building or structure combined with the building coverage of the residential structures shall not exceed the maximum permitted by the underlying zone.

Staff Comment: The open spaces are proposed to be divided into 4 separate tracts (A through) and will 30% of the overall site (30.59 acres) is 9.18 acre. However, the applicant is electing to preserve 9.72 acres to remain open, or about 32% of the overall site. The applicant does not intend to dedicate open space to Thurston County and indicated all open spaces shall be help in common ownership by the homeowners and memorialized in the HOAs.

3. Up to fifty percent of the common open space requirement may be satisfied by the preservation of tall stands of trees and/or wetland and/or critical area habitat and required critical area buffers in consideration of the significant passive recreation opportunities provided by said lands. Development shall be configured to take advantage of these areas as a significant site amenity. These areas should be visually accessible to the public rather than walled off from view. To the extent possible, trail networks should be integrated with these areas. For example, a trail along the wetland buffer is a desirable option. The remaining fifty percent of the common open space area must meet the criteria in subsection (4) below.

Staff Comment: Approximately 45%, or 4.43 acres of the site will be maintained for the preservation of Oak trees in, Tract “A” (Attachment-N).

4. Common open space must meet the following design criteria:
  - a. Must be usable and accessible. All common open spaces intended for public use shall be physically and visually accessible from the adjacent street or major internal pedestrian route. Open spaces shall be in locations accessible to intended users—rather than simply left—over or undevelopable space in locations where very little pedestrian traffic is anticipated. Locations integrated with transit stops, for instance, would be encouraged, as there is likely to be pedestrian traffic in the area.

Staff Comment: The open spaces are proposed to be divided into 4 separate tracts (A through D). The largest being Tract “A”, which is proposed to have a children’s playground as well as manicured areas amongst the Oak trees to be preserved.

- b. Open space area shall have convenient access for residences of the development and shall be consolidated to provide maximum access, visibility, usability, minimization of impacts to residential uses, and ease of maintenance.

Staff Comment: Tracts B, C, and D, are internal to the site and accessible by a single 20’ foot wide pedestrian path.

- c. Must be inviting. Inviting open spaces feature amenities and activities that encourage pedestrians to use and explore the space. On a large scale, it could be a combination of active and passive recreational uses. It could include a fountain, sculpture, children's play area, special landscaping element, or even a comfortable place to sit and watch the world go by. In order for people to linger in an open space, it must be comfortable. For instance, a plaza space should receive ample sunlight, particularly at noon, and have design elements that lend the space a "human scale," including landscaping elements, benches and other seating areas, and pedestrian-scaled lighting. No use shall be allowed within the open space that adversely affects the aesthetic appeal or usability of the open space. (See Table 21T-83.)

Staff Comment: The open spaces are proposed to primarily passive recreation and aside from the playground in Tract “A” will provide one or two single benches for seating in each of the isolated open space.

- d. Must be safe. Safe open spaces incorporate Crime Prevention through Environmental Design (CPTED) principles:
  - (1) Natural surveillance—which occurs when parks or plazas are open to view by the public and neighbors. For example, a plaza that features residential units with windows looking down on space means that the space has good "eyes" on the park or plaza.
  - (2) Lighting that reflects the intended hours of operation.
  - (3) Landscaping and fencing. Avoid configurations that create dangerous hiding spaces and minimize views.
  - (4) Entrances should be prominent, well lit, and highly visible from inside and outside of the space.
  - (5) Maintenance. Open spaces shall utilize commercial grade materials that will last and require minimal maintenance costs. Walls, where necessary, shall be designed and treated to deter graffiti. Use and maintain landscape materials that reduce maintenance cost and maintain visibility, where desired.
- e. Provides for uses/activities that appropriately serve the anticipated residents and users of the development. For example, common open space that serves a variety of functions will attract greater usage. When designing open spaces, project applicants

should consider a broad range of age groups, from small children, to teens, parents, and seniors.

- f. Must be designed and placed in consideration of existing and potential open space on adjacent parcels to provide consolidation or opportunities for future consolidation of neighborhood open space areas.
- g. Additional Criteria.
  - (1) Consolidation of open space is encouraged to provide maximum access, visibility, usability, minimization of impacts to residential uses, and ease of maintenance.
  - (2) Existing trees and significant vegetation shall be retained in open space unless an alternative park/landscaping plan consistent with the criteria herein is approved by the department.

Staff Comment: As stated above, the open spaces are proposed to be divided into 4 separate tracts (A through D). The largest being Tract “A”, which is proposed to have a children’s playground as well as manicured areas with some seating amongst the Oak trees in the most northern portion of the development and will be highly visible. However, the 30- incompatible use buffer along the entire perimeter is proposed to be enjoyed but the applicant has not indicated that a walking path or lighting will be provided.

- 5. Cash or like value of land area and improvements may be donated to the county for open space purposes to fulfill up to fifty percent of open space requirements within that specific parks planning area. Acceptance will be at the discretion of the county.

Staff Comment: N/A

- 6. Private Open Space. Developments are encouraged to conform to usable open space provisions of the applicable zone. However, at a minimum, three hundred square feet of private, usable open space having a minimum of fifteen feet in depth and width shall be provided for each ground level dwelling unit PRD. Such private open space should be visible and accessible from the dwelling unit. When adjacent to common open space, such private open space is to serve as a buffer between dwelling units and common open space.

Staff Comment: Each private parcel will have adequate open space with a front yard and minimum backyard measuring at least 15’ x 30’.

- B. Land Area and Dwelling Unit Computations. Open space, street area, etc., are computed as follows:
  - 1. Street Right-of-Way. Streets in a PRD shall be computed at twenty percent of the gross land area, regardless of the amount of land actually used for streets in the final design.
  - 2. Density. The density of the underlying zone governs unless a density increase is granted as provided in this chapter.
  - 3. Density Increase. The county may approve an increase in the dwelling unit density up to:
    - a. In the low density district, fifteen percent;
    - b. In the moderate density district, twenty percent;
    - c. In the high density district, twenty-five percent; rounded to the nearest whole number, provided that the environmental and recreational amenities sought by this title are met.

4. Development Formula. The computation of the number of dwelling units permitted, and other space requirements shall be as follows:

<u>Staff Comment:</u>	The applicant is not seeking any density bonuses.
DU	$= N/M \times 1.2$ (1.2 is the incentive factor)
G	Gross land area in square feet
S	Street area (i.e., twenty percent of G) in square feet
DU	Number of dwelling units
M	Minimum land area per dwelling unit
N	Net buildable site (G-S) in square feet
DU	$= 174,240/5,445 \times 1.2 = 38.4 = 38$ dwelling units

Staff Comment: The maximum number of dwelling units allowed for this project is 183 based on the calculation below: The applicant’s calculations are provided below and meet the density limits of the underlying zone.

- Zoning: McAllister Geologically Sensitive Area (MGSA), City of Lacey Urban Growth Area
- 6 units per acre, not including wetland critical areas (none exist)  
DU = (G) x6  
Where:  
DU = Maximum allowable dwelling units  
G = Gross site area  
Then: DU = (30. 59) x 6 = 183 allowable units

The project is not using the development formula provided in this section because the project has chosen a PRD because a PRD allows for flexibility in the lots sizes, below the underlying zoning requirements which is not only preferred with the development goals, but also maintains the density with the 30% open space requirement of a PRD.

- C. Landscaping Required. For applicable landscaping requirements, see Chapter 21.80.

Staff Comment: A landscaping plan has been submitted (Attachment-N), which shows areas where Type II and Type III landscaping are proposed as well as landscape material type, size and spacing. The landscape plan appears to be in compliance with the code.

**21.60.145 Environmental and recreational amenities.** Four of the following five amenities must be provided as part of the PRD in order to receive the density bonus as provided in Section 21.60.140:

Staff Comment: Applicant is not seeking any density bonus.

**21.60.180 Final review and approval—Application—Partial PRD area.** An application for final review and approval may be filed for part of a PRD area for which preliminary approval has been granted by the county. A final plan for a part of a PRD shall provide the same proportion of open space and the same overall dwelling unit density as the overall preliminary plan. If that portion of the PRD for which final approval is requested does not provide such open space, the developer shall file in escrow a quit-claim deed in favor of the county for such additional land area adjacent and accessible to the site, and of sufficient size to provide the open space required to meet the standards of this title. In the event that the developer abandons the remaining portions of the PRD, the

escrow agent shall deliver the quit-claim deed to the county or to such other public or private entity as the county may direct.

Note: Final approval of a PRD development plan shall not be construed to be final plat approval. Plat approval is a separate action and shall be in compliance with state and local subdivision and platting regulations (as stated in Section 21.60.050B).

**21.60.250 Commencement of construction.** Construction of the PRD project shall begin within one year from the date of the final approval of the plan. An extension of time for beginning construction may be requested in writing by the applicant, and such extension not exceeding six months may be granted by the county. If construction is not begun within one year or within the time for which an extension has been granted, the plan shall be considered abandoned, and the development of the property shall be subject to the normal requirements and limitations of the underlying zone and the Subdivision Ordinance.

Staff Comment: The applicant has requested the ability to phase development of the plat. Staff has no objections as conditioned.

#### **D. Chapter 21.80 - LANDSCAPING REQUIREMENTS.**

TCC 21.80.050C requires Type II and III landscaping to be provided. Type II landscaping provides visual separation of uses from streets, and visual separation of compatible uses to soften the appearance of streets, parking areas, and building elevation. Type II landscaping is used around the perimeter of a site, adjacent to buildings and may be mixed with Type III landscaping to provide interest along parking lot pedestrian corridors. TCC 21.80.050.D requires Type III landscaping to provide visual relief when clear sight is desired along pedestrian corridors and walks for separation of pedestrians from streets and parking areas.

Staff Comments: A landscaping plan has been submitted (Attachment-N), which shows areas where Type II and Type III landscaping are proposed as well as landscape material type, size and spacing. The landscape plan appears to be in compliance with the code.

#### **21.80.040 Preservation of significant trees:**

- A. In required landscaping areas, the applicant shall retain significant trees which will not constitute a safety hazard. Areas devoted to access and sight areas as defined in this code, and areas to be cleared for required roads, utilities, sidewalks, trails or storm drainage improvements are exempt from this requirement, provided modifications to design can be made to save significant stands of trees.
- B. Outside of the required landscape areas, the applicant shall be required to retain significant trees. Special attention shall be given to the preservation of the following:
  - 1. The preservation of healthy significant trees over sixty feet in height and sixteen inches in diameter measured twenty-four inches above grade;
  - 2. The preservation of significant trees that form a continuous canopy;
  - 3. The preservation of significant trees that contribute to the character of the environment, and do not constitute a safety hazard.
  - 4. To protect against blowdowns, the county encourages that areas of tall, older tree stands to be retained be at least fifty feet in width”.

Staff Comments: In the applicant's plans indicate retention of only Oak and trees and *maybe* some perimeter trees but they have applied for a forestry permit to remove all but Oak trees.

#### **21.80.080 - Maintenance of plant materials.**

B. All areas where new landscaping is being required, excepting new single-family lots, shall be provided with irrigation systems designed by a licensed landscape architect, Washington-certified nurseryman, Washington-certified landscaper, or professional engineer. Such irrigation systems shall be designed, installed, and operated to maintain the plant materials to the standards detailed in Section 21.80.080A. The county may waive landscape irrigation provided an alternative method to irrigate the plantings for three years is approved by the county and a maintenance assurance device in the amount of one hundred percent of the replacement cost of the landscape materials is provided.

Staff Comments: Staff recommends that prior to final plat approval that the applicant be required to submit a revised plan showing the irrigation plan if walking paths and lighting are installed along the perimeter.

**Landscape features (21.80.100):** Landscape features such as decorative paving, sculptures or fountains are permitted in the required landscaping area. The area devoted to such a feature may not exceed twenty-five percent of the required area.

Staff Comments: Proposed landscaping features include walking paths, children's play area, park benches and is shown on the landscape plan (Attachment-N).

#### **E. Forest Land Conversion 17.25.400**

The applicant is requesting approval to harvest approximately Up to 20k MBF of timber may be removed. Most trees except Oregon white oaks will be removed. The proposed conversion is for single-family use. Per TCC 17.25.400.B, an application for forest land conversion must be accompanied by and considered concurrent with a development proposal for the subject property.

Staff Comments: The proposed development and Forest Lands Conversion application has met the requirements of TCC 17.25.400.

- D. Conversion Standards. All forest lands conversions within the north county urban growth area shall comply with all of the applicable provisions of the following:
1. Title 24 of the Thurston County Code otherwise known as the Thurston County Critical Areas Ordinance and Chapter 17.15 of the Thurston County Code, otherwise known as the Thurston County Agricultural Activities Critical Areas Ordinance;
  2. Chapter 19.04 of the Thurston County Code, otherwise known as the Thurston County Shoreline Master Program;
  3. Chapter 15.05 of the Thurston County Code, otherwise known as the Drainage Design and Erosion Control Manual for Thurston County;
  4. Chapter 15.04 of the Thurston County Code, otherwise known as the Minimum Design Standards for Urban and Rural Street Construction in New Developments;

Staff Comments: This requirement is met.

5. Residential Subdivisions. Applications for residential subdivisions submitted to the resource stewardship department after September 29, 1997 are subject to the following:
- a. Except in the R 1/5 and RLI 2-4 districts (Olympia Urban Growth Area, TCC 23.04), at least five percent of the property being subdivided must be preserved or planted with new trees and

dedicated as a separate tract(s). Critical areas and their required buffers may be applied toward this five-percent requirement, but only the portion that contains trees to be preserved. The director may waive the dedication requirement if some other equivalent means of retention or replanting is provided by the development proposal.

Staff Comments: The forest land conversion site plan (Attachment -C.1) shows Oak stands to remain as preserved trees. The Project Narrative (Attachment-H) states that the total percentage of the property that will consist of existing trees and planted with new trees. A condition of approval states that “Prior to final plat approval, a note shall be incorporated on the face of the final plat memorializing that the common open space will be owned and maintained by an HOA”. Development Services feels this as an acceptable.

b. Any part of a tree tract located outside of critical areas and their associated buffers shall count toward open space required for the development by TCC [18.47](#) Open Space Standards, and [20.32](#) Open Space, consistent with the provisions of those chapters.

Staff Comments: Noted. There are no critical areas or buffers on the subject parcel which have not been reviewed through the CARP.

c. The plan shall identify what site development safeguards shall be employed to protect trees and ground cover proposed to be retained with the development of the site.

Staff Comments: Per TCC 21.80.080, prior to final plat approval, the applicant will be required to submit an irrigation plan. Prior to final plat approval, the applicant will be required to submit a maintenance assurance device equal to at least 120% of the replacement cost of the landscape materials to be utilized by the county to perform any necessary maintenance.

d. Where sites proposed for subdivision do not contain healthy trees that can be incorporated in the project and remain windfirm following development, the tree tract shall be planted with trees. The trees to be planted shall be of a type and spacing that, upon maturity, will provide a canopy spanning at least seventy-five percent of the tract. At the time of planting, evergreen trees shall be at least four feet tall and deciduous trees shall be at least one and one-half-inch caliper.

Staff Comments: The landscape plan (Attachment-N) identifies the type and spacing of trees to be planted. This requirement appears to be met.

e. Where disturbed, critical area buffers may be planted with trees as necessary to improve the buffers for slope stability, wildlife habitat, wetland improvement, screening, etc.

Staff Comments: There are no critical areas or buffers on the subject parcel that have not been mitigated through review of the Critical Areas Review Permit for parcels greater than 5 acres.

f. All common areas in residential subdivisions shall be landscaped or planted with new trees.

Staff Comments: The landscape plan (Attachment-N) identifies the type and spacing of new trees to be planted. This requirement appears to be met.

g. The retention of existing trees or the planting of new trees on individual residential lots shall be required at a rate of one tree for every four thousand square feet of lot area.

Staff Comments: The landscape plan (Attachment-N) identifies the type and spacing of new trees to be planted. The forest land conversion site plan (Attachment-C.1) shows tree areas to be removed and preserved. A condition of



approval has been provided below which states that “The retention of existing trees or the planting of new trees on individual residential lots shall be required at a rate of one tree for every four thousand square feet of lot area.” As conditioned, this requirement is met.

h. Street trees shall be installed per the applicable street development standards as stated in [Chapter 15.04](#) of the Thurston County Code.

Staff Comments: This has been made a condition of approval.

i. A bond or other such method of financial security in an amount equal to one hundred twenty-five percent of the cost to purchase and install the required trees, based upon a contractor's estimate accepted by the county, shall be provided to the county to secure the successful establishment of newly planted trees. The county shall draw upon this surety as needed to replace any trees that die, upon failure of the developer or other responsible party to do so within the time period specified by the county. The developer shall not be required to replant trees which die or suffer severe degradation as a result of a water purveyors' failure to supply adequate water, acts of vandalism or other actions of unrelated third parties acting beyond the developer's control. Such financial security shall be effective for a two-year period following completion of the planting.

Staff Comments: As a condition of approval, “Prior to final plat approval, a maintenance assurance device and a performance device must be submitted to the county”.

#### **F. Thurston County Public Health and Social Services Environmental Health Department Analysis**

The above referenced project has been routed to this agency for review and comment. Environmental Health's preliminary review is complete, and the following is a report of our analysis & findings, requirements, and recommendation:

1. Proposed Land Use: Subdivide three parcels totaling 30.59 acres located within the Lacey Urban Growth Area into a planned residential development (PRD) with up to 180 single-family residential lots. Improvements include roadways and lighting, drainage and utility improvements, pedestrian circulation, and open space areas. The PRD is proposed to allow for lot size flexibility and to support density needs and project goals on housing type and size.
2. Soil Permeability and Classifications: The soils on the project site are mapped by the Soil Conservation Service as Indianola loamy sand, 0 to 3% slopes and Spana gravelly loam. There is one existing on-site septic system located on Tax Parcel 11701220300 that will be abandoned prior to final subdivision approval. All lots within the subdivision are to be served by City of Lacey sanitary sewer. Therefore, no on-site soil evaluations were conducted by this office. The City of Lacey has provided confirmation of sewer availability for up to 180 lots.
3. Existing and Proposed Water Supply: There are no existing wells located on the project site. Tax Parcel 11701220300 is currently served by Thurston PUD (Pattison-500, ID 665785). All lots within the subdivision are to be served by Thurston PUD (Pattison-500, ID 665785), which is permitted by Washington State Department of Health Office of Drinking Water. Thurston PUD has provided confirmation of water availability for up to 180 lots.
4. Protection of Ground & Surface Waters: The project site is located within a Category I and II Aquifer Recharge Area as defined by the Thurston County Critical Areas Ordinance and within two Group A water system wellhead protection areas, Pattison-500, ID 665785 and Holiday

Ranchettes, ID 33677F. The site is also located within the McAllister Geologically Sensitive Area and within a mapped area of elevated nitrates in the underlying aquifer. The depth to domestic groundwater in this area is estimated to be 137 to 230 feet based on Washington State Department of Ecology well log records. The existing septic system will be properly abandoned, and all development will be connected to sanitary sewer. No existing wells were located within 100-feet of the project site. Adjacent parcels are served by Thurston PUD public water. An Integrated Pest Management Plan (IPMP) has been prepared for this project outlining landscape management practices to help reduce impacts to surface and ground water. The IPMP has been reviewed and accepted by Environmental Health.

**\*Recommended conditions of approval are provided in section ‘D’ below under the heading, “Department Recommended Conditions of Approval”.**

#### **H. Commenting Agencies**

Public comments were received in response to the Notice of Application (Attachment-T.1 through T.17).

#### **I. School Impacts**

The project is located within the North Thurston Public School (NTPS) District. In order to approve the subdivision, RCW 58.17.110 requires that a finding must be made by the permitting jurisdiction that there are adequate school facilities to accommodate the students generated by the proposed subdivision.

**Staff Comments:** School impact fees will be paid per the current Thurston County mitigation fee schedule in place when final building approvals are requested. The internal public road within the plat provides sidewalks, which will provide safe passage for the children to the bus waiting area. Staff has provided a condition of approval that requires the applicant to designate a bus waiting area and shelter, acceptable to the School District prior to final plat approval.

#### **J. Public Comment**

Outside agency comments were received in response to the Notice of Application (Attachment-U.1 through U.9).

#### **K. Local Ordinances**

Appropriately conditioned, the proposed subdivision will conform to the requirements of the Zoning Ordinance, PRD Ordinance, and Platting and Subdivision Ordinance, Forest Conversion Ordinance. As proposed and conditioned the subdivision is consistent with the Thurston County-Lacey Joint Comprehensive Plan for the Urban Growth Areas and the Thurston County-Lacey Urban Growth Area Zoning Ordinance.

#### **L. Appropriate Provisions**

Revised Codes of Washington (RCW) 58.17.110 requires that findings be made to approve a preliminary plat as follows:

Appropriate provisions must be made for the public health, safety and general welfare and such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary waste, parks and recreation, playgrounds, schools and school grounds and all other relevant facts including sidewalks and other planning features that assure safe walking conditions for students that only walk to and from school.

**Staff Comments:** Public Works requirements will ensure that appropriate provisions are made for streets and stormwater facilities for this urban area plat. The plat must comply with the Health Code, thereby assuring adequate provision for domestic water supply and sanitary waste disposal. The project will extend City of Lacey sanitary sewer and water to serve the lots. Transit service is available within the vicinity and school

children will be bussed to North Thurston School District school sites. Mitigation will ensure that adequate school facilities are available. All findings can be made for the public health safety and general welfare. The proposed plat in conjunction with the recommended conditions is in compliance with RCW 58.17.110.

**R. TCC 18.12.090 - Hearing Examiner Action:**

- A. At the public hearing, the hearing examiner shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. The hearing examiner shall determine:
  - 1. If appropriate provisions are made for, but not limited to, the public health, safety and general welfare for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary waste, parks, and recreation, playgrounds, schools and school grounds and shall consider all other relevant facts including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and
  - 2. Whether the public interest will be served by the subdivision and dedication.
- B. A proposed subdivision and dedication shall not be approved unless the hearing examiner makes written findings that:
  - 1. Appropriate provisions are made for the public health, safety, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; an
  - 2. The public use and interest will be served by the platting of such subdivision and dedication. If the hearing examiner finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the hearing examiner shall approve the proposed subdivision and dedication. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. The county shall not as a condition to the approval of any subdivision require a release from damages to be procured from other property owners.

**DEPARTMENT RECOMMENDED CONDITIONS of APPROVAL**

If the examiner finds that the criteria are met for approval of a Preliminary Plat through a Planned Residential Development (PRD) and permit for Forest Land Conversion, staff recommends the following conditions to ensure compliance with applicable development standards and other land use regulations:

**A. SEPA CONDITIONS FROM THE MDNS (issued on December 6, 2023) (Attachment-I)**

- 1. To mitigate traffic impacts within the City of Lacey, the proponent will need to contribute \$248,298.40 to the City of Lacey per Lacey Ordinance 14.21, and paid prior to final project approval, pursuant to County Road Standards. See attached worksheet prepared by the City of Lacey for a breakdown of this mitigation amount. Timing of the contributions may be altered if approved by both the City of Lacey and Thurston County
- 2. According to the Thurston Regional Planning Council's 1999 Household Travel Survey, 5.6% of all trips are made by bicycling or walking. This project is expected to generate a similar number of pedestrians and cyclists. The Transportation Comprehensive Plan identifies the need for sidewalk, bike lanes and other facilities to accommodate multi-modal transportation. The multi-modal impacts from this project shall be mitigated by constructing frontage improvements according to Lacey's standards.

3. The traffic study indicates that the intersection of Kagy Street and Mullen Road will be below acceptable level of service with trips from this project impacting it. The Developer shall provide a refuge lane for northbound left -turning vehicles which would result in acceptable LOS prior to final plat if it has not been provided by another project.

## **B. PLANNING**

- 1) Street addresses, lot size and dimensions for each lot shall be shown on the final map.
- 2) The final design of this subdivision and future development of lots shall conform with all minimum standards of the Zoning Ordinance (i.e. lot size, lot dimension, setbacks, etc.) and the Platting and Subdivision Ordinance.
- 3) All open space and landscaping and tree preservation shall comply with:
  - A. New trees on individual residential lots shall be planted at a rate of (1) tree for every four thousand (4,000) square feet of lot area at the time of building permit application.
  - B. Any conditions, improvements or maintenance requirements associated with the landscaping plan shall be shown on the final plat map.
  - C. Prior to final plat approval, the applicant shall submit a revised final landscape plan. The revised landscape plan shall be submitted to Thurston County Community Planning and Economic Development Department for review and approval. The final landscape plan shall include additional active recreation component to the open space i.e.:
    - a. play equipment, sports court, or some other means such as frisbee golf and irrigation; or,
    - b. provide a path around the entire perimeter complete with appropriate lighting to clearly illuminate the path for safety.
    - c. If the perimeter walking path is not properly illuminated, it must be closed from public use from dusk until dawn and reopened at daybreak.

All landscaping shall be in compliance with the Thurston County Zoning Ordinance (Title 21) and the Thurston County Subdivision Ordinance (Title 18).

- 4) Prior to final plat approval, a maintenance assurance device or a performance device must be submitted to the county (TCC 21.80.080 or TCC 21.80.090).
- 5) Prior to final plat approval, an irrevocable notarized agreement granting the county and its agents the right to enter the property and perform any necessary landscaping work must be provided.
- 6) Prior to issuance of the certificate of occupancy, the required landscaping must be installed. In no case may the property owner/developer delay performance for more than one year after occupancy.
- 7) Prior to final plat approval, the applicant shall submit evidence to the Thurston County Community Planning and Economic Development Department that adequate capacity exists in affected North Thurston School District schools or that the applicant has entered into an agreement with the North Thurston School District to mitigate the impact the plat will have on the district schools. If the agreement requires payment of mitigation fees or other actions after the final plat is recorded, then such conditions shall be noted on the final plat map.

- 8) Prior to final plat approval, evidence that all necessary school, roads and public parks mitigation have been paid shall be submitted to Thurston County Community Planning and Economic Development.
- 9) Prior to final plat approval, applicant to designate a bus waiting area and shelter, acceptable to the School District.
- 10) Before approval of the final development plan may be granted, the developer shall submit to the county covenants, deeds and/or homeowners' association bylaws and other documents guaranteeing maintenance, construction, common fee ownership, if applicable, of open space, community facilities, stormwater facilities, private roads and drives, and all other commonly owned and operated property. These documents shall be reviewed and approved by the county staff to ensure that they comply with the requirements of this chapter prior to approval of the final development plan by the county. Such documents and conveyances shall be accomplished and be recorded, as applicable, with the county auditor as a condition of any final development plan approval.
- 11) The proposed project is subject to compliance with the following policies and regulations, including any applicable mitigation requirements: Thurston County Comprehensive Plan, Zoning Ordinance (TCC 20), Critical Areas Ordinance (TCC 24), Stormwater Drainage Design and Erosion Control Manual (TCC 15.05), Uniform Building Code (TCC 14), State Environmental Policy Act (SEPA) Ordinance (TCC 17.09.).
- 12) Two off-street parking spaces are to be provided per dwelling unit (TCC 21.71). Dwelling units with an Accessory Dwelling Unit shall provide one additional off-street parking space (Table 21 T-13).

#### **General Plat Notes for the Final Plat Map**

- 13) All development on the site shall be in substantial compliance with the approved plat. Any alteration of this proposed subdivision will require approval of a new or amended plat. The Thurston County Community Planning and Economic Development Department will determine if any proposed amendment is substantial enough to require Hearing Examiner approval.
- 14) Prior to final plat approval, a note shall be incorporated on the face of the final plat memorializing that the common open space will be owned and maintained by an HOA.
- 15) Per 21.60.240, once the preliminary development plan is approved, all persons and parties, their successors, heirs, or assigns, who own, have, or will have by virtue of purchase, inheritance or assignment, any interest in the real property within the proposed PRD, shall be bound by the conditions attending the approval of the development and the provisions of this title.

#### **GENERAL NOTES:**

- An application for final review and approval may be filed for part of a PRD area for which preliminary approval has been granted by the county. A final plan for a part of a PRD shall provide the same proportion of open space and the same overall dwelling unit density as the overall preliminary plan. If that portion of the PRD for which final approval is requested does not provide such open space, the developer shall file in escrow a quit-claim deed in favor of the county for such additional land area adjacent and accessible to the site, and of sufficient size to provide the open space required to meet the standards of this title. In the event that the developer abandons the remaining portions of the PRD, the escrow agent shall deliver the quit-claim deed to the county or to such other public or private entity as the county may direct.

Note: Final approval of a PRD development plan shall not be construed to be final plat approval. Plat approval is a separate action and shall be in compliance with state and local subdivision and platting regulations (as stated in Section 21.60.050B).

- Construction of the PRD project shall begin within one year from the date of the final approval of the plan. An extension of time for beginning construction may be requested in writing by the applicant, and such extension not exceeding six months may be granted by the county. If construction is not begun within one year or within the time for which an extension has been granted, the plan shall be considered abandoned, and the development of the property shall be subject to the normal requirements and limitations of the underlying zone and the Subdivision Ordinance.
- This project may require a construction stormwater permit from the WA State Dept. of Ecology (also known as National Pollution Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Stormwater Discharges Associated with Construction). It is the applicant's responsibility to obtain this permit if required.
  - One or more acres of soil surface area will be disturbed by construction activities.
  - The site already has offsite discharge to waters of the state or storm drains or will have offsite discharge during construction.
  - Information about the permit and the application can be found at:  
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/permit.html>

### **Conditions of Approval for Forest Land Conversion**

- 16) Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or storm drains that lead to waters of the state. Sand, silt, clay particles, and soil will damage habitat and are considered to be pollutants. To the extent possible, land-disturbing activities associated with the project should be performed during dry weather to reduce opportunities for erosion to occur.
- 17) Activity shall be limited to the hours of 7:00 a.m. to 7:00 p.m. to minimize associated noise. All activities onsite shall fully comply with noise limitations outlined in WAC 173-60.
- 18) Provision shall be made to minimize the tracking of sediment by construction vehicles onto paved public roads. If sediment is deposited, it should be cleaned every day by shoveling or sweeping. Water cleaning should only be done after the area has been shoveled out or swept.
- 19) Clearing limits and/or any easements or required buffers should be identified and marked in the field, prior to the start of any clearing, grading, or construction. Some suggested methods are staking and flagging or high visibility fencing. A permanent vegetative cover should be established on denuded areas if not otherwise

permanently stabilized.

- 20) Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington and is subject to enforcement action.
- 21) Street trees shall be installed per the applicable street development standards as stated in [Chapter 15.04](#) of the Thurston County Code.
- 22) The project shall comply with the Thurston County Critical Areas Ordinance, the Thurston County Forest land conversion Ordinance, Zoning, and all required local, state, or federal permits and/or exemptions.
- 23) All work shall be in substantial compliance with the plans included in the project application.

#### **CRITICAL AREA ORDINANCE – Chapter 24**

1. Cutting of Oaks is prohibited, and Oaks must be avoided during the development and building process, affording the appropriate canopy dripline buffer as stated in TCC 24. 25. 070. Orange construction fencing to establish an Oak tree protection area (buffer) extending a minimum of 5-feet beyond the dripline of Oak trees shall be established, maintained and protected from disturbance during site development. All development, construction equipment and debris shall not be located within the Oak tree protection area, or construction setback.
2. The U. S. Fish & Wildlife Service approved Thurston County' s Habitat Conservation Plan (HCP) in July 2022 and...implemented in 2023. Under the county' s HCP, projects that impact gophers or HCP habitat will go through a different review process and mitigation fees may apply based on your project scope.

#### **C. PUBLIC WORKS CONDITIONS (Attachment-U.8)**

The intent of this review is to make a determination as to whether or not the proposed project can meet Thurston County's requirements for approval. The information submitted for review is preliminary in nature and is not the final design for construction purposes. The final design (construction drawings) shall remain in compliance with the Thurston County Road Standards, the Drainage Design and Erosion Control Manual, and the City of Lacey Development Guidelines in effect at the time of the complete application submittal.

It appears all of the preliminary requirements outlined in the Road Standards and the Drainage Design and Erosion Control Manual have been satisfied. Please note the following recommendation for approval does not relieve the Applicant from compliance with all other local, state and/or federal approvals, permits, and/or laws necessary to conduct the development activity for which this permit is issued. Any additional permits and/or approvals shall be the responsibility of the Applicant. Based on the referenced project documents, Thurston County Public Works – Development Review Section is **recommending preliminary approval** of the project subject to the following conditions:

#### **ROADS**

1. The proposed roadway in concept and design shall conform to the Road Standards and the City of Lacey standards and development guidelines.
2. A construction permit shall be acquired from the Thurston County Public Works – Development Review Section prior to any construction.



### TRAFFIC CONTROL DEVICES

3. All traffic control devices shall be designed, located, manufactured, and installed in accordance with the Road Standards, Manual of Uniform Traffic Control Devices and applicable WSDOT Standards & Specifications. A sign and striping plan shall be incorporated into the construction drawings for the project. Please contact Thurston County Public Works – Development Review Section Staff to obtain the most current Thurston County guidelines.
4. County forces may remove any traffic control device constructed within the County right-of-way not approved by this division and any liability incurred by the County due to non-conformance by the applicant shall be transferred to the applicant.

### DRAINAGE

5. The storm water management system shall conform to the Drainage Design & Erosion Control Manual.
6. All drainage facilities outside of the County right-of-way shall remain private and be maintained by the developer, owner and/or the property owners association.
7. Storm water runoff shall be controlled through all phases of the project by facilities designed to control the quality and quantity of discharges and shall not alter nor impact any existing drainage or other properties.
8. Because proper landscaping is vital to the performance of the stormwater system, the Landscape Plan (if required) shall be signed/sealed by a WA licensed civil engineer (preferably the engineer who designed the stormwater system).

### UTILITIES

9. The proposed water and sewer system shall be designed in accordance with the standards and specification of the respective utility purveyor. All water and sewer plans are subject to review and acceptance by the respective utility purveyor.
10. Proposed utility work within the Thurston County Right of Way shall conform to the Road Standards and Chapter 13.56 Thurston County Code. These standards do not address specific city design requirements but rather only items such as restoration of the County right of way and traffic control.

### RIGHT-OF-WAY & SURVEY

11. In order to meet the requirements of the Road Standards, additional right of way may be required. Please have your legal representative or surveyor prepare a Quit Claim Deed describing the necessary right-of-way, being a strip of land which when added to the existing right of way totals **30 feet** of right-of-way lying **South** of and abutting the existing centerline of 58<sup>th</sup> Avenue SE. Upon your request, Thurston County's right-of-way representative will prepare the Quit Claim Deed describing the necessary right-of-way dedication. Please contact the Thurston County Right-of-Way section at 360-867-2356.
12. Permanent survey control need to be placed to establish all public street centerlines, intersections, angle points, curves, subdivision boundaries and other points of control.
13. Permanent survey control monuments shall be installed in accordance with the standards provided by the Thurston County Public Works – Survey Division. The Survey Division can be reached at 360-867-2378.

### TRAFFIC

14. Payment of the off-site traffic mitigation required in the 12-6-23 Mitigated Determination of Non-significance is required prior to final approval in accordance with the Thurston County Road Standards. Timing of such payments to the other jurisdictions may be altered upon agreement with respective jurisdiction and Thurston County

### GENERAL CONDITIONS

15. No work shall take place until a construction permit has been issued by Thurston County Public Works – Development Review Section.
16. Development within the City of Lacey urban growth boundary, requiring review by both Thurston County and the corresponding city jurisdiction, shall be designed to the more stringent standards of the two jurisdictions.
17. The proposed grading or site work shall conform to Appendix J of the International Building Code, Title 14.37 of the Thurston County Code and Drainage Design & Erosion Control Manual.
18. When all construction/improvements have been completed, contact the Thurston County Public Works – Development Review Section for a final inspection.
19. This approval does not relieve the Applicant from compliance with all other local, state and/or federal approvals, permits, and/or laws necessary to conduct the development activity for which this permit is issued. Any additional permits and/or approvals shall be the responsibility of the Applicant. One permit that may be required is a Construction Stormwater Permit from the Washington State Department of Ecology. Information on when a permit is required and the application can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/permit.html>. Any additional permits and/or approvals shall be the responsibility of the Applicant.

### PROJECT SPECIFIC CONDITIONS

20. Once the planning department has issued the official preliminary approval, submit two complete full-size sets of construction drawings, the final drainage and erosion control report and all applicable checklists along with an electronic copy to Thurston County Public Works – Development Review Section for review and acceptance.
21. PRIOR to construction, the applicant shall:
  - a. Pay outstanding construction review and inspection fees\*
  - a. Receive an erosion and sediment control permit
  - b. Have the erosion and sediment control inspected and accepted
  - c. Receive a construction permit
  - d. Schedule a pre-construction conference with county staff.

\* The current fee schedule can be found online at Thurston County Permit Assistance Center webpage or contact Ruthie Padilla with the Thurston County Public Works – Development Review Section by phone at (360) 867-2046 or by e-mail at [padillr@co.thurston.wa.us](mailto:padillr@co.thurston.wa.us).

### GENERAL INFORMATION

FINAL REVIEW

22. Prior to receiving final approval from this department, the following items shall be required:

- a. Completion of all roads and drainage facilities.
- b. Final inspection and completion of all punch list items.
- c. Record drawings submitted for review and acceptance. The record drawings shall include street names and block numbers approved by Addressing Official.
- d. Receive and accept Engineer's Construction Inspection Report Form (Appendix I-C, Volume I of the Drainage Design and Erosion Control Manual).
- e. Receive and accept Maintenance Agreement Form (Appendix I-E, Volume I of the Drainage Design and Erosion Control Manual).
- f. Execute an agreement with financial security for the maintenance and operation of the right-of-way improvements in accordance with Thurston County Code 18.24.010.
- g. Execute an agreement with financial security for the maintenance and operation of the drainage facilities in accordance with Thurston County Code 15.05.040.
- h. Approve the Final Plat Map.
- i. Property owners' articles of incorporation and covenants in accordance with Volume I, Section 2.4.11 of the Drainage Design and Erosion Control Manual.
- j. Completion of required frontage improvements.
- k. Completion of required signing and striping.
- l. Payment of any required permitting fees.
- m. Payment of any required mitigation fees.
- n. Complete the right-of-way dedication process.

23. The final plat map shall note or delineate the following:

Required Plat Notes

- a. "ATTENTION": Thurston County has no responsibility to build, improve, maintain or otherwise service private roads, alleys or driveways within or providing access to property described in this plat. The building, maintenance, repair, improvement, operation or servicing of the storm water facilities outside the county rights of way are the responsibility of the property owner(s).
- b. Increased storm water runoff from the road(s), building, driveway and parking areas shall be retained on site and shall not be directed to roadway ditches adjacent to 58<sup>th</sup> Avenue SE.
- c. Thurston County has no responsibility to control road runoff that flows down driveways that are constructed below road grade. Homeowners are responsible for grading their access point and adjacent property to manage any runoff from the roadway.
- d. If seasonal drainage crosses subject property, no filling or disruption of the natural flow shall be permitted.
- e. Private roads are required to remain open at all times for emergency and public service vehicle use. Any future improvements (gates, fencing, etc.) that would not allow for "open" access will need to be approved by all applicable departments of Thurston County.
- f. The owner and/or Homeowners Association shall be responsible to operate and maintain the streetlights until such time the property is annexed to the city.

- g. Approval of this subdivision is conditioned upon payment of City of Lacey Traffic Mitigation Fees in the amount of \$\_\_\_\_\_ per lot. This fee increases on July 1 of each year in accordance with the increase in the Engineering News Record Construction Cost Index and the amount is determined at the date of payment. Payment is required prior to the issuance of a water meter for those lots served by the Lacey Water Utility and prior to building permit issuance for those lots not served by such Utility.
- h. Per Thurston County Resolution 14820, impact fees shall be paid prior to issuing any building permits associated with this project.
- i. This plat is subject to the RESIDENTIAL AGREEMENT TO MAINTAIN STORMWATER FACILITIES AND TO IMPLEMENT A POLLUTION CONTROL PLAN”, as recorded under Auditor’s File No.\_\_\_\_\_.
- j. Easements are hereby granted for the installation, inspection, and maintenance of utilities and drainage facilities as delineated on the plat for subdivision\_\_\_\_\_ including unrestricted access for Thurston County staff to any and all storm water system features for the purpose of routine inspections and/or performing maintenance, repair and/or retrofit as may become necessary. No encroachment will be placed within the easements shown on the plat which may damage or interfere with the installation, inspection, and maintenance of utilities. Maintenance and expense thereof of the utilities and drainage facilities shall be the responsibility of the Property Owners’ Association as established by covenant recorded under Auditor’s file number \_\_\_\_\_.
- k. The property described herein is required to accommodate storm water runoff from frontage improvements to 58<sup>th</sup> Avenue SE and all natural tributary areas abutting said property.
- l. Maintenance of the landscaping, trees, sidewalk, planter strips and roadside drainage and stormwater facilities such as ditches, swales and ponds within the public right of way is the sole responsibility of the (property owners) or (homeowners association) within this subdivision. Thurston County has no responsibility to maintain or service said landscaping, trees, sidewalk, planter strips or roadside stormwater facilities and the property owner(s) adjacent to the Right of Way shall be responsible for maintaining the planter strip and street trees (weeding, pruning, irrigating, mowing, etc.) in a healthy and growing manner in perpetuity.

Delineate on the Plat

- m. Provide language on the plat describing the drainage design requirements for all projected hard surfaces and lawn/landscape areas within individual building lots (drywell design/sizing, storm drain connection points, incorporated into pond design, etc.).
- n. Delineate the access restrictions by showing a "no access" strip, written and hatched, between the County approved access points along the frontage of 58<sup>th</sup> Avenue SE on the final plat map.
- o. Please clearly label all public and private roads.

**D. ENVIRONMENTAL HEALTH PROJECT CONDITIONS (Attachment-U.9)**

- 1. Any existing irrigation well located within 200 feet of the project site must be shown on the final map.

2. The existing on-site septic system located on Tax Parcel 11701220300 must be properly abandoned per Article IV of the Thurston County Sanitary Code prior to final approval. An abandonment permit is required and abandonment documentation from a certified septic system pumper must be provided.
3. City of Lacey sewer utilities must be extended through the subdivision prior to final approval. Confirmation of final sewer construction approval from the City of Lacey must be submitted to Environmental Health.
4. Thurston PUD (Pattison-500, ID 665785) public water system must be installed through the subdivision prior to final approval. Confirmation of final water system construction approval from Washington State Department of Health Office of Drinking Water must be submitted to Environmental Health.

**E. CITY OF LACEY REQUIREMENTS (Attachment-V)**

**Specific Water Improvements:**

This site is served by the Thurston County Public Utility District (P.U.D.), please contact them for water requirements. City of Lacey Conditions do not apply.

**Specific Sewer Improvements:**

**EVEN THOUGH THERE ARE PROPOSED PROJECTS IN THE AREA AT THIS TIME, THESE CONDITIONS ARE WRITTEN AS IF THOSE PROJECTS MAY NOT PROCEED.**

1. An 8-inch main Shall be extended from the intersection of Afflerbaugh/Mullen Roads to and through the east property line of the proposed PRD on 58<sup>th</sup> Avenue. This will require upsizing and abandonment of existing S.T.E.P. pressure force mains along the way. A latecomer agreement (LCA) may be submitted to recover costs from this main extension. The LCA will remain in effect for 20 years and will accrue interest for 20 years (if these improvements are installed by others, Aurora Oaks parcels will be included in that latecomer agreement).
2. Internal to the site the S.T.E.P. mains may be reduced to 4-inch and 2-inch mains (depending on the final plat configuration). One 4-inch main must be extended from 58<sup>th</sup> Avenue to Waldon Drive SE (south property line of the parent parcel). On Roads 'B' and 'E' S.T.E.P. mains shall be extended to the east property line for future main extensions. Prior to civil drawing submittal, please contact Brandon McAllister with the City of Lacey for specific main sizing questions.
3. The PRD will be serviced with individual S.T.E.P. systems. Adequate room to assure S.T.E.P. tanks can be located on each lot shall be provided. Prior to civil drawing submittal, please contact John Dunlap (primary inspector responsible for S.T.E.P. inspection) to discuss housing set back areas, S.T.E.P. tank placement and landscaping requirements around S.T.E.P. systems. John can be reached at (360) 486 - 8713.

**General Sewer Improvements:**

4. All existing on-site septic tanks and drainfields shall be removed per Department of Ecology and Thurston County Department of Health.
5. All existing and proposed structures shall be connected to sanitary sewer. (DG&PWS, Sewer 7A.010) Public mains with associated appurtenances shall be installed to serve the proposed project with sewer.

6. Prior to final plat approval, S.T.E.P. service shall be provided to each proposed lot or tract requiring sewer service.
7. Sewer main extensions shall be located 6-feet off the centerline of the street/drive area on the South or West side or in an alternate location after approval from the City of Lacey. Where existing mains are currently in place, new mains can be installed in the same alignment. (DG&PWS, Sewer 7A.010)
8. Confirmation that the site layout satisfies maintenance vehicle requirements shall be provided. The layout must allow a 40-foot long vactor truck with an inside turning radius of 45-feet to maneuver through the site. (auto-turn confirmation is required).
9. Adequate room for each S.T.E.P. system meeting all City of Lacey S.T.E.P. requirements shall be provided. S.T.E.P. tanks shall not be located within driveway areas or other areas that will be driven upon.
10. In addition to all Federal and State requirements, sanitary sewer improvements associated with this project shall comply with the current City of Lacey Development Guidelines and Public Works Standards Manual, City of Lacey Comprehensive Sanitary Sewer Plan, Thurston County Health Department, Washington State Department of Health (DOH), the LOTT Clean Water Alliance and Department of Ecology. (DG&PWS, Sewer 7A.010 and Subdivisions and Short Plat 2-21)
11. Please include the following S.T.E.P./Grinder easement language on the plat document:

**S.T.E.P./GRINDER SYSTEM PLAT EASEMENT PROVISIONS**

A PERPETUAL EASEMENT HEREBY RESERVED FOR AND GRANTED TO THE CITY OF LACEY, ITS SUCCESSORS AND ASSIGNS, FOR OPERATION, MAINTENANCE, AND REPAIR OF ANY OR ALL PORTIONS OF THE SEPTIC TANK EFFLUENT PUMPS (S.T.E.P.) SYSTEM OR GRINDER SYSTEM INCLUDING BUT NOT RESTRICTED TO: SEPTIC TANKS, PUMP CHAMBERS, PRESSURE/GRAVITY SEWER CONNECTION LINES AND PUMP STATUS PANEL, OVER, UNDER AND THROUGH THE LAND HEREBY PLATTED. THE PURPOSE OF THE EASEMENT as TO PROVIDE ACCESS FOR CITY OFFICERS AND EMPLOYEES TO THE CITY OWNED PORTION OF THE S.T.E.P. OR GRINDER SANITARY SEWER SYSTEMS. THE WIDTH OF THE EASEMENT HEREIN RESERVED SHALL BE FIVE FEET EACH SIDE OF PIPE AND ELECTRICAL LINES AS CONSTRUCTED. THE WIDTH OF THE TANK EASEMENT SHALL EXTEND FIVE FEET BEYOND THE EDGES OF THE TANK. THE OWNER SHALL MAINTAIN AND IS RESPONSIBLE FOR THE BUILDING LATERAL CONNECTING THE TANK TO THE BUILDING PLUMBING AND INLET TO THE TANK CHAMBER. THE CITY OF LACEY SHALL HAVE THE RIGHT TO TEMPORARILY UTILIZE SUCH AREA BEYOND THE EASEMENT AREA DESCRIBED ABOVE THAT IS NECESSARY FOR THE OPERATION, MAINTENANCE AND REPAIR ACTIVITIES ON THE S.T.E.P OR GRINDER SYSTEM.

IT IS POSSIBLE THAT LANDSCAPING WITHIN THE ABOVE EASEMENT RIGHT-OF-WAY MAY BE DAMAGED DURING THE PERFORMANCE OF OPERATION AND MAINTENANCE ACTIVITIES. THE OWNER WAIVES ANY CLAIM AGAINST THE CTIY FOR DAMAGE TO SAID ITEMS IN THE CASE WHERE WORK BY THE CITY IS DONE IN A REASONABLE MANNER. THE OWNER ALSO WAIVES ANY CLAIM AGAINST THE CITY FOR DAMAGES GENERALLY WHICH ARISE FROM "ACTS OF GOD" OR OF THIRD PARTIES NOT INVOLVING FAULT BY THE CITY OF LACEY.

THIS EASEMENT SHALL BE CONSIDERED AN ENCUMBRANCE WHICH TOUCHES AND CONCERNS THE LAND ABOVE DESCRIBED, AND BINDS OWNERS, TRANSFEREES, DONEES, SUCCESSORS AND ASSIGNEES IN INTEREST IN THE SAME MANNER AS IT BINDS OWNERS HEREIN.

NOTE: THE ABOVE EASEMENT PROVISIONS SHALL BE SHOWN ON THE FACE OF THE FINAL PLAT, VERBATIM. LETTERING SHALL NOT BE LESS THAN 0.13 (1/8) INCH IN HEIGHT.

**Stormwater Conditions:**

The City defers to Thurston County for review, approval and construction of stormwater elements of the project. With the civil drawing plan submittal sheets provided to the City, stormwater sheets shall be included for reference only. City approval blocks for stormwater sheets shall be removed.

**Specific Transportation Improvements:**

12. 58<sup>th</sup> Avenue is classified as Minor Collector Type II roadway. See Detail 4-3.3 dated 12/15/14 from the City of Lacey 2017 Development Guidelines and Public Works Standards Manual. This section of roadway requires 30-feet of half-street Right-of-Way along 58<sup>th</sup> Avenue. Prior to final plat approval, frontage improvements to this standard are required.
13. The internal roadways are classified as Major Local Residential roadways. See Detail 4-4.0 dated 12/15/14 from the City of Lacey 2017 Development Guidelines and Public Works Standards Manual. This section of roadway requires 54-feet of Right-of-Way. Prior to final plat approval, frontage improvements shall be completed to these standards.

**General Transportation Improvements:**

14. In addition to all Federal and State requirements street lighting requirements, street lighting levels shall comply with current City of Lacey Development Guidelines and Public Works Standards requirements for roadways and intersections. To comply with these standards and assure street lighting is in conformance with these standards, additional street lighting may be required for all streets adjacent to this project. All street lighting designs shall be prepared by an engineering firm capable of performing such work. (DG&PWS, Transportation, Illumination 4E.010)
15. Until Annexation occurs, maintenance, replacement and operation costs for street lighting shall be the responsibility of the Homeowners or Homeowners Association. After annexation, the City of Lacey will inspect the existing street lighting and require any needed repairs. After repairs have been made and approved, the City of Lacey will take over these responsibilities. A note stating this shall be included on the final plat map.
16. Fiber optic conduit shall be installed and conform to the standards and requirements as set forth in Chapter 4 (Transportation) from the Development Guidelines & Public Works Standards (DG & PWS, Transportation 4E.035).
17. Access shall be provided to the property as determined and approved by the City. All access points shall meet minimum access spacing, minimum corner clearance, sight distance and minimum or maximum



width requirements as outlined in the Development Guidelines & Public Works standards. (DG & PWS, Transportation 4B.025)

18. Traffic mitigations as determined by the Traffic Impact Analysis are required. Conditions of Lacey Municipal Code 14.21 shall be satisfied.
19. Please show all proposed and existing driveways associated with the plat. (DG&PWS Subdivisions and Short Plat 2-21)
20. Minimum intersection curb radii and centerline radius requirements must be incorporated into the roadway design. Please label all radii on the final plat (DG&PWS 4B.020).
21. All residential projects, whether single or multi-family, which abut a boulevard, an arterial, or any class collector street shall be required to establish a buffer from such streets. The buffer must be a separate tract of land, 20-feet in width, within the subdivision and is to be maintained by the homeowners association. (DG&PWS, Transportation 4B.065)
22. All public streets within the City and the City's UGA boundary will be planted with trees to create a distinct and pleasant character for those roadways. The street trees located in the Development Guidelines shall be required in or along the public Right-of-Way, including medians. (DG&PWS, Transportation 4G.100)
23. Since a PRD is proposed, roadways internal to the plat can be either public or private (the private roadway standard internal to the plat is the same as a Major Local Residential Roadway). If the roadways are going to be private and a gate is proposed, the gate shall meet the requirements from section 4B.075 from the DG&PWS manual.
24. The following is a condition for approval and shall be included as a note on the plat: "Thurston County/City of Lacey has no responsibility to build, improve, maintain, or otherwise service the private roads and/or alleys within or providing access to the property described in this plat." (Lacey Municipal Code 15.32.190)
25. The following note is a condition for approval and shall be included as a note on the plat: "The owner shall be responsible for maintaining the private streets (along with associated parking areas) and planter strips (weeding, mowing, irrigation, pruning of the street trees, etc.). in a healthy and growing manner in perpetuity". (DG&PWS, Transportation 4G.100D)

**General Surveying Requirements:**

26. Utility easements (a minimum of 15-feet wide) are required for all sewer mains located on private property. Easements shall include: sewer improvements and future extensions of mains to adjacent properties. Easements and stub outs shall be provided to serve adjoining properties as determined by the City. Rather than being designated as sewer, all easements shall be identified as "utility" easements on the civil drawings and in the easement document. Specific requirements will be determined at the of plan review. All easements shall be prepared by a licensed land surveyor and submitted prior to release of approved civil drawings (DG&PWS Chapter 3.110).
27. Landscaping within easement areas shall be limited to shrubs and other low growing vegetation without major root systems. Trees are prohibited within easement areas.
28. The City of Lacey Coordinate System is a ground scale coordinate system derived from the Washington Coordinate System, NAD 83/91. Units are expressed in feet. Data can be obtained from Lacey Public

Works Department. Civil drawings shall be submitted utilizing the City of Lacey Coordinate System. (DG&PWS 3.025)

29. City of Lacey Vertical Datum has elevations referenced to the National Geodetic Vertical Datum of 1929 (NGVD29). Units are expressed in feet. A benchmark listing can be obtained from Lacey Public Works Department. Civil drawings shall be submitted utilizing the City of Lacey Vertical Datum. (DG&PWS 3.025)

**Civil Engineering drawings submitted the City of Lacey must be on National Geodetic Vertical Datum 1929 (NGVD29). Civil drawings not on this datum will not be accepted and routed for review.**

30. Immediately adjacent to the public Right of Way a 10-foot joint utility easement area shall be dedicated to accommodate the installation of private and public utilities (2017 Development Guidelines and Public Works Standards Roadway details).

**Other Requirements:**

31. All improvements shall satisfy City of Lacey Development Guideline Standards in place at the time complete application is obtained (Complete application is determined by the Thurston County Planning Staff). (LMC )
32. As a condition of utility service, prior to receiving civil drawing approval, a power of attorney for annexation for your property shall be submitted to the City of Lacey.
33. If any part of these comments as established by existing plans, guidelines, codes and the like as established by ordinances shall be found invalid, all other parts shall remain in effect. (DG&PWS 3.035)
34. All Public Works improvements must be designed by an engineer licensed in the State of Washington and submitted to the City of Lacey Public Works Department for review and approval. (DGPWS 3.040)
35. Prior to submitting civil drawings for review, Land Use Approval must be obtained.
36. All structures associated with this site shall be connected to City of Lacey utilities (DG&PWS 6.010 and 7A.010).
37. Prior to civil drawing approval, one paper set of drawings along with a PDF copy of the drainage report and civil drawings shall be submitted for all approved final plans. (DG&PWS Chapter 3.040,B)
38. Prior to final Public Works Construction approval, “as-built” bonded paper drawings along with the revised civil drawings in AutoCAD and PDF formats shall be submitted for all approved final plans. (DG&PWS Chapter 3.040, J)
39. Sewer Completeness for the plat will not be issued until all paperwork required for the project is submitted and approved and all improvements shown on the approved civil drawings are installed by the applicant and approved by the City. (DG&PWS 4B.080)
40. A 20 percent maintenance bond or financial guarantee of the approved engineer’s estimate or bid estimate is required for a period of 24 months upon construction completion and approval of Public Works improvements. The financial guarantee may be released after 18 months if all conditions of approval

have been satisfied. The financial guarantee applies to sewer and street lighting improvements (LMC 14.20.025).

41. **In addition to the civil drawings submitted to Thurston County, the following civil submittal shall be submitted directly to the City of Lacey:** The civil review application and the completed, signed and stamped checklist from Chapter 3 of the Development Guidelines, three sets of 24” x 36” civil drawings (all civil elements to assure conflicts are not being created), two drainage reports and one electronic copy of the civil drawings (PDF format). These drawings shall be submitted directly to the City of Lacey Public Works Department. **Drawings submitted to Thurston County or other City of Lacey departments will not satisfy this requirement.** (DG&PWS 3.040, B)
42. The following is a condition for approval and shall be included as a note on the plat: The property owner(s) adjacent to the public Right-of-Way shall be responsible for maintaining the planter strip and all other areas within the Right-of-Way (weeding, pruning, irrigating, mowing of landscaping, street trees and unimproved areas) in a healthy and growing manner in perpetuity. If these areas are being maintained by another group or organization, then a maintenance agreement (or adequate documentation) that verifies these areas are being (and will continue to be) maintained shall be submitted to the City for review. (Development Guidelines & Public Works Standards, Transportation 4G.100D).
43. To protect the public interest on private property, utility mains located on private property shall be protected from damage. If on-site settling or other phenomenon occurs causing valve boxes, sewer manholes or other appurtenances to protrude above or settle below the driving surfaces or ground elevations, the owner will be notified, and the problem shall be fixed within 30 days of notification. If the problem is not fixed within the 30-day time period, the City will fix the problem and bill the property owner. This language shall be included on the face of any binding site plan or easement documents submitted to the City.
44. Please remember that as per the Memorandum of Understanding with the County, the City of Lacey reviews water, sewer and street lighting improvements to assure they meet City of Lacey standards; however, when submitting civil drawings to the City for review, please include all sections of improvements for review to confirm there are no conflicts with other improvements.
45. A Bill of Sale for proposed sewer improvements being installed with this project is a requirement for approval. Prior to final plat approval of the project, Bill of Sale documents shall be submitted to and approved by the City.

---

Kraig Chalem, Senior Planner

#### **EXHIBIT #1 - LIST OF ATTACHMENT**

Attachment-A.1	Notice of Application-06.09.2023
Attachment-A	2023102411 Aurora Oaks PRD Legal Notice dated, January 5, 2024-
Attachment-B	Application-Master & Division of Land Supplement-05.30.2023
Attachment-C.1	Forest Practice Application Site Plan-05.30.2023

Project #2023102411 – Aurora Oaks

Attachment-C	Application-Forest Land Conversion-05.30.2023
Attachment-D	SEPA Checklist-05.30.2023
Attachment-D.1	Notice of Application-06.09.2023
Attachment-E	Email transmitting Aurora Oaks PRD Comment Matrix 4 PW-09.13.2023
Attachment-F	PRD.Matrix1-Applicant.Responses-09.26.2023
Attachment-G	Resubmittal Letter of Transmittal-09.26.2023
Attachment-H	Resubmittal PRD Pre-lim. Plat Cover Letter-9.26.2023
Attachment-I	SEPA MDNS-12.06.2023
Attachment-J	Cultural Assessment-01.03.2023- <b>NOT FOR PUBLIC DISTRIBUTION</b>
Attachment-K	Letter-PRD Sewer Availability-04.19.2023
Attachment-L	Letter-Final Updated water availability (WAL)-12.20.2022
Attachment-M	IPMP (EH Comments Incorporated)-09.31.2023
Attachment-N	Preliminary Landscape Plans-09.21.2023
Attachment-O	Civil and Landscape Plans-05.12.2023
Attachment-P	Traffic Impact Analysis-05.16.2023
Attachment-Q	Critical Areas Evaluation-10.18.2022
Attachment-R	Critical Area Determination Letter-11.03.2023
Attachment-S	Oak Survey-Date Unknown
Attachment-T.1	Public-Comments-Casey Deligeannis-06.27.2023
Attachment-T.2	Public-Comments-David & Judy Larson-06.27.2023
Attachment-T.3	Public-Comments-Debbie Guillot-06.27.2023
Attachment-T.4	Public-Comments-Doug Christenson-06.28.2023
Attachment-T.5	Public-Comments-Jeannette Iverson-06.28.2023
Attachment-T.6.1	Public-Comments-Lindsey Harrell-06.15.2023
Attachment-T.6-	Public-Comments-Lindsey-Harrell-01.11.2024-2023102411
Attachment-T.7	Public-Comments-Sherry and Richard Sauers-06.27.2023
Attachment-T.8	Public-Comments-Kyle and Debbie Dorsey-06.23.2023
Attachment-T.9	Public-Comments-Jessilyn Enlow-06.19.2023
Attachment-T.10.1	Public-Comments-Kathy Gilbert-06.27.2023
Attachment-T.10	Public-Comments-Kathy-Gilbert-01.10.2024-2023102411

Project #2023102411 – Aurora Oaks

Attachment-T.11	Public-Comments-Email Hannah Ballou Citizen Concerns-06.18.2023
Attachment-T.12	Public-Comments-Ernest & Gail Grubb-06.12.2023
Attachment-T.13	Public-Comments-Gary Johnston-06.06.2023
Attachment-T.14	Public-Comment-Steven B. Edwards-Received, 06.30.2023
Attachment-T.15	Public-Comments-Winnwood Homeowners Association-06.29.2023
Attachment-T.16	Public-Comments-Richard Dunn and Dawn Hitchens-06.29.2023
Attachment-T.17	Public-Comments-Ron Branham and Kim Otis Branham-06.18.2023
Attachment-U.1	Agency-Comments Drainage Scoping Comments #01 (Storm)-08.02.2023
Attachment-U.2	Agency-Comments-Addressing Assigned-05.12.2023
Attachment-U.3	Agency-Comments-DAHP_Concur-06.23.2023
Attachment-U.4	Agency-Comments-Department of Ecology-12.19.2023
Attachment-U.5	Agency-Comments-Email Squaxin Island Tribe-06.16.2023
Attachment-U.6	Agency-Comments-Email supporting PRD in MGSA-03.03.2023
Attachment-U.7	Agency-Comments-Nisqually Tribe-06.15.2023
Attachment-U.8	Agency-Comments-PW Recommendation for Preliminary Plat-12.12.2023
Attachment-U.9	Agency-Comments-EH Recommendation for Preliminary Plat-01.16.2024
Attachment-V	Letter-Lacey PW Project Conditions-07.05.2023