



## CITY COUNCIL

ANDY RYDER

Mayor

MALCOLM MILLER

Deputy Mayor

LENNY GREENSTEIN

MICHAEL STEADMAN

CAROLYN COX

ED KUNKEL

ROBIN VAZQUEZ

## CITY MANAGER

SCOTT SPENCE

# LACEY CITY COUNCIL AGENDA

MARCH 17, 2022

6:00 P.M.

REMOTE ATTENDANCE

The Lacey City Council meeting will be conducted remotely. You may view the Council meeting by watching live using one of following platforms: [Live Meetings](#), [YouTube](#), [Facebook](#), Thurston Community Media, Channel 3 with your local cable provider, or Zoom:

[https://us02web.zoom.us/webinar/register/WN\\_6aQjIHYwStCdp\\_wJTUkJsg](https://us02web.zoom.us/webinar/register/WN_6aQjIHYwStCdp_wJTUkJsg)

The public may listen to the meeting via telephone by dialing toll-free: (888) 788-0099 or (877) 853-5247 - when prompted enter Webinar ID 857 2820 6631

### CALL TO ORDER:

#### 1. PLEDGE OF ALLEGIANCE

#### 2. APPROVAL OF AGENDA & CONSENT AGENDA ITEMS\*

- A. [Council Worksession minutes of February 24, 2022](#)
- B. [Council Meeting minutes of March 3, 2022](#)
- C. [A motion to approve payment of claims, wages, and transfers for February 25, 2022, through March 9, 2022.](#)

*\*Items listed under the consent agenda are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

#### 3. PUBLIC RECOGNITIONS AND PRESENTATIONS:

- A. Lacey Youth Council Report (*Ryen Hill*)
- B. Timberland Regional Library – State of the Library (*Cheryl Heywood*)

#### 4. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA\*\*

##### VERBAL PUBLIC COMMENT

Persons wishing to provide verbal public comment on items NOT on the agenda must preregister to speak at [https://us02web.zoom.us/webinar/register/WN\\_6aQjIHYwStCdp\\_wJTUkJsg](https://us02web.zoom.us/webinar/register/WN_6aQjIHYwStCdp_wJTUkJsg). Instructions and access details will be provided once registration is complete. Registration for verbal public comment closes at 4:00 p.m. on March 17, 2022.

##### WRITTEN PUBLIC COMMENT

Public comments may also be submitted by email to [publiccomment@ci.lacey.wa.us](mailto:publiccomment@ci.lacey.wa.us). Written comments will be provided to the City Council electronically prior to the meeting. Comments will not be addressed during the Council meeting; however, comments received will be added to the official record. The commenting period will close at 4:00 p.m. on March 17, 2022.

5. **PUBLIC HEARING:**
6. **PROCLAMATIONS:**
  - A. [Proclamation declaring the Month of March as American Red Cross Month](#) (Daniel Wirth, American Red Cross)
7. **REFERRAL FROM PLANNING COMMISSION:**
  - A. [LMC 14.32 Tree Regulation Revisions](#)\* (Ryan Andrews)
8. **REFERRAL FROM HEARINGS EXAMINER:**
9. **RESOLUTIONS:**
10. **ORDINANCES:**
  - A. [Ordinance No. 1617 – LMC 14.32 Tree Regulations Revisions](#)  
\*Item for consideration under Referral from Planning Commission (7.A)
  - B. [Ordinance No. 1618 – Lake Lois Pacific Ave Annexation](#) (Ryan Andrews)
11. **MAYOR'S REPORT:**
  - A. Recommend the reappointment of Sarah Daniels to the Board of Parks Commissioners (Mayor Ryder)
12. **CITY MANAGER'S REPORT:**
  - A. [Bid Award for Terry Cargil Reservoir](#) (Puna Clarke)
  - B. [Bid Award for Lift Station 12 Abandonment](#) (Jason Kashani)
  - C. [Memorandum of Understanding with Saint Martin Abbey for Property Purchase](#) (Ashley Smith)
13. **STANDING GENERAL COMMITTEE:**
  - A. [Finance & Economic Development Committee](#) (02.22.2022)
  - B. [Land Use & Environment Committee](#) (02.22.2022)
  - C. [Community Relations & Public Affairs Committee](#) (03.07.2022)
14. **OTHER BUSINESS:**
15. **BOARDS, COMMISSIONS AND COMMITTEE REPORTS:**
  - A. Mayor Andy Ryder:
    1. Mayors' Forum
    2. Thurston Chamber Shared Legislative Committee
    3. Transportation Policy Board (TPB)
  - B. Deputy Mayor Malcolm Miller:
    1. Economic Development Council (CDC)
    2. Lodging Tax Advisory Committee (LTAC)
    3. Thurston County Coalition Against Trafficking (TCCAT)
    4. Thurston Thrives

- C. Councilmember Carolyn Cox:
  - 1. Climate Action Steering Committee
  - 2. LOTT Clean Water Alliance
  - 3. Regional Housing Council
- D. Councilmember Lenny Greenstein:
  - 1. Emergency Medical Services (EMS)
  - 2. TCOMM911
- E. Councilmember Michael Steadman:
  - 1. Community Action Council
  - 2. Nisqually River Council
  - 3. Thurston County Law & Justice Council
- F. Councilmember Ed Kunkel:
  - 1. Joint Animal Services Commission (JASCOM)
  - 2. Lacey South Sound Chamber
  - 3. Olympia-Lacey-Tumwater Visitor & Convention Bureau (VCB)
  - 4. Solid Waste Advisory Committee (SWAC)
- G. Councilmember Robin Vazquez
  - 1. Intercity Transit Authority
  - 2. Olympic Region Clean Air Agency (ORCAA)
  - 3. Thurston Regional Planning Council (TRPC)

**MINUTES OF THE LACEY CITY COUNCIL WORKSESSION  
AND  
JOINT WORKSESSION WITH HISTORICAL COMMISSION  
JOINT WORKSESSION WITH COMMISSION ON EQUITY  
THURSDAY, FEBRUARY 24, 2022  
6:00 P.M. – 7:56 P.M.  
REMOTE ONLY**

To hear the full discussion of a specific topic, or the complete meeting, watch the recorded meeting available on YouTube – <https://youtu.be/dDQuAygTAvs>

COUNCIL PRESENT: MAYOR RYDER, DEPUTY MAYOR MILLER, COUNCILMEMBERS COX GREENSTEIN, STEADMAN, KUNKEL, VAZQUEZ

HISTORICAL  
COMMISSIONERS

PRESENT: ERICH EBEL (CHAIR), SARAH THIRTYACRE (VICE CHAIR), DAVID BLACK, KIMBERLY GOETZ, JIM KEOGH, ALAN TYLER

EQUITY  
COMMISSIONERS

PRESENT: CLIFTON BROWN, ANNIE CLAY, MAKIEDA HART, THELMA JACKSON, KRISTINE STOLBERG

EQUITY  
COMMISSIONERS

EXCUSED: JON HEGWOOD, KIM SAUER

STAFF PRESENT: S. KELLEY-FONG, J. BURBIDGE, D. SCHNEIDER, E. FONTAINE

ACTION: APPROVE WORKSESSION AGENDA

MOTION: MOTION MADE, SECONDED AND CARRIED BY COUNCILMEMBERS GREENSTEIN AND VAZQUEZ

**BLACK HISTORY MONTH**

PRESENTER: HANK SHEEGOG, FRED U. HARRIS LODGE

ACTION: INFORMATION ONLY

Hank Sheegog, Fred U. Harris Lodge Member, provided a verbal presentation on Black History Month.

The celebration of Black History Month began as “Negro History Week,” which was created in 1926 by Carter G. Woodson, a noted African American historian,

scholar, educator and publisher. In 1976, it became a month-long celebration and the month of February was chosen to coincide with the birthdays of Frederick Douglass and Abraham Lincoln.

Hank Sheegog shared various milestones throughout history within the black community. The accomplishments included some of the following:

- First Lawyer – *John Mercer Langston in 1854*
- Supreme Court Justice – *Thurgood Marshall, who served on the court from 1967 to 1991*
- First Senator – *Hiram Rhodes Revels, State of Mississippi from 1870-1871*
- First Woman Representative – *Shirley Chisholm, House Representative elected in 1968*
- Self-Made Millionaire – *Madam C.J. Walker, for her African American hair care products*
- Oscar Winner – *Hattie McDaniel, for her performance in Gone With the Wind in 1940*

It was also noted that the theme for 2022 is Black Health and Wellness.

#### **JOINT WORKSESSION – HISTORICAL COMMISSION**

PRESENTERS: JEN BURBIDGE, PARKS, CULTURE AND RECREATION DIRECTOR  
ERICH EBEL, HISTORICAL COMMISSION CHAIR

ACTION: APPROVE THE HISTORICAL COMMISSION 2022 WORK PLAN

MOTION: MADE, SECONDED AND CARRIED BY MAYOR RYDER AND  
COUNCILMEMBER STEADMAN

Jen Burbidge, Parks, Culture & Recreation Director provided an update on the Historical Commission and the New Museum Project.

Historical Commissioners presented on the following 2021 Accomplishments and 2022 Work Plan highlights:

#### **2021 Accomplishments**

- New Lacey Museum Project
- Lacey Depot
- Grants
- Historic Properties

### 2022 Work Plan

- New Lacey Museum Project
- Lacey Depot
- Lacey History Month
- Historical Commission Policies and Procedures
- Thurston Throwback – Thurston County Fairgrounds
- Chambers Prairie Cabin
- Grants
- Commission & Tribal Relations
- RAC Kiosk

Staff also provided the Lacey Museum Annual Report and highlighted the following:

- Cultural Resources Survey
- Salmon Safe Certification
  - o Lacey Museum is the first museum to receive this certification
- Update on the Lacey Museum Project
- Partnerships with the Lacey Community Foundation

Mayor Ryder discussed the Lacey Community Foundation and the charitable efforts that are occurring.

### **JOINT WORKSESSION – COMMISSION ON EQUITY**

STAFF: SHANNON KELLEY-FONG, ASSISTANT CITY MANAGER  
ACTION: APPROVE THE COMMISSION ON EQUITY 2022 WORK PLAN  
MOTION: MADE, SECONDED AND CARRIED BY COUNCILMEMBERS VAZQUEZ AND GREENSTEIN

Shannon Kelley-Fong, Assistant City Manager, presented the Commission on Equity's 2022 Work Plan.

Items identified in the 2022 Work Plan include the following:

- Continued work on the Diversity, Equity, and Inclusion Strategic Plan
- Extensive Public Outreach and Engagement
- Reviewing the draft City of Lacey Communications Plan and other policy documents
- Continued work on indigenous land recognition possibilities
- Future collaborations with local tribes

- Hosting focus group meetings with diverse community stakeholder groups
- Begin work on an Equity Tool and Equity Map
- Join and/or partner with community events

#### **HYBRID COUNCIL MEETING STATUS**

STAFF: SHANNON KELLEY-FONG, ASSISTANT CITY MANAGER  
ACTION: SET THE FIRST COUNCIL HYBRID MEETING FOR MARCH 24, 2022.  
MOTION: MADE, SECONDED AND CARRIED BY COUNCILMEMBERS STEADMAN AND GREENSTEIN

Shannon Kelley-Fong, Assistant City Manager, and Council, discussed the upcoming changes to the State's COVID safety restrictions.

Staff proposed launching a hybrid council meeting effective, March 24, 2022.



## **MINUTES OF A REGULAR MEETING OF THE LACEY CITY COUNCIL THURSDAY, MARCH 3, 2022, REMOTE ATTENDANCE**

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To hear Council's full discussion of a specific topic, or the complete meeting, watch the video-stream available on YouTube – <https://youtu.be/RYnpu4Hmdn4>

### **CALL TO ORDER**

Mayor Ryder called the meeting to order at 6:00 p.m.

### **1. PLEDGE OF ALLEGIANCE**

Mayor Ryder led the Pledge of Allegiance.

Council Present:

Mayor Andy Ryder  
Deputy Mayor Malcolm Miller  
Councilmember Carolyn Cox  
Councilmember Lenny Greenstein  
Councilmember Ed Kunkel  
Councilmember Robin Vazquez

Council Excused:

Councilmember Michael Steadman

Staff Present:

Scott Spence, City Manager  
Robert Almada, Chief of Police  
Jen Burbidge, Parks, Culture & Recreation Director  
Scott Egger, Public Works Director  
Mary Ann Hardie, Human Resources Director  
Shannon Kelley-Fong, Assistant City Manager  
Dave Schneider, City Attorney  
Rick Walk, Community & Economic Development Director  
Troy Woo, Finance Director  
Elissa Fontaine, Deputy City Clerk

## 2. APPROVAL OF AGENDA AND CONSENT AGENDA

### Consent Agenda Items:

- A. Council Worksession minutes of February 10, 2022.
- B. Council Meeting minutes of February 17, 2022.
- C. A motion to approve payment of claims, wages and transfers for February 11, 2022, through February 24, 2022.

**COUNCILMEMBER GREENSTEIN MOVED TO APPROVE THE AGENDA AND CONSENT AGENDA. COUNCILMEMBER COX SECONDED. MOTION CARRIED.**

## 3. PUBLIC RECOGNITIONS AND PRESENTATIONS

## 4. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Verbal Public Comments: The deadline to pre-register to speak was 4:00 p.m. the day of the meeting.

Christine Porrazzo, Lacey resident, spoke on traffic concerns near Salish Middle School.

Written Public Comments: The deadline to submit written public comments was 4:00 p.m. the day of the meeting. Written comments are not addressed during the meeting; however, they are added to the official record.

No written public comments were received.

## 5. PUBLIC HEARING

- A. Crossroads Development Agreement Amendment:** Samra Seymour, Senior Planner, presented the amendment proposal to re-designate Lot O from the Community Office designation to the Community Commercial designation.

Mayor Ryder opened the Public Hearing for the Crossroads Development Agreement Amendment at 6:06 p.m.

Verbal Public Testimony: The deadline to pre-register to speak was 4:00 p.m. the day of the hearing.

Heather Burgess, property owner attorney representative, provided testimony in favor of the amendment.

Mate Hollos, Lacey resident and friend of the property owner, provided testimony in favor of the amendment.

Yathi Lingam, provided testimony in favor of the amendment.

Prabakaran Manoharan, Olympia resident, provided testimony in favor of the amendment.

Written Public Testimony: The deadline to submit written public comments was 4:00 p.m. the day of the hearing. Written testimony is not addressed during the hearing; however, they are added to the official record.

No written public testimony was received.

Mayor Ryder closed the Public Hearing for the Crossroads Development Agreement Amendment at 6:28 p.m.

**COUNCILMEMBER GREENSTEIN MOVED TO AUTHORIZE THE CITY MANAGER TO SIGN THE AMENDED CROSSROADS DEVELOPMENT AGREEMENT AND AUTHORIZE THE CITY MANAGER TO SIGN FOR ANY ADDITIONAL FUTURE LOT AMENDMENTS IN THE IMMEDIATE AREA. COUNCILMEMBER KUNKEL SECONDED. MOTION CARRIED.**

**6. PROCLAMATIONS**

**7. REFERRAL FROM PLANNING COMMISSION**

**8. REFERRAL FROM HEARINGS EXAMINER**

**9. RESOLUTIONS**

**10. ORDINANCES**

- A. **Ordinance No. 1616 – 2021 Encumbrance Carryover Budget Amendment:** Troy Woo, Finance Director, presented Council with Ordinance No. 1616, amending the 2022 Budget.

**COUNCILMEMBER GREENSTEIN MOVED TO APPROVE ORDINANCE NO. 1616 APPROVING THE 2021 BUDGET ENCUMBRANCE CARRYOVER AND AMENDING THE 2022 BUDGET. COUNCILMEMBER VAZQUEZ SECONDED. MOTION CARRIED.**

**11. MAYOR'S REPORT**

Mayor Ryder provided updates for the Lacey Community Foundation.

**12. CITY MANAGER'S REPORT**

- A. **Greg Cuoio Park Phase 1A Design Award:** Ashley Smith, Capital Projects Engineer, presented Contract Number PW 2022-06 with HBB Landscape

Architecture in the amount of \$734,321.00 for design services of the initial development of the Greg Cuoio Park, Phase 1A, to provide public access.

**MAYOR RYDER MOVED TO APPROVE THE AWARD OF CONTRACT NO. PW 2022-06 TO HBB LANDSCAPE ARCHITECTURE IN THE AMOUNT OF \$734,321.00 FOR THE GREG CUOIO PARK PHASE 1A DESIGN AWARD. COUNCILMEMBER GREENSTEIN SECONDED. MOTION CARRIED.**

### **13. STANDING COMMITTEES**

A. Finance & Economic Development Committee

Mayor Ryder reported on the January 25, 2022, meeting.

B. General Government & Public Safety Committee

Councilmember Greenstein reported on the January 25, 2022, meeting.

C. Land Use Committee

Councilmember Cox reported on the January 25, 2022, meeting.

D. Transportation Committee

Deputy Mayor Miller reported on the February 1, 2022, meeting.

**Council Direction:**

Council directed staff to schedule a discussion regarding the Transportation Calming Policy for a future Worksession.

E. Community Relations & Public Affairs Committee

Councilmember Cox reported on the February 7, 2022, meeting.

**Council Direction:**

Council directed staff to add discussion regarding the Neighborhood Grant Program to a future meeting.

F. Utilities Committee

Councilmember Kunkel reported on the February 7, 2022, meeting.

### **14. OTHER BUSINESS**

### **15. BOARDS, COMMISSIONS AND COMMITTEE REPORTS**

A. Mayor Ryder

1. Mayor's Forum – **no report**
2. Thurston Chamber Shared Legislative Committee – **no report**
3. Transportation Policy Board – **no report**

B. Deputy Mayor Miller

1. Economic Development Council (EDC) – **made report**

2. Lodging Tax Advisory Committee (LTAC) – **no report**
  3. Thurston County Coalition Against Trafficking (TCCAT) – **no report**
  4. Thurston Thrives – **no report**
- C. Councilmember Cox
1. Climate Mitigation Steering Committee – **made report**
  2. LOTT Clean Water Alliance – **no report**
  3. Regional Housing Council – **made report**
- D. Councilmember Greenstein
1. Emergency Medical Services (EMS) – **made report**
  2. TCOMM911 – **made report**
- E. Councilmember Steadman - Excused
1. Community Action Council
  2. Nisqually River Council
  3. Thurston County Law & Justice
- F. Councilmember Kunkel
1. Joint Animal Services Commission (JASCOM) – **made report**
  2. Lacey South Sound Chamber – **made report**
  3. Olympia-Lacey-Tumwater Visitor & Convention Bureau (VCB) – **made report**
  4. Solid Waste Advisory Committee (SWAC) – **made report**
- G. Councilmember Vazquez
1. Intercity Transit – **made report**
  2. Olympic Region Clean Air Agency – **made report**
  3. Thurston Regional Planning Council – **made report**

**16. ADJOURN TO WORKSESSION at 7:23 p.m.**

- A. **LOTT's Proposed Affordable Housing Support Program:** Mike Strub, LOTT Executive Director, and Matt Kennelly, LOTT Assistant Executive Director, presented an overview of LOTT's proposed Affordable Housing Support Program. The highlights covered general eligibility criteria, program framework, proposed program scale, funding approach and next steps.

Mayor Ryder adjourned the Council Meeting at 7:43 p.m.

MAYOR: \_\_\_\_\_

ATTESTED BY CITY CLERK: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_



## LACEY CITY COUNCIL MEETING

March 17, 2022

**SUBJECT:** Disbursement Approval

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**RECOMMENDATION:** By motion, approve payment of claims, wages, and transfers.

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**STAFF CONTACT:** Troy Woo, Finance Director 

**ORIGINATED BY:** Troy Woo, Finance Department

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### BACKGROUND:

The action requested of the City Council is by motion to approve payment of claims, wages and transfers for 2/25/2022 through 3/9/2022. The disbursements consist of the following:

| Checks: | <u>Week of</u> | <u>Beg. Check No.</u> | <u>End. Check No.</u> | <u>Amount</u> |
|---------|----------------|-----------------------|-----------------------|---------------|
|         | 2/25/2022      | 262146                | 262213                | 196,904.62    |
|         | *2/28/2022     | 262214                | 262215                | 640.64        |
|         | 3/4/2022       | 262216                | 262381                | 1,626,474.13  |

| Electronic Transfers: | <u>Week of</u> | <u>Amount</u> |
|-----------------------|----------------|---------------|
|                       | 2/11/2022      | 26,852.02     |
|                       | 2/25/2022      | 124,276.83    |
|                       | 2/25/2022      | 103,007.54    |
|                       | 2/28/2022      | 65,539.78     |
|                       | *2/28/2022     | 1,466,132.49  |
|                       | *2/28/2022     | 18,343.53     |
|                       | 2/28/2022      | 180.00        |
|                       | 3/4/2022       | 166,093.09    |
|                       | 3/4/2022       | 92,554.24     |
|                       | 3/7/2022       | 91.00         |
|                       | 3/8/2022       | 198.00        |

| Payroll: | <u>Month Ended:</u> | <u>Wages</u> |
|----------|---------------------|--------------|
|          | *2/28/2022          | 1,583,206.59 |

\* Disbursements for employee out-of-pocket deductions and employee benefits.

Significant Disbursements:

| <u>Vendor</u>            | <u>Amount</u>  | <u>Description</u>           |
|--------------------------|----------------|------------------------------|
| LOTT Wastewater Alliance | \$1,510,801.54 | ERU's/ LOTT Reserve Cap Fees |

**CITY OF LACEY**  
**Official Proclamation**

**WHEREAS**, in times of crisis, people in Lacey come together to care for one another. This humanitarian spirit is part of the foundation of our community and is exemplified by American Red Cross volunteers and donors; and

**WHEREAS**, in 1881, Clara Barton founded the American Red Cross, turning her steadfast dedication for helping others into a bold mission of preventing and alleviating people's suffering; and

**WHEREAS**, today more than 140 years later, we honor the kindness and generosity of Red Cross volunteers here in Lacey, who continue to carry out Clara's lifesaving legacy. They join the millions of people across the United States who volunteer, give blood, donate financially or learn vital life-preserving skills through the Red Cross; and

**WHEREAS**, in Lacey the contributions of local Red Cross volunteers give hope to the most vulnerable in their darkest hours – whether it's providing emergency shelter, food and comfort for families devastated by local disasters like home fires; and

**WHEREAS**, donating essential blood for accident and burn victims, heart surgery and organ transplant patients, and those receiving treatment for leukemia, cancer or sickle cell disease ; and

**WHEREAS**, the Red Cross sponsors the Heroes Café event held in our own Lacey Veterans Services Hub which provides vital resources for veterans as well as active duty military throughout Thurston County; and

**WHEREAS**, their work to prevent and alleviate human suffering is vital to strengthening our community's resilience. We dedicate this month of March to all those who continue to advance the noble legacy of founder Clara Barton.

**NOW, THEREFORE**, I, Andy Ryder, Mayor of the City of Lacey, on behalf of the Lacey City Council, do hereby proclaim March 2022, as

**American Red Cross Month**

in the City of Lacey and encourage all citizens of Lacey to reach out and support its humanitarian mission .

\_\_\_\_\_  
Mayor Andy Ryder  
March 17, 2022



## LACEY CITY COUNCIL MEETING

March 17, 2022

**SUBJECT:** Tree Protection Regulation Amendments LMC 14.32

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**RECOMMENDATION:** Approve an ordinance to amend Lacey Municipal Code 14.32 related to tree protection regulations.

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**STAFF CONTACT:** Scott Spence, City Manager *SS*  
Rick Walk, Community and Economic Development Director *RW*  
Ryan Andrews, Planning Manager *RA*

**ORIGINATED BY:** Community and Economic Development Department

**ATTACHMENTS:** 1. [Ordinance No. 1617](#)  
2. [Planning Commission Record](#)

**FISCAL NOTE:** None.

**PRIOR REVIEW:** 02/22/22 Land Use Committee  
12/09/21 Council Worksession  
09/09/21 Council Worksession  
07/08/21 Council Worksession  
05/25/21 Land Use Committee  
06/23/20 Land Use Committee

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### BACKGROUND:

On September 16, 2021, the City Council adopted the Urban Forest Management Plan (UFMP). The UFMP is the overarching policy document that guides the City's urban forestry vision and efforts. The implementation regulations for tree protection are contained in LMC 14.32 and have been reviewed and amended concurrently with the UFMP review and update. The proposed ordinance addresses issues identified as part of the review of the UFMP.

#### Provisions for Homeowner's Associations and Commercial Properties

Over the past few years a number of tree policy issues were brought to the Council by residents and business owners. One specifically was a review of tree regulations regarding removing healthy trees in homeowners' association open spaces. Currently, a Land Clearing Permit Application may be submitted to remove a healthy tree from an HOA open

space, but if the tree is determined to be healthy by the City's Tree Protection Professional (contract forester), then the permit is denied. The regulations do not currently have criteria for allowing removal.

To assist the Planning Commission in developing recommendations for changes to the Urban Forest Management Plan and tree regulations, a tree task force was established. The tree task force represented a broad range of interests including homeowners associations, commercial property owners, residential development, environmental protection, residential property owners, and a representative from the Planning Commission.

The tree task force reviewed proposed amendments on April 22, 2021, and were in general agreement about most of the proposed amendments. The Planning Commission reviewed the proposed amendments May 4, 2021. Both the task force and Planning Commission did not have full consensus on the issue of healthy tree removals in HOA open spaces at that time.

A public hearing was held May 18, 2021. Comments received were not supportive of proposed amendments to the exemptions section of the regulations that would make it easier for healthy trees in HOA open spaces to be removed. The Planning Commission held a worksession June 1, 2021, and made a unanimous recommendation to City Council on proposed amendments. The recommendation did not include any new HOA open space tree removal provisions.

Council reviewed the Planning Commission's recommended amendments at the July 7, 2021, worksession and requested staff to draft a proposed permit process and criteria to remove a healthy tree from an HOA open space, outside of the exemptions section of the regulations.

During worksessions on September 9 and December 9, 2021, questions were raised regarding commercial property owners and their tree removal options. In response, staff has drafted the ordinance to incorporate a permit process and associated standards for both HOA's and commercial properties.

#### Tree Permit Thresholds for Single-Family Residential

For single-family residential properties, a land clearing permit exemption is currently granted administratively for the removal of not more than five trees in a three-year period (LMC 14.32.050.D). When reviewing the exemption request, staff verifies that the tree ratio requirements of LMC 14T-18 have been met to ensure that the ratio of four trees per 5,000 s.f. is being met. Should the tree ratio be reduced below this threshold after removal, the applicant is required to replant to meet the requirement.

The permit requirement limiting the removal of a maximum of five trees in a three-year period was originally established to allow for the removal of a reasonable number of trees while also preventing complete removal of all trees on an individual lot. This permit requirement has acted as a de facto regulation whereby a tree exemption was issued administratively over the counter versus the removal of more than five trees in a three-year period which would require a land clearing permit approval. This requires approval of a land use application and associated report completed by the City's arborist which deters property owners from applying.

In 2006, LMC 14T-18 was added as a tree ratio regulation to overlay with the permit thresholds. Through discussions by the ad hoc tree committee and the Planning Commission, it was deemed that the five trees in a three-year period permit threshold was no longer necessary because the standards in LMC 14T-18 still applies to balance the needs of a property owner with maintaining a minimum number of trees.

The purpose of removing the threshold is that both the permit requirement associated with the five trees in a three-year period, and the standard of four trees per 5,000 square feet are confusing to administer and conflate permit thresholds with the regulations. This amendment will separate the permit threshold requirement from the standards. Additionally, the exemption language was established when average lot sizes were larger and the amendment will achieve better balance between small and large properties. The draft regulations will require any tree removals in excess of five to consult with the city's arborist who will review the site and provide education to the property owner.

If adopted, the proposed permit language contained in LMC 14.32.050.D. will still allow for individual lots be exempted from land clearing permit requirements provided the tree density minimums of 4 trees per 5,000 square feet are maintained (either with the number of trees retained on site or through replanting to meet the minimum ratio). This will still allow for typical tree removals to receive over-the-counter permits for removals. The only additional requirement would be that for requests of more than five trees to be removed on a lot, the applicant must have a tree report completed by the City's arborist. The report will allow the arborist to provide additional field education and outreach while also assessing the individual site and surroundings.

### Additional Items

Additional amendments to LMC 14.32 include housekeeping revisions to the definition section (14.32.030); removal of a substantial portion of the "Revegetation Options" section as the City tree protection professionals determined it is no longer necessary to include the entirety of this language in the regulations (14.32.069); and an exemption (14.32.50) to permit requirements for City-owned property.

### Planning Commission Recommendation

The Planning Commission conducted a public hearing on May 18, 2021. The comments received are attached as part of the Planning Commission record. At the meeting on June 1, 2021 the Planning Commission made a unanimous recommendation to City Council on the proposed amendments. The recommendation did not include any new HOA open space or commercial tree removal provisions.

After conducting additional work sessions, the City Council has requested that language be added to the proposed ordinance to address HOA open space and commercial property owner concerns. The proposed ordinance for consideration does include the language as proposed by the Council.

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#### **ADVANTAGES:**

1. Periodic updates to long-range plans and implementation regulations provide opportunity for public engagement, inclusion of the most current data, and resolution of issues since the previous update.

#### **DISADVANTAGES:**

1. The proposed regulations related to HOA open spaces and commercial properties lack consensus from the tree advisory board, the Planning Commission, and the public.

ORDINANCE NO. 1617

CITY OF LACEY

AN ORDINANCE RELATED TO TREE AND VEGETATION PROTECTION AND PRESERVATION, AMENDING SECTIONS 14.32.020, 14.32.030, 14.32.045, 14.32.050, 14.32.069, 14.32.070, AND 14.32.090, ADDING A NEW SECTION 14.32.071, AND ADDING A NEW TABLE 14-T70, ALL OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, in response to citizen concerns over tree policy issues, a Tree Task Force was formed to assist the Planning Commission in developing recommended changes to the Urban Forest Management Plan; and

WHEREAS, The Planning Commission reviewed the Tree Task Force's proposed amendments on May 4, 2021 and conducted a public hearing on May 18, 2021, at which public comments were received and considered; and

WHEREAS, neither the Tree Task Force nor the Planning Commission had full consensus on the issue of healthy tree removals in HOA open spaces; and

WHEREAS, on June 1, 2021, the Planning Commission held a worksession and unanimously recommend proposed amendments that did not include any new provisions for removal of healthy trees in HOA open spaces; and

WHEREAS, the City Council reviewed the recommended amendments at their July 8, 2021; September 9, 2021; and December 9, 2021 worksessions and requested staff to draft proposed regulations that provide a permit process and criteria for removal of healthy trees from HOA open spaces and commercial properties; and

WHEREAS, the City Council has reviewed the proposed amendments and finds that adoption of the proposed amendments would be in the interest of the citizens of Lacey.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, AS FOLLOWS:

Section 1. Section 14.32.020 of the Lacey Municipal Code is hereby amended as follows:

**14.32.020 Purposes and permit criteria.**

These regulations are adopted for the following purposes and these purposes are to be used as criteria for the issuance of land clearing permits under LMC 14.32.040:

- A. To implement strategies for the management and protection of Lacey's urban forest resources pursuant to the goals and policies of the Lacey Urban Forest Management Plan;
- B. To implement the purposes of the State Growth Management Act relating to conservation of natural resources, including Lacey's urban forest resources, pursuant to RCW 36.70A.050, 36.70A.060 and 36.70A.080;
- C. To implement the purposes of the State Growth Management Act pursuant to RCW 36.70A.172, considering the many environmental benefits of the urban forest as described in Lacey's Urban Forest Management Plan;
- D. To promote the public health, safety, and general welfare of the citizens of Lacey without preventing the reasonable development of land;
- E. To preserve and enhance the city's physical and aesthetic character by preventing indiscriminate removal or destruction of trees and ground cover and to insure the protection of trees chosen to remain during construction;
- F. To minimize surface water and ground water runoff and diversion and to prevent erosion and reduce the risk of slides;
- G. To retain and utilize trees to assist in site planning, considering the abatement of noise, visual screening, protection from wind, and other site design issues;
- H. To acknowledge that trees and ground cover have significant environmental and quality of life benefits as identified in Lacey's Urban Forest Management Plan, such as the production of pure oxygen from carbon dioxide, the reduction of air pollution, help in providing clean water, control of soil erosion, use in design for energy efficiency and temperature control, noise attenuation, and wildlife habitat;
- I. To promote building and site planning practices that are consistent with the city's natural topography, soils, and vegetation features. At the same time certain factors may require the

removal of certain trees and ground cover for things such as, but not limited to disease, danger of falling, proximity to existing and proposed structures and improvements, interference with utility services, ~~protection of scenic views~~, protection of solar access and the realization of a reasonable enjoyment of property;

J. To insure prompt development, restoration, replanting, and effective erosion control of property after land clearing;

K. To reduce water pollution from siltation in the city's streams and lakes;

L. To implement the goals and objectives of the Washington State Environmental Policy Act;

M. To implement and further the City's Comprehensive Land Use Plan and its Environmental Protection and Resource Conservation Element;

N. To encourage protection of wildlife and/or wildlife habitat whenever possible.

Section 2. Section 14.32.030 of the Lacey Municipal Code is hereby amended as follows:

**14.32.030 Definitions.**

A. "Brushing" means the practice of removing ground cover to create better visibility on a property for purposes such as marketing or surveying of said property.

B. "Caliper" is the standard for trunk measurement of nursery stock. Caliper of the trunk shall be the trunk diameter measured six inches above the ground for up to, and including, four-inch caliper size and twelve inches above the ground for larger sizes.

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

D. "Class IV forest practice activity" is a timber harvest, thinning or other activity as established in the Washington State Department of Natural Resources Forest Practices Regulations, whereby a property owner is allowed to harvest a limited amount of timber from their property within the city of Lacey, while still maintaining their rights to convert their property to a use inconsistent with growing timber.

E. "DBH" is the diameter at breast height, measured four and one-half feet above the groundline on the high side of the tree.

F. "Director" means director of community and economic development or his/her designee.

G. “Drip line” of a tree is located by the vertical projection of a line at the tips of the outermost branches.

H. “Ground cover” means grass, forbs, shrubs, and trees less than four inches in diameter measured four and one-half feet above the ground level (DBH).

I. “Hazard tree” means any tree that is dead, dying, damaged, diseased, or structurally defective, recently exposed by adjacent clearing, or some other factor that will subject the tree to failure, and the tree could reasonably reach a target, as determined by the tree protection professional.

J. “Historical tree” is a tree or group of trees designated as such by the city because of its historical value to the residents of the city.

~~JK.~~ “Land clearing” means the direct and indirect removal of trees and/or ground cover from any public or private undeveloped, partially developed, or developed lot, public lands or public right-of-way. This shall also include any destructive or inappropriate activity applied to a tree that will result in its death or effectively destroy the tree’s appearance and/or functionality, such as topping.

~~K. “Historical tree” is a tree or group of trees designated as such by the city because of its historical value to the residents of the city.~~

L. “Root protection zone” is an area around the tree to be saved equal to one foot of radius for each one inch of tree diameter measured four and one-half feet above the ground line (DBH), unless otherwise designated by the city’s tree protection professional.

M. “Site disturbance” is any action that requires a city of Lacey building permit.

N. “Specimen tree” is a tree that is unique or rare because of its exceptional size or quality, species, or value in a particular location.

O. “Topping” is the indiscriminate placement of cuts to reduce a tree’s size. Topping is not an acceptable pruning practice in the city of Lacey.

P. “Tree” means any living woody plant characterized by one main stem or trunk and many branches, and having a diameter of four inches or more measured at four and one-half feet above the ground level (DBH).

Q. “Tree protection professional” is a certified professional with academic and/or field experience that makes him or her a recognized expert in urban forestry and tree protection during development. A tree protection professional shall be a member of the Society of American Foresters (SAF), the Association of Consulting Foresters of America (ACF), the American Society of Consulting Arborists (ASCA), or the International Society of

Arboriculture (ISA), and shall have specific experience with urban tree management in the state of Washington. Additionally the tree protection professional shall be an ISA Certified Arborist or an ASCA Registered Consulting Arborist with the necessary training and experience to use and apply the International Society of Arboriculture's Guide for Plant Appraisal and to professionally provide the necessary expertise relating to management of urban trees specified in this chapter.

R. "Tree tract" is a portion of land designated for the preservation and protection of existing trees or the planting of new trees to maintain tree canopy at a development site. The tree tract shall be a separate designated lot(s) shown on the plat map, binding site plan, or site plan review map, and shall be recorded with appropriate description of purposes and restrictions. Restrictions applied to the tree tract will not allow any use other than the growing of trees in the tract, and will reserve the tract for the protection and preservation of trees in perpetuity. Tree tracts can be used for other open space uses when the uses are compatible with trees and will not impact tree health. The tract will be dedicated to, and owned and maintained by, the homeowners' or lot owners' association, or comparable entity. The tract may be dedicated to the city of Lacey for maintenance if approved by the city. Creation of tree tracts to save the best trees on a site may require modifications to the street locations, lot designs and/or other features of the site plan.

Section 3. Section 14.32.045 of the Lacey Municipal Code is hereby amended as follows:

**14.32.045 Class IV forest practice applications.**

A. Urban growth area. Properties within the urban growth area are anticipated to be available for development with urban uses within the next twenty-year period. Pursuant to RCW 76.09.070 lands within the urban growth area are not considered appropriate for long-term timber production and harvesting which takes a full forty-year cycle. Forest management activities shall be consistent with the city's Comprehensive Land Use Plan and implementing regulations for the urban growth area. Forest management activities shall promote the goals and policies of the Lacey Urban Forest Management Plan. Forest practice applications shall meet the requirements specified in subsections B, C, D and E of this section.

B. Conversions and timing. Because conversion of properties within the urban growth area can reasonably be expected, significant land clearing of such properties shall only take place at the time of a valid land use application. Tree tracts, open spaces and buffers can then be properly coordinated with the actual development plans.

To further the purposes, goals, and policies of the Urban Forest Management Plan, timber harvesting and conversion of forested lands within the urban growth area shall not be permitted until such time as a valid land use application for development is made; provided, however, requests may be made for maintenance and thinning of existing timber stands to

promote the overall health and growth of the stand until said stand is converted and harvested pursuant to plans provided within a valid land use permit.

C. Maintenance and thinning. Class IV forest practice applications and applications for maintenance and thinning shall be reviewed by the city's tree protection professional who shall make recommendations on the request to the ~~land-clearing~~Site Plan Review committee. Recommendations shall ensure that action shall improve the health and growth of the stand and preserve long-term tree protection alternatives to meet the goals of this chapter.

D. Selective thinning limited. Thinning activities shall be strictly limited to less than thirty-five percent of the volume every ten years. High grading or top-down thinning shall not be permitted. The remaining stand of trees should be healthy, long-term trees from the dominant and co-dominant crown classes. The stand shall be marked prior to the selective thinning operation, indicating which trees will be removed and saved.

E. Processing of applications. Class IV forest practice applications shall be processed concurrently with, and using the same process as, the underlying land use application. Should there be no underlying land use application, the Class IV forest practice application shall be processed in accordance with the full administrative review procedures in Chapter 1 of the City of Lacey Development Guidelines and Public Works Standards.

Section 4. Section 14.32.050 of the Lacey Municipal Code is hereby amended as follows:

**14.32.050 Exemptions.**

The following shall be exempt from land clearing permit requirements of this chapter but shall satisfy all standards and requirements of LMC 14.32.065 and other sections as noted below:

A. Coordination with land use applications. Projects requiring approval of the city of Lacey site plan review committee under Chapter 16.84 LMC, or projects requiring review by the hearings examiner or city council; provided, that land clearing on such projects shall take place only after approval and shall be in accordance with such approval and the standards of this chapter including the information requirements and standards of LMC 14.32.060.

B. Hazard trees. Removal of hazard trees in emergency situations involving immediate danger to life or property as determined by the city's tree protection professional.

C. Unhealthy trees and groundcovers. Removal of obviously dead or diseased trees or ground cover which may be a fire hazard as determined by the city's tree protection professional.

D. Individual lot exemption. Removal of ~~no more than five trees in any thirty-six consecutive months or ground cover for the purposes of solar access, general property and utility maintenance, landscaping or gardening, provided a minimum tree threshold is maintained pursuant to LMC 14.32.066, and provided further this exemption does not apply to historical trees or trees and ground cover in an area designated as environmentally sensitive~~trees on individual lots where tree density minimums are maintained per Table 14T-18. For removal requests for more than five trees, review must be completed prior to permit issuance by the City's tree protection professional. An exemption must be issued by the city of Lacey prior to the removal of trees under this exemption provision.

E. Building footprint. Removal of trees and ground cover within a maximum of ten feet (when required for construction) of the perimeter of the building line and any area proposed to be cleared for driveway, septic, sewer and water purposes, of a single-family or duplex dwelling to be constructed as indicated on the plot plan submitted to the building official with an application for a building permit; provided, however, the director may require minor modifications in siting and placement of driveways, utilities and septic tank drain field systems and sewer and water lines where such modifications will promote the goals of the chapter and still satisfy the need and function of improvements.

F. Clear vision. Removal of obstructions required by the vision clearance at intersections regulations of Chapter Four of the Development Guidelines and Public Works Standards.

G. City owned property. Tree assessment, removal and replacement of trees on city owned property.

Section 5. Section 14.32.069 of the Lacey Municipal Code is hereby amended as follows:

**14.32.069 Revegetation option.**

Based upon recommendations in a report by the city's tree protection professional, removal of areas of vegetation that might normally be saved may be permitted if extensive revegetation is accomplished and standards for tree tract(s) are satisfied pursuant to the requirements of LMC 14.32.064 and 14.32.065. Such alternatives may be desirable for sites with significant physical limitations such as topography, soil type or proposed small lot sizes (less than sixty-five hundred square feet). Additionally, limitations of existing trees such as unsuitable species or poor health of a particular tree stand may make such options desirable.

On a site with documented special circumstances, an alternative allowing removal of vegetation normally saved may be approved with a comprehensive revegetation plan developed by the city's tree protection professional. ~~At a minimum, the plan shall include:~~

~~A. General information. Information required under LMC 14.32.060.~~

~~B. General standards. Consideration of the standards provided in LMC 14.32.063.~~

~~C. Justification. An evaluation of what circumstances are present in specific areas of the site to make incorporation of topography and existing vegetation undesirable and recommendations on what areas if any can be designed to accommodate existing vegetation.~~

~~D. Consideration of functions and values. Consideration of overstory and understory vegetative species to provide wildlife habitat and meet specific purposes important to the neighborhood environment and project design such as buffers, green belts, open spaces, street trees, urban beautification, solar access, and other functions and purposes deemed desirable and appropriate to the anticipated use.~~

~~E. Landscape plan map. A comprehensive map showing location, number, species and size of planned vegetative improvements. The plan shall also consider the particular circumstances of the site and proposed project, and detail species selected based upon the anticipated use of the property consistent with the site's zoning designation, permitted uses, and lot size.~~

~~F. Timing. A time line for completion of improvements.~~

~~G. Value of vegetation. An appraisal of the value of vegetation being removed under this option. Said appraisal must be accomplished pursuant to the most recent guidelines established by the International Society of Arboriculture in its "Guide for Plant Appraisal" and be completed by the city tree protection professional.~~

~~H. Commensurate value replaced. Said plan shall provide for a commensurate value of vegetation to be installed as is to be taken out under this option. Said amount shall be above and beyond what is normally required for landscaping in the projects not utilizing this option. The calculated value of the revegetation shall include only appraised value of the trees and vegetation and shall not include the applicant's administrative or labor costs, or the costs of the city's tree protection professional.~~

~~I. Maintenance. A three year maintenance plan including provision for an irrigation system, weed control and a shrub and tree maintenance program.~~

~~J. Protection strategy for vegetation to be saved. If any existing vegetation is to be saved, a plan shall be provided for the protection of said vegetation during construction activity, including fencing and other protective measures deemed necessary by the city's tree protection professional.~~

~~K. Land division elements considered. If the project involves a land division, the landscaping plan should include a comprehensive treatment of tree tracts, open space areas, green belt areas, buffers, common areas, and street frontages (street trees and parkways). All common improvements shall be completed prior to the final land division, approval or financial security provided to the city in a form acceptable to the city in the amount of one hundred~~

~~fifty percent of the estimated costs including two years maintenance and twenty percent replacement.~~

~~L. Required consideration for clearing individual lots with land division approval. If a developer desires to clear individual lots within the land division at the same time as road areas, this may be done if it is consistent with the approved plans and the following conditions are satisfied:~~

~~1. Valuation of vegetation. An average valuation of vegetation on individual lots shall be provided with a conceptual plan of typical yard landscaping of equal value. Such conceptual plan shall contain specific guidelines for revegetation of individual lots and said guidelines shall be incorporated into protective covenants and lot owner's association articles of incorporation;~~

~~2. Financial security. Financial security is provided to the city in a form acceptable to the city at one hundred fifty percent of the estimated costs of improvements of individual lots based upon the conceptual typical yard landscaping plan.~~

~~3. Meets requirements. A detail of how the revegetation plan satisfies the requirements for tree tract(s) pursuant to this chapter.~~

Section 6. Section 14.32.070 of the Lacey municipal Code is hereby amended as follows:

**14.32.070 Additional considerations for commercial developments.**

Commercial projects generally have different demands than residential areas. Commercial sites have parking lots to serve the traveling public, they have larger buildings, and they may have need of significant utility infrastructure to service commercial uses. While Lacey has the same goals to maintain our tree canopy and to save significant stands of trees, urban forestry requirements for commercial areas need to be crafted to acknowledge and plan for differences in site design and construction requirements. In addition to other requirements of this ordinance, commercial sites shall have emphasis on the following considerations and requirements:

A. Early planning prior to project design shall consider the stands of trees on the site. For a land use application to be considered complete a tree inventory with consideration of urban forestry issues shall be required to be submitted with the land use application. The tree inventory and evaluation shall be utilized in the design layout of the site. Existing trees and protection opportunities shall play an important role in site design;

B. The major strategy for tree protection on commercial sites will be designation of a tree tract(s) pursuant to the requirements of LMC 14.32.068. Analysis and recommendations of

the tree protection professional will determine if certain individual trees should have special emphasis based upon their health and significance, individual site conditions, and retention opportunities. A review of these recommendations shall be provided in the tree protection professional's report;

C. The selection of the location of the tree tract(s) and individual trees shall be chosen early on at the pre-submission stage, before design of the site, and it shall consider the best location of the site to address urban forestry issues. The design of the commercial site layout shall work within the framework of tree protection opportunities for designation of the tree tract and individual trees;

D. Deciduous trees are generally encouraged for parking areas because of advantages for solar access considerations (shading in summer and solar access in winter), temperature and climate control factors (reducing temperature in parking lots in summer), pollution control advantages (broad leaves absorption of gases and removal filtering of particulate matter), and options for providing tree canopy coverage over parking sites and drive lanes. Select deciduous trees can also be chosen for root character that will not damage asphalt and parking lot overlays. For these advantages, planting of select deciduous trees will generally be a good choice to provide canopy coverage in parking lots for commercial sites over the long term. It is also important to restore some native conifers to the project site. This can occur in larger planter islands or as a backdrop to buildings or as foundation plantings to breakup concrete facades. The tree protection professional's report shall reflect these considerations, shall indicate the best areas for removal of trees to accommodate parking needs (based upon indigenous tree areas with the least protection value) and shall recommend replacement of trees;

E. In some cases commercial sites may require extensive grading because of the nature of the topography and other development requirements. For this reason, and the emphasis on provision of a designated tree tract to achieve canopy goals, some flexibility may be permitted for grading to provide for intensive infrastructure needs of the project design. Provided, the design takes advantage of tree protection opportunities to provide an attractive, functional and unique shopping experience. This flexibility is not intended to limit creative development with the site. Where possible, commercial developments should seek to use variations in terrain to create an interesting development scheme.

F. Trees planted in planter strips, medians, and tree wells with grates shall follow City of Lacey Development Guidelines and Public Works Standards in Chapter 4B.125, Landscape/Planter Areas for specific site preparation requirements and Drawings 4-29 and 4-30.

G. Trees located in an existing tree tract or landscaping of a commercial development may not be removed, unless approved through the following procedures:

1. **Permit Required.** No tree on existing commercial development shall be removed without first applying for and receiving a land clearing permit. The applicant for the permit shall be the property owner. An application for a tree removal permit shall be submitted on a form provided by the city. The applicant must state the justification for removal on the tree removal application;

2. **Review.** The director or her/his designee shall review the application for tree removal, the tree protection professional's report and any applicable information. In the review, the following factors will be considered:

1. Documented history of property damage caused by the tree(s).
2. The size and location of the tree(s) causes typical maintenance, pruning and dead branch removal infeasible due to cost or is physically not practicable by tree care professionals.
3. The tree does not meet criteria for a specimen tree

3. **Replanting.** Any tree permitted to be removed under this subsection shall be mitigated by planting replacement trees at a ratio required by Table 14-T70.

Table 14-T70

| <u>Size of tree to be removed<br/>(inches at DBH)</u> | <u>Minimum Number of trees to<br/>be replanted</u> |
|-------------------------------------------------------|----------------------------------------------------|
| <u>Less than 6</u>                                    | <u>1</u>                                           |
| <u>6 and up to 12</u>                                 | <u>2</u>                                           |
| <u>More than 12 and up to 20</u>                      | <u>3</u>                                           |
| <u>More than 20 and up to 25</u>                      | <u>5</u>                                           |
| <u>More than 25</u>                                   | <u>7</u>                                           |

Replacement trees will be a minimum of 1.5 inch caliper for deciduous species and 6-7 foot tall for conifers unless otherwise recommended by the city tree protection professional. Conifers will be native to the Pacific Northwest. Deciduous tree species will be compatible with the other trees in the open space, and will provide wildlife, aesthetic,

and other amenities to the open space. If the site cannot accommodate the amount of replanting required, the City's tree account may be used pursuant to 14.32.066 (B).

**4. Tree Protection Professional Report** The city's tree protection professional shall review the site and provide a report analyzing the site for tree replacement consistent with the requirements of this chapter. The report should provide information important to urban forest management and options for consideration when developing replanting plans. The report should suggest options for design to best achieve the purposes of the Urban Forest Management Plan and this chapter. The report shall include but shall not be limited to:

a. Analysis of what portion of the open space is best for replanting, considering the intent of this chapter, soil type, topography, tree species, health of trees and reasonable project design limitations;

b. Recommendations for replacement tree species based upon the intent of this chapter, soil type, topography, tree species, health of trees, and reasonable project design limitations;

c. Consideration of the location of roads, other infrastructure, and buildings and potential options for alternative locations, if applicable, to best satisfy the purposes of the Urban Forest Management Plan

d. A timeline for tree replacement

e. An irrigation and watering plan to maintain replacement tree health and survival

**5. Decision.** The director or her/his designee shall issue their decision in writing to include rationale supporting the decision pursuant to procedures and requirements of section 1E.030 (Limited Administrative Review of Applications) of the Development Guidelines and Public Works Standards;

Section 7. A new section 14.32.071 is hereby added to the Lacey Municipal Code, to read as follows:

**14.32.071 Additional considerations for homeowners association (HOA) open spaces.**

A. Open Space Tracts may have different demands and issues then individual residential parcels or designated tree tracts. While open space Tracts are recognized by the Plan as key areas for preserving, maintaining or planting trees to meet the community's tree canopy goal, there are instances when otherwise healthy trees may need to be removed for reasons such as tree species suitability, maintenance, or liability. In cases were otherwise healthy trees are removed, replanting shall occur to maintain the community's tree canopy goal.

B.. Trees located in open space Tracts shall not be removed, unless approved through the following procedures:

1. **Permit Required.** No open space tree shall be removed without first applying for and receiving a land clearing permit. The applicant for the permit shall be the property owner. An application for a tree removal permit shall be submitted on a form provided by the city. The applicant must state the justification for removal on the tree removal application;

2. **Review.** The director or her/his designee shall review the application for tree removal, the tree protection professional's report and any applicable information. In the review, the following factors will be considered:

1. Documented history of property damage caused by the tree(s).
2. The size and location of the tree(s) causes typical maintenance, pruning and dead branch removal infeasible due to cost or is physically not practicable by tree care professionals.
3. The tree does not meet criteria for a specimen tree

3. **Replanting.** Any tree permitted to be removed under this subsection shall be mitigated by planting replacement trees at a ratio required by Table 14-T70.

Table 14-T70

| <u>Size of tree to be removed (inches at DBH)</u> | <u>Minimum Number of trees to be replanted</u> |
|---------------------------------------------------|------------------------------------------------|
| <u>Less than 6</u>                                | <u>1</u>                                       |
| <u>6 and up to 12</u>                             | <u>2</u>                                       |
| <u>More than 12 and up to 20</u>                  | <u>3</u>                                       |
| <u>More than 20 and up to 25</u>                  | <u>5</u>                                       |
| <u>More than 25</u>                               | <u>7</u>                                       |

Replacement trees will be a minimum of 1.5 inch caliper for deciduous species and 6-7 foot tall for conifers unless otherwise recommended by the city tree protection professional. Conifers will be native to the Pacific Northwest. Deciduous tree species will be compatible with the other trees in the open space, and will provide wildlife, aesthetic, and other amenities to the open space. If the site cannot accommodate the amount of replanting required, the City's tree account may be used pursuant to 14.32.066 (B).

**4. Tree Protection Professional Report** The city's tree protection professional shall review the site and provide a report analyzing the site for tree replacement consistent with the requirements of this chapter. The report should provide information important to urban forest management and options for consideration when developing replanting plans. The report should suggest options for design to best achieve the purposes of the Urban Forest Management Plan and this chapter. The report shall include but shall not be limited to:

a. Analysis of what portion of the open space is best for replanting, considering the intent of this chapter, soil type, topography, tree species, health of trees and reasonable project design limitations;

b. Recommendations for replacement tree species based upon the intent of this chapter, soil type, topography, tree species, health of trees, and reasonable project design limitations;

c. Consideration of the location of roads, other infrastructure, and buildings and potential options for alternative locations, if applicable, to best satisfy the purposes of the Urban Forest Management Plan

d. A timeline for tree replacement

e. An irrigation and watering plan to maintain replacement tree health and survival

**5. Decision.** The director or her/his designee shall issue their decision in writing to include rationale supporting the decision pursuant to procedures and requirements of section 1E.030 (Limited Administrative Review of Applications) of the Development Guidelines and Public Works Standards;

Section 8.      Section 14.32.090 of the Lacey Municipal Code is hereby amended as follows:

#### **14.32.090 Violations.**

A. Violation general. Violation of the provisions of this chapter or failure to comply with any of the requirements shall constitute a misdemeanor and such violation shall be punished as provided by LMC Title 9 for the commission of a misdemeanor. Each day such violation

continues shall be considered a separate, distinct offense. The city's code enforcement officer shall promptly investigate all complaints of illegal tree removals.

B. Penalties. Any person who commits, participates in, assists or maintains such violation may be found guilty of a separate offense and suffer the penalties as set forth in subsection A of this section.

C. Mitigation required. In addition to the penalties set forth in subsections A and B of this section, any violation of the provisions of this chapter shall be mitigated by comprehensive treatment of environmental impacts through revegetation of the affected site. In assessing environmental damage, the city's tree protection professional shall determine the extent and value of vegetation removed or damaged and other environmental damage inconsistent with the intent and requirements of this chapter. In assessing environmental damage, the tree protection professional shall consider what the outcome of the site should have been had the proposed project been designed around existing topography and vegetation and all appropriate vegetation saved. The tree protection professional shall use the methodology in the current edition of the International Society of Arboriculture's "Guide for Plant Appraisal" in determining the value of removed and damaged vegetation.

D. Environmental damage reviewed. If the violation is discovered after evidence has been removed, the city tree protection professional shall use whatever resources are immediately available to determine environmental damage which may include aerial photographs, other photographs, interviews with adjacent property owners, receipts of timber sales off the site, and any other records available that have a bearing on the quantity and quality of vegetation removed or environmental damage sustained. The tree protection professional also may estimate the appraised value of removed vegetation at the site by analyzing the best case growing capability of the site given soil conditions, health of surrounding tree stands and type of species suspected of being removed. The determination of environmental damage made by the tree protection professional shall be given substantial weight in a court of law.

E. Revegetation. Once the value of the environmental damage is determined, a comprehensive plan for revegetation of the site shall be prepared by the tree protection professional considering the purposes of this chapter and the specific elements provided in LMC 14.32.069. The plan shall provide for a value of new vegetation commensurate with the determined value of environmental damage at the site. The violator shall be fully responsible for implementation of the plan, accomplishment of all improvements and maintenance of said improvements.

F. City tree account. If the cost of restoration of the site is less than the true value of environmental damage at the site, the balance shall be paid to the city tree account. The city shall then utilize those funds for planting trees in other areas of the city.

G. Appeal. The determination of the city tree protection professional regarding the environmental damage at the site may be appealed to the city hearings examiner pursuant to the requirements of LMC 14.32.080.

H. Hearing examiner review. In review of the tree protection professional's decision, the hearing examiner shall determine if the tree protection professional's decision accurately reflects the criteria set forth in LMC 14.32.020.

I. Relevant facts. Additionally, the city hearings examiner may consider any other facts the examiner determines are relevant to the specific situation.

J. Reduction of monetary value. In cases where the determined value of environmental damage far exceeds the site restoration requirements, and extenuating circumstances the examiner determines are relevant to the case are present, the hearing examiner may reduce the monetary value assigned to the environmental damage, provided the hearing examiner shall reduce the determined compensation only when all of the following criteria are demonstrated by the applicant:

1. Professional forester or certified arborist. A professional forester, certified arborist, or other professional who could have alerted the applicant of tree protection requirements was not involved in the action leading to the violation;
2. Monetary gain. The violation action was not associated with a tree harvesting operation for monetary gain;
3. Previous record. The applicant has no previous record of tree and vegetation protection and preservation ordinance violations.

K. Monetary compensation. If all of the above criteria are demonstrated, the hearing examiner may reduce the monetary compensation required. In determining the monetary compensation reduction, the hearing examiner shall consider the following factors:

1. Person responded. Whether the person responded to staff attempts to contact the person and cooperated with efforts to review the site and arrive at an agreement on site restoration;
2. Due diligence. Whether the person showed due diligence and/or substantial progress in site restoration;
3. Code interpretation. Whether a genuine code interpretation issue exists;
4. Other factors. Any other factors considered relevant to the situation by the hearings examiner.

L. Limitation on reduction. In fixing the amount of compensation, the hearings examiner shall not reduce the determined compensation by more than thirty percent of the true value of the environmental damage as determined by the tree protection professional; provided further, that no reduction shall be given in cases where the true value of environmental damage does not exceed the cost of restoration determined necessary by the city's tree protection

professional; provided further the hearing examiner may double the monetary compensation if the violation is a repeat violation. In determining the amount of increased compensation, the examiner shall also consider the criteria of this section.

M. Appeal of hearing examiner determination. Appeals of violation determinations by the city hearing examiner shall be appealed to Superior Court. An appeal of the hearing examiner decision must be filed with Thurston County Superior Court within twenty calendar days from the date the hearing examiner decision was mailed to the person to whom the decision on monetary compensation was made.

Section 9. There is hereby added to the Lacey Municipal Code a new table, 14-T70, to read as follows:

Table 14-T70

| <u>Size of tree to be removed (inches at DBH)</u> | <u>Minimum Number of trees to be replanted</u> |
|---------------------------------------------------|------------------------------------------------|
| <u>Less than 6</u>                                | <u>1</u>                                       |
| <u>6 and up to 12</u>                             | <u>2</u>                                       |
| <u>More than 12 and up to 20</u>                  | <u>3</u>                                       |
| <u>More than 20 and up to 25</u>                  | <u>5</u>                                       |
| <u>More than 25</u>                               | <u>7</u>                                       |

Section 10. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 11. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to,

the correction of scrivener's/clerical errors, references, ordinance numbering,  
section/subsection numbers and any references thereto.

Section 12. The Summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,  
WASHINGTON, at a regularly-called meeting thereof, held this \_\_\_\_\_ day of  
\_\_\_\_\_, 2022.

CITY COUNCIL

By: \_\_\_\_\_  
Mayor

Approved as to form:

\_\_\_\_\_  
City Attorney

Attest:

\_\_\_\_\_  
City Clerk

SUMMARY FOR PUBLICATION

ORDINANCE NO 1617

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on \_\_\_\_\_, Ordinance No. 1617 entitled “AN ORDINANCE RELATED TO TREE AND VEGETATION PROTECTION AND PRESERVATION, AMENDING SECTIONS 14.32.020, 14.32.030, 14.32.045, 14.32.050, 14.32.069, 14.32.070, AND 14.32.090, ADDING A NEW SECTION 14.32.071, AND ADDING A NEW TABLE 14-T70, ALL OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION”

The main points of the Ordinance are described as follows:

1. The Ordinance amends sections 14.32.020, 14.32.030, 14.32.045, 14.32.050, 14.32.069, 14.32.070, and 14.32.090 of the Lacey Municipal Code, related to tree and vegetation protection and preservation.
2. The Ordinance adds a new section 14.32.071 to the Lacey Municipal Code.
3. The Ordinance adds a new Table 14-T70 to the Lacey Municipal Code.
4. The Ordinance approves this Summary for Publication.

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

Published: \_\_\_\_\_, 2022.

## MINUTES

Lacey Planning Commission Meeting  
Tuesday, June 1, 2021 – 5:00 p.m.  
Conducted remotely via videoconference

Meeting was called to order at 5:00 p.m. by Dave Wasson.

Planning Commission members present: Dave Wasson, Gail Madden, Peg Evans-Brown, Daphne Retzlaff, Kyrian MacMichael, Eddie Bishop, and Robin Vasquez. Staff present: Rick Walk, Ryan Andrews, and Jessica Brandt.

Dave noted a quorum present.

**Peg Evans-Brown made a motion, seconded by Kyrian MacMichael, to approve the amended agenda, excluding the New Business item, for tonight's meeting. All were in favor, the motion carried. Robin Vasquez made a motion, seconded by Eddie Bishop, to approve the May 18 meeting minutes. All were in favor, the motion carried.**

**1. Public Comments:**

- Dan Tufford expressed concerns regarding the proposed homeowners association exemption for open space tree removal in the Urban Forest Management Plan.
- Nancy Winters urged the City to provide greater tree protection.
- Dianna Moore asked Planning Commission to disallow the HOA exemption and keep UFM plan as is.
- Lynn Fitz Hugh spoke in favor of leaving the plan as is or amending it to provide more protection for trees, older trees in particular.
- Roy Treadway agreed with other public comments and urged Planning Commission to provide more protection for older trees.
- Wayne Olsen agreed with previous speakers.
- Carolyn Treadway urged the City to take immediate action to protect older trees.

**2. Commission Members Reports:** Robin reported that she participated in a conversation with Parks regarding outreach on a Parks plan and said that she has volunteered to assist.

**3. Director's Report:** None.

**4. Old Business:**

**Urban Forest Management Plan and Associated Regulations: Jessica Brandt, Associate Planner.**

- Jessica gave a presentation that included background information on growth management and planning, goals and policies, City of Lacey growth and developable land, tree review process, public comments, proposed amendments, task force work and process, and tree canopy inventory.
- **Robin Vasquez made a motion, seconded by Peg Evans-Brown, to recommend to Council that the City hire an arborist and establish an urban forest advisory committee to support a more comprehensive urban forestry program. All were in favor, the motion carried.**
- **Robin Vasquez made a motion, seconded by Eddie Bishop, to recommend establishing a target of maintaining 28% tree canopy across the city based on a regularly-updated urban tree canopy inventory. All were in favor, the motion carried.**
- **Gail Madden made a motion, seconded by Eddie Bishop, to direct staff to remove the exception for homeowners associations to be able to remove healthy trees contained in the draft regulations. All were in favor, the motion carried.**
- Ryan suggested that staff add Planning Commission recommendations into the plan and make suggested changes, and present an amended draft at the next meeting.
- Daphne asked for more clarification on the tree removal stipulations. Robin asked that the plan be reviewed again in 2022.

**5. Communications and Announcements:** None.

**6. Next meeting:** June 15, 2021.

**7. Adjournment:** 7:15 p.m.

## Ryan Andrews

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**From:** Ryan Andrews  
**Sent:** Tuesday, May 18, 2021 1:05 PM  
**To:** 'dianam1814'  
**Cc:** Jessica Brandt  
**Subject:** RE: The tree report in the climate mitigation plan

Diana: We have received your comments and they will be provided to the Planning Commission at tonight's public hearing.

Thanks,  
Ryan

Ryan Andrews, Planning Manager  
City of Lacey Community and Economic Development  
420 College St. SE  
Lacey, WA 98503  
(360) 412-3190  
[randrews@ci.lacey.wa.us](mailto:randrews@ci.lacey.wa.us)

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**From:** dianam1814  
**Sent:** Tuesday, May 18, 2021 9:13 AM  
**To:** Ryan Andrews  
**Subject:** The tree report in the climate mitigation plan

External Email Warning! Use caution before clicking links or opening attachments.

Staff at the Lacey Planning Commission,

Would you please forward? Thank you.

Members of the Lacey Planning Commission,

I am writing to ask that you pass the climate mitigation plan **in full** and include it in your master plan. If you have problems with the portion that covers trees, please send it back to the committee to be reworked. The tree report makes almost no changes over 5 years ago and does not reflect the work of the urban forestry committee or the vast majority of comments by citizens.

The climate survey asked for the citizen's priority on trees. It split protection in two between enforcing current ordinance or making stronger ones. The survey clearly showed that the public wants protection for trees as a first priority.

Rather than protecting the trees the two proposed changes would make it easier to cut them! It removes the number limit on cutting and gives HOA's free reign at cutting. This is NOT what citizens wanted. Nor is it not what the mitigation plan calls for. It is clear we must **preserve** trees and plant more to meet the science-based goals of the plan.

This report does tell that 15 years ago 43% of land in Lacey was covered in trees and that now there is 28% covered. In 15 years, 15% of tree coverage has disappeared. This is about 1% tree loss a year – somewhat unnoticeable per year but grave. We **cannot** keep going at this rate!

This report does not set tree canopy goals, it does not create protections for exceptional trees (the biggest ones that draw down the most carbon), nor does it provide a mechanism for enforcement of tree-cutting rules. It in fact will **accelerate** the tree cutting.

This part of the work should **not** be accepted and should be sent back to committee to be reworked in line with the committee and the public's actual view point.

Thank you for receiving my comments,

Diana Moore

## Ryan Andrews

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**From:** Ryan Andrews  
**Sent:** Monday, May 17, 2021 1:32 PM  
**To:** 'Carolyn Treadway'  
**Cc:** Jessica Brandt  
**Subject:** RE: Comments for the MAY 18 meeting of the Lacey Planning Commission: Do not support Lacey Urban Forestry Plan

Carolyn: We have received your comments and they will be provided to the Planning Commission at their public hearing on May 18th.

Thanks,  
Ryan

Ryan Andrews, Planning Manager  
City of Lacey Community and Economic Development  
420 College St. SE  
Lacey, WA 98503  
(360) 412-3190  
[randrews@ci.lacey.wa.us](mailto:randrews@ci.lacey.wa.us)

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**From:** Carolyn Treadway  
**Sent:** Monday, May 17, 2021 12:26 PM  
**To:** Ryan Andrews  
**Subject:** Comments for the MAY 18 meeting of the Lacey Planning Commission: Do not support Lacey Urban Forestry Plan

External Email Warning! Use caution before clicking links or opening attachments.

Dear Ryan Andrews:

Please send the letter below to each of the Lacey Planning Committee members. It has my comments to the Commissioners about the Lacey Urban Forestry Plan.

Thank you.

Carolyn Treadway

1951 Circle Lane SE  
Lacey, WA 98503  
May 15, 2021

Dear Lacey Planning Commissioners:

As a resident of Lacey, I urgently request that you do NOT support the Lacey Urban Forestry Plan. It is inadequate in protecting our trees!! It does not accurately reflect public comments, which were overwhelmingly in support of tree protection. It does not reflect the goals of the Thurston Climate Mitigation Plan.

Instead, please ask the committee to revise their suggested plan. This plan is not acceptable, and will not help us meet the greenhouse reduction targets to mitigate climate change.

Most Sincerely,

Carolyn Treadway

[Carolyn@PlanetCare.us](mailto:Carolyn@PlanetCare.us)

## Ryan Andrews

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**From:** lynn@thurstonclimateaction.org  
**Sent:** Monday, May 17, 2021 10:13 AM  
**To:** Jessica Brandt  
**Subject:** re: urban forestry report

External Email Warning! Use caution before clicking links or opening attachments.

Hi Jessica:

As you know the draft report was released Friday. I have to tell you I was very surprised reading it. My understanding from both you and Marianne was that the committee had been this year discussing how to better protect trees and certainly in your tree survey results that is what the vast majority of respondents were asking for. Thus I am very baffled to see a plan that has little changed in it other than two things that remove tree protections. I don't think there is anything about HOA that should give them special rights to cut down trees. But the other item is written in such a confusing way that it appears to take away the limit of cutting 5 trees in three years, and replace it with getting special permission from the city arborist. It is still allowing cutting. Elsewhere it is reported that the over the last 15 years there has been a 15% loss of tree canopy. This is exactly how that happens. If you make a minimum number of trees required then people keep cutting and you keep having losses. The goal needs to be to preserve as much as is without restricting necessary building. Also because big trees hold the most carbon allowing them to be cut and replaced by a same number of young trees is a huge carbon loss.

Regretfully I do not feel like I can support this plan being in place for 5 years if we are trying to sync it up with the mitigation plan. I will be testifying that we should send it back to the urban forestry commission to work further on how to create actual tree protections as the citizens' of lacey have asked for.

Respectfully,

Lynn Fitz-Hugh

**Lynn Fitz-Hugh**  
Community Engagement Director  
Thurston Climate Action Team  
She/her pronouns

## Ryan Andrews

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**From:** Ryan Andrews  
**Sent:** Tuesday, May 18, 2021 8:54 AM  
**To:** 'jhawk@gglbbs.com'  
**Cc:** Jessica Brandt; Peri Edmonds  
**Subject:** RE: urban tree protection

Jan: We have received your comments and they will be provided to the Planning Commission at tonight's public hearing.

Thanks,  
Ryan

Ryan Andrews, Planning Manager  
City of Lacey Community and Economic Development  
420 College St. SE  
Lacey, WA 98503  
(360) 412-3190  
[randrews@ci.lacey.wa.us](mailto:randrews@ci.lacey.wa.us)

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**From:** jhawk@gglbbs.com  
**Sent:** Monday, May 17, 2021 11:46 PM  
**To:** Ryan Andrews ; City Council  
**Subject:** urban tree protection

External Email Warning! Use caution before clicking links or opening attachments.

City Council etal,

I am frankly pretty deeply disturbed by the Lacey Planning Commission's intention to vote on the Urban Forest Management Plan, a plan which has entirely missed the mark. I have followed the process, and can't fathom how this plan addresses the survey results of the citizens of Lacey...who overwhelmingly asked for tree protection in their City. Your plan does the opposite.

We expected changes to the plan to BETTER protect trees and to line up goals with the acceptance and implementation of the **Thurston Climate Mitigation Plan**. Your plan does NOT do either.

I am on vacation and cannot attend Tuesday's meeting, but I want you all to know that I am absolutely opposed to the plan as is, and ask you strongly to send this plan back to committee and work earnestly to take seriously the mission at hand, and that is to specifically INCREASE protection of trees in Lacey.

This plan does not set tree canopy goals, nor create protections for exceptional trees (large trees which sequester the most carbon).

It does not provide a meaningful mechanism for enforcement of tree cutting rules. It in fact will accelerate tree cutting, if anything.

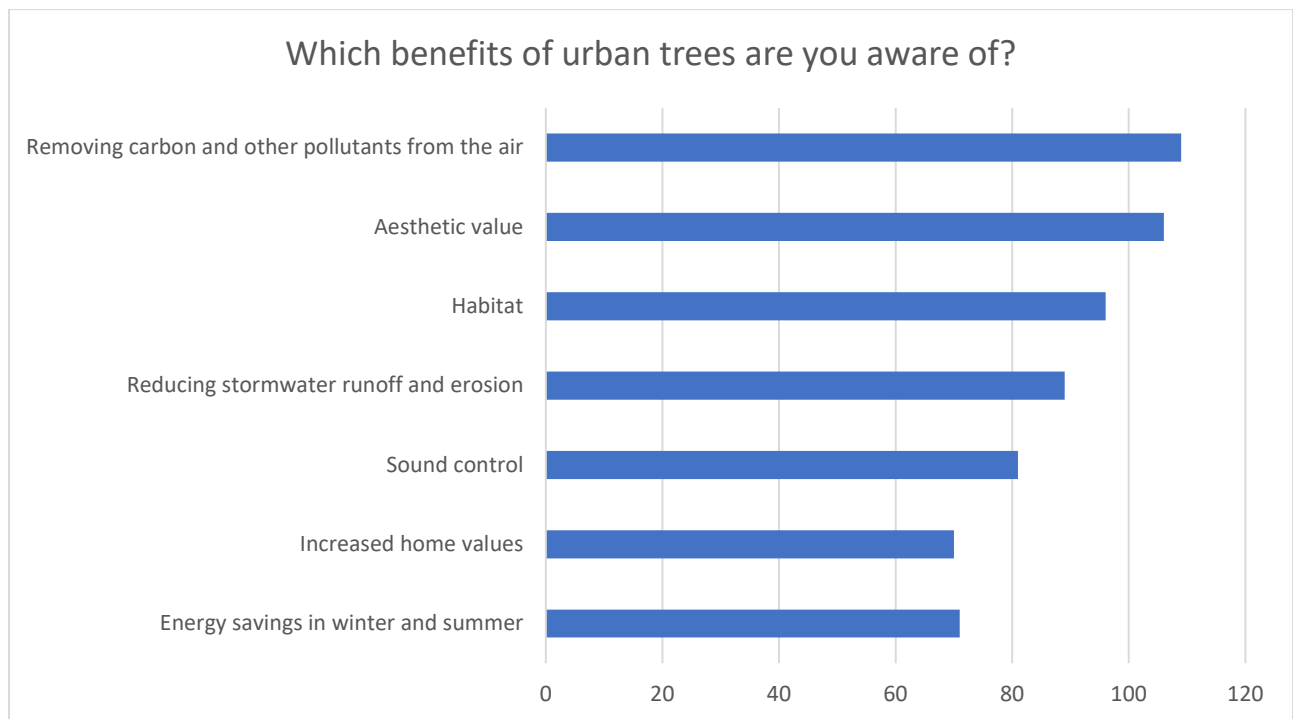
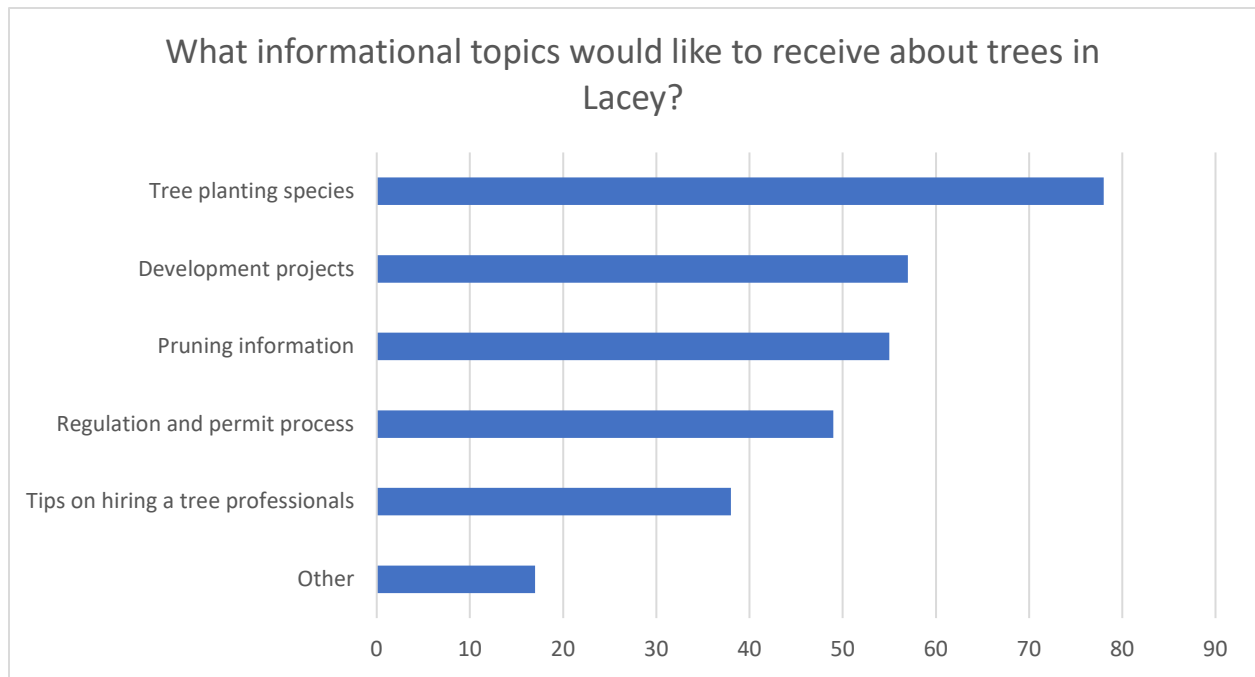
Please, reject this poorly conceived plan and let's figure out how to actually move the City of Lacey into position to align values to actions when it comes to all the benefits which trees provide humans in the urban setting--from carbon sequestration to lowered energy costs, higher property values, cleaner air, storm water retention and mitigation, beautification, and the health of our citizens.

Send this one back.

Thank you~  
Jan Lindsey

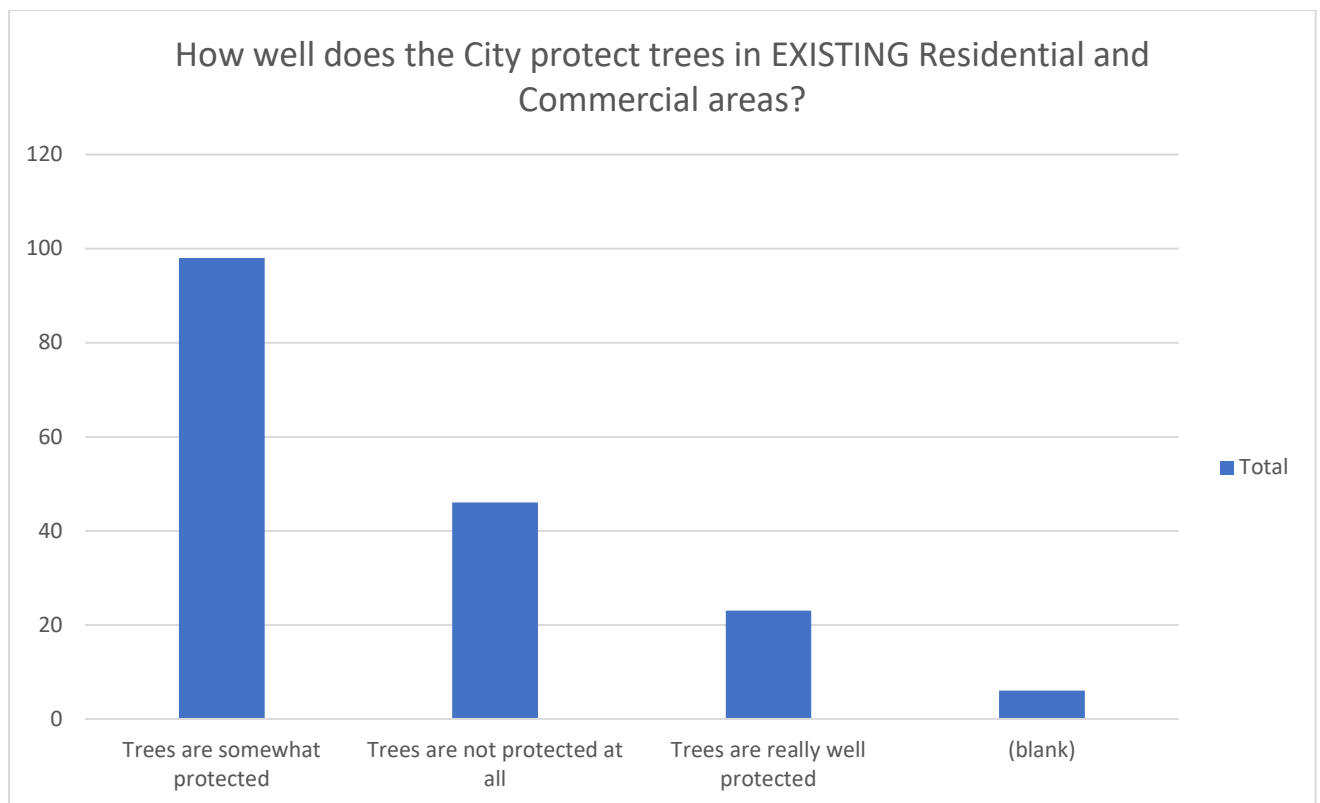
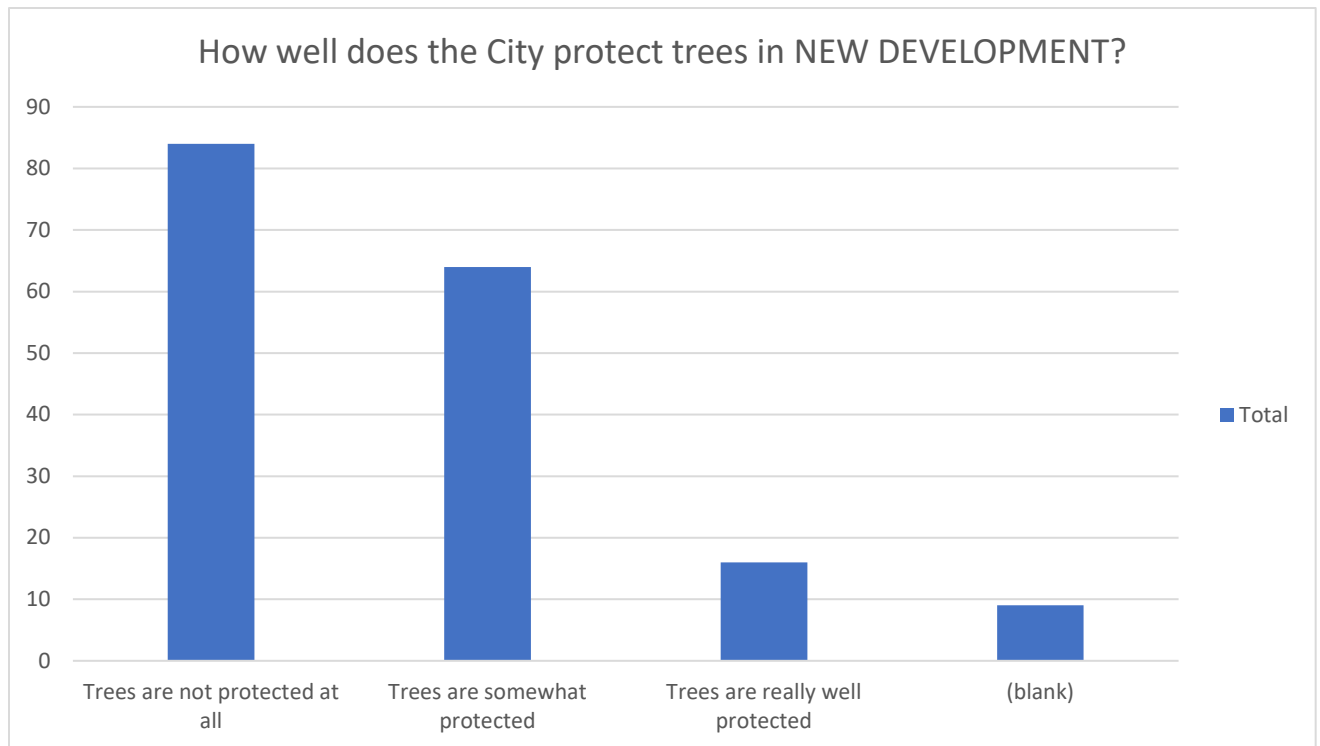
Tree Survey results as of 5/12/21

Total Responses: 173



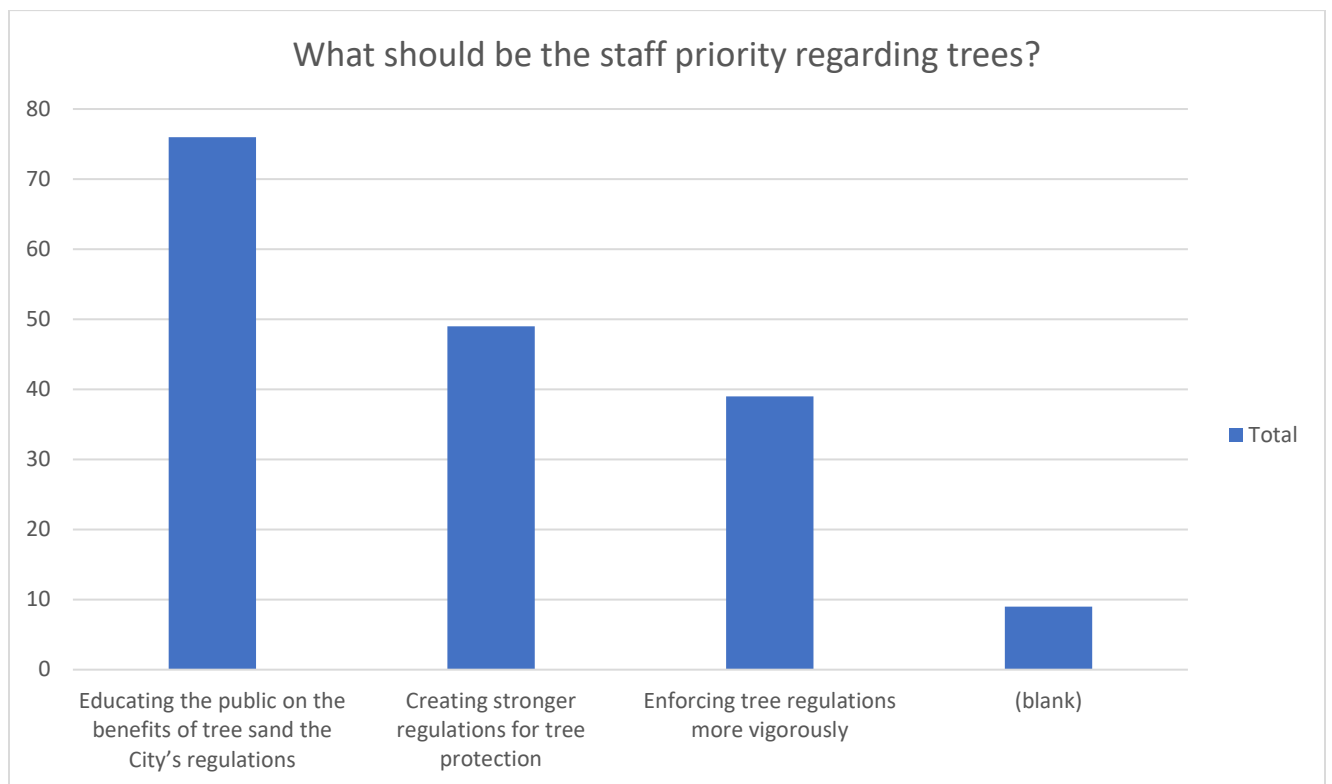
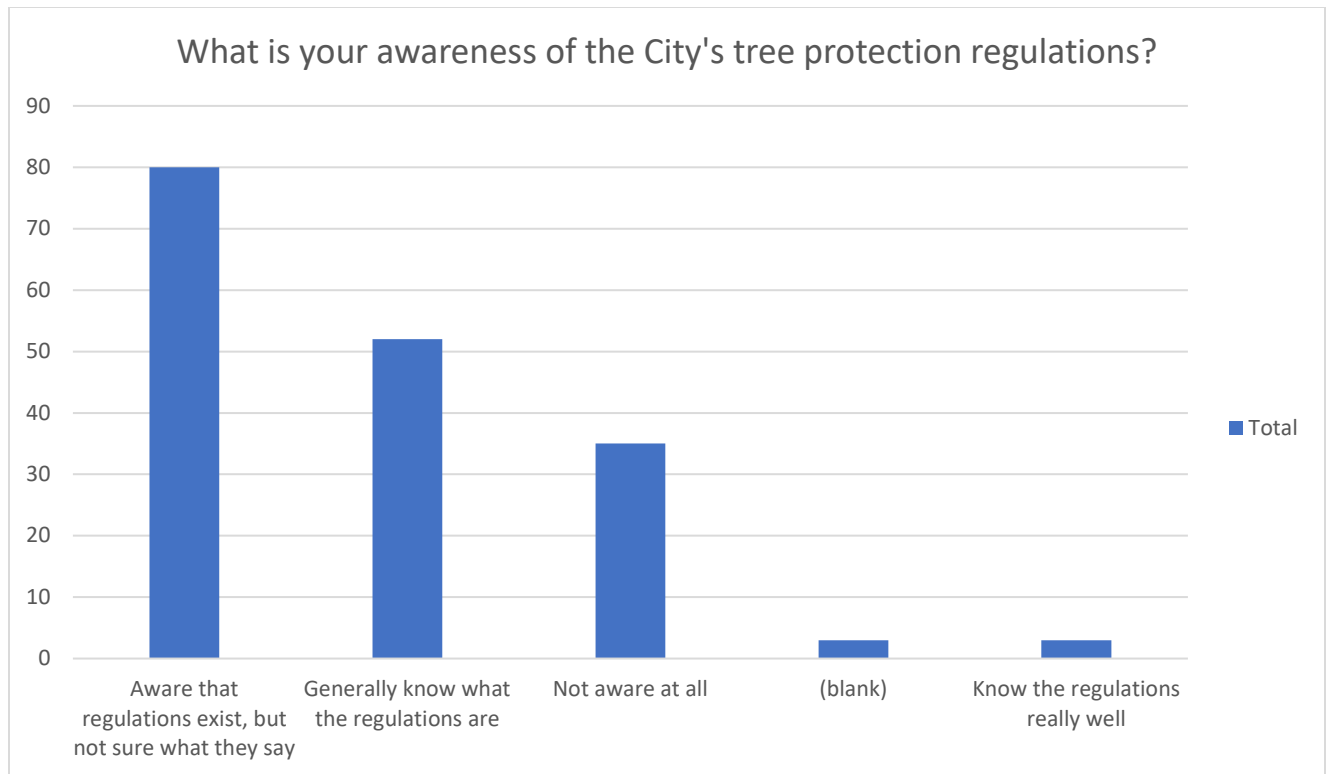
Tree Survey results as of 5/12/21

Total Responses: 173



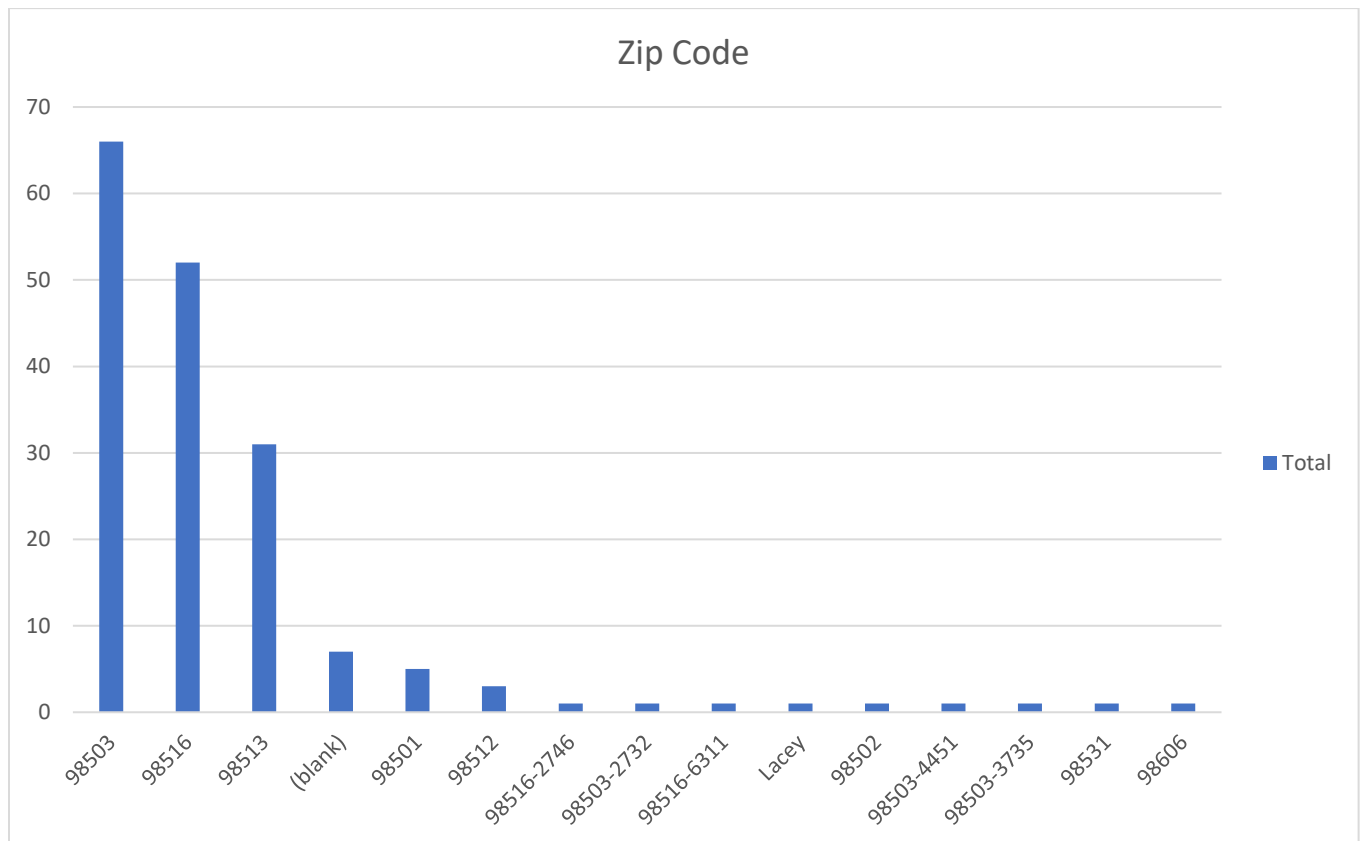
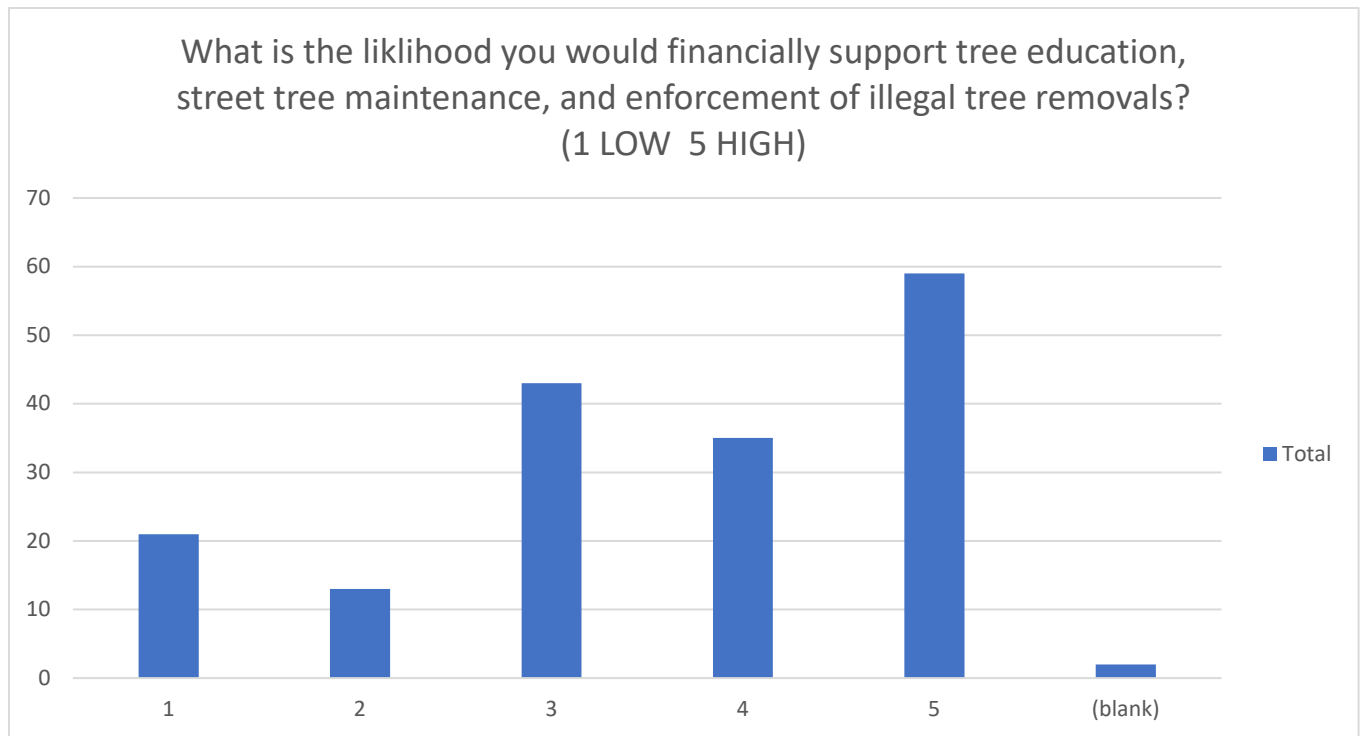
Tree Survey results as of 5/12/21

Total Responses: 173



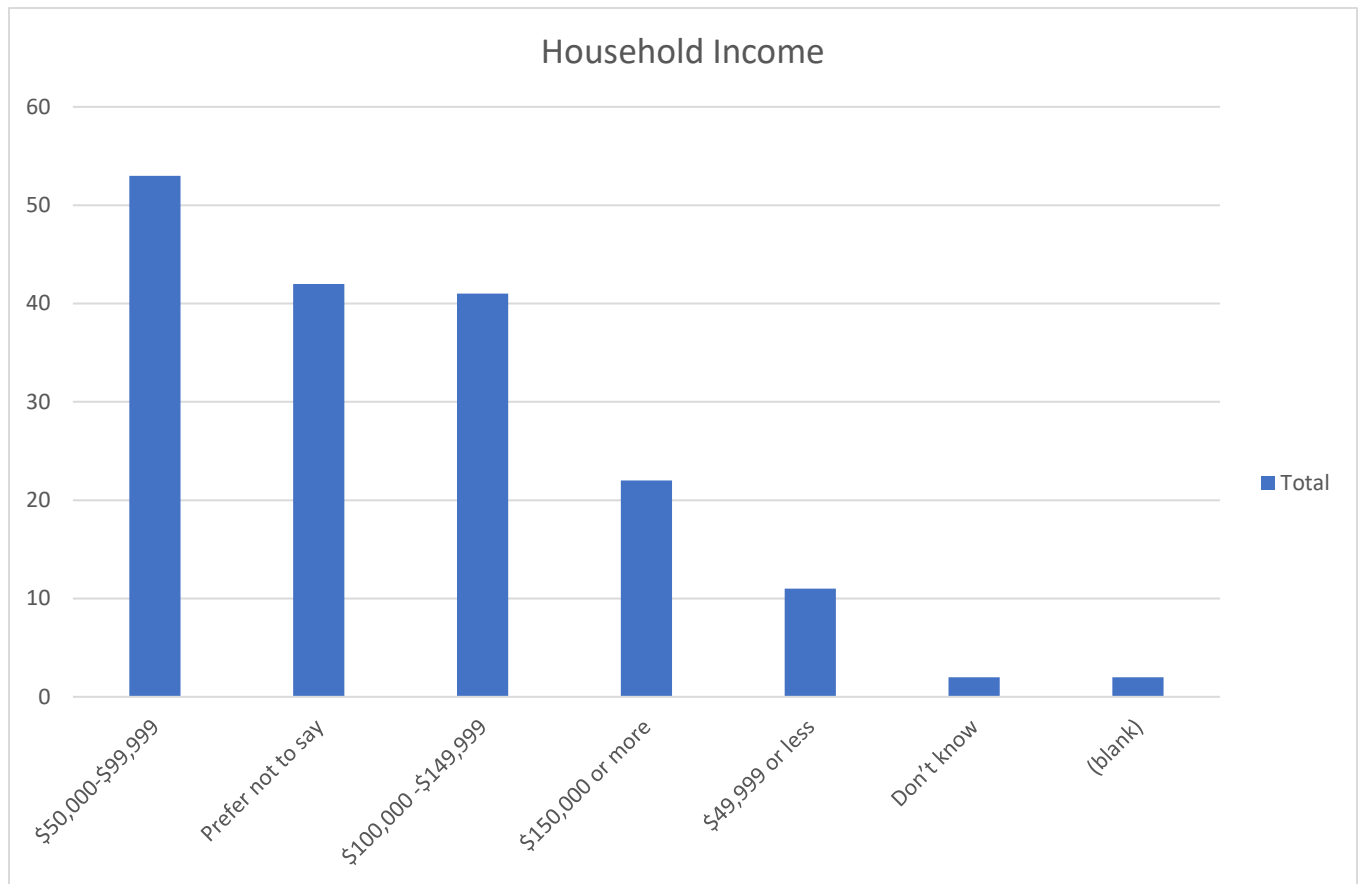
Tree Survey results as of 5/12/21

Total Responses: 173



Tree Survey results as of 5/12/21

Total Responses: 173



## Tree Survey Responses– Fill in the Blank “What are your general impressions about the trees in Lacey?”

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | Beautiful old trees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2  | There are a reasonable number of trees, in general. I like trees. They are beneficial, so efforts to manage and increase them are good. Trees in parks are better than trees in parking lots, etc. Vegetation requirements in commercial area merely make to area less walkable, and are bad for the environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 3  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4  | Good                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 5  | In hawks prairie area, treescape management is lacking. I don't understand why many trees have been haphazardly cut down leaving no or small thin barriers between residential sections and warehouse sections. The area behind the Salish middle school and residences of campus Glen being a prime example. Those trees were thinned for no reason even though they provided many benefits to separate different zones if the city (including a sound barrier, where now people are street racing in an empty giant unoccupied warehouse on campus Glen rd basically nightly). The city of Lacey has basically devalued property by doing this. There are many other examples in the hawks prairie NE area as well where residences back up to warehouses with no tree protection even though trees were once there. |
| 6  | I like them. makes it nice especially in older neighborhoods and it seems newer ones have too many homes and too few trees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 7  | Love the abundance of them. Makes the city more beautiful.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 8  | There are pockets of remnant forest stands - primarily doug fir that are under varying levels of community stewardship. There doesn't seem to be protection of mature trees with newer developments and construction, or incentive for developers to work around or make space for trees.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 9  | They are being cut down at an alarming rate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 10 | Lovely. A big reason I decided on this area to live. I love the forested feel to many neighborhoods.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 11 | Lacey will soon be the city of lost trees.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 12 | Under threat from development, vulnerable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 13 | I love the trees, especially seeing the old growth.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 14 | They are a beautiful asset to our town's well being and overall health and liveability.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 15 | There's a lot of them                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 16 | I LOVE the canopy of trees in Lacey prefer that the city protects the trees as much as possible. I'm concerned about the new growth of homes and developments. Looks as though clear cutting is used for new developments. I don't see as much protection of existing trees for newer developments. Seems like something has changed and the emphasis has been on new growth and not protection of green space. I've also noticed less emphasis on protection of existing trees in established neighborhoods. Seems that neighbors are taking down more trees than years past. Are they permitted? It doesn't appear so. Perhaps more enforcement is needed.                                                                                                                                                           |
| 17 | You keep allowing them to be chopped down                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 18 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 19 | I wish we had more trees 🌳                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 20 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 21 | Beautiful, but several dead trees in my area and massive undergrowth.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 22 | Being cut down and it's making the area crowded with new construction and losing the rural feel.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 23 | Poor job done by the city in preservation of trees. The city approved the warehouse to strip all tress now we have a forest of cement buildings across I-5. Terrible since the state park and                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

## Tree Survey Responses– Fill in the Blank “What are your general impressions about the trees in Lacey?”

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | estuary is so near. The communities spreading out are also stripping all the trees. If the city requires permits to remove trees then why are you allowing the businesses to strip them? Money over preservation. It seems like the taxes are already very high in the City of Lacey. What are you doing with the revenue from the warehouse forest?                                                                                                                                                                                                                                                                                                                 |
| 24 | It's good, but we can be better. There need to be more trees! Too often when development happens, lovely old trees get razed during the land prep process. We can do better.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 25 | It was my favorite thing about Lacey living among the trees but it seems like they are disappearing quickly.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 26 | very well done, lots of roadside trees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 27 | Martin Way from Carpenter to Marvin needs help! Especially near the road.<br><br>We need more small/medium conifers. The winter is bleak in areas with a lot of deciduous trees.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 28 | city has built over large tree spaces.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 29 | I like trees which clean the air for us.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 30 | Diminishing rapidly                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 31 | It is very nice to see the variety on city streets and in neighborhoods. Only issue in planting them near our under overhead power lines.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 32 | Most are nice, but some close to homes are much too tall and drop very large branches during windy periods.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 33 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 34 | Gorgeous trees! We moved here 10 years ago.<br>Sadly you are allowing too much to be cut down without replacement. Too much is being build and land is being clearcut to build poor quality expensive homes. I wish residents actually had a say in what went on in out area. Homes that should never have been built get around current regulations too easily. It is disgusting to see the sheer amount of space cleared for those HIDEOUS warehouses north of Hawks Prairie.<br>Our city our people our planet need the trees not more asphalt.                                                                                                                   |
| 35 | We need more trees along road ways.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 36 | The trees in Lacey are the #1 reason I moved here. I live off of Ruddell road and enjoy driving down the beautiful pine tree lined street. Then, the new project to put in sidewalks and a new retainer fence came and cut down a lot of beautiful old pine trees that had been there for years and years. Sickened me to see them go down and I don't even like to drive down Ruddell road anymore. There was no way for the city to put in a sidewalk and fence and still keep a few of the pines?? So sad...                                                                                                                                                      |
| 37 | Lacey has a good mix of developed land and green spaces, including trees. I love the greenness of Lacey and the northwest.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 38 | You seem to be removing a lot during road improvements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 39 | Nice canopy of trees, nice variety. I read the tree plan and know that certain species are selected for certain areas. What I disagree with is in commercial construction zones and many housing areas, they knock down all the large fir trees to do their building. Then they plan ornamental, non-native trees. I believe planners and construction project managers can work around old trees instead of crushing and ripping them out. We don't need to develop every single corner of trees into a commercial taxable building. It will create heat pockets, poor drainage, pollution and takes away natural habitat for wildlife - rabbits, birds, bees, etc. |
| 40 | They are beautiful and I want more of them; I want the Douglas fir Evergreens protected like diamond rings; and I want a continued mix of types of trees (but I want us to honor what trees are native to the other animals that depend on them in this region).                                                                                                                                                                                                                                                                                                                                                                                                     |
| 41 | Trees are important. Inside the city of Lacey some areas are beautiful with full trees. Some areas don't even have trees like these damned housing development areas. The rules that we have I have to have 31 trees on my lot. I have to get permission to cut down trees whether diseased or not. city of Lacey should not be managing this I should not have to go to the city of Lacey to cut down trees if I maintaining the required amount of trees on my lot let me manage it                                                                                                                                                                                |

## Tree Survey Responses– Fill in the Blank “What are your general impressions about the trees in Lacey?”

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | not you. Also if Lacey once so many trees make a more affordable. also give credit for bigger trees I was told that the city of Olympia gives you credits for larger trees instead of: one tree it would actually be three trees. Don't know if that's correct but that would make it easier for me to manage my property                                                                                                                                  |
| 42 | Good.                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 43 | Love Love Love all the trees in Lacey.                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 44 | They look sad and tired. There is a lot of air pollution and just the overall homeless issue right now and the homeless people not caring for the area they're utilizing.                                                                                                                                                                                                                                                                                  |
| 45 | Trees are a necessary part of a healthy city, but some trees close to houses are no beneficial.                                                                                                                                                                                                                                                                                                                                                            |
| 46 | Overall good. Please keep them trimmed back for traffic safety & never planted in center of round-a-bouts.                                                                                                                                                                                                                                                                                                                                                 |
| 47 | To many regulations exist governing what I can do with trees on my own property.                                                                                                                                                                                                                                                                                                                                                                           |
| 48 | They are being either butchered (in the name of pruning) or cut down at an alarming rate.                                                                                                                                                                                                                                                                                                                                                                  |
| 49 | They are beautiful. We LOVE them. Best thing about Lacey.                                                                                                                                                                                                                                                                                                                                                                                                  |
| 50 | as long as they aren't going to blow over and KNOCK OUT MY POWER FOR MULTIPLE DAYS I'm pretty content                                                                                                                                                                                                                                                                                                                                                      |
| 51 | They are being removed at a fast pace.                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 52 | Too many Maples, need more diversity. Would like to know the composition and number of tree species and numbers of varieties if available. Tree regulations need to be publicized more. Citizens should be required to hire licensed and insured arborists who are members of the International Society of Arborists and obtain a permit. Also, tree planting in new sidewalk cutouts and median strips should be done with more careful soil preparation. |
| 53 | Not as many as in Olympia                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 54 | Lots of them are dead or dying. You talk about trees, but then let developers clear-cut hundreds of acres of trees because that's easier than preserving them. Lacey has ridiculous rules (requiring permits) for taking out/replacing trees on private/residential property, but lets commercial developers wipe out forests.                                                                                                                             |
| 55 | Trees are great! We need to keep as many big trees as we can.                                                                                                                                                                                                                                                                                                                                                                                              |
| 56 | good amount of greenery and well-maintained. I'd like to see Lacey continue this as well as keep up the good work on the parks                                                                                                                                                                                                                                                                                                                             |
| 57 | The trees are mostly on private property.                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 58 | generally good, depends on what part of Lacey environs                                                                                                                                                                                                                                                                                                                                                                                                     |
| 59 | Pretty good                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 60 | That they're diminishing, same as everywhere. I would like to see more preservation and education, to curb the impulses of people who want Washington to be like Arizona.                                                                                                                                                                                                                                                                                  |
| 61 | The trees are beautiful all over town they provide a very good feel to our public spaces.                                                                                                                                                                                                                                                                                                                                                                  |
| 62 | The more the better!                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 63 | Street trees have become a hazard to individuals, raising sidewalks, roots intruding into grates, making messes, and clogging catch basins we need to look at fewer trees and perhaps smaller less onerous plants to maintain.                                                                                                                                                                                                                             |
| 64 | There have been some poor choices given to developers in the past. I am in White Fir Estates off Meridian Rd. north. Pretty sure the city mandated flowering cherries for this neighborhood. Roots are lifting my driveway and sidewalks.                                                                                                                                                                                                                  |
| 65 | Beautiful!                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 66 | don't ask for more money for this, but stop spending money on something else and shift the budget                                                                                                                                                                                                                                                                                                                                                          |
| 67 | My general impression is that trees are not valued by our city planners. Clear cut for business and housing with no thought to preserving forested areas.                                                                                                                                                                                                                                                                                                  |
| 68 | Lacey is cutting down too many large trees and replacing them with little sticks.                                                                                                                                                                                                                                                                                                                                                                          |
| 69 | Trees add a lot to the community and should be reasonably retained.                                                                                                                                                                                                                                                                                                                                                                                        |

## Tree Survey Responses– Fill in the Blank “What are your general impressions about the trees in Lacey?”

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 70 | They create a beautiful and friendly atmosphere.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 71 | Big warehouse projects are nearly clear cutting native conifers and replacing with deciduous trees, removing critical nesting areas for eagles, owls and other raptors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 72 | Love them and sad so many warehouses and buildings are being put in to their demise                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 73 | Plenty planted, but not thoughtfully: too many have roots that push up sidewalks.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 74 | Impressed with amount and variety. More please.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 75 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 76 | Nice to see them.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 77 | There are a lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 78 | Too many being cut or bulldozed down, too much habitat loss.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 79 | They're beautiful, especially the flowering ones in Spring. Too many trees are being clear cut for warehouses. Far too many.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 80 | They are beautiful and I really hate to see them cut down                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 81 | The trees in Lacey are not kept well. Various areas they are planted and just forgot about. Over grown with bushes, and lifting sidewalks and make it extremely difficult for mobility as a disabled person. But the shade is nice and there are lots of birds.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 82 | They are nice..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 83 | I appreciate them and would like to see more of them.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 84 | The new street plantings are wonderful addition.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 85 | The trees are well placed and nice.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 86 | There is a distinct difference between "old Lacey" and the newer developments. While older sections of Lacey seem to have been built to embrace the natural environment (Lacey City Hall, for example, or the Providence medical buildings), it seems that ALL new development sites completely wipe out groves of trees and then seem satisfied to plant tiny landscape trees around completely barren sites. Heartbreaking to witness, on a regular basis.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 87 | It is smart to have worked with HOA housing developments to provide street lined roadways with trees. The difference between old Lacey and new Lacey are quite prevalent in the fact New Lacey communities wipe out all existing pine and birch groves without a thought to the natural beauty between old Lacey and new developing tracts. More groves of the existing landscapes need to be included in city plans. The Salish school is the perfect scenario of growth with corporate mismanagement of green spaces. The trees that we have replaced in these urban extensions are always small requiring years to become old Lacey in concept of what our environment represents. Old Lacey looks and feels comfortable such as our City offices and Police and library complex. The need to create green areas is important in these developers keeping Lacey joined as one township of a healthy setting unlike the urban sprawl it's allowing to become. Tacoma we are not, keep the pine and birch groves. So you failed to ask what trees we may like to see around the city that preserve our streets and walkways...the Chinese Pistachio is a great example of a tree that can save the Lacey community monies. Yes and lets not forget to have these developers dig deeper holes for planting the trees. |
| 88 | Mostly positive but it seems to be much too easy to remove trees and ignore buffer requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 89 | Adds to beautiful environment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 90 | They're great. How many are native species?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 91 | There are some areas of dead or diseased trees that need to be removed and replanted. I see most of that in neighborhoods. A lot of trees have been cut down lately due to construction which is sad. In addition, we need better management of large trees near power lines to avoid power outages.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 92 | I love all of the old growth trees and really want to see more preservation of them rather than the wiping out of them that has been happening recently (Ruddel & Mullen for example).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

## Tree Survey Responses– Fill in the Blank “What are your general impressions about the trees in Lacey?”

|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 93  | LOVE them. Too restrictive on homeowners though. Trees ruin foundations and lead to many neighborly disputes. Totally unreasonable to expect a tiny lot to have 5 trees. Educate developers or require them to plant trees that don't grow so huge.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 94  | I love that we have so many trees. It really adds to the beauty and natural feel of the area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 95  | I like them. Recently it seems quite a few have been cut down. Sometimes the pruning of street trees makes them look distorted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 96  | Love them the more the better!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 97  | Generally very positive, I enjoy being in a city that still had beautiful trees.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 98  | We have a lot of lovely areas and I appreciate that. I'm not sure how feasible I would be to add some greenery to Martin between Carpenter and Marvin. That stretch of road looks pretty rough. Thanks for all you do!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 99  | The more trees the better                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 100 | They are precious and beautiful! More trees!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 101 | We could always use more! In fact, there were more 10 years ago...                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 102 | It's good. Lots of different types and they are nice to look at.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 103 | Beautiful!!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 104 | The more trees the better!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 105 | Born and raised here (71 yrs. old) I love the Trees. I would rather go back to seeing more trees and a lot less houses, apartments, cars and people.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 106 | There's not enough                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 107 | I love the abundance of trees in Lacey, and appreciate that they are protected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 108 | When I first moved here, there were so many. Now, there are few. We need to preserve what old growth we have left and plant more trees to replace those lost.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 109 | <p>I enjoy the fact we have mature trees native to the Pacific Northwest in many areas. I believe that in new housing developments, these are the same trees that should have been planted rather than the non-native species developers thoughtlessly plant instead.</p> <p>In new developments, small areas of diverse species are completely cleared. Any plantings put in are perpetually scrawny, unwell and not native to the region. Landscapers give no thought to viable soil depth. Plantings in new developments are often trying to grow in 5 inches of new soil atop non-fertile soil dredged up from building.</p> <p>On the other hand, the more mature stands of trees really improve bird habitat and small animal habitat.</p> |
| 110 | They are beautiful and enjoy the beauty they bring throughout the different seasons.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 111 | Love the trees and nature in general. Provides fresh air compared to more urbanized areas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 112 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 113 | Beautiful and add to the feel and charm of the city. I feel like we have lost that much in hark p.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 114 | too many shallow rooted trees destroying fences, concrete and roads. You should reimburse those people who lose fences and sidewalks because of poor city planning.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 115 | They are beautiful but need to be groomed more along roadways and power lines                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 116 | I love having trees in our city!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 117 | there used to be a lot and now you are allowing big business to clear acres and acres to install warehouses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 118 | I see a nice variety of trees in public spaces. I'm sad to see so many lots get cleared for population growth.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 119 | We have too many, too many on the right of way. A lot need to be removed, cut back for safety.. We also believe trees in yards should be taken out, too close to homes. A lot of people can't afford it. We have seen houses in this area devastated by falling trees.                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 120 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

## Tree Survey Responses– Fill in the Blank “What are your general impressions about the trees in Lacey?”

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|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 121 | We are losing our native trees which affects our ecosystem                                                                                                                                                                                                                                                                                                                                                                                                            |
| 122 | Like them                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 123 | Some trees around the city need maintenance but definitely are very needed in our city.                                                                                                                                                                                                                                                                                                                                                                               |
| 124 | Not enough trees. Street trees should be planted near street edges to slow traffic. Only plant trees that will not harm sidewalk smoothness.                                                                                                                                                                                                                                                                                                                          |
| 125 | I would like to see trees in the mall parking lots to add character to the mall and inside the malls as well.<br>Also I think when a new subdivision is built the amount of trees that need to be removed should dictate the minimum number of trees that need to be planted.                                                                                                                                                                                         |
| 126 | Love them, and want to save as many as possible                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 127 | The trees were the reason I moved to Lacey.                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 128 | Good in some areas, poor in new construction                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 129 | Beautiful                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 130 | The government should not require a permit to remove a tree on their property. This is an unconstitutional taking without compensation. Public lands manage away. Recommendations are the limit I want to see for private land tree management.                                                                                                                                                                                                                       |
| 131 | Overgrown and obstructing electric lines                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 132 | Massive tree lover here. I live here because I love the greenery. It's beautiful. The more trees the merrier!                                                                                                                                                                                                                                                                                                                                                         |
| 133 | Lacey is a City in a forest.                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 134 | My general impression of trees in Lacey is they were here before we built in this area. We must plant more trees for the next generation. Trees give us homes for people and birds to live, fire, furniture, oxygen, shade and fruit. Trees are beautiful to see, smell and hear. They give you peace of Mindfulness. When you step outside your house and walk through a pathway with trees and shrubs all around you, your mind, body and soul connect with nature. |
| 135 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 136 | Beautiful                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 137 | They are a large part of the character of Lacey, but unfortunately they are being replaced by urbanization.                                                                                                                                                                                                                                                                                                                                                           |
| 138 | Excellent. But I get upset seeing new subdivisions taking out trees or not planting new trees.                                                                                                                                                                                                                                                                                                                                                                        |
| 139 | I like the trees in Lacey more than anything north of JBLM. They seem older, and taller and feels more like the PNW                                                                                                                                                                                                                                                                                                                                                   |
| 140 | beautiful, many old large trees - too many recent cuttings                                                                                                                                                                                                                                                                                                                                                                                                            |
| 141 | not enough of them, far too many removed for development!                                                                                                                                                                                                                                                                                                                                                                                                             |
| 142 | In the retail areas of Lacey I feel we could use more trees.                                                                                                                                                                                                                                                                                                                                                                                                          |
| 143 | They are being cut down at a rapid rate and full grown mature trees are replaced by either nothing or saplings that will take decades to replace. There are no negative consequences for cutting down trees illegally that make any difference whatsoever to the person doing the cutting. Existing trees and urban forested areas should be strongly protected! Why is there no Climate Change benefit in the drop down menu of urban trees benefit???               |
| 144 | We love them, DON'T want to lose them, and always need MORE TREES. Too many neighbors are cutting their trees too often, without regard to protection of trees. We see it all the time, as well as developments planned in our area which require clear-cutting and adding more impermeable surfaces. Trees protect us from flooding and are urgent for habitat.                                                                                                      |
| 145 | Not enough of them.                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 146 | Our trees are lovely but the number of trees needs to be vastly increased, due to the need -- driven by rapidly increasing climate change--of having mature trees to remove carbon dioxide from the air. SAVE ALL MATURE TREES AND PLANT NEW ONES.                                                                                                                                                                                                                    |
| 147 | Terrible policy that is felling trees/forest right and left and center. We moved to Lacey four years ago and the majority of vest forests in existence then on our drives to Olympia have been replaced with warehouses. The trees and understory are irreplaceable in my life time, my kids,                                                                                                                                                                         |

## Tree Survey Responses– Fill in the Blank “What are your general impressions about the trees in Lacey?”

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|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | my grandkids. I am outraged and saddened at this public policy choice of greed over public health                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 148 | I like the trees in Lacey and I think we need more. They need to be protected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 149 | I like the tree landings along the streets. I think Lacey residents enjoy and see the benefits of tree plantings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 150 | Wonderful. The trees in and around residential neighborhoods dramatically improve appearance and desirability. They provide shade, contrast, shelter, and habitat for birds and critters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 151 | Living here at Panorama sets the bar quite high to us as a benchmark. There are commercial areas that overwhelm such as the Library and the Lacey City Hall area. Any neighborhoods in SE Lacey have beautiful canopies but within mall areas that are poorly cared for and perhaps poor choices to begin with.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 152 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 153 | I love the trees we have in the community, it is always sad to see old trees taken down. I hope for more native plants and trees in our area                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 154 | I love all the trees in the central part of Lacey. When I moved here, I selected Lacey because of all the groves of trees in NW Lacey. It has been heart breaking to see large plots of land clear cut for warehouses and homes. I can understand and appreciate growth in our area but don't see much effort to replace loss of that action on the environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 155 | I love them! We moved to Lacey in 2018 for a number of reasons, INCLUDING the trees.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 156 | Generally very favorable. I am concerned about the mass stripping of trees between residential and warehouse/ industrial areas and the failure to maintain trees in areas where new warehouses/ storage units are built.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 157 | I love the trees that we have along the main roads. Very pretty. I love that we have a great amount of trees in the city.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 158 | Beautiful but some large trees are not healthy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 159 | Lacey allows developers to clear cut large acreage plots for urban development. At what cost? The idea that you can mitigate CO2 with sidewalk and meridian trees is simply not logical. A true climate plan would create urban development like the City of Lacey's City Hall and the police station. Integrate urban growth with old tree stands with creative development designs that enhance communities. I met someone who bought a house out at Meridian Campus because they loved living surrounded by trails and trees. They decided to move a few years later because when they looked out of their windows the forest had been logged. Now the view was not nature but more and more houses.<br>People love nature. Why not use existing stands of older Doug fir Maple and Hemlock to implement carbon sequestration and only allow development to enhance nature and human well being. Implement credits and incentives for new housing developments that build around trees and create wonderful environments like the City Hall and library. Keep Lacey green for future generations. Once its all logged you can't go back. |
| 160 | I feel like there is a decent amount of trees in the area, but would like to see more, but in practical places. One thing I hate seeing around the city is trees lining a street that have had their top half cut off to allow room for power lines.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 161 | The more the better                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 162 | I like the trees and appreciate that the city of Lacey has a wide variety of healthy and mature trees as well as newer plantings. I would like to see Lacey keep as many of its trees as possible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 163 | depends on where you look in Lacey, some areas are great others not su much.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 164 | favorable, but mostly in newer neighborhoods                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 165 | Too many non evergreen trees being planted... these are generally not native species... create iddues cleaning up leaves ... and are often more serious hazards in wind storms as the grow anx mature and become top heavy ...                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 166 | Love them, a little concerned with large branches falling on roadways, don't want them cut down, plant more!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

**Tree Survey Responses– Fill in the Blank “What are your general impressions about the trees in Lacey?”**

|     |                                                                                                                                                                                                                                                                                                                                                                             |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 167 | What the city has allowed to happen in northeast Lacey is disgraceful. By letting whole forests be cut to build warehouses and developments, the city can no longer call itself the city of trees. You should be ashamed of yourselves! You talk one game and play another in reality.                                                                                      |
| 168 |                                                                                                                                                                                                                                                                                                                                                                             |
| 169 | I live in the neighborhood of Lake Forest and for my neighborhood, I wish we had a greater variety of trees. I love trees, but Douglas Fir, Red Cedar, Western Hemlock, some of them have gotten so big that they block out all the light in my neighborhood. We have some beautiful maples, aspen, birch, alder, and dogwoods...just wish there were more deciduous trees. |
| 170 | Lacey has way too many trees to close to roads and power lines                                                                                                                                                                                                                                                                                                              |
| 171 | Lacey needs to plant more trees.                                                                                                                                                                                                                                                                                                                                            |
| 172 | decorative but small                                                                                                                                                                                                                                                                                                                                                        |
| 173 | They are nice.                                                                                                                                                                                                                                                                                                                                                              |

## #001

Posted by **7509L** on **04/24/2021** at **9:43am** [Comment ID: 67] - [Link](#)

Agree: 0, Disagree: 0

I cannot comprehend why Lacey allows huge groves of fir trees to be crushed and ripped out for large construction. Is it not possible to keep the carbon protective old growth fir trees and put construction in pockets within them? It makes no sense to cut them down and then "landscape" with your "tree plan" that are ornamental trees and don't have the same footprint as a fir tree. If the developer or warehouse can't drive around some trees then deny the permit. The small ornamental trees take years to grow and still don't clean the air like native PNW tree.

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Posted by **7509L** on **04/24/2021** at **9:37am** [Comment ID: 64] - [Link](#)

Agree: 1, Disagree: 0

Cattle are huge polluters with it running into the streams also. So yes, more can be done here and with manure management.

## #003

Posted by **7509L** on **04/24/2021** at **9:39am** [Comment ID: 66] - [Link](#)

Agree: 1, Disagree: 0

Yes, What are the golf courses and HOA landscapers using, not to mention homeowners? Emissions aren't the only problem - pesticides are destructive to wildlife and bees. The run off from these applications gets into ground water and streams.

Reply by **Marianne** on **04/24/2021** at **11:14am** [Comment ID: 69] - [Link](#)

Agree: 0, Disagree: 0

I completely agree! There are many Eco-friendly options that we should be using for the health of the soils and ourselves. Chambers Bay Golf Course is an example of sustainable land practices. In the US, 36 of the 50 states anticipate freshwater shortages within the next 10 years. Americans apply more than 7 billion gallons of water a day outdoors and stormwater runoff from gardens and lawns is a major source of water pollution. Lawn irrigation consumes up to 60% in the west. Majority of irrigation comes from municipal drinking water. Residential properties are part of the solution.

## #004

Posted by **Carolyn** on **04/30/2021** at **2:40pm** [Comment ID: 100] - [Link](#)

Type: Suggestion

Agree: 0, Disagree: 0

Regenerative agriculture and forestry are imperative if we are going to significantly decrease greenhouse gas emissions.  
capturing carbon in the soil is the BEST way to sequester carbon (besides not emitting it in the first place). Let's get on with it, NOW.

## #005

Posted by **Connie Campbell** on **04/01/2021** at **11:45pm** [Comment ID: 20] - [Link](#)

Agree: 3, Disagree: 0

We need to keep the trees we have and plant more! Trees help us in so many ways--beauty, shade, reduce stormwater run off and provide oxygen for us to breathe!

## #006

Posted by **Marianne** on **04/01/2021** at **6:34pm** [Comment ID: 16] - [Link](#)

Agree: 0, Disagree: 0

Mature trees increase your property value by 7-19%.  
<http://www.hgtv.com/design/real-estate/increase-your-homes-value-with-mature-trees>.  
Trees keep us cool in the summer heat. Trees keep our drinking water clean.

## #007

Posted by **7509L** on **04/24/2021** at **9:47am** [Comment ID: 68] - [Link](#)

Agree: 1, Disagree: 0

Yes, we need to reforest. But Lacey needs to stop rubber stamping all development and allowing groves of trees to be destroyed. The city is a hopscotch of concrete, a road with bike path, retail business, then freeway, then a few houses, then wide roads with roundabouts to warehouses with housing around warehouses. It doesn't appear its age in comparison to other cities nearby who also have established neighborhoods and businesses - Olympia, Dupont, Tacoma.

## #008

Posted by **Marianne** on **04/24/2021** at **11:15am** [Comment ID: 71] - [Link](#)

Agree: 0, Disagree: 0

Yes!

## #009

Posted by **Marianne** on **04/24/2021** at **11:15am** [Comment ID: 70] - [Link](#)

Agree: 0, Disagree: 0

Yes! Education is key.

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Posted by **Roy** on **04/30/2021** at **2:41pm** [Comment ID: 101] - [Link](#)

*Agree: 0, Disagree: 0*

It is very important that we use nature (not technology) to help us not only store carbon but also to keep of us emitting more carbon. Do not let our trees be cut down unnecessarily and support regenerative agriculture.

#011

Posted by **Randy** on **04/01/2021** at **5:54pm** [Comment ID: 6] - [Link](#)

*Agree: 0, Disagree: 0*

That's terrific!

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Posted by **Randy** on **04/01/2021** at **5:59pm** [Comment ID: 7] - [Link](#)

*Type: Suggestion*

*Agree: 0, Disagree: 0*

Good Regs which could be more effective with consistent enforcement. There are commercial tree cutting companies consistently topping and removing trees without permits. They should be warned once and then forbidden from working within Lacey after the second offence. They know the rules and know it's not a big deal to violate.

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**LACEY CITY COUNCIL MEETING**  
**March 17, 2002**

**SUBJECT:** Lake Lois Pacific Avenue Annexation. Project no. 21-235.

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**RECOMMENDATION:** Adopt an ordinance to approve the Lake Lois Pacific Avenue Annexation. Effective date of annexation will be June 1, 2022, to allow for the orderly transition of city services

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**STAFF CONTACT:** Scott Spence, City Manager *SS*  
Rick Walk, Community and Economic Development Director *RW*  
Ryan Andrews, Planning Manager *RA*

**ORIGINATED BY:** City Council

**ATTACHMENTS:** 1. [Ordinance No. 1618](#)  
2. [Overview Map](#)  
3. [Annexation Petition](#)

**FISCAL NOTE:** Annexation of the Lake Lois Pacific Avenue area will result in additional revenue, however, it is anticipated that the expenses associated with providing city services to this area will be equal to or greater than the revenue that is generated.

**PRIOR REVIEW:** December 2, 2021, City Council Public Hearing  
September 2, 2021, City Council Meeting  
August 2, 2021, Utilities Committee Meeting

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**BACKGROUND:**

The City initiated a petition for annexation for the area including Lake Lois between Carpenter Road SE and Kinwood Street SE. The annexation was sent to the Thurston County Boundary Review Board (BRB) for their review. The BRB declined to invoke jurisdiction so the application returns to the Council for final consideration in ordinance form.

**Annexation Area**

The area proposed for annexation is located in the Tanglewilde Thompson Place Planning Area and within the Lacey Urban Growth Area and is generally located east of Carpenter Road SE, west of Kinwood Street SE, north of the Karen Fraser Woodland Trail and south of the Aldea Glen subdivision. The area includes approximately 95 acres in 63 separate tax parcels. The 2020-2021 assessed value of these parcels is \$15,339,000. The City of Lacey has initiated the annexation on behalf of those parcels within the annexation area where the City holds power of attorney agreements regarding annexation and for those parcels that the City owns. The 2020-2021 assessed value of these parcels is \$9,251,000 which is over the 60% required under the petition

method of annexation. 11 parcels are owned by the City of Lacey and another 4 parcels are churches which are exempt from the payment of property taxes.

The area proposed to be annexed is a mixture of undeveloped property, critical areas and buffers and existing low density residential uses. Lake Lois, a designated wetland, makes up the headwaters of Woodland Creek. Lake Lois and its associated buffers are largely owned by City of Lacey and designated as Lake Lois Park and Habitat Preserve. Another wetland known as Goose Pond is on property owned by the City of Lacey in the southern portion of the annexation area. The area to be annexed contains approximately 46 dwelling units and an estimated population of 100 people.

The properties are a mixture of zoning districts including Low Density Residential, Moderate Density Residential on the eastern edge of the annexation area along Kinwood Street, and Open Space Institutional for Lake Lois and the other environmentally sensitive properties.

The area proposed for annexation is a logical extension of the city limit boundary to an area that is an unincorporated island that contains an illogical boundary. The configuration is a logical extension of the city limits and would eliminate existing illogical boundary issues.

The properties are located within the City of Lacey's water service area and are served by a combination of City of Lacey water lines, small private water services and private wells. An existing City of Olympia water line is located within Pacific Avenue SE, however, it does not serve the area. The Lacey water system is adequate to serve the existing and future development of the properties within the proposed annexation area.

City of Lacey sewer service is limited to an existing 3" STEP main in Kinwood Street SE that serves the eastern portion of the annexation area and existing 8" force main in Carpenter Road SE at the location of the lift station at 7<sup>th</sup> Avenue SE. The majority of the residential properties are served by onsite septic systems.

### **Governmental Services**

Police services are currently provided by the Thurston County Sheriff's Office. According to Thurston County Sheriff's Office data, calls for service in this area are 100-200 per year. For reference, Lacey Police Department routinely responds to 42,000 – 46,000 calls for service per year, within current city boundaries, during non-pandemic years. The proposed annexation should not have an adverse impact on current LPD resources based upon current demand for law enforcement services, however, it is important to note that paired with other recent annexations there could be a cumulative impact upon our current police resources over time.

In addition to the provision of utilities, Lacey Public Works would provide maintenance of the public streets in the area. Upon annexation, the City would begin maintaining approximately 3.4 centerline mile of public streets within the annexation area and would also begin maintaining the bridge over Lake Lois on Carpenter Road and the signal at Kinwood Street and Pacific Avenue. The arterial and collector streets that would be maintained include Pacific Avenue, Carpenter Road and Kinwood Street from the Aldea Glen subdivision south to the Pacific Avenue intersection. These streets are generally fully improved except for some sidewalk gaps in Kinwood Street. Pavement conditions are good for Carpenter Road which has been recently reconstructed. The pavement condition index for Kinwood Street is 75 out of 100. Local access streets that would be maintained are Lake Lois Road SE and 6<sup>th</sup> Avenue SE which are limited to asphalt driving lanes with no sidewalks. The pavement condition index for these streets is 92 out of 100. Staff has inventoried the infrastructure in the area and have found that 18 street signs are in need of

replacement and 3 street lights would need to be converted to LED. Street lights along public streets would be transferred to the City after annexation. Public stormwater facilities associated with the roadways would also be maintained by the City including 32 catch basins and a filter vault.

Thurston County has made city staff aware that they have obtained a federal grant to repave and make ADA improvements to the portion of Pacific Avenue between the city limits and Union Mills Road. The County has agreed to move forward with the project with the understanding that any of the grant match that is necessary for the annexed portion of Pacific Avenue would be paid by the City of Lacey. Preliminary estimates indicated the City's proportionate match share would be approximately \$87,000. A specific agreement would need to be brought forth if the area is annexed prior to Thurston County going to bid on the project by August 2023. There is a potential, that the federal grant will pay for 100% of the cost of the work without any grant match necessary. However, staff is anticipating the federal grant will require typical local match requirements.

### **Other Issues**

City staff conducted a public informational forum on November 17<sup>th</sup>, 2021 to provide more information to residents on how annexation would affect taxes and services. The event was recorded and is available on the City of Lacey's YouTube channel.

Upon annexation, the City is required to conduct a door-to-door census of the area. An accurate census ensures that population-based revenues are distributed to the City. The City will be contracting with a private consultant to complete the census this spring.

### **Process**

Procedurally, the next step is for the City Council to take final action through passage of an ordinance approving the annexation. Upon final ordinance passage, notification of the annexation is sent to affected agencies and the annexation certification process will be completed. The effective date of the annexation will be set for June 1, 2022, to allow for sufficient time to transition from Thurston County provided services to City of Lacey services.

---

### **ADVANTAGES:**

1. Annexing the proposed area is a logical extension of city boundaries into an area that contains City of Lacey-owned properties, will be served by city utilities and will make for more logical municipal boundaries.

### **DISADVANTAGES:**

1. None identified.

ORDINANCE NO. 1618

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, ANNEXING TERRITORY TO THE CITY OF LACEY, ESTABLISHING THE ZONING FOR SUCH PROPERTY, AND APPROVING A SUMMARY FOR PUBLICATION (LAKE LOIS PACIFIC AVENUE).

WHEREAS, a legally sufficient petition for annexation was filed seeking annexation of certain properties shown on Exhibit A and described on Exhibit B; and

WHEREAS, the City Council held a public hearing on December 2, 2021, pursuant to legal notice, to consider the petition; and

WHEREAS, the City Council voted to refer the proposed annexation to the Thurston County Boundary Review Board; and

WHEREAS, said proposed annexation was filed with and processed by the Thurston County Boundary Review Board, and jurisdiction was not invoked; and

WHEREAS, the proposed annexation represents a logical extension of the corporate limits of the City of Lacey into its established UGA; and

WHEREAS, the proposed annexation is found to be in compliance with the criteria for annexations established in Chapter 35A.14 RCW.

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

Section 1. That certain territory shown on Exhibit A and described on Exhibit B, each of which exhibits are attached hereto and made a part hereof as though fully set forth at length, is hereby annexed to the City of Lacey.

Section 2. The zoning and all land use designations within the territory annexed shall be in accordance with the Lacey Comprehensive Land Use Plan and the zoning map for the Lacey Urban Growth Area.

Section 3. This Ordinance shall take effect on June 1, 2022.

Section 4. SEVERABILITY. If any section, sentence, clause or phrase of this

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

Section 5. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make corrections to this ordinance including, but not limited to, the corrections of scrivener's/clerical errors, references, ordinance numbering, section/subsection number and any references thereto.

Section 6. The Summary Attached is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this \_\_\_\_\_, 2022.

CITY COUNCIL

BY: \_\_\_\_\_  
Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

Published: \_\_\_\_\_

SUMMARY FOR PUBLICATION  
ORDINANCE NO 1618  
CITY OF LACEY

The City Council of Lacey, Washington passed on \_\_\_\_\_, 2022, Ordinance No. 1618, entitled “AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, ANNEXING TERRITORY TO THE CITY OF LACEY, ESTABLISHING THE ZONING FOR SUCH PROPERTY, AND APPROVING A SUMMARY FOR PUBLICATION (LAKE LOIS PACIFIC AVENUE).”

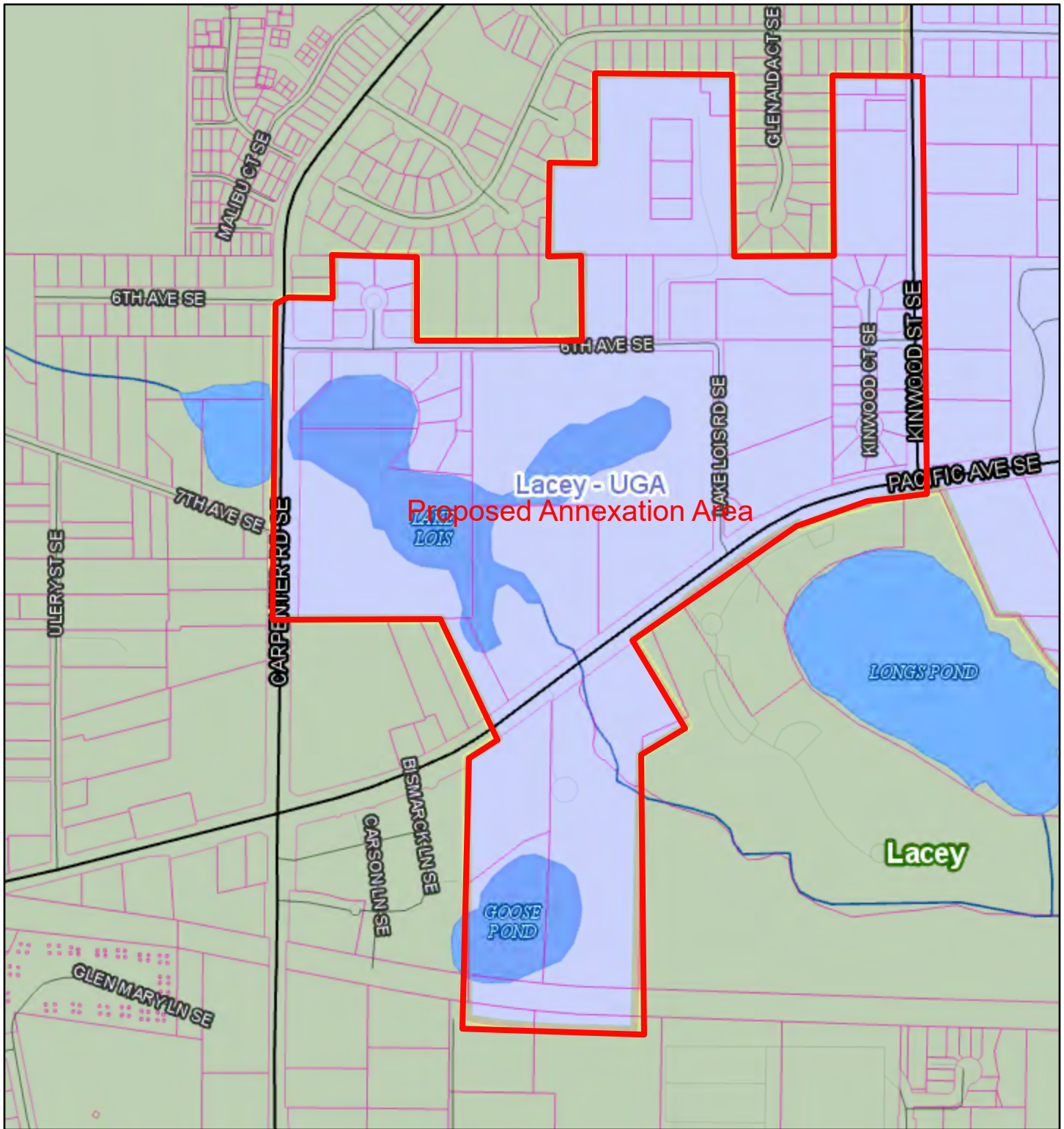
The main points of the Ordinance are described as follows:

1. The Ordinance annexes territory to the City of Lacey.
2. The Ordinance maintains the current zoning for the annexed territory
3. The Ordinance approves this summary for Publication.

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

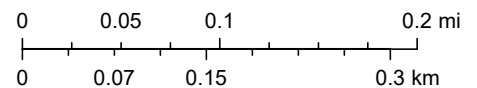
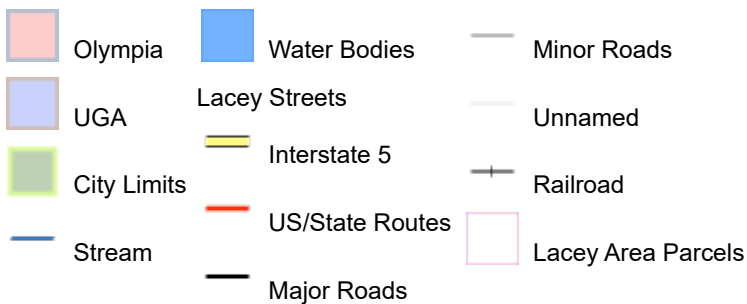
Published: \_\_\_\_\_, 2022.

# Lake Lois Pacific Avenue Annexation Overview

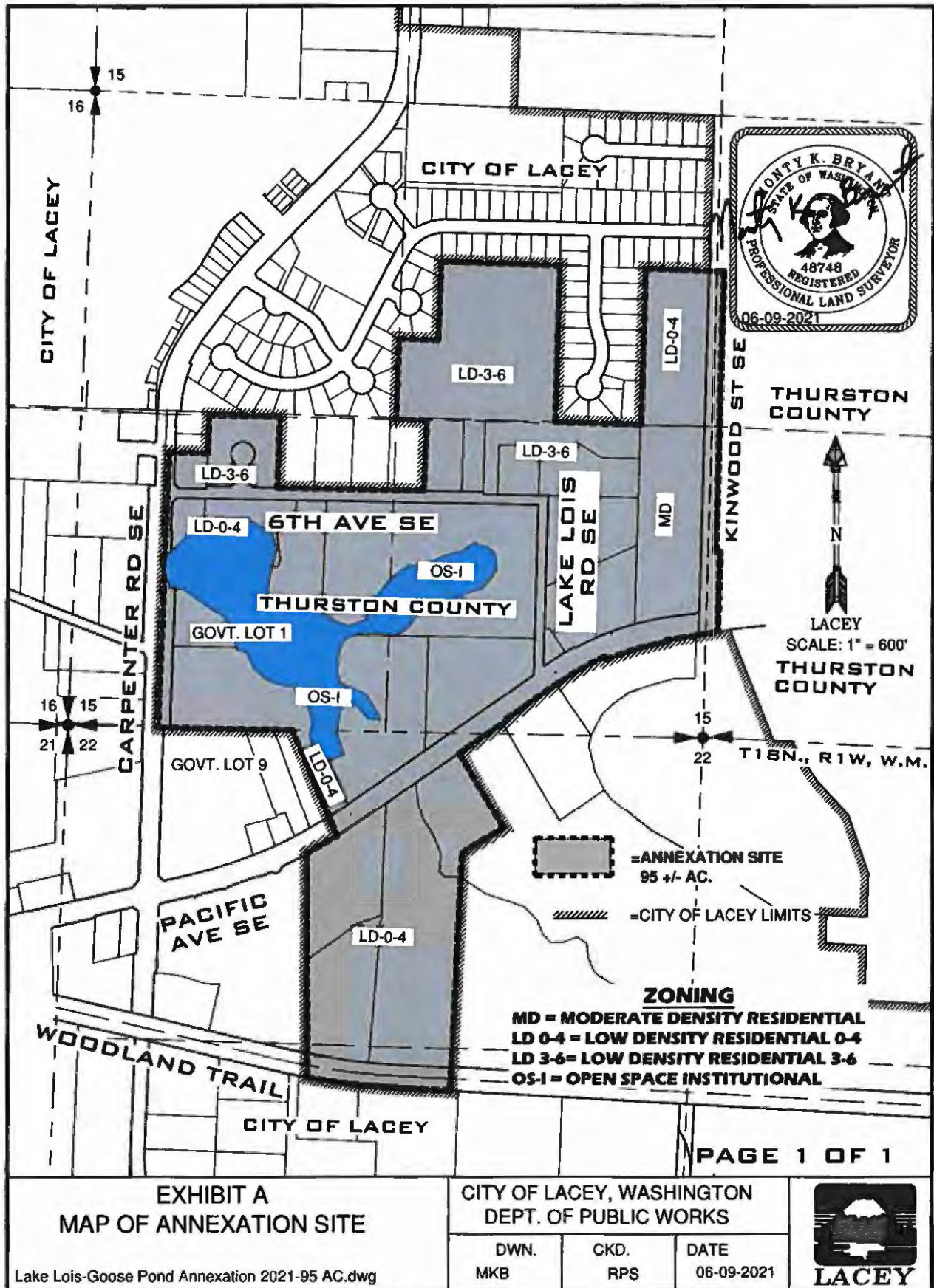


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GIS Coordinator, City of Lacey



## **EXHIBIT B**

### **ANNEXATION DESCRIPTION**

Those portions of the South half of Section 15, and Northwest Quarter of Section 22, Township 18 North, Range 1 West, W.M., situate in Thurston County, Washington, more particularly described as follows:

Commencing at the Northwest corner of Lot 40 of the Plat of Fleetwood Acres, as recorded in Volume 10 of Plats, Page 5, records of Thurston County, Washington; thence **S88°39'56"E 163.53 feet** along the north line of said Lot 40, to the Northwest corner of Lot 3 of the Plat of Lynnwood Acres recorded under Auditor's File No. 851261 and the **POINT OF BEGINNING**; thence continuing along said north line **S88°39'56"E 300.06 feet** to the Northeast corner of Lot 4 of the above said Plat of Lynnwood Acres; thence **S02°19'47"W 298.33 feet** along the east line of said Plat of Lynnwood Acres to the northerly right of way 6<sup>th</sup> Avenue Southeast which is 30.00 feet northerly, measured perpendicular of the centerline of said road; thence **S88°51'35"E 619.17 feet** along said northerly right of way to the southeast corner of Parcel B of Boundary Line Adjustment BLA 150001 LA recorded under Auditor's File No. 4438806; thence **N02°19'47"E 296.62 feet** along the east line of said Parcel B, to the northeast corner thereof, also being on the north line of said Fleetwood Acres; thence **N88°39'56"W 129.05 feet** along said north line to the southerly extension of the west line of the Northeast Quarter of the Southwest Quarter of said Section 15; thence **N01°59'33"E 338.26 feet** along said west line to the south line of north 330 feet of the south half of the Northeast Quarter of the Southwest Quarter of said section 15; thence **S87°59'14"E 165.00 feet** along said south line to the east line of the West 165 feet of the above said Northeast Quarter of the Southwest Quarter of said section 15; thence **N01°59'33"E 330.00 feet** along said east line to the North line of South half of the Northeast Quarter of the Southwest Quarter of said section 15; thence **S87°59'14"E 501.10 feet** along said north line to the west line of the East 660 feet of the Northeast Quarter of the Southwest Quarter of said section 15; thence **S01°33'46"W 656.07 feet** along said west line to the south line of the Northeast Quarter of the Southwest Quarter of said section 15; thence **S88°17'46"E 363.00 feet** along said south line to the east line of the west 363.00 feet of the east 660.00 feet of the Northeast Quarter of the Southwest Quarter of said section 15; thence **N01°33'46"E 654.11 feet** to the North line of South half of the Northeast Quarter of the Southwest Quarter of said section 15; thence **S87°59'14"E 327 feet**, more or less along said North line extended to the easterly right of way of Kinwood Street Southeast; thence Southerly along said easterly right of way with the southerly extension thereof, to the southerly right of way of Pacific Avenue Southeast; thence southwesterly along said southerly right of way to the common corner of Parcel D of Boundary Line adjustment BLA 11-0009LA recorded under Auditor's File No. 4251258 and Parcel A of Boundary Line Adjustment BLA-0087 recorded

under Auditor's File No. 8307110008; thence southerly along the westerly boundary of Parcel D and E of said BLA 11-0009LA with the southerly extension thereof, to the southerly right of way of Woodland Trail (also known as the Northern Pacific Railroad Company) as described in Quit Claim Deed recorded under Auditor's File No. 3708400; thence westerly along said southerly right way to the southerly extension of the west line of Parcel A of Boundary Line Adjustment BLA 19 101355 TC recorded under Auditor's No. 4681207; thence northerly along said extension and westerly line of Parcel A and B of said BLA 19 101355 TC, to the southerly right of way of Pacific Avenue Southeast; thence northeasterly along said right of way 146 feet, more or less, to a point that bears S23°39'25"E 485 feet, more or less, from the Northeast corner of that certain parcel described in deed recorded under Auditor's File No. 3466921, said point being on the north line of Government Lot 9 of said Section 22, N88°54'23"E 585.41 feet from the Northwest corner of said Lot 9; thence N23°39'25"W 485 feet, more or less, to the above said Northeast corner; thence S88°54'23"W 568.91 feet along said north line to a point which is 16.50 feet easterly of the Northwest corner of said Government Lot 9; thence N02°19'47"E 1155.03 feet parallel with the west line of Government Lot 1 of said Section 15, to the westerly extension of the south line of Parcel 2 of Short Subdivision No. SS-1177, as recorded under Auditor's File No. 1101084; thence S88°51'35"E 163.54 feet along said extension and south line to the southeast corner thereof and the westerly line of the Plat of Fleetwood Acres; thence N02°19'47"E 159.32 feet along said westerly line to the point of beginning.

Containing 95+/- acres

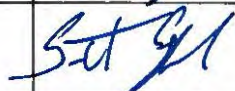
**PETITION FOR ANNEXATION**  
**60 PERCENT PETITION METHOD**  
**RCW 35A.14.120**

TO: THE HONORABLE CITY COUNCIL of the City of Lacey, State of Washington:

The undersigned, being property owner(s) and representing at least 60% of the assessed value of property herein depicted on Exhibit A and described on Exhibit B, do hereby petition to annex this property to the City of Lacey pursuant to RCW 35A.14.120 and under the following terms and conditions.

1. Adoption of Low Density (0-4), Low Density (3-6), Moderate Density Residential and Open Space Institutional comprehensive plan and zoning designation;
- 2 . Assumption of a pro rata share of the City's bonded indebtedness.

**Signature(s) of property owners:**

| <u>Property Owner</u> | <u>Power of Attorney</u> | <u>Address</u>                         | <u>Acreage</u> | <u>Parcel No</u> | <u>Assessor Value</u> | <u>Signature</u>                                                                      | <u>Date</u> |
|-----------------------|--------------------------|----------------------------------------|----------------|------------------|-----------------------|---------------------------------------------------------------------------------------|-------------|
| DANNY WOOLLETT        | YES                      | 6530 6TH AVE SE,<br>LACEY, WA., 98503  | 7.39           | 11815310300      | \$ 627800             |  | 7/8/21      |
| RANCE G. SMITH        | YES                      | 6610 6TH AVE SE,<br>OLYMPIA, WA. 98503 | 0.53           | 11815310500      | \$ 386900             |  | 7/8/21      |

**1**

**WARNING**

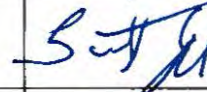
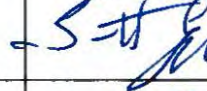
EVERY PERSON WHO SIGNS THIS PETITION WITH ANY OTHER THAN HIS/HER TRUE NAME, OR WHO KNOWINGLY SIGNS MORE THAN ONE OF THESE PETITIONS, OR SIGNS A PETITION SEEKING AN ELECTION WHEN HE/SHE IS NOT A LEGAL VOTER, OR SIGNS A PETITION WHEN HE/SHE IS OTHERWISE NOT QUALIFIED TO SIGN, OR WHO MAKES HEREIN ANY FALSE STATEMENT, SHALL BE GUILTY OF A MISDEMEANOR.

| <u>Property Owner</u>                     | <u>Power of Attorney</u> | <u>Address</u>                           | <u>Acreage</u> | <u>Parcel No</u> | <u>Assessor Value</u> | <u>Signature</u> | <u>Date</u> |
|-------------------------------------------|--------------------------|------------------------------------------|----------------|------------------|-----------------------|------------------|-------------|
| FRANCIS H. CHAMPNEY                       | YES                      | 6614 6TH AVE SE,<br>OLYMPIA, WA. 98503   | 0.46           | 11815310501      | \$ 91700              | <i>Sett SR</i>   | 7/8/21      |
| VICTOR RASMUSSEN                          | YES                      | 6620 6TH AVE SE,<br>LACEY, WA., 98503    | 0.26           | 11815310502      | \$ 223500             | <i>Sett SR</i>   | 7/8/21      |
| DANNY WOOLLETT                            | YES                      | 6602 6TH AVE SE,<br>OLYMPIA, WA., 98503  | 1.89           | 48204600200      | \$ 383200             | <i>Sett SR</i>   | 7/8/21      |
| EAST CONGREGATION OF<br>JEHOVAS WITNESSES | YES                      | 6526 6TH AVE SE,<br>LACEY, WA., 98503    | 0.83           | 48204600100      | \$ 124900             | <i>Sett SR</i>   | 7/8/21      |
| JERI BROWN                                | YES                      | 6600 6TH AVE SE,<br>OLYMPIA, WA., 98503  | 1.86           | 48204600300      | \$ 554400             | <i>Sett SR</i>   | 7/8/21      |
| KINWOOD ESTATES HOA                       | YES                      | 710 KINWOOD CT SE,<br>OLYMPIA, WA. 98503 | 0.49           | 57610000000      | \$ 0                  | <i>Sett SR</i>   | 7/8/21      |
| PAUL OGBURN                               | YES                      | 706 KINWOOD CT SE,<br>OLYMPIA, WA. 98503 | 0.20           | 57610000100      | \$ 253800             | <i>Sett SR</i>   | 7/8/21      |
| JAMIE L. ALDRIDGE                         | YES                      | 704 KINWOOD CT SE,<br>OLYMPIA, WA. 98503 | 0.18           | 57610000200      | \$ 238600             | <i>Sett SR</i>   | 7/8/21      |
| ROY S. HASUKO                             | YES                      | 702 KINWOOD CT SE,<br>OLYMPIA, WA. 98503 | 0.25           | 57610000300      | \$ 261200             | <i>Sett SR</i>   | 7/8/21      |

2

**WARNING**

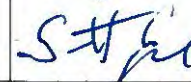
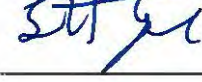
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| <u>Property Owner</u> | <u>Power of Attorney</u> | <u>Address</u>                           | <u>Acreage</u> | <u>Parcel No</u> | <u>Assessor Value</u> | <u>Signature</u>                                                                      | <u>Date</u> |
|-----------------------|--------------------------|------------------------------------------|----------------|------------------|-----------------------|---------------------------------------------------------------------------------------|-------------|
| PATRICIA J. WILSON    | YES                      | 700 KINWOOD CT SE,<br>OLYMPIA, WA. 98503 | 0.20           | 57610000400      | \$ 245900             |    | 7/8/21      |
| WEDNY L. ORONA        | YES                      | 703 KINWOOD CT SE,<br>OLYMPIA, WA. 98503 | 0.25           | 57610000500      | \$ 269800             |    | 7/8/21      |
| MICHAEL REGAN         | YES                      | 705 KINWOOD CT SE,<br>OLYMPIA, WA. 98503 | 0.17           | 57610000600      | \$ 229200             |    | 7/8/21      |
| GEORGE SUMMIT         | YES                      | 707 KINWOOD CT SE,<br>OLYMPIA, WA. 98503 | 0.18           | 57610000700      | \$ 253000             |    | 7/8/21      |
| BETTY JO ADAMS        | YES                      | 709 KINWOOD CT SE,<br>OLYMPIA, WA. 98503 | 0.17           | 57610000800      | \$ 207700             |    | 7/8/21      |
| REBBECA L. HAYNES     | YES                      | 711 KINWOOD CT SE,<br>OLYMPIA, WA. 98503 | 0.17           | 57610000900      | \$ 212800             |    | 7/8/21      |
| JUANITA WRIGHT        | YES                      | 713 KINWOOD CT SE,<br>OLYMPIA, WA. 98503 | 0.17           | 57610001000      | \$ 235200             |    | 7/8/21      |
| PAM SPRINGER          | YES                      | 715 KINWOOD CT SE,<br>OLYMPIA, WA. 98503 | 0.17           | 57610001100      | \$ 224600             |   | 7/8/21      |
| TWILA R. VOLD         | YES                      | 717 KINWOOD CT SE,<br>OLYMPIA, WA. 98503 | 0.18           | 57610001200      | \$ 234500             |  | 7/8/21      |

3

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| <u>Property Owner</u>  | <u>Power of Attorney</u> | <u>Address</u>                               | <u>Acreage</u>      | <u>Parcel No</u> | <u>Assessor Value</u>      | <u>Signature</u>                                                                     | <u>Date</u> |
|------------------------|--------------------------|----------------------------------------------|---------------------|------------------|----------------------------|--------------------------------------------------------------------------------------|-------------|
| CLAYTON CHARLES WAYMAN | YES                      | 719 KINWOOD CT SE,<br>OLYMPIA, WA. 98503     | 0.18                | 57610001300      | \$ 209900                  |   | 7/8/21      |
| LAWRENCE WALTON        | YES                      | 721 KINWOOD CT SE,<br>OLYMPIA, WA. 98503     | 0.29                | 57610001400      | \$ 239100                  |   | 7/8/21      |
| CARRIE DYE             | YES                      | 720 KINWOOD CT SE,<br>OLYMPIA, WA. 98503     | 0.19                | 57610001500      | \$ 212400                  |   | 7/8/21      |
| JACOB BARBER           | YES                      | 718 KINWOOD CT SE,<br>OLYMPIA, WA. 98503     | 0.21                | 57610001600      | \$ 222000                  |   | 7/8/21      |
| JOHN C. ARMBRUSTER     | YES                      | 716 KINWOOD CT SE,<br>OLYMPIA, WA. 98503     | 0.17                | 57610001700      | \$ 219800                  |   | 7/8/21      |
| JERRY L. BROUGHTON     | YES                      | 714 KINWOOD CT SE,<br>OLYMPIA, WA. 98503     | 0.20                | 57610001800      | \$ 211500                  |   | 7/8/21      |
| MRD ENTERPRISES LLC    | YES                      | 6500 PACIFIC AVE. SE,<br>OLYMPIA, WA., 98503 | 2.39                | 48203400000      | \$ 457500                  |   | 7/8/21      |
| JUNE SMITH             | YES                      | 6602 6TH AVE SE, #B<br>OLYMPIA, WA., 98503   | 0.36                | 11815310503      | \$ 167600                  |  | 7/8/21      |
| <b><u>TOTALS</u></b>   |                          |                                              | <b><u>21.25</u></b> |                  | <b><u>\$ 7,198,500</u></b> |                                                                                      |             |

4

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| <u>Property Owner</u>                                 | <u>Power of Attorney</u> | <u>Address</u>                               | <u>Acreage</u> | <u>Parcel No</u> | <u>Assessor Value</u> | <u>Signature</u> | <u>Date</u> |
|-------------------------------------------------------|--------------------------|----------------------------------------------|----------------|------------------|-----------------------|------------------|-------------|
|                                                       |                          |                                              |                |                  |                       |                  |             |
| <b><u>CITY OF LACEY</u></b><br><b><u>PROPERTY</u></b> | YES                      | 6415 PACIFIC AVE. SE,<br>OLYMPIA, WA., 98503 | 6.97           | 48203400100      | \$ 536400             | Stt E1           | 7/8/21      |
|                                                       | YES                      | 6339 PACIFIC AVE. SE,<br>OLYMPIA, WA., 98503 | 3.26           | 48203500100      | \$ 82800              | Stt E1           | 7/8/21      |
|                                                       | YES                      | LAKE LOIS AREA                               | 6.47           | 48203600000      | \$ 259500             | Stt E1           | 7/8/21      |
|                                                       | YES                      | LAKE LOIS AREA                               | 14.96          | 48204200000      | \$ 322200             | Stt E1           | 7/8/21      |
|                                                       | YES                      | LAKE LOIS AREA                               | 8.93           | 48203700000      | \$ 167500             | Stt E1           | 7/8/21      |
|                                                       | YES                      | LAKE LOIS AREA                               | 0.45           | 48203800200      | \$ 163200             | Stt E1           | 7/8/21      |
|                                                       | YES                      | LAKE LOIS AREA                               | 0.87           | 48203800100      | \$ 197500             | Stt E1           | 7/8/21      |
|                                                       | YES                      | LAKE LOIS AREA                               | 0.33           | 48203900400      | \$ 165700             | Stt E1           | 7/8/21      |

5

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| <u>Property Owner</u>                       | <u>Power<br/>of<br/>Attorney</u> | <u>Address</u>       | <u>Acreage</u>      | <u>Parcel No</u> | <u>Assessor<br/>Value</u>  | <u>Signature</u> | <u>Date</u> |
|---------------------------------------------|----------------------------------|----------------------|---------------------|------------------|----------------------------|------------------|-------------|
|                                             | YES                              | LAKE LOIS AREA       | 0.41                | 48203900300      | \$ 157700                  | <i>Stt G/1</i>   | 7/8/21      |
|                                             | YES                              | BNRR & SFRR<br>TRAIL | 1.4                 | 11822120000      | \$ 8773                    | <i>Stt G/1</i>   | 7/8/21      |
| <b><u>TOTAL CITY OWNED<br/>PROPERTY</u></b> |                                  |                      | <b><u>44.05</u></b> |                  | <b><u>\$ 2,061,273</u></b> |                  |             |
|                                             |                                  |                      |                     |                  |                            |                  |             |
|                                             |                                  |                      |                     |                  |                            |                  |             |
|                                             |                                  |                      |                     |                  |                            |                  |             |
|                                             |                                  |                      |                     |                  |                            |                  |             |
|                                             |                                  |                      |                     |                  |                            |                  |             |
|                                             |                                  |                      |                     |                  |                            |                  |             |
|                                             |                                  |                      |                     |                  |                            |                  |             |

**6**

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| <u>Property Owner</u> | <u>Power of Attorney</u> | <u>Address</u>                                | <u>Acreage</u> | <u>Parcel No</u> | <u>Assessor Value</u> | <u>Signature</u>                                                                    | <u>Date</u> |
|-----------------------|--------------------------|-----------------------------------------------|----------------|------------------|-----------------------|-------------------------------------------------------------------------------------|-------------|
| NATHANIEL JACKSON     | NO                       | 6335 PACIFIC AVE. SE.,<br>OLYMPIA, WA., 98503 | 3.41           | 48203500000      | \$ 395100             |  | 7/12/24     |
| KENNETH R. HAUGE      | NO                       | 6210 6TH AVE SE.,<br>OLYMPIA, WA., 98503      | 0.47           | 48204000100      | \$ 320600             |                                                                                     |             |
| JOHN M. HOVAK         | NO                       | 545 KENNETH CT SE,<br>LACEY, WA., 98503       | 0.28           | 60050000100      | \$ 270200             |                                                                                     |             |
| JOHN A. GRIFFIN       | NO                       | 539 KENNETH CT SE,<br>LACEY, WA., 98503       | 0.24           | 60050000200      | \$ 254400             |                                                                                     |             |
| BEVERLEY F. SPERRY    | NO                       | 533 KENNETH CT SE,<br>LACEY, WA., 98503       | 0.36           | 60050000300      | \$ 274000             |                                                                                     |             |
| ADAM S. WIENBERG      | NO                       | 534 KENNETH CT SE,<br>LACEY, WA., 98503       | 0.39           | 60050000400      | \$ 274600             |                                                                                     |             |
| LYNN B. WHITTERN      | NO                       | 540 KENNETH CT SE,<br>LACEY, WA., 98503       | 0.21           | 60050000500      | \$ 262100             |                                                                                     |             |
| WILLIAM F. WILSON     | NO                       | 546 KENNETH CT SE,<br>LACEY, WA., 98503       | 0.27           | 60050000600      | \$ 254000             |                                                                                     |             |

7

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| <u>Property Owner</u> | <u>Power of Attorney</u> | <u>Address</u>                              | <u>Acreage</u> | <u>Parcel No</u> | <u>Assessor Value</u> | <u>Signature</u> | <u>Date</u> |
|-----------------------|--------------------------|---------------------------------------------|----------------|------------------|-----------------------|------------------|-------------|
| DAVID J. KNIGHT       | NO                       | 6510 6TH AVE SE,<br>LACEY, WA., 98503       | 1.09           | 48204100000      | \$ 336600             |                  |             |
| DON HUDSON            | NO                       | 6516 6TH AVE SE,<br>LACEY, WA., 98503       | 0.62           | 48204100100      | \$ 266900             |                  |             |
| LACEY BAPTIST CHAPEL  | NO                       | 6646 PACIFIC AVE SE,<br>OLYMPIA, WA., 98503 | 2.98           | 48204500200      | \$ 138100             |                  |             |
| LACEY BAPTIST CHAPEL  | NO                       | 6646 PACIFIC AVE SE,<br>OLYMPIA, WA., 98503 | 2.48           | 48204500000      | \$ 875200             |                  |             |
| LACEY BAPTIST CHAPEL  | NO                       | 6646 PACIFIC AVE SE,<br>OLYMPIA, WA., 98503 | 0.26           | 48204500100      | \$ 177300             |                  |             |
| GARY S. SCHAUB        | NO                       | 607 KINWOOD ST SE.,<br>OLYMPIA, WA., 98503  | 2.70           | 11815310701      | \$ 513000             |                  |             |
| IRA MILLER            | NO                       | 549 KINWOOD ST SE.,<br>OLYMPIA, WA., 98503  | 0.40           | 11815310900      | \$ 240600             |                  |             |
| ANN LUONG SANDERS     | NO                       | 545 KINWOOD ST SE.,<br>OLYMPIA, WA., 98503  | 0.45           | 11815310800      | \$ 95900              |                  |             |
| ANN LUONG SANDERS     | NO                       | 551 KINWOOD ST SE.,<br>OLYMPIA, WA., 98503  | 0.17           | 11815310702      | \$ 307200             |                  |             |

8

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| <u>Property Owner</u> | <u>Power of Attorney</u> | <u>Address</u>                             | <u>Acreage</u>      | <u>Parcel No</u> | <u>Assessor Value</u>      | <u>Signature</u> | <u>Date</u> |
|-----------------------|--------------------------|--------------------------------------------|---------------------|------------------|----------------------------|------------------|-------------|
| ANN LUONG SANDERS     | NO                       | 551 KINWOOD ST SE.,<br>OLYMPIA, WA., 98503 | 0.26                | 11815310700      | \$ 211100                  |                  |             |
| JULIANA C. McMAHAN    | NO                       | 6348 PACIFIC AVE. SE.,<br>LACEY, WA. 98503 | 0.81                | 18822220100      | \$ 224300                  |                  |             |
| ORIN A. HERBERT       | NO                       | 6239 6TH AVE. SE.,<br>LACEY, WA., 98503    | 2.98                | 48203800000      | \$ 396800                  |                  |             |
|                       |                          |                                            |                     |                  |                            |                  |             |
| <b><u>TOTALS</u></b>  |                          |                                            | <b><u>20.83</u></b> |                  | <b><u>\$ 6,088,000</u></b> |                  |             |
|                       |                          |                                            |                     |                  |                            |                  |             |
|                       |                          |                                            |                     |                  |                            |                  |             |
|                       |                          |                                            |                     |                  |                            |                  |             |
|                       |                          |                                            |                     |                  |                            |                  |             |

**9**

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| <u>Property Owner</u>                | <u>Power<br/>of<br/>Attorney</u> | <u>Address</u> | <u>Acreage</u> | <u>Parcel No</u> | <u>Assessor<br/>Value</u> | <u>Signature</u> | <u>Date</u> |
|--------------------------------------|----------------------------------|----------------|----------------|------------------|---------------------------|------------------|-------------|
|                                      | YES                              |                | <u>21.25</u>   |                  | \$ <u>7,198,500</u>       |                  |             |
| <u>TOTAL CITY OWNED<br/>PROPERTY</u> | YES                              |                | <u>44.05</u>   |                  | \$ <u>2,061,273</u>       |                  |             |
|                                      | NO                               |                | <u>20.83</u>   |                  | \$ <u>6,088,000</u>       |                  |             |
|                                      |                                  |                |                |                  |                           |                  |             |
| <u>TOTALS</u>                        |                                  |                | <u>86.13</u>   |                  | \$ <u>15,347,773</u>      |                  |             |
| <u>RIGHT OF WAY</u>                  |                                  |                | <u>9.4</u>     |                  |                           |                  |             |
| <u>TOTAL AREA</u>                    |                                  |                | <u>95.5</u>    |                  |                           |                  |             |

Total Assessed Value: **\$ 15,347,773**

Assessed Value of Parcels with Authorized Signature: **\$9,259,773**

# 10

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## LACEY CITY COUNCIL MEETING

March 17, 2022

**SUBJECT:** Terry Cargil Reservoir Project

---

**RECOMMENDATION:** Motion to award Lacey Contract Number PW 2019-32 to low bidder Phoenix Fabricators & Erectors, LLC from Avon, IN in the amount of \$8,456,619.97.

---

**STAFF CONTACT:** Scott Spence, City Manager *SS*  
Scott Egger, P.E., Public Works Director *SE*  
Peter Brooks, P.E., Water Resources Manager *PB*  
Teri O'Neal, P.E., Senior Utility Engineer *TSO*  
Puna Clarke, P.E., Utility Engineer *LC*

**ORIGINATED BY:** Public Works Department

**ATTACHMENTS:** NONE

**FISCAL NOTE:** NONE

**PRIOR REVIEW:** Council approved the Water Capital Funds as part of the 2022 Budget. The Terry Cargil Reservoir project is listed as a 2022 Water Capital Fund project. Funding for the project is provided through the fund source WA19EL 411-3410.534-90.

---

### BACKGROUND:

The City of Lacey potable water system includes seven welded steel stand pipe storage tanks with another tank currently in construction. Due to population growth and increased water demand, City's water system requires additional water storage. The City owns property located at 4504 B Intelco Loop SE with a 25-foot access easement dedicated for the proposed facility's improvements.

An in-person public meeting was held to answer questions about the project on March 11, 2020. The project also had a Conditional Use Permit and a Hearing Examiners Meeting held virtually by Zoom which public comments were invited and accepted on June 17, 2020. The City's Project Manager, Puna Clarke, PE, has also reached out to the Pointe Home Owners Association regarding the project and answered questions via the Property

Management Company as the Pointe Home Owners Association point of contact several times.

The project was advertised for approximately seven weeks and bids were opened February 2, 2022. Two (2) bids were received. The two bids ranged from a low of \$8,456,619.97 to a high of \$11,130,355.96. Phoenix Fabricators & Erectors, LLC from Avon, IN is the low bidder at \$8,456,619.91. The Engineer's Estimate is \$11,199,078.43. A Bid Summary Sheet is below.

Phoenix Fabricators & Erectors, LLC is qualified and capable of performing the work. Start date is anticipated to be around the beginning of May and there are 480 working days allotted.

---

#### **ADVANTAGES:**

1. The new Terry Cargil Reservoir will provide additional water storage and fire flow as recommended in the current Water System Comprehensive Plan in the 337 Pressure Zone.
2. Phoenix Fabricators & Erectors, LLC has constructed multiple composite elevated tanks similar to the new Terry Cargil Reservoir of similar size for various agencies across the United States.

#### **DISADVANTAGES:**

1. Construction noise can be expected during construction. The contractor will meet the requirements specified in the Lacey Municipal Code regarding noise thresholds.

## BID SUMMARY TABLE

| City of Lacey<br>Lift Station 15 Rehabilitation<br>PW 2018-27 |                 |     |
|---------------------------------------------------------------|-----------------|-----|
| Contractor                                                    | Bid Amount      | Pos |
| Phoenix Fabricators & Erectors, LLC                           | \$8,456,619.97  | 1   |
| Landmark Structures                                           | \$11,130,355.96 | 2   |
|                                                               |                 |     |
| Engineer's Estimate: \$11,199,078.43                          |                 |     |

## PROJECT LOCATION MAP

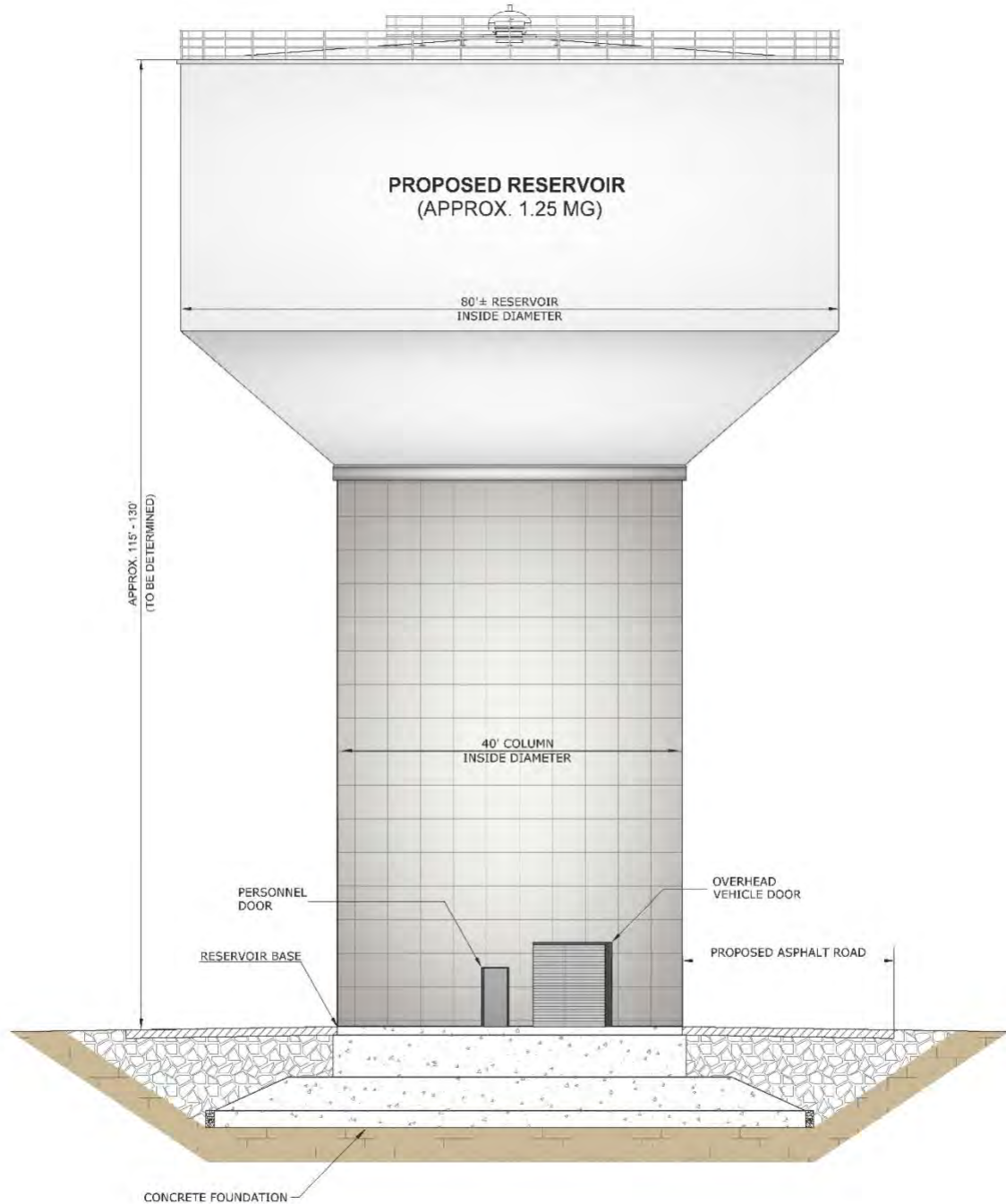


## PROJECT LOCATION MAP

**\*\*\*NOTE: This is a picture of the type of reservoir chosen, not the actual reservoir being designed specifically\*\*\***



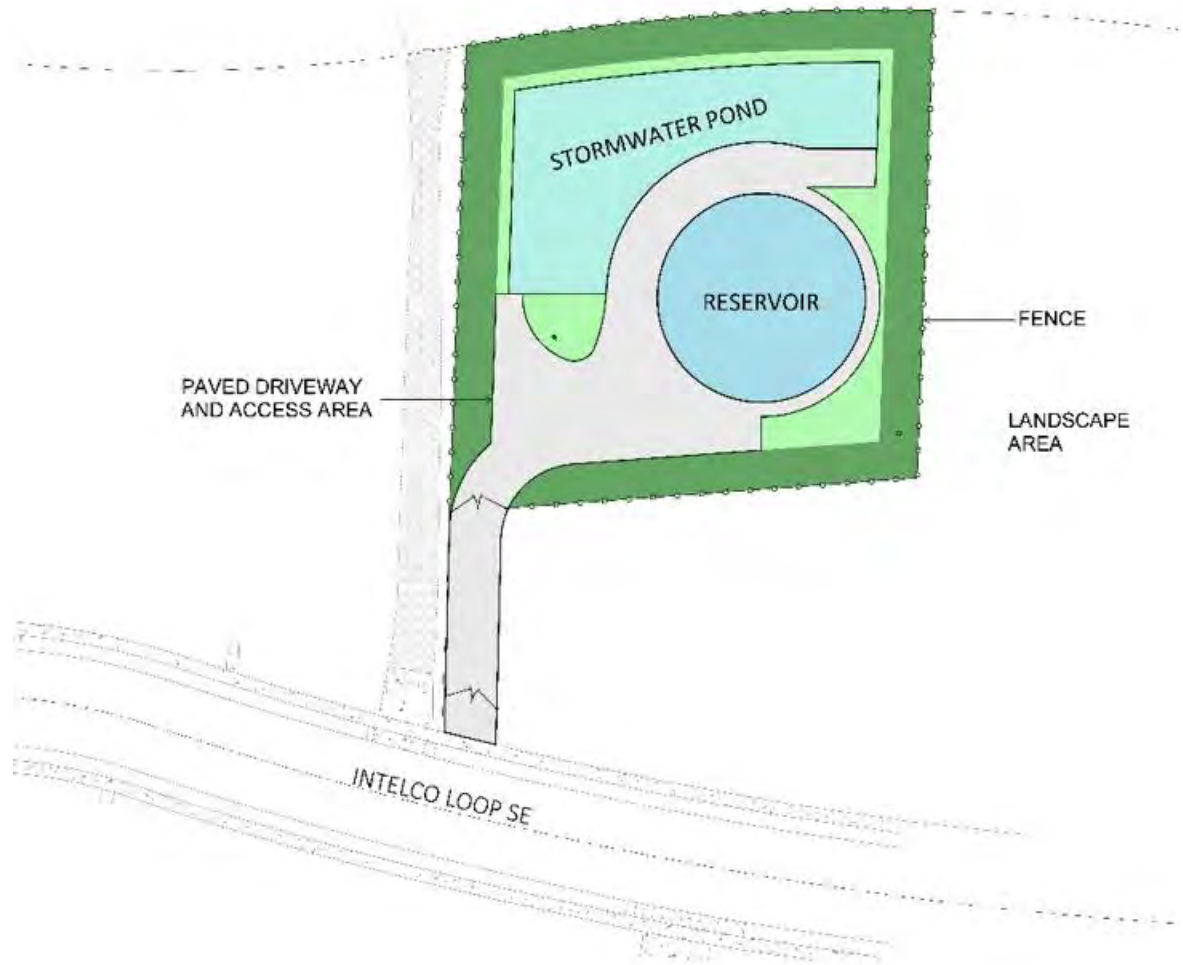
## PROJECT SCHEMATIC DRAWING



## PROJECT RENDERING



## PROJECT SITE MAP





## STAFF REPORT

March 11, 2021

**SUBJECT:** Lift Station 12 Abandonment

---

**RECOMMENDATION:** Motion to award Lacey Contract Number PW 2021-16 to low bidder Northwest Cascade, Inc. from Tacoma, Washington in the amount of \$787,751.11

---

**STAFF CONTACT:** Scott Spence, City Manager *SS*  
Scott Egger, Public Works Director *SE*  
Peter Brooks, Water Resources Manager *PB*  
Lisa Hull, Project Administrator *LH*  
Jason Kashani, Utility Engineer *JSK*

**ORIGINATED BY:** Public Works Department

**ATTACHMENTS:**

1. [Bid Tab Summary](#)
2. [Project Vicinity Map](#)
3. [Lift Station 12 Site](#)

**FISCAL NOTE:** Funding for this contract is provided through fund sources 411-3518-535.90-13.

**PRIOR REVIEW:** Council approved the 2022 Wastewater Capital Funds as part of the 2022 Budget. The Lift Station 12 Abandonment project is listed as a 2022 Wastewater Capital Fund project.

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### BACKGROUND:

Lift Station #12 (LS12), located at 6617 5<sup>th</sup> Ct SE Lacey, WA 98503, is a vacuum primed sanitary sewer lift station that was constructed in 1980. Due to the age of the lift station, it is deteriorating and requires a considerable amount of time and resources from the operation and maintenance division to keep it in service. This project will abandon the existing lift station and construct a new gravity system to re-route the flow and connect to a downstream manhole through approximately 1300 feet of main.

The project was advertised for two weeks and bids were opened March 3, 2022. Six bids were received. The bids ranged from a low of \$787,751.11 to \$1,814,230.52. Northwest Cascade, Inc. from Puyallup, Washington, is the low bidder. The Engineer's Estimate is \$793,872.04. A Bid Summary Sheet is attached.

Northwest Cascade, Inc. is qualified and capable of performing the work. Project start date is anticipated in May 2022 with 80 working days allotted to complete the work. The project is expected to be completed by September 2022.

---

**ADVANTAGES:**

1. The new gravity main and lift station decommissioning will save both construction and maintenance costs.
2. New gravity sewer system provides increased flow to a portion of the system that sees lower flows and thus requires more line cleaning.
3. The new sewer mains will serve lots that were previously only served by septic.

**DISADVANTAGES:**

1. None noted.

**Attachment #1**  
**BID SUMMARY:**

3/3/2022

**Lift Station 12 Abandonment**  
**PW 2021-16**

[illegible]

3/3/2022

### Apparent Lows

**Attachment #2**  
**Project Vicinity Map:**



LS12 ABANDONMENT – VICINITY MAP

**Attachment #3**  
**LIFT STATION 12 SITE:**





## LACEY CITY COUNCIL MEETING

March 17, 2022

**SUBJECT:** Memorandum of Understanding between the City of Lacey and St. Martin's Abbey

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**RECOMMENDATION:** Authorize the City Manager to sign the Memorandum of Understanding between the City of Lacey and St. Martin's Abbey for the purchase of 11.96 acres for the construction and operation of a police station.

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**STAFF CONTACT:** Scott Spence, City Manager *SS*  
Rick Walk, Director of Community and Economic Development *RW*  
Ashley Smith, Capital Projects Manager *AS*

**ORIGINATED BY:** Community and Economic Development and Public Works

**ATTACHMENTS:** 1. [Memorandum of Understanding between the City of Lacey and St. Martin's Abbey](#)

**FISCAL NOTE:** \$4,040,000 is budged in reserve for the project design and site acquisition to accommodate a new police station.

**PRIOR REVIEW:** February 10, 2022, Worksession  
April 23, 2021, Council Retreat

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### BACKGROUND:

The current Police Station is located in the original portion of Lacey City Hall constructed almost 40 years ago. As the police department has grown to meet the needs of the growing Lacey community, the existing space is no longer adequate both in building condition and to meet operational needs of the police department.

In 2019, the City of Lacey commissioned a space needs analysis to study the existing building space configuration, space needs for current police department staffing and operations. The analysis also projected future staff growth and service demands based on projected

community growth. The space needs analysis set the stage for the development of a facility master plan in 2020.

The facility master plan reviewed options to either renovate and expand the existing facility or build a new facility. The outcomes of the study determined that renovating the existing facility would be a higher cost, require a three-story structure, impact existing City Hall campus and cause disruption to services during construction. Whereas, building a new facility would be a lesser cost, have improved functionality, required two-story construction, will not impact the City Hall campus, increase available parking, and the community would not experience a disruption of Police services. The preferred location for a new Police Department was identified to be adjacent to the existing City Hall campus. Staff and the consultants identified approximately 12 acres generally located between City Hall campus and Interstate 5, east of 3<sup>rd</sup> Avenue SE extended. The identified property is currently owned by Saint Martin's Abbey.

In the fall of 2021, City staff approach Saint Martin's Abbey about the potential to purchase 11.96 acres for the construction and use of a Police Station, training facility and emergency operation center. The Abbey was receptive to the idea and based on a fair market appraisal began negotiating the terms of a Memorandum of Understanding (MOU) for the future purchase and sale of the property based on the appraised amount of \$4,040,000.

Exhibit 1 (attached) is the proposed MOU based on the negotiations between the City and the Abbey. It establishes the terms and process for moving forward with the property purchase, which in summary include:

- Limiting the use to a police station, training and emergency management for the City,
- Upon completion of final project design and boundary line adjustment, the parties can move forward with the purchase sale agreement,
- Removal of trees to be minimized in project design and construction,
- General site and building design considerations,
- A secured access driveway off of Baran Drive for emergency vehicles only, with easements provided to St. Martin's Abbey,
- City to extend utilities,
- Saint Martin's participation in a citizen advisory panel, and
- A first right of refusal to purchase the property benefitting St. Martin's Abbey.

Once the MOU with Saint Martin's Abbey is executed, the City will hire a design consultant to complete the 30% schematic design. Once complete and approved, the City will work with the Abbey to execute a boundary line adjustment to create the parcel for purchase; at that point a formal purchase sale agreement can be executed. The execution of the MOU with Saint Martin's Abbey is an initial step in moving forward and committing funds to the City's plans to construct a new Police Station.

Concurrently with the property acquisition process, the City has also formed a citizen advisory group to provide input and guidance on the proposed Police Department Facility. The citizen advisory committee process is expected to be a ten-month process.

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**ADVANTAGES:**

1. Executing the MOU with Saint Martin's Abbey assures the City the ability to purchase the property based on the fair market appraisal based on final project design.
2. The MOU is an agreement to terms and process allowing the City to complete designs and form a citizen advisory group for initial community input prior to executing a formal purchase sale agreement.
3. Acquiring 11.96 acres from Saint Martin's Abbey for the construction of a new Police Station implements the recommendations from the space needs analysis and facility master plan and the ability for the City to continue to meet services demands of the community.
4. The MOU continuance a long-term partnership and relationship with Saint Martin's Abbey, providing service and benefit to the Lacey Community.

**DISADVANTAGES:**

1. Purchasing the property will cost \$4,040,000 of City reserve funds, however funds have been reserved and dedicated for the purpose of updating and expanding Police Department facilities to meet the growing needs of the community.

**Memorandum of Understanding between the  
City of Lacey and St. Martin's Abbey**

**Police Station Property**

This Memorandum of Understanding is made and entered into as of the date of the last signature hereon by and between the City of Lacey, a municipal corporation (hereinafter referred to as the "City"), and St. Martin's Abbey, (hereinafter referred to as the "Abbey"), together referred to as the "Parties," for the purpose of outlining agreed upon terms and conditions required for the sale of certain property to be used for a Police Station.

WITNESSETH:

**WHEREAS**, the City desires to purchase the approximately 11.96 acre portion of property (herein the "property"), as described on Exhibit "A," attached hereto, from the Abbey for the purpose of constructing and operating a new Police Station; and

**WHEREAS**, the City has obtained an appraisal of the property and the fair market value of the fee simple interest in the property as determined by the appraiser is \$4,040,000; and

**WHEREAS**, the City desires to purchase the property for the appraised price but does not want to incur any additional costs in design/feasibility of the property absent an agreement to sell from the Abbey; and

**WHEREAS**, the Abbey agrees to sell the property to the City for the appraised price subject to certain terms and conditions; and

**WHEREAS**, the sale of the property is contingent on a successful boundary line adjustment and other certain terms and conditions.

**NOW, THEREFORE**, in consideration of the mutual terms, conditions, covenants, and provisions contained herein, and the mutual benefits received hereunder, the Parties agree as follows:

1. The Abbey agrees to sell the property to the City for the appraised price of \$4,040,000 subject to all of the terms and conditions contained in this Agreement.
2. The City will expeditiously complete its design and determine the feasibility of the property for its intended use as a Police Station and training facility.
3. Subsequent to completion of design and the City's determination of the property's feasibility, the Parties will agree on the exact parcel boundaries to be purchased by the City.

4. The City will facilitate all necessary steps for the appropriate boundary line adjustment (BLA) and assume all costs therefore.
5. Upon completion of the BLA, the Parties will enter into a Purchase and Sale Agreement for the purchase of the property. The Abbey agrees to adjust the purchase price of \$4,040,000 proportionate to any decrease in area of property actually purchased. The Purchase and Sale Agreement shall otherwise contain all of the relevant terms and conditions contained in this Agreement.
6. The City shall continuously use the property for a Police Station and training facility for police purposes and emergency management for the City of Lacey. Provided, the property may not be used as a jail. The parties agree that the property may contain holding facilities for the detention of arrestees for a period not to exceed twenty-four hours, and such holding facilities do not constitute a "jail."
7. Removal of trees for construction of the facility and parking areas shall be minimized to the extent practical and shall be subject to the City of Lacey Urban Forest Management Plan.
8. Individual site development shall meet the following standards:
  - a. The height of any building on the property shall not exceed forty (40) feet nor three stories.
  - b. The maximum site coverage of said premises shall be seventy-five percent, which shall include parking facilities.
  - c. No retail commercial development shall be allowed.
  - d. Building aesthetics will be complimentary to neighboring facilities in style and finishes.
  - e. All telephone, power, gas, cable television, or any other service provided for said property shall be placed underground.
  - f. With the exception of the need for ingress/egress, there shall be retained and maintained to the maximum extent possible the natural buffer of at least 30 feet on College Street and 6<sup>th</sup> Avenue/Abbey Way sides of the site, and a 20 foot natural buffer along I-5.
  - g. Any accessory structure shall be permitted, provided they shall be a maximum height of fifteen (15) feet. Accessory structures greater than fifteen (15) feet may be permitted, subject to design review and approval by the Abbey.
  - h. Storage of materials on the site not explicitly used in support of Police operations is prohibited, and any materials kept on site shall be kept orderly.
  - i. No use shall be made which shall unreasonably increase the fire hazard to adjoining property.
  - j. Emergency communications towers will be permitted for Police purposes. If standalone, any height above 50' is to be agreed upon by both parties; if located on the building, no further review is required. The City will not sell, lease, or allow to be erected or operated any commercial cell/communication towers. Such

equipment shall meet the provisions of LMC 16.68, Wireless Communication Facilities.

- k. Signs shall be located on the premises with the use they are identifying. There shall be one fascia sign or projecting sign for each building. Signs may be luminous, reflecting or illuminating, but no sign shall be flashing or animated. All signs shall meet the provisions of Lacey's Sign Ordinance, LMC 16.75.
    - i. Until which point the facility is constructed, the City may post signage at the main entrance of the site subject to permitting under local regulations promoting the future facility.
  - l. Off-street parking shall meet the minimum standards provided under the City's zoning ordinance and be of limited extent and well landscaped.
9. Access road development from Abbey Way shall meet the following requirements:
- a. A 100 foot allowance has been outlined for this purpose, and was included in the appraised value, with the intention of being adjusted to the minimum extent necessary. The city's intent is that this minimum amount be 60' or less. The BLA will include, and the city will purchase, the minimum amount necessary for an access road. The purchase price will be reduced proportionate to any reduction in property actually purchased.
  - b. The access road will include a secure access gate at the point of entry.
  - c. The access road shall not be connected in any manner that allows free access to current or future additional or reconfigured roads, except with the prior approval of the Abbey.
  - d. The City shall reserve to the Abbey an easement for ingress/egress over the southern three hundred feet (300') of the property for access to adjacent property owned by the Abbey to the East.
  - e. At which time the Abbey begins development of the adjacent property, the secure access gate and associated fencing will be moved back at the city's expense to allow the Abbey access to the adjacent property.
  - f. At which time the adjacent property to the East is developed, the access road may be expanded at the Abbey's expense as appropriate to accommodate vehicle turns and/or pedestrians. At the time of future development, two curb cuts from the new access road, as well as access off Abbey Way will be permitted in accordance with City standards.
10. The City shall be responsible to extend to the project site sewer, water, and other utilities as necessary for servicing the proposed development. The City will also be responsible for bringing 3<sup>rd</sup> Ave SE up to current City standards for roads and to modify traffic signals at 3rd Ave SE and College Street as the need is determined by the City Engineer.

The City will sufficiently size said utilities to also serve the Abbey's immediately adjacent property. Utilities will be sized appropriately for future Abbey development; information regarding scope of future development to adequately size utilities must be provided prior to the start of site design. All costs associated with future Abbey development shall be borne by the Abbey.

11. Access shall be limited to three entrances: (1) the main public entrance from 3<sup>rd</sup> Ave SE; (2) the secure access from 3<sup>rd</sup> Ave SE; and (3) the secure access route to Abbey Way.
12. The Abbey will grant the City an easement for ingress/egress over Abbey Way to access the secure access route to Abbey Way.
13. The Abbey shall retain the ability, at its expense, to access its infrastructure lying underneath Abbey Way to effect repairs and occasional upgrades. All due notifications to the City shall be made to minimize disruptions to the City's police operations.
14. Any fencing to be included on the property will be black in color and will comply with LMC 16.03.070, Fencing standards.
15. Site lighting will complement the project design and shall be oriented to avoid direct glare to adjacent properties in accordance with LMC 14.23.082, Commercial Design Guidelines. Consideration will be given to light shields along the common property line. Security cameras will be utilized throughout the property at the city's discretion.
16. The City will reserve to the Abbey an easement to locate a Freeway Oriented Electronic Reader Board Sign along the northernmost boundary of the site in accordance with LMC 16.75, Sign Regulations, together with any other applicable standards.
17. The City will form a Citizen's Advisory Panel for development of the future Police Station. At least one representative of the Abbey will be invited to participate on the Panel.
18. The Abbey reserves the right to repurchase the above-described property in the manner set forth herein should the City determine to sell said property. Provided, this right of repurchase shall not apply to a sale to be made for purposes of financing where the City retains possession or control of the property under a sale and lease-back or similar arrangement. However, the City shall take all necessary steps in such case to protect the right of repurchase granted herein. The reservation of this right of repurchase shall be exercised in the following manner:

In the event the Grantee shall receive from a third party a bona fide offer to purchase the above-described premises at a specified price and upon specified terms whether such price and terms be first fixed by the Grantee or the third party, and the Grantee shall decide to sell the same for such amount on said terms, the Grantee shall promptly give to the Grantor notice of the price and terms of such offer and of the Grantee's willingness to sell for the amount specified in said offer, Grantor shall not be obligated to purchase, and Grantee may thereafter sell said premises to the party making the offer. If, for any reason, said premises are not sold to such third party, notice of any subsequent bona fide offers acceptable to the Grantee shall be given to Grantor in the same manner for acceptance or rejection as hereinabove provided.

19. All of the covenants, conditions, or restrictions contained herein shall be binding upon the parties hereto, their successors or assigns, and shall run with the land.
20. This MOU shall remain in effect until the Parties enter into a Purchase and Sale Agreement pursuant to Section 5.
21. The terms and conditions of this MOU could be amended or extended by mutual consent of the signing representatives of the Parties.
22. The Parties mutually agree to defend, indemnify and hold the other, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses or suits, including reasonable attorney fees, to the extent caused by each entity's respective negligence in performance of its responsibilities under this Agreement.
23. This Agreement shall be governed by the laws of the State of Washington as to interpretation and performance. The Parties hereby agree that venue for enforcement of this Agreement shall be the Superior Court of Thurston County.

**IN WITNESS WHEREOF**, the Parties hereto have entered into this Memorandum of Understanding this \_\_\_\_\_ day of March, 2022.

CITY OF LACEY

ST. MARTIN'S ABBEY

By: \_\_\_\_\_  
Scott Spence, City Manager  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
\*\*\*\*\*  
Date: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
David Schneider, City Attorney

FINANCE & ECONOMIC DEVELOPMENT COMMITTEE MINUTES  
FEBRUARY 22, 2022  
8:30 A.M. – 9:15 A.M.  
REMOTE ONLY

To hear the full discussion of a specific topic, or the complete meeting, you may watch the video-stream available on the City of Lacey's YouTube Channel: <https://youtu.be/lADoi86s15g>

COUNCIL PRESENT: MAYOR RYDER (CHAIR), DEPUTY MAYOR MILLER, COUNCILMEMBER GREENSTEIN

STAFF PRESENT: SCOTT SPENCE, TROY WOO, PERI EDMONDS

ACTION: APPROVE FINANCE & ECONOMIC DEVELOPMENT COMMITTEE AGENDA  
MOTION: MOTION MADE, SECONDED, AND CARRIED BY COUNCILMEMBER GREENSTEIN AND DEPUTY MAYOR MILLER

**2022 BUDGET AMENDMENT UPDATE**

STAFF: TROY WOO, FINANCE DIRECTOR  
ACTION: INFORMATION ONLY

Staff provided an update on significant 2022 budget amendments identified since the adoption of the 2022 Budget:

**Current Expense Fund (General Fund)**

- Workforce:
  - o Human Resources: Limited-term HR Specialist
  - o Finance: Payroll/Accounting Services Specialist
  - o Finance: Department Assistant
- Move the administration of the business licensing and B&O tax from the Utility Division to the Accounting Division
- TOGETHER! Host Homes Program
- Lacey Veteran Services Hub computers and computer lab furniture
- Electrical ARC Flash Study (shared with Wastewater Operations Fund and Water Operations Fund)
- Regional Climate Mitigation Plan – Phase 4

#### Regional Athletic Complex Fund (General Fund)

- Regional Athletic Complex Irrigation Meter – 2022 Budget adjustment and transfer of reserves from current expense fund

#### Capital Equipment Fund (General Fund)

- Technology and workspace investments relating to post-pandemic workplace

#### Arterial Street Fund

- Secured additional transportation grant funding:
  - o Surface Transportation Block Grant funds - roundabout at Willamette Drive and Campus Glen Drive
  - o Surface Transportation Block Grant funds - College Street Corridor Improvements Phase 4

#### Building Improvement Fund

- Lacey Museum and Cultural Center Project – demolition phase
- Community and Economic Development Department - minor office remodel due to department growth

#### Parks and Open Space Fund

- Greg Cuoio Park and Greenways Master Plan Phase 1A – design costs

#### Water Operations Fund

- Electrical ARC Flash Study (shared with General Fund and Wastewater Operations Fund)
- Limited-term employee staff for Utility Billing Division:
  - o Three limited-term Automated Meter Infrastructure Technicians
  - o One limited-term Department Assistant III.
- Meter supplies and system upgrade

#### Wastewater Operations Fund

- Electrical ARC Flash Study (shared with General Fund and Water Operations Fund)

#### Joint Animal Services

- Increase to Thurston County service levels resulting in budget increase

Due to the significant budget amendments, staff will present a budget amendment ordinance to the full City Council in March or April instead of waiting for the annual budget amendment ordinance scheduled for September.

### **2021 BUDGET CARRYOVERS**

STAFF: TROY WOO, FINANCE DIRECTOR  
ACTION: RECOMMEND TO THE FULL CITY COUNCIL ADOPTION OF THE 2021 BUDGET  
ENCUMBRANCE CARRYOVER ORDINANCE  
MOTION: MOVED AND SECONDED BY COUNCILMEMBER GREENSTEIN AND DEPUTY  
MAYOR MILLER. MOTION CARRIED.

Staff provided details of the re-appropriation of funds from the 2021 fiscal year budget to the 2022 budget. The encumbrance and capital carryover requests are limited to purchase orders that were initiated in the previous year and capital projects that were authorized in the previous year's budget. Outstanding purchase order carryover requests are limited to significant (over \$2,500) unfilled material, equipment, and supply orders. Capital project carryover requests do not have a dollar threshold. The funds requesting the carryovers must have adequate fund balance before the requests can be granted.

The Committee suggested starting preliminary conversations with retail grocers to discuss effective ways to secure shopping carts to help minimize the number being left in the community.

LAND USE & ENVIRONMENT COMMITTEE

FEBRUARY 22, 2022

10:30 A.M. – 11:01 A.M.

REMOTE ONLY

To hear the full discussion of a specific topic, or the complete meeting, you may watch the video-stream available on the City of Lacey's YouTube Channel: <https://youtu.be/ZjNMrB0XFNY>

COUNCIL PRESENT: COUNCILMEMBER COX (CHAIR), COUNCILMEMBER GREENSTEIN,  
COUNCILMEMBER VAZQUEZ

STAFF PRESENT: SCOTT SPENCE, RYAN ANDREWS, GRANT BECK, PERI EDMONDS

ACTION: APPROVE THE LAND USE & ENVIRONMENT COMMITTEE AGENDA

MOTION: MOTION MADE, SECONDED, AND CARRIED BY COUNCILMEMBERS GREENSTEIN  
AND VAZQUEZ

**TREE PERMIT EXEMPTION REGULATIONS**

STAFF: RYAN ANDREWS, PLANNING MANAGER

ACTION: INFORMATION ONLY

Proposed revisions to Lacey Municipal Code (LMC) 14.32 for tree permit exemptions were presented to the Committee. If adopted, the proposed permit language contained in LMC 14.32.050.D. will still allow for individual lots to be exempt from land clearing permit requirements, provided the tree density minimums of four (4) trees per 5,000 square feet are maintained either with the number of trees retained on site or through replanting to meet the minimum ratio. This will still allow for typical tree removals to receive over-the-counter permits for removals. The only additional requirement would be for requests of more than five (5) trees to be removed on a lot. For those requests, the applicant must have a tree report completed by the City's arborist. The report will allow the arborist to provide additional field education and outreach while also assessing the individual site and surroundings.

This item will be presented to the full Council at the March 17, 2022, City Council meeting.

COMMUNITY RELATIONS & PUBLIC AFFAIRS COMMITTEE MINUTES

MARCH 7, 2022

11:00 A.M. – 11:34 A.M.

REMOTE ONLY

To hear the full discussion of a specific topic, or the complete meeting, you may watch the video-stream available on the City of Lacey's YouTube Channel: <https://youtu.be/jbjfAGoubus>

COUNCIL PRESENT: COUNCILMEMBERS KUNKEL (CHAIR ALTERNATE) AND COX

COUNCIL EXCUSED: COUNCILMEMBER STEADMAN

STAFF PRESENT: SCOTT SPENCE, JEN BURBIDGE, SHANNON KELLEY-FONG, KELLY ADAMS, ELISSA FONTAINE

ACTION: APPROVE COMMUNITY RELATIONS & PUBLIC AFFAIRS COMMITTEE AGENDA

MOTION: MOTION MADE, SECONDED AND CARRIED BY COUNCILMEMBERS COX AND KUNKEL

**NEW CITY AND PARKS DEPARTMENT WEBSITES**

STAFF: SHANNON KELLEY-FONG, ASSISTANT CITY MANAGER  
JEN BURBIDGE, PARKS, CULTURE & RECREATION DIRECTOR  
KELLY ADAMS, SPECIAL PROJECTS ADMINISTRATOR

ACTION: INFORMATION ONLY

Kelly Adams, Special Projects Administrator, presented on the new City website and provided previews and updates for the project

The new website focuses on syndication and public services. Next steps for project leaders is to meet and work with department teams and the developer to finalize content.

Jen Burbidge, Parks, Culture & Recreation Director, also provided an update on the new Parks, Culture & Recreation Department website. The new department website includes the updated branding, and also focuses on syndication and public services.

Staff advised the project is anticipated to go live by the end of March 2022.