

Thurston County Community Planning and Economic Department

Community Planning Division

# THURSTON COUNTY-TUMWATER PLANNING COMMISSION DRAFT

## AIRPORT OVERLAY

### Chapters 20.03, 20.30D, 22.04 and 22.32

<b>Chapter:</b>	<b>20.03 (Attachment A)</b>
	<b>20.30D (Attachment B) – NEW chapter</b>
	<b>22.04 (Attachment C)</b>
	<b>22.32 (Attachment D) – Repeal and Replace</b>

Deleted Text:	<del>Strikethrough</del>	Proposed Changes:	<u>Underlined</u>
Staff Comments:	<i>Italics</i>	Unaffected Omitted Text	...

*These proposed code amendments are associated with the Tumwater Joint Plan update. Revisions to the existing Airport Hazard Overlay Zone (TCC 22.32) and addition of a new Airport Hazard Overlay Zone in rural County (Title 20) is a recommended implementation action within the Tumwater Joint Plan. Changes will result in amendments to Chapters 20.03 and 22.04 TCC, addition of a new chapter to Title 20 (TCC 20.30D), and a repeal and replacement of Chapter 22.32 TCC.*

## **Attachment A – Thurston County Zoning Ordinance (Title 20)**

*Chapter 20.03 TCC has proposed amendments to include new definitions relevant to the new proposed Chapter, 20.30D TCC.*

### **Chapter 20.03 – STRUCTURE, INTERPRETATION AND DEFINITIONS**

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#### **20.03.040 - Definitions.**

The following definitions shall be used in the interpretation and administration of this title. The definition of various terms as presented in this section does not necessarily represent the same definitions as may be found for the same terms in other chapters of the Thurston County Code.

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7. Automobile Service Station. See "Service station."

7.2 "Aviation use" means any runway, taxiway, connector, apron or heliport designed for the landing and taking off of aircraft, transfer of passengers and/or cargo, surface access, and other support facilities typically associated with airports, including: hangars, control towers, communication and maintenance facilities, operations area, airport fueling facilities, fixed-based operators (FBO) and passenger and cargo terminals (including retail and eating and drinking establishments located within a terminal or FBO building).

7.5 "Bare root nursery" means an area for the cultivation and propagation of trees, shrubs, and plants which are grown in the ground and not in containers.

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116. "Rifle, pistol or archery range" means a facility operated by a community, a club or a professional association for purposes of rifle, pistol or archery practice.

#### 116.2 "Runways", as applied in the Airport Overlay Zone

(a) "Precision instrument runway" means a runway that is designed to provide an approach path for exact alignment and descent of an aircraft on final approach using vertical and horizontal navigational aid equipment.

(b) "Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures.

116.5 "Rural character" means the patterns of land use and development established by the rural element of the Thurston County Comprehensive Plan:

- (a) In which open space, the natural landscape, and vegetation predominate over the built environment;
- (b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- (c) That provide visual landscapes that are traditionally found in rural areas and communities;
- (d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- (e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- (f) That generally do not require the extension of urban governmental services; and
- (g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.

## **Attachment B – Thurston County Zoning Ordinance (Title 20)**

*A new chapter is proposed to be added to Title 20 of the Thurston County Code to apply the Airport Hazard Overlay to the rural, unincorporated county.*

### **Chapter 20.30D - AIRPORT HAZARD OVERLAY (AH)**

#### Sections:

20.30D.010 Intent.

20.30D.020 Statutory authority.

20.30D.030 Applicability.

20.30D.040 Description of airport runways.

20.30D.050 Description of overlay zone.

20.30D.060 Preexisting uses.

20.30D.070 Prohibited uses within compatible use zones.

20.30D.080 Development standards.

#### **20.30D.010 Intent.**

The intent of the airport hazard overlay zone (AH) district is to identify and establish those areas of the unincorporated rural county which are most affected by the Olympia Airport, to protect the viability of Olympia Regional Airport as a significant resource to the community by encouraging compatible land uses and densities, and to reduce hazards that may endanger the lives and property of the public and aviation users. The airport hazard overlay zone (AH) district identifies a series of compatible use zones designed to minimize such hazards.

#### **20.30D.020 Statutory authority.**

This chapter is adopted pursuant to RCW 36.70.547 and 36.70A.510, as written or hereafter amended, that require a county, city or town to enact development regulations to discourage the siting of incompatible land uses adjacent to general aviation airports.

#### **20.30D.030 Applicability.**

Provisions of this chapter shall apply to all lands, buildings, structures, natural features and uses located within the airport hazard overlay zone district (AH) as depicted on Figure 22.32.050, except that the provisions of this chapter shall not apply to any use that is defined as an aviation use pursuant to TCC Chapter 20.03. All uses and activities are at all times subject to the underlying zoning district. Where the requirements and restrictions imposed by the airport overlay zone district conflict with the requirements of the underlying zone district, the more restrictive requirements shall be applied.

**20.30D.040 Description of airport runways.**

Olympia Regional Airport provides two aircraft runways. Runway characteristics are provided in Figure 20.30D.040.

**Figure 20.30D.040 – Runway Characteristics**

<b>Runway Identification</b>	<b>Runway Type</b>	<b>Approach/Departure Direction</b>	<b>Runway Length</b>	<b>Runway Width</b>
17-35	Precision Instrument <sup>1</sup>	North/South	5,500 Feet <sup>2</sup>	150 Feet
8-26	Visual <sup>1</sup>	East/West	4,157 Feet	75 Feet

- (1) See TCC Chapter 20.03 for the definition of runway types.
- (2) Runway pavement length is six thousand one hundred feet.

**20.30D.050 Description of overlay zone.**

An airport (AP) overlay zone district is applied that is comprised of five compatible use zones. The compatible use zones are established to carry out the provisions of this chapter and to promote land use compatibility on lands within, adjacent to and in the vicinity of Olympia Regional Airport. The five compatible use zones delineated in Figure 20.30D.050 consist of the following:

- A. Zone 1: Runway Protection Zone.
- B. Zone 2: Inner Approach/Departure Zone.
- C. Zone 3: Inner Turning Zone.
- D. Zone 4: Outer Approach/Departure Zone.
- E. Zone 5: Sideline Zone.

**20.30D .060 Preexisting uses.**

- A. Nothing contained herein shall require any change in the construction or alteration of any structure, if the construction or alteration of such was vested pursuant to TCC prior to the effective date of this chapter.
- B. Destruction. The owner of any preexisting use or structure legally constructed prior to the effective date of this chapter which, as a result of fire, explosion or other casualty is destroyed, shall be allowed to rebuild, reconstruct or rehabilitate the same preexisting use of the same size (gross square feet) on the same parcel, provided the use complies with the following:

1. The use complies with the height standards of the underlying zoning district;
2. The use is permitted in the underlying zoning district.

C. Expansion of Preexisting Uses. Any preexisting use legally constructed prior to the effective date of this chapter may be expanded, altered or otherwise enlarged if the use meets the following:

1. The use is not listed as a prohibited use by other sections of this chapter;
2. The use complies with the standards set forth in TCC 20.30D.080;
3. The use complies with the height standards of the underlying zoning district;
4. The use is permitted in the underlying zoning district.

**20.30D.070 Prohibited uses within compatible use zones.**

Uses listed in this section are prohibited, except for those uses permitted pursuant to TCC 20.30D.060. A use or building is deemed to be within the applicable compatible use zone if any portion of the use or building touches or extends into the applicable zone. The mere application of the zone on a tract of land upon which such use or building is located or proposed to be located shall not prohibit otherwise authorized development on the portion of the tract outside of the zone.

A. ALL Zones 1-5 – Prohibited Uses.

The following uses are prohibited in all zones:

- a. Create lighting that diminishes the ability of pilots to distinguish between airport lights and nonairport lights;
- b. Create electrical interference with navigational signals or radio communication between the airport and aircraft;
- c. Create dust, smoke or other emissions that result in impairment of visibility for pilots.

B. Zone 1 – Runway Protection Zone – Prohibited Uses.

1. Residential dwellings;
2. Stormwater wet ponds;
3. Active recreational facilities;
4. Schools, preschool/child care facilities, child day care centers, churches, hospitals, senior housing facilities, rest homes and group foster homes;

C. Zone 2 – Inner Approach/Departure Zone – Prohibited Uses.

1. Multifamily dwellings;
2. Active recreational facilities;
3. Schools, preschool/child care facilities, child day care centers, churches, hospitals, senior housing facilities, rest homes and group foster homes;

D. Zone 3 – Inner Turning Zone – Prohibited Uses.

1. Multifamily dwellings;
2. Active recreational facilities;
3. Schools, preschool/child care facilities; child day care centers; churches, hospitals, senior housing facilities, rest homes and group foster homes;

E. Zone 4 – Outer Approach/Departure Zone – Prohibited Uses.

1. Multifamily dwellings;
2. Schools, preschool/child care facilities; child day care centers; churches, hospitals, senior housing facilities, rest homes and group foster homes;

F. Zone 5 – Sideline Zone – Prohibited Uses.

1. Multifamily dwellings;
2. Schools, preschool/child care facilities; child day care centers; churches, hospitals, senior housing facilities, rest homes and group foster homes;

**20.30D.080 Development standards.**

Development standards are necessary to protect the health, safety, welfare and quality of life of the general public, property owners, airport operators, and aviation community, and also to ensure compatible land uses in the vicinity of the airport. Development standards imposed within the airport overlay zone district are in addition to the development standards of the underlying zoning district. Where standards imposed by the airport overlay zone district conflict with the standards of the underlying zone district, the more restrictive standard shall be applied. Mixed use development that propose both residential and nonresidential uses must meet applicable standards in both subsections below.

A. Residential Standards. Residential land divisions of one acre or more located within compatible use zones 3, 4 or 5 shall meet the following standards:

1. The land division is approved as a clustered development with the residential lots located as far away from the runway centerline as possible;

2. An open space area is provided on the project site. The purpose of this open space area is to provide sites that are suitable for the emergency landing of aircraft. The required minimum size of this open space area is one-half acre or ten percent of the gross site area, whichever is greater. This open space area may be used to fulfill other applicable open space/park requirements for residential developments; provided, that active recreation facilities and aboveground stormwater ponds and infiltration facilities shall not be located in this open space area. This open space area should be contiguous to other open space areas within or adjacent to the project site, and may include wetlands and their buffers and other critical areas.

B. Nonresidential Standards. All nonresidential developments and uses shall meet the following intensity standards; provided, however, that these standards do not apply to preexisting uses as described in TCC 20.30D.060(B). The building code as adopted by City of Tumwater Thurston County shall be used for determining the building occupant load factor. For developments proposing two or more uses, the calculation must incorporate the occupant load factor and acreage for the entire development. For developments involving land or buildings split by a compatible use zone boundary, only that portion of the land or building(s) located within the compatible use zone shall be subject to the standards below.

1. Zone 1: twenty people per acre maximum;

2. Zone 2: sixty people per acre maximum;

3. Zone 3: one hundred twenty-five people per acre maximum;

4. Zone 4: one hundred thirty-five people per acre maximum;

5. Zone 5: one hundred fifty people per acre maximum;

6. Intensity Bonus. Land development proposals located in compatible use zones 2, 3, 4, or 5 that exceed the intensity standards set forth in subsections (B)(2) through (5) of this section may be considered for approval through the ~~conditional~~ special use permit process.

People per acre shall be calculated as follows:

Step 1. Building size (gross square feet) divided by occupant load factor (square feet per occupant as set forth in the building code) equals maximum building occupancy.

Step 2. For retail and office uses only: maximum building occupancy multiplied by 0.50 equals adjusted maximum building occupancy.

Step 3. Maximum building occupancy divided by gross site acreage equals people per acre.

Note: A parking structure shall be excluded from the calculation unless the structure is the primary use of the site.

Example:

A single-floor furniture store containing twenty-four thousand square feet of floor area is proposed on a two-acre site. The store consists of fifty percent of floor space dedicated to retail sales and fifty percent for warehousing. Usage intensities are estimated as follows:

Step 1. Twelve thousand square feet retail sales floor area divided by thirty square feet/occupant equals four hundred people maximum occupancy in retail sales area.

Twelve thousand square feet warehouse floor area divided by five hundred square feet/occupant equals twenty-four people maximum occupancy in warehouse area.

Step 2. Assuming typical peak occupancy for retail sales is fifty percent of maximum occupancy for retail sales equals two hundred people maximum expected at any one time. Maximum occupancy for entire use is therefore two hundred twenty-four people (two hundred plus twenty-four).

Step 3. Two hundred twenty-four people divided by two acres equals one hundred twelve people per acre average for the site.

C. Flammable and Combustible Materials. Flammable and combustible liquids and specifications for fuel storage shall be in accordance with the fuel and gas code (TCC 14.26) and fire code (14.32) as adopted by Thurston County.

D. Disclosure Statement. A disclosure statement shall be recorded with the Thurston County auditor for subdivisions, short subdivisions, binding site plans and building permits for any new building or expansion of an existing building located within the airport overlay zone district. The disclosure statement shall state that the property is located within the airport overlay zone district in which a variety of aviation activities occur, which may include but are not limited to: noise, vibration, chemicals, odors, hours of operation and other associated activities.

E. Land Divisions.

1. A new lot proposed to be created by a land division shall not result in an increase in intensity on the newly created lot when the existing lot contains a nonresidential use that exceeds the intensity standards of subsection B of this section.

2. A nonresidential use that complies with the intensity standards of subsection B of this section may proceed with a proposed land division if the new lot to be created contains adequate gross site acreage such that the use of the new lot also meets the intensity standards of subsection B of this section.



## **Attachment C – Tumwater Urban Growth Area Zoning (Title 22)**

*Chapter 22.04 TCC has proposed amendments to include new definitions relevant to the updated Chapter 22.32 TCC.*

### **Chapter 22.04 - DEFINITIONS**

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#### **22.04.040 - Automobile Wrecking**

"Automobile wrecking" means the dismantling or wrecking of used motor vehicles or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of five or more motor vehicles, which for a period exceeding thirty days have not been capable of operating under their own power, and from which parts have been or are to be removed for reuse or sale, shall constitute prima facie evidence of an automobile wrecking yard.

#### **22.04.042 - Aviation Use**

"Aviation use" means any runway, taxiway, connector, apron or heliport designed for the landing and taking off of aircraft, transfer of passengers and/or cargo, surface access, and other support facilities typically associated with airports, including: hangars, control towers, communication and maintenance facilities, operations area, airport fueling facilities, fixed-based operators (FBO) and passenger and cargo terminals (including retail and eating and drinking establishments located within a terminal or FBO building).

#### **22.04.045 - Base Flood Elevation**

"Base flood elevation" means that elevation, expressed in feet above mean sea level, determined by the Federal Insurance Administration, U.S. Department of Housing and Urban Development, to which floodwater, on an average, can be expected to rise on a frequency of once in every one hundred years.

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#### **22.04.520 – Roominghouse**

"Roominghouse" means a dwelling unit having only one kitchen and used for the lodging (with or without meals) for compensation of persons other than the related family members or operator of such dwelling unit.

#### **22.04.522 - Runways**

"Precision instrument runway" means a runway that is designed to provide an approach path for exact alignment and descent of an aircraft on final approach using vertical and horizontal navigational aid equipment.

"Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures.

#### **22.04.525 - School**

A. "School" means an institution of learning, whether public or private, which offers instruction in those courses or study required by the Washington Education Code or which is maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, junior high school, senior high school or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, or university.

B. "Nursery school" or "kindergarten" means an institution primarily engaged in educational work with preschool children and in which no child is enrolled on a regular basis for more than eight hours per day.

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## **Attachment D – Tumwater Urban Growth Area Zoning (Title 22)**

*The proposed amendments to Chapter 22.32 TCC will result in a full repeal of the existing Chapter that was adopted under Ordinance 11274 in 1996 and replacement with the language below.*

### **Chapter 22.32 - AIRPORT HAZARD OVERLAY (AH)**

#### **Sections:-**

#### ~~22.32.010 – Intent.~~

~~The intent of the airport hazard (AH) overlay zone is:-~~

- ~~A. — To identify and establish those areas of the Tumwater UGA which are most affected by the Olympia Airport activities and to designate those areas on an overlay, adopted as part of the zoning map;-~~
- ~~B. — To protect the airport users when traveling over the identified airport hazard area in the interests of public health, safety and general welfare; and-~~
- ~~C. — To provide maximum protection of health and safety for those citizens working and residing within the airport hazard overlay zone.-~~

#### ~~22.32.020 – Permitted uses.~~

~~Permitted uses in the AH overlay zone are those of the underlying zoning district, except that no land use shall be permitted which would:-~~

- ~~A. — Create electrical interference with navigational signals or radio communications between the airport and aircraft;-~~
- ~~B. — Make it difficult for pilots to distinguish between airport lights;-~~
- ~~C. — Result in glare in the eyes of pilots using the airport;-~~
- ~~D. — Impair visibility in the vicinity of the airport or otherwise in any way create a hazard or endanger the landing, takeoff, or maneuvering of aircraft intending to use the airport;-~~
- ~~E. — Promote or provide for large congregations of people; or-~~
- ~~F. — Promote or necessitate aboveground storage of flammable substances.-~~

*Above is the existing language of Chapter 22.32 TCC, adopted under Ordinance 11274 in 1996. This Chapter will be fully repealed and replaced with the language below.*

## **Chapter 22.32 - AIRPORT HAZARD OVERLAY (AH)**

### Sections:

22.32.010 Intent.

22.32.020 Statutory authority.

22.32.030 Applicability.

22.32.040 Description of airport runways.

22.32.050 Description of overlay zone.

22.32.060 Preexisting uses.

22.32.070 Prohibited uses within compatible use zones.

22.32.080 Development standards.

### **22.32.010 Intent.**

The intent of the airport hazard overlay zone (AH) district is to identify and establish those areas of the Tumwater UGA which are most affected by the Olympia Airport, to protect the viability of Olympia Regional Airport as a significant resource to the community by encouraging compatible land uses and densities, and to reduce hazards that may endanger the lives and property of the public and aviation users. The airport hazard overlay zone district (AH) identifies a series of compatible use zones designed to minimize such hazards.

### **22.32.020 Statutory authority.**

This chapter is adopted pursuant to RCW 36.70.547 and 36.70A.510, as written or hereafter amended, that require a county, city or town to enact development regulations to discourage the siting of incompatible land uses adjacent to general aviation airports.

### **22.32.030 Applicability.**

Provisions of this chapter shall apply to all lands, buildings, structures, natural features and uses located within the airport hazard overlay zone district (AH) as depicted on Figure 22.32.050, except that the provisions of this chapter shall not apply to any use that is defined as an aviation use pursuant to TCC Chapter 22.04. All uses and activities are at all times subject to the underlying zoning district. Where the requirements and restrictions imposed by the airport overlay zone district conflict with the requirements of the underlying zone district, the more restrictive requirements shall be applied.

### **22.32.040 Description of airport runways.**

Olympia Regional Airport provides two aircraft runways. Runway characteristics are provided in Figure 22.32.040.

**Figure 22.32.040 – Runway Characteristics**

Runway Identification	Runway Type	Approach/Departure Direction	Runway Length	Runway Width
17-35	Precision Instrument <sup>1</sup>	North/South	5,500 Feet <sup>2</sup>	150 Feet
8-26	Visual <sup>1</sup>	East/West	4,157 Feet	75 Feet

- (1) See TCC Chapter 22.04 for the definition of runway types.
- (2) Runway pavement length is six thousand one hundred feet.

**22.32.050 Description of overlay zone.**

An airport hazard overlay zone district (AH) is applied that is comprised of five compatible use zones. The compatible use zones are established to carry out the provisions of this chapter and to promote land use compatibility on lands within, adjacent to and in the vicinity of Olympia Regional Airport. The five compatible use zones delineated in Figure 22.32.050 consist of the following:

- A. Zone 1: Runway Protection Zone.
- B. Zone 2: Inner Approach/Departure Zone.
- C. Zone 3: Inner Turning Zone.
- D. Zone 4: Outer Approach/Departure Zone.
- E. Zone 5: Sideline Zone.

**22.32.060 Preexisting uses.**

- A. Nothing contained herein shall require any change in the construction or alteration of any structure, if the construction or alteration of such was vested pursuant to TCC prior to the effective date of this chapter.
- B. Destruction. The owner of any preexisting use or structure legally constructed prior to the effective date of this chapter which, as a result of fire, explosion or other casualty is destroyed, shall be allowed to rebuild, reconstruct or rehabilitate the same preexisting use of the same size (gross square feet) on the same parcel, provided the use complies with the following:
  - 1. The use complies with the height standards of the underlying zoning district;
  - 2. The use is permitted in the underlying zoning district.

C. Expansion of Preexisting Uses. Any preexisting use legally constructed prior to the effective date of this chapter may be expanded, altered or otherwise enlarged if the use meets the following:

1. The use is not listed as a prohibited use by other sections of this chapter;
2. The use complies with the standards set forth in TCC 22.32.080;
3. The use complies with the height standards of the underlying zoning district;
4. The use is permitted in the underlying zoning district.

**22.32.070 Prohibited uses within compatible use zones.**

Uses listed in this section are prohibited, except for those uses permitted pursuant to TCC 22.32.060. A use or building is deemed to be within the applicable compatible use zone if any portion of the use or building touches or extends into the applicable zone. The mere application of the zone on a tract of land upon which such use or building is located or proposed to be located shall not prohibit otherwise authorized development on the portion of the tract outside of the zone.

A. ALL Zones 1-5 – Prohibited Uses.

The following uses are prohibited in all zones:

- a. Create lighting that diminishes the ability of pilots to distinguish between airport lights and nonairport lights;
- b. Create electrical interference with navigational signals or radio communication between the airport and aircraft;
- c. Create dust, smoke or other emissions that result in impairment of visibility for pilots.

B. Zone 1 – Runway Protection Zone – Prohibited Uses.

1. Residential dwellings;
2. Stormwater wet ponds;
3. Active recreational facilities;
4. Schools, preschool/child care facilities, child day care centers, churches, hospitals, senior housing facilities, rest homes and group foster homes;

C. Zone 2 – Inner Approach/Departure Zone – Prohibited Uses.

1. Multifamily dwellings;

2. Active recreational facilities;

3. Schools, preschool/child care facilities, child day care centers, churches, hospitals, senior housing facilities, rest homes and group foster homes;

D. Zone 3 – Inner Turning Zone – Prohibited Uses.

1. Multifamily dwellings;

2. Active recreational facilities;

3. Schools, preschool/child care facilities; child day care centers; churches, hospitals, senior housing facilities, rest homes and group foster homes;

E. Zone 4 – Outer Approach/Departure Zone – Prohibited Uses.

1. Multifamily dwellings;

2. Schools, preschool/child care facilities; child day care centers; churches, hospitals, senior housing facilities, rest homes and group foster homes;

F. Zone 5 – Sideline Zone – Prohibited Uses.

1. Multifamily dwellings;

2. Schools, preschool/child care facilities; child day care centers; churches, hospitals, senior housing facilities, rest homes and group foster homes;

**22.32.080 Development standards.**

Development standards are necessary to protect the health, safety, welfare and quality of life of the general public, property owners, airport operators, and aviation community, and also to ensure compatible land uses in the vicinity of the airport. Development standards imposed within the airport overlay zone district are in addition to the development standards of the underlying zoning district. Where standards imposed by the airport overlay zone district conflict with the standards of the underlying zone district, the more restrictive standard shall be applied. Mixed use development that propose both residential and nonresidential uses must meet applicable standards in both subsections below.

A. Residential Standards. Residential land divisions of one acre or more located within compatible use zones 3, 4 or 5 shall meet the following standards:

1. The land division is approved as a clustered development with the residential lots located as far away from the runway centerline as possible;

2. An open space area is provided on the project site. The purpose of this open space area is to provide sites that are suitable for the emergency landing of aircraft. The required minimum size of this open space area is one-half acre or ten percent of the gross site area, whichever is greater. This open space area may be used to fulfill other applicable open space/park requirements for residential developments; provided, that active recreation facilities and aboveground stormwater ponds and infiltration facilities shall not be located in this open space area. This open space area should be contiguous to other open space areas within or adjacent to the project site, and may include wetlands and their buffers and other critical areas.

B. Nonresidential Standards. All nonresidential developments and uses shall meet the following intensity standards; provided, however, that these standards do not apply to preexisting uses as described in TCC 22.32.060(B). The building code as adopted by Thurston County shall be used for determining the building occupant load factor. For developments proposing two or more uses, the calculation must incorporate the occupant load factor and acreage for the entire development. For developments involving land or buildings split by a compatible use zone boundary, only that portion of the land or building(s) located within the compatible use zone shall be subject to the standards below.

1. Zone 1: twenty people per acre maximum;
2. Zone 2: sixty people per acre maximum;
3. Zone 3: one hundred twenty-five people per acre maximum;
4. Zone 4: one hundred thirty-five people per acre maximum;
5. Zone 5: one hundred fifty people per acre maximum;
6. Intensity Bonus. Land development proposals located in compatible use zones 2, 3, 4, or 5 that exceed the intensity standards set forth in subsections (B)(2) through (5) of this section may be considered for approval through the special use permit process.

People per acre shall be calculated as follows:

Step 1. Building size (gross square feet) divided by occupant load factor (square feet per occupant as set forth in the building code) equals maximum building occupancy.

Step 2. For retail and office uses only: maximum building occupancy multiplied by 0.50 equals adjusted maximum building occupancy.

Step 3. Maximum building occupancy divided by gross site acreage equals people per acre.

Note: A parking structure shall be excluded from the calculation unless the structure is the primary use of the site.

Example:

A single-floor furniture store containing twenty-four thousand square feet of floor area is proposed on a two-acre site. The store consists of fifty percent of floor space dedicated to retail sales and fifty percent for warehousing. Usage intensities are estimated as follows:

Step 1. Twelve thousand square feet retail sales floor area divided by thirty square feet/occupant equals four hundred people maximum occupancy in retail sales area.

Twelve thousand square feet warehouse floor area divided by five hundred square feet/occupant equals twenty-four people maximum occupancy in warehouse area.

Step 2. Assuming typical peak occupancy for retail sales is fifty percent of maximum occupancy for retail sales equals two hundred people maximum expected at any one time. Maximum occupancy for entire use is therefore two hundred twenty-four people (two hundred plus twenty-four).

Step 3. Two hundred twenty-four people divided by two acres equals one hundred twelve people per acre average for the site.

C. Flammable and Combustible Materials. Flammable and combustible liquids and specifications for fuel storage shall be in accordance with the fuel and gas code (TCC 14.26) and fire code (14.32) as adopted by Thurston County.

D. Disclosure Statement. A disclosure statement shall be recorded with the Thurston County auditor for subdivisions, short subdivisions, binding site plans and building permits for any new building or expansion of an existing building located within the airport overlay zone district. The disclosure statement shall state that the property is located within the airport overlay zone district in which a variety of aviation activities occur, which may include but are not limited to: noise, vibration, chemicals, odors, hours of operation and other associated activities.

E. Land Divisions.

1. A new lot proposed to be created by a land division shall not result in an increase in intensity on the newly created lot when the existing lot contains a nonresidential use that exceeds the intensity standards of subsection B of this section.

2. A nonresidential use that complies with the intensity standards of subsection B of this section may proceed with a proposed land division if the new lot to be created contains adequate gross site acreage such that the use of the new lot also meets the intensity standards of subsection B of this section.



Thurston County Community Planning and Economic Department

Community Planning Division

**THURSTON COUNTY-TUMWATER  
PLANNING COMMISSION DRAFT  
COMMERCIAL DEVELOPMENT**

**Chapter 22.21**

**Chapter: 22.21 (Attachment A) – Repeal**

Deleted Text:	<del>Strikethrough</del>	Proposed Changes:	<u>Underlined</u>
Staff Comments:	<i>Italics</i>	Unaffected Omitted Text	...

*This proposed code amendment is associated with the Tumwater Joint Plan update. Repeal of the existing Commercial Development zone (TCC 22.21) is a recommended implementation action within the Tumwater Joint Plan. Changes will result in Commercial Development zone being replaced with Mixed Use (TCC 22.20).*

## Attachment A – Tumwater Urban Growth Area Zoning (Title 22)

*The proposed repeal of Chapter 22.21 TCC will result in a full repeal of the existing Chapter that was adopted under Ordinance 11274 in 1996.*

### CHAPTER 22.21—COMMERCIAL DEVELOPMENT ZONE DISTRICT (CD)

#### Sections:

#### 22.21.010—Intent.

~~The intent of the commercial development (CD) zone is to establish a new commercial center for the city within this zone, and to preserve areas for those commercial facilities which make use of the close proximity to Interstate 5, while minimizing the undesirable impacts of such uses on the neighborhoods which they serve. Special uses identified in this zone are to be approved only when it is shown that the uses will further the goals of the CD zone in aspects of developing a commercial core and/or landscaping or architectural attractiveness.~~

~~(Ord. 11274 § 2 (part), 1996)~~

#### 22.21.020—Permitted uses.

~~Uses permitted in the CD district are as follows:~~

- ~~A. Professional services;~~
- ~~B. General retail sales;~~
- ~~C. General offices;~~
- ~~D. Appliance equipment repair/sales;~~
- ~~E. Support facilities;~~
- ~~F. Parks/open space;~~
- ~~G. Recreational facilities;~~
- ~~H. Restaurants;~~
- ~~I. Automobile service stations;~~
- ~~J. Post offices;~~
- ~~K. Motels, hotels;~~
- ~~L. Planned unit development (PUD);~~
- ~~M. Medical clinics, where the primary structure has a setback of thirty feet or greater from all property lines;~~
- ~~N. Child day care center; child mini-day care center;~~
- ~~O. Adult family homes, residential care facilities;~~
- ~~P. Group foster homes;~~
- ~~Q. Private clubs and lodges;~~
- ~~R. Family child care home;~~

- ~~S. — Parking lots as separate, primary uses are permitted. The proposed parking lot shall exclusively serve specifically identified uses in or adjacent to the district to accommodate shared employee or customer parking or off-site employee parking. The uses served by the lot may change over time;~~
- ~~T. — Parking structures;~~
- ~~U. — Park and ride lots;~~
- ~~V. — Mixed use; multifamily residential/commercial structure.~~

~~(Ord. 11500 § 13, 1997; Ord. 11274 § 2 (part), 1996)~~

~~22.21.030 — Accessory uses.~~

~~Accessory uses in the CD district are as follows:~~

- ~~A. — Off-street parking and loading areas;~~
- ~~B. — Storage, if less than fifty percent of gross floor area of the primary structure;~~
- ~~C. — Energy systems;~~
- ~~D. — On-site hazardous waste treatment and storage facilities;~~
- ~~E. — Cocktail lounge as an accessory use to restaurants;~~
- ~~F. — Living or residential quarters as an accessory use including, but not limited to, security guards' quarters where such quarters are customarily provided for security and/or insurability of the premises and other residential uses directly related to the operation of the primary permitted use.~~

~~(Ord. 11500 § 14, 1997; Ord. 11274 § 2 (part), 1996)~~

~~22.21.040 — Special uses.~~

~~Special uses in the CD district are as follows:~~

- ~~A. — Transportation terminals;~~
- ~~B. — Medical clinics where the primary structure has less than a thirty-foot setback from any property line;~~
- ~~C. — Taverns, cocktail lounges;~~
- ~~D. — Animal clinics;~~
- ~~E. — Convalescent centers;~~
- ~~F. — High-rise residential (five stories or more);~~
- ~~G. — Off-premises signs;~~
- ~~H. — Public and/or private schools;~~
- ~~I. — Mini-storage facilities, wholesaling, manufacturing, assembling, warehousing, storing, repairing, fabricating, or other handling of such products and equipment;~~
- ~~J. — Auto repair facilities;~~
- ~~K. — Boat/marine sales;~~
- ~~L. — The following essential public facilities:~~

- ~~1. State education facilities;~~
- ~~2. Large scale state or regional transportation facilities;~~
- ~~3. Prisons, jails and other correctional facilities;~~

~~M. Nurseries;~~

~~N. Wireless communication facilities and other antenna support structures;~~

~~O. Temporary uses.~~

~~(Ord. 13058 § 25, 2003; Ord. 12032 § 87, 1999; Ord. 11867 § 3 (part), 1998; Ord. 11500 § 15 (part), 1997; Ord. 11274 § 2 (part), 1996)~~

~~22.21.050 Density regulations.~~

~~Density regulations in the CD district are as follows:~~

- ~~A. Site area: no minimum, except the lot shall be adequate to provide for required parking, yards and landscaping;~~
- ~~B. Lot coverage: no maximum, except adequate space must be provided for required parking, yards and landscaping;~~
- ~~C. Structure height: no maximum;~~
- ~~D. Yards:\*~~
  - ~~1. Front: ten feet minimum setback on all street frontages;~~
  - ~~2. Side: no minimum;~~
  - ~~3. Rear: no minimum.~~

~~Where any structures or portions of structures are adjacent to any residential zoning district, the minimum setback shall be twenty feet. Where structures are constructed over one story, the setback from the adjacent property line or lines shall be increased by ten feet for every story above the ground level story of the proposed new building, and shall be screened from view in accordance with Chapter 22.47.~~

~~(Ord. 12761 § 75, 2002; Ord. 11804 § 134, 1998; Ord. 11500 § 15 (part), 1997; Ord. 11274 § 2 (part), 1996)~~

~~\* See Section 22.04.670.~~

Thurston County Community Planning and Economic Department

Community Planning Division

# THURSTON COUNTY-TUMWATER

## PLANNING COMMISSION DRAFT

### BUSINESS PARK

#### Chapter 22.28

**Chapter:** **22.28 (Attachment A) – Repeal**

Deleted Text: ~~Strikethrough~~ Proposed Changes: Underlined

Staff Comments: *Italics* Unaffected Omitted Text ...

*This proposed code amendment is associated with the Tumwater Joint Plan update. Repeal of the existing Business Park zone (TCC 22.28) is a recommended implementation action within the Tumwater Joint Plan. Changes will result in Business Park zone being replaced with General Commercial (TCC 22.22).*

## Attachment A – Tumwater Urban Growth Area Zoning (Title 22)

*The proposed repeal of Chapter 22.28 TCC will result in a full repeal of the existing Chapter that was adopted under Ordinance 11274 in 1996.*

### ~~Chapter 22.28 – BUSINESS PARK ZONE DISTRICT (BP)~~

#### **Sections:**

#### ~~22.28.010 – Intent.~~

~~The intent of the business park (BP) zone district is to provide for the establishment of business parks which permit a wider variety of uses than other commercial zones and a greater degree of protection to the surrounding community due to coordinated development of large parcels of land.~~

~~(Ord. 11274 § 2 (part), 1996)~~

#### ~~22.28.020 – Permitted uses.~~

~~Permitted uses in the BP district are as follows:~~

- ~~A. Business and professional offices, including financial institutions;~~
- ~~B. Wholesale business establishments, including warehousing and storage located entirely within an enclosed building but not more than fifty percent of any one building;~~
- ~~C. Restaurants;~~
- ~~D. Manufacturing, assembly, processing and/or fabrication activities conducted entirely within an enclosed building and ancillary to the primary office use (less than twenty-five percent of the floor area of the building);~~
- ~~E. All public and utility facilities;~~
- ~~F. Child day care center; child mini-day care center;~~
- ~~G. Planned unit development not including residential uses;~~
- ~~H. Park and recreation facilities.~~

~~(Ord. 11274 § 2 (part), 1996)~~

#### ~~22.28.030 – Accessory uses.~~

~~Accessory uses in the BP district are as follows:~~

- ~~A. Residential;~~
- ~~B. Off-street parking and loading;~~
- ~~C. Energy systems;~~
- ~~D. On-site hazardous waste treatment and storage facilities.~~

~~(Ord. 11274 § 2 (part), 1996)~~

~~22.28.035 – Special uses.~~

~~Special uses in the BP district are as follows:~~

~~A. The following essential public facilities:~~

- ~~1. Large scale or regional transportation facilities;~~
- ~~2. Sewage treatment facilities (not including individual or community waste-water treatment systems);~~

~~B. Wireless communication facilities and other antenna support structures;~~

~~C. Temporary uses.~~

~~(Ord. 13058 § 30, 2003; Ord. 12032 § 91, 1999; Ord. 11867 § 3 (part), 1998; Ord. 11274 § 2 (part), 1996)~~

~~22.28.040 – Prohibited uses.~~

~~Prohibited uses in the BP district are as follows:~~

~~A. Any use not specified in this chapter;~~

~~B. Outdoor storage areas other than a designed parking area used for short-term parking of vehicles regularly used by a business;~~

~~C. Any outdoor storage of materials and/or equipment;~~

~~D. Extractive industries.~~

~~(Ord. 11274 § 2 (part), 1996)~~

~~22.28.050 – Development regulations.~~

~~Development regulations in the BP district are as follows:~~

~~A. Site Area.~~

- ~~1. All development shall be consistent with a master plan for the property approved in accordance with Chapter 22.36 pertaining to PUD's.~~
- ~~2. Business park master plans shall cover not less than ten acres.~~

~~B. Lot Coverage. Buildings shall occupy no more than fifty percent of a lot zoned BP. Buildings, structures, parking, maneuvering and other surfaced areas shall, in total, occupy no more than seventy-five percent of a tract zoned BP.~~

~~C. Building Height Limit. The building height limit is fifty-five feet maximum.~~

~~D. Yards.~~

- ~~1. Front: fifteen percent of the property depth to a maximum requirement of thirty feet;~~
- ~~2. Side: none;~~
- ~~3. Rear: none;~~
- ~~4. Any yard, front, side or rear, adjoining significant waterways shall be a minimum of one hundred feet from the building line to the top of the bank (if this provision conflicts with TCC Title 24, the more restrictive provision shall apply);~~

~~5.— No building shall be located closer than one hundred feet from external roads.~~

~~E.— Access. All access to business within a business park shall be from an internal road network. Direct access to arterial streets shall be through a limited number of public streets designed to provide adequate traffic flow. No individual business shall access streets external to the business park.~~

~~F.— Open Space/Park Area. For developments of ten acres or more, the minimum usable open space/park area shall be five percent of the total site. Open space/park area shall at a minimum meet the standards shown in Section 18.47.040 TCC; provided, however, a land division which includes a master plan that provides for an open space/park area meeting the intent of this provision shall be considered to have fulfilled this requirement.~~

~~(Ord. 11804 § 137, 1998; Ord. 11500 § 21, 1997; Ord. 11274 § 2 (part), 1996)~~

~~(Ord. No. 14773, § 10(Att. I), 7-24-2012)~~