

STAFF REPORT

Date: August 16, 2022
To: City of Lacey Hearings Examiner
From: City of Lacey Community Development Department
Subject: Project #21-383; City of Lacey Lift Station #3 Replacement; Conditional Use Permit Request

I. GENERAL INFORMATION

- A. Applicant/Property Owner:
City of Lacey
420 College Street SE
Lacey, Washington 98503
- B. Authorized Representative:
Puna Clarke, P.E, Public Works Department
360.459.4494

II. DESCRIPTION OF PROPOSAL

Construct a new wastewater lift station and related infrastructure for the City of Lacey. Project includes the lift station and related infrastructure necessary for the project including wet well, electrical building, valve vault, and access road.

III. LEGAL DESCRIPTION OF SUBJECT PARCEL

The project is located at 4406 26th Ave. SE, Lacey, WA 98503. Parcel 63500202000. Site is legally described as Lot 20 in Block 2 of Mt. View Estates, as Recorded in Volume 12 of Plats, Page 61. Section 29, Township 18N, Range 1W.

IV. SITE PLAN INFORMATION

Project Size: The lift station is proposed to be located on a tract 9,583 square feet in size. The lift station itself including all paved area is proposed to occupy 5,780 square feet of the lot. The southern and eastern faces of the facility will be landscaped with type one landscape screening.

Site Characteristics: The site is approximately 9,583 feet in size. The site is a cleared lot that previously had a single-family home and substation equipment located on it. There are residential single-family homes located to the north, south, east and west of the site.

Zoning: The property is zoned Low Density Residential. Permitted uses within the Low Density Residential zoning are those which provide a broad range of residential housing and encourage a plan for the availability to public services and utilities. Conditional uses are permitted as provided in Chapter 16.66, "Conditional Uses and Permits," of the Lacey Municipal Code, and

subject to review and approval through the quasi-judicial application procedures outlined in the Development Guidelines and Public Works Standards.

V. ENVIRONMENTAL EVALUATION

The environmental checklist for this project has been reviewed and a determination of non-significance was issued on June 29, 2022. The Optional DNS process was used and the comment period for the project began on May 24, 2022 and ended on June 7, 2022. Notice of the comment period was given by posting the site and publishing a notice in The Olympian. The City received comments on the environmental checklist from the Department of Ecology. These comments are attached as exhibits to this report. A Determination of Non-significance (DNS) was issued in accordance with the procedures of WAC 197-11-355 and RCW 43.21C. The DNS is attached as Exhibit #12.

VI. APPLICABLE COMPREHENSIVE GOALS AND POLICIES

The City of Lacey and Thurston County Land Use Plan for the Lacey Urban Growth Area: This document, known as the comprehensive land use plan, was prepared as a joint planning document by the City of Lacey and Thurston County for Lacey and the Lacey Urban Growth Area. There are other general policies in the Comprehensive Land Use Plan, which could apply, but the issues they cover are specifically detailed in the Lacey Zoning Ordinance, which is reviewed in the next section VII. The following sections of the Comprehensive Plan apply to this proposal:

- A. Growth Management Act Land Use Goals and County-Wide Planning Policies (Section III)
"Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner."

- D. Environmental Quality (Section VI.G)
Goal 1. "All residential development should complement natural resources and environmentally sensitive areas."
Policy 1.a. "Development shall be consistent with the Lacey Environmental Protection and Resource Conservation Element."

- H. Utilities and Capital Facilities (Section VI.N.)
Policy 1.a. "All proposed development should be analyzed for anticipated impact on utilities and services, either as an element of the site plan review, subdivision review, or as part of the environmental impact assessment."
Policy 1.b. "Preference should normally be given to providing adequate public facilities to settled areas, rather than extending new services to sparsely settled or undeveloped areas."

- I. Water Resources (Section VI.O.)
Policy 1.b. "Ensure that new development is in conformation with and requirements and standards of the Drainage Design and Erosion Control Manual for Thurston Region."

VII. APPLICABLE MUNICIPAL CODE STANDARDS

The following table depicts the applicable sections of the Lacey Municipal Code and if the project complies with the standards or if the project complies with the standards once staff conditions are imposed.

- Title 14 - Buildings and Construction
 - Chapter 14.23 - Design Review
 - Chapter 14.24 - Environmental Policy
 - Chapter 14.27 - Stormwater Management
 - Chapter 14.32 - Tree and vegetation Protection and Preservation

- Title 16 – Zoning
 - Chapter 16.03 - General Provision
 - Chapter 16.13 – Low Density Residential
 - Chapter 16.57 - Environmental Performance Standards
 - Chapter 16.66 – Conditional Uses and Permits
 - Chapter 16.80 - Landscaping Requirements

VIII. NOTIFICATION

The application for Conditional Use Permit was received on April 22, 2022 and was deemed complete pursuant to RCW 36.70B.070 on May 24, 2022. The Notice of Complete Application had a 14-day comment period that ended on June 7, 2022. A notice was published in The Olympian and the site was posted with the notice of complete application. The notice is application is attached to this report as Exhibit #11. The City received comments from the Department of Ecology, the Olympic Region Clean Air Authority (ORCAA), and the City of Lacey Public Works. These comments are attached to this report as exhibits #14, #15 and #16.

Written notice of the public hearing was sent to all property owners within 300 feet of the site on August 11, 2022, and notice was published in The Olympian on August 15, 2022, at least 10 days prior to the public hearing. Notice was posted on-site on August 11, 2022.

IX. COMMUNITY DEVELOPMENT DEPARTMENT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, the required findings and general provisions of the Zoning ordinance of the Lacey Municipal Code (LMC).

Project Background

The City of Lacey Public Works Department has submitted an application for a conditional use permit to relocate and replace an existing sanitary sewer lift station that is currently located on the proposed project site. The existing lift station is in need of upgrades to meet current standards and has poor access for maintenance crews and vehicles creating the potential of safety risks to City of Lacey employees. The City seeks to replace the lift station and relocate it

directly east of the existing pump station. The current lift station will not be fully demolished but will be decommissioned.

The site is approximately 9,583 square feet and the lift station will occupy approximately 5,780 square feet of the site, this includes all paved areas. A typical lift station requires a 5,000 square foot footprint in order to provide adequate space for the lift station appurtenances and room for maintenance staff and service vehicles. The current design is slightly larger than the typical footprint to allow for safe access and departure for maintenance crews off of and onto 26th Avenue and Gold Club Rd. The majority of the structures associated with the lift station are located below ground; those items include:

- Wet well; concrete structure where the pumps are located and wastewater is collected and moved, using pumps and pipelines
- Valve vault; concrete structure with a maximum interior depth of 4-feet from floor to hatch with valves from the wet well to the wastewater force main
- Wastewater force main; pressurized wastewater line to convey wastewater from the lift station
- Wastewater gravity line; non-pressurized wastewater line to convey wastewater to the lift station
- Water service line; potable water line to provide water to the lift station to maintain and irrigate the lift station

Above ground structures include safety railings around the wet well, site lighting, an electrical isolation control pedestal, an electrical control building, and an emergency generator which operates during power outages and during monthly testing. All lighting on site will be shielded and directed towards the ground, landscape screening and distance from other facilities will render lighting as unnoticeable.

Essential Public Facilities:

The lift station is considered an essential public facility under the City of Lacey Zoning Ordinance. Chapter 16.66.060 C allows the City of Lacey to determine the classification of essential public facilities based on the approximate area of within which the project could potentially have adverse impacts. Because of the small service area of the lift station the City of Lacey has determined this to be a Type III public facility. A Type III essential public facility is reviewable through the conditional use permit process, and early notification of adjacent residents is not required.

Zoning Standards and Conditional Uses:

Pursuant to Lacey Municipal Code 16.66 Conditional Uses and Permits, sanitary sewer lift stations are considered an essential public facility and a public utility allowed to be sited in any zoning district through the conditional use permit review process. The intent of allowing uses by a conditional use permit is to provide an opportunity to locate certain types of uses, services and facilities that, because of their unique characteristics, cannot (or should not) be limited to specific land use classification districts.

The conditional use permit process allows modifications to certain zoning standards when warranted (LMC 16.66.050). LMC 16.66.050 establishes that the design standards established for the overlying zoning district shall be the initial base of reference in determining the design standards for conditional uses in the same district. The enforcing officer is authorized to vary the design of the district for a conditional use when such alteration or variation is found to be reasonable. Some of the design standards that may be altered include:

1. Size and shape of lots (minimum area, width, depth, setbacks, and building heights);
2. Maximum building coverage
3. Maximum development coverage
4. Off-street parking and loading
5. Landscaping, buffering and screening

In the case of lift station #3, the City is requesting an alteration of required landscape standards. Typically, a 15-foot type one landscape buffer to be planted as a screening buffer. However, the size of the subject lot and the required size of the lift station footprint make accommodating a 15-foot buffer on all sides of the lift station a challenge. The applicants have proposed a 15-foot buffer on the north and east facing side of the lift station with small portions of the buffer being reduced for access walkways for maintenance staff. A preliminary landscape plan was submitted for the project (Exhibit #13).

Compatibility and Impact of Proposal on Surrounding Area:

Overall a sanitary sewer lift station has very little impact on the surrounding area. Noise on site will be limited to maintenance visits and service of the lift station by staff, and occasionally when the generator is tested or has to run in the event of a loss of power. The City will be required to ensure that noise generated by the facility meets the noise requirements of LMC 16.57 “Environmental Performance Standards”; a condition has been included that would require the facility meet the requirements of this chapter.

In terms of odor control, if a lift station is functioning as designed and waste is moving through the facility, odor is typically not an issue. The existing lift station has not had odor problems. All lift stations constructed within the City of Lacey must be designed to conform to standards identified in the City of Lacey Development Guidelines and Public Works Standards as well as to the Washington Department of Ecology’s “Criteria for Sewage Works and Design”. The standards in these manuals include controls to ensure that odor does not become an issue.

Fencing and landscape buffers are required in order to mitigate any potential aesthetic concerns. A Type I landscape buffer will be required. Type 1 landscaping includes a requirement for screening type landscape surrounding the lift station. Screening landscape includes a mixture of both trees and shrubs and is intended to provide a dense landscape screen between incompatible land uses. The applicant should be required to coordinate with the City of Lacey Forester to ensure that species selected will not negatively impact the function of the lift station or introduce burdensome maintenance needs.

Approval of the facility will allow the City to replace the current infrastructure required to serve this portion of the City. Impacts to the area will generally be those associated with maintenance of the facility by staff, which takes place monthly or when necessary, and the operation of the generator which will typically only take place in emergency situations or during maintenance. Due to the previous existing nature of the site, very little to no impact is anticipated by the relocation of the lift station and conditions are included that are intended to mitigate any potential impacts that may occur as a result.

As proposed, and with conditions as recommended by staff, staff believes the proposal is consistent with the goals and policies of the Lacey Comprehensive Plan. Care should be taken, however, to ensure that the minimum provisions of the ordinance requirements are satisfied or exceeded.

X. HEARING EXAMINER AUTHORITY

The Hearings Examiner has the responsibility and authority to recommend action to the City Council on Conditional Use Permits. Pursuant to section 2.30.140 of the Lacey Municipal Code, the Examiner has the authority to render a decision on the application which may be to grant, deny, or grant with such conditions, limitations, modifications and restrictions as the Examiner finds necessary to make the application compatible with its environment, the comprehensive plan, other official policies and objectives and land use regulatory enactments.

XI. SUMMARY OF STAFF ANALYSIS

Staff finds that the proposed Conditional Use Permit is consistent with the City Comprehensive Development Plan, the City Zoning Code, and other applicable codes and regulations provided that the conditions recommended below, under Section XII, are implemented.

XII. STAFF RECOMMENDATIONS CONCERNING ACTION ON THE PROPOSED CONDITIONAL USE PERMIT APPLICATION:

Based upon the above analysis, city staff recommends approval of the Conditional Use permit. The project shall proceed in substantial conformance with the plans on file, except as modified below:

Community Development Department:

1. The project shall proceed in substantial conformance with the plans on file, received April 22, 2022 except as may be modified by the conditions herein.
2. All landscaping installed in the buffers shall be irrigated with a temporary or permanent irrigation system. An irrigation plan shall be submitted to the City of Lacey Community Development Department for review and approval.

3. Site lighting shall be directed downward so as to ensure that lighting does not cross property lines. This shall require installing a light shield to ensure that lighting is directed downward.
4. The requirements of LMC 16.57 Environmental Performance Standards shall be met.
5. A note shall be placed on the face of the landscaping and irrigation plans stating that any irrigation lines placed within tree protection zones established for the project must be installed in such a manner as to not cause damage to the root protection zone, such as by cutting roots, digging trenches, operation of machinery, etc. Special care must be taken (hand digging trenches, designing lines to stay out of these areas where possible, etc.) to ensure damage to the trees does not occur. In the event damage to these areas does occur, the city may require, at their discretion, replacement of the comparable landscape value of the trees damaged or other means to make up that loss. (LMC 16.80).
6. On site tree protection must follow in accordance as outlined in the "Tree Protection Plan" provided by Sound Urban Forestry dated 2/9/2022.
7. All applicable requirements of the City Zoning Code shall be satisfied (LMC Title 16).
8. The applicant/developer shall be responsible for obtaining all applicable permits which may be required by outside agencies or departments; these may include National Pollutant Discharge Elimination System Permit (NPDES), and any others. These permits will require additional review time from the appropriate agencies.
9. All requirements of the international building and fire codes adopted by the City of Lacey shall be met.

Olympia Region Clean Air Authority

10. All permit requirements of the Olympic Region Clean Air Authority (ORCAA) shall be satisfied.
11. If the engine powering the emergency generator has a rating of 500 horsepower (373kW) or greater, a permit from ORCAA is required. Contact the ORCAA if the engine exceeds the specified horsepower for permit requirements.
12. Stationary internal combustion engines with a rated capacity of 50 hp or greater, and used for non-emergency purposes, require approval by ORCAA through a Notice of Construction application.

Public Works Department

Water Improvements:

13. This application requires the installation of a Reduced Pressure Backflow Assembly device for each domestic meter. If the existing domestic meter is not equipped with a Reduced Pressure Backflow Assembly device, one shall be installed with the proposed improvements. (City of Lacey 2017 DG & PWS, Appendix P)
14. In addition to all Federal and State requirements, water system improvements shall meet the requirements of the current City of Lacey City of Lacey Development Guidelines and Public Works Standards Manual, the Coordinated Water System Plan (CWSP), Department of Health (DOH), City of Lacey Water System Plan, AWWA, Department of Ecology, Thurston County Environmental Health and City of Lacey Fire Code Official's standards.

Sewer Improvements:

15. Sewer improvements as needed to support the lift station shall be installed.
16. Sanitary sewer improvements associated with this project shall meet the requirements of the City of Lacey Comprehensive Sanitary Sewer Plan, Thurston County Health Department, Washington State Department of Health (DOH), the LOTT Clean Water Alliance and Department of Ecology. (DG&PWS, Sewer 7A.010 and Subdivisions and Short Plat 2-21)

Stormwater Improvements:

17. In addition to all Federal and State stormwater requirements, this project shall comply with the current City of Lacey Development Guidelines and Public Works Standards Manual and the City of Lacey 2016 Stormwater Design Manual (LMC 14.27). Stormwater drainage and erosion control submittals shall be in conformance with the formatting and content requirements described in Chapter 3 of the 2016 Stormwater Design Manual.
18. Treatment and infiltration/flow control facilities shall be constructed for stormwater associated with the site, adjacent properties currently discharging to the site, and half-street stormwater associated with Golf Club Road and 26th Avenue.
19. In conformance with the City of Lacey 2016 Stormwater Design Manual, soil quality and depth design criteria shall be incorporated into the site design and construction.
20. A Construction Stormwater Pollution Prevention Plan (SWPPP) shall be submitted to and approved by the City prior to beginning site work or construction of the project. A complete SWPPP consists of both a narrative report and a temporary erosion and sediment control plan drawing. Each of the 13 SWPPP Elements as identified in Chapter 5 of the City of Lacey 2016 Stormwater Design Manual shall be addressed and included in the construction SWPPP. If site conditions render any SWPPP elements unnecessary, exemptions for each element shall be clearly justified in the narrative report.

Transportation:

21. A Deferral of Frontage Improvements agreement is required for frontage improvements along Golf Club Road and 26th Avenue. Golf Club Road is classified as a Minor Collector Type II roadway and 26th Avenue is classified as a Major Local Residential roadway.
22. Access shall be provided to the property as determined and approved by the City. All access points shall meet minimum access spacing, minimum corner clearance, sight distance and minimum or maximum width requirements as outlined in the Development Guidelines & Public Works standards. (DG & PWS, Transportation 4B.025)

Survey Requirements:

23. The City of Lacey Coordinate System is a ground scale coordinate system derived from the Washington Coordinate System, NAD 83/91. Units are expressed in feet. Data can be obtained from Lacey Public Works Department. Civil drawings shall be submitted utilizing the City of Lacey Coordinate System. (DG&PWS 3.025)
24. City of Lacey Vertical Datum has elevations referenced to the National Geodetic Vertical Datum of 1929 (NGVD29). Units are expressed in feet. A benchmark listing can be obtained from Lacey Public Works Department. Civil drawings shall be submitted utilizing the City of Lacey Vertical Datum. (DG&PWS 3.025)
25. Right-of-Way shall be set aside to assure future frontage improvements may be installed to the required roadway standards. Right-of-Way shall be dedicated in conformance with the City or Regional Transportation plans, by the approved Traffic Impact Analysis, to accommodate modifications to existing curb ramps/driveway cuts upgrading them to current Americans with Disabilities Act requirements or as determined by Public Works. Dedications shall be determined by a professional Land surveyor. Dedication shall be submitted and approved by the City prior to plan approval (DG&PWS, Transportation 4B.060).

Other

26. All improvements shall satisfy City of Lacey Development Guideline Standards in place at the time complete application is obtained (Complete application is determined by the City of Lacey Community Development Department). (LMC)