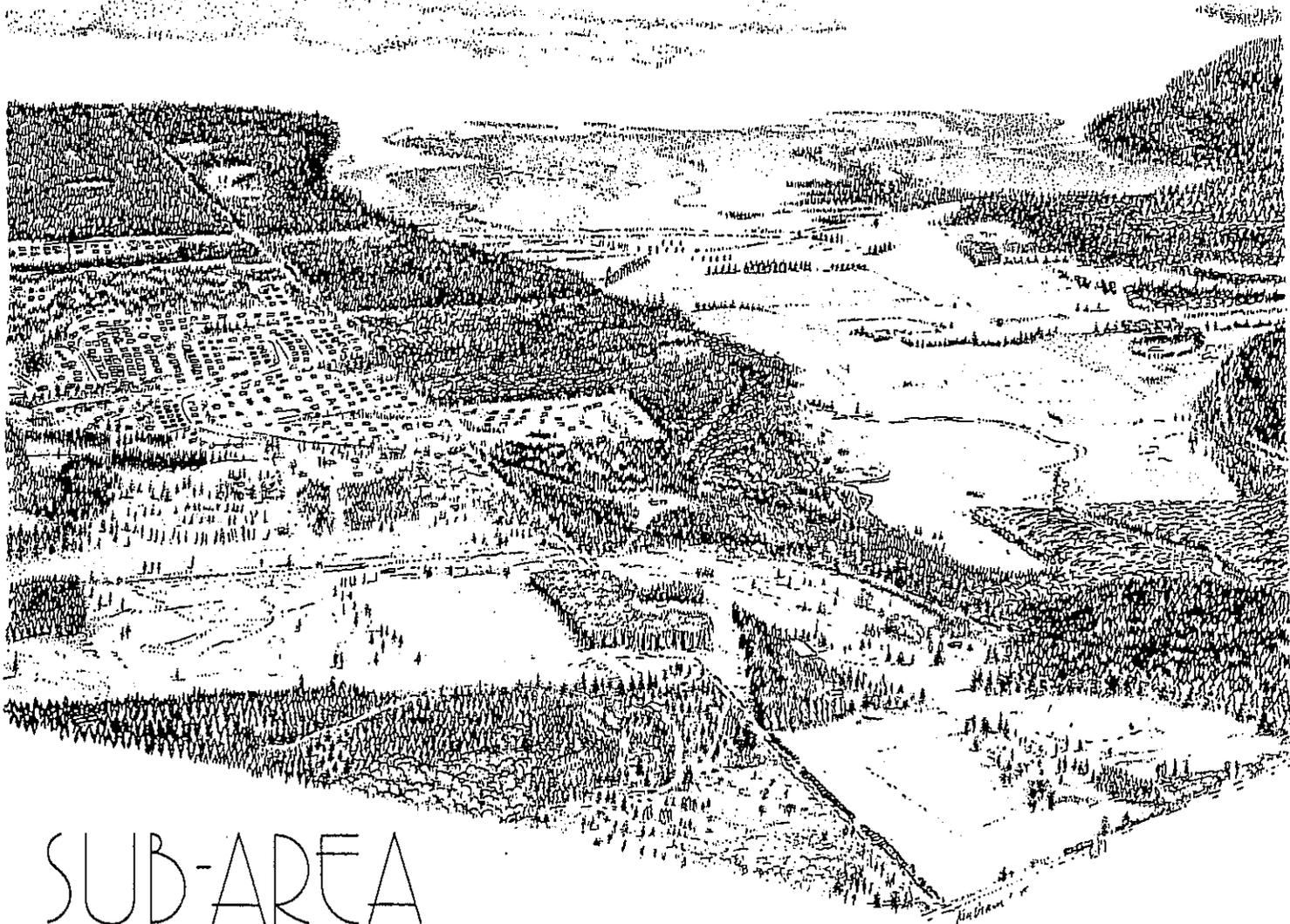


# NISQUALLY PLAN

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SUB-AREA

LAND USE AND ZONING

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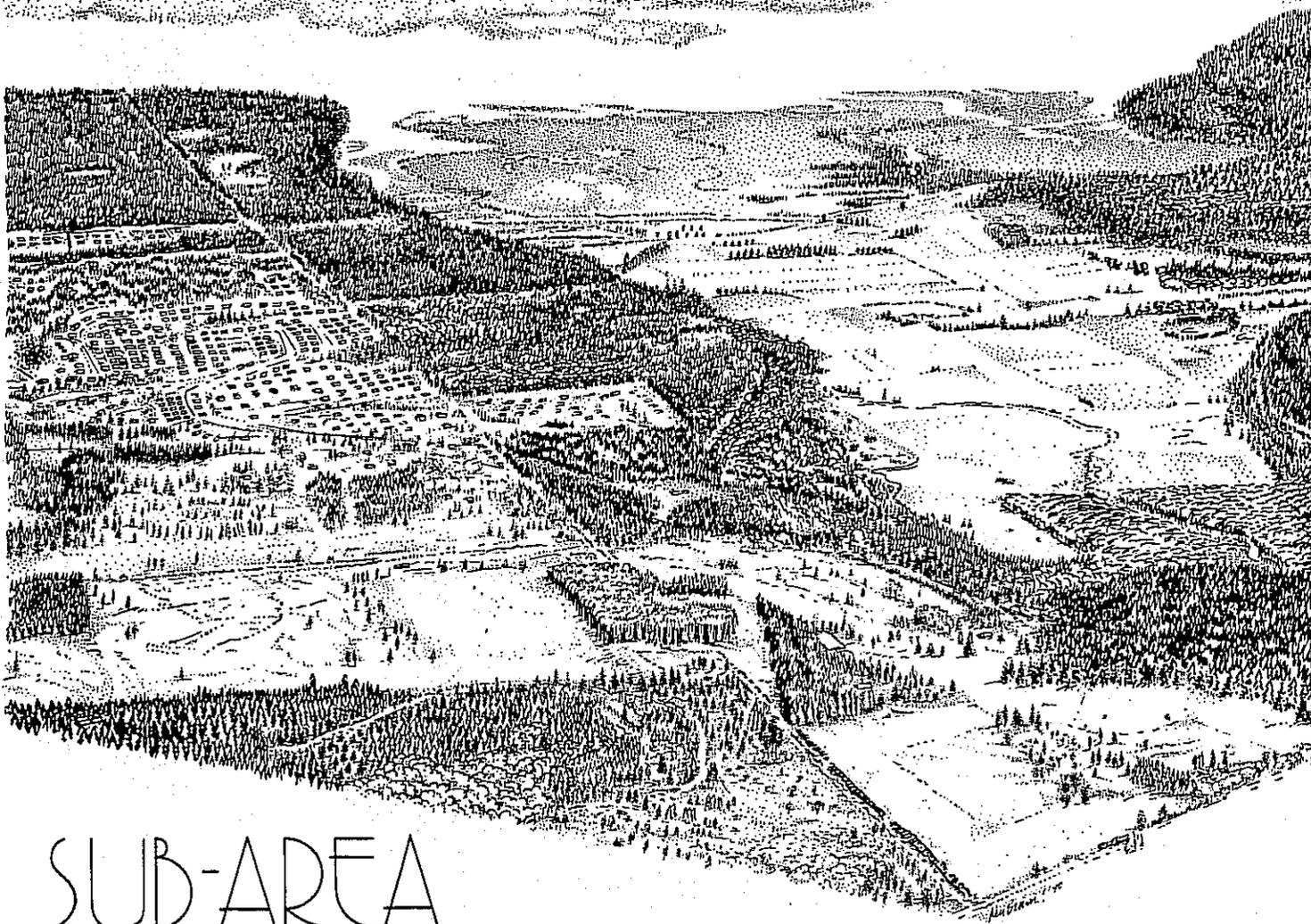
Thurston County Planning Department

NOVEMBER 1992



# NISQUALLY PLAN

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## SUB-AREA LAND USE AND ZONING

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Thurston County Planning Department

NOVEMBER 1992



**NISQUALLY SUB-AREA  
LAND USE PLAN AND ZONING**

**BOARD OF THURSTON COUNTY COMMISSIONERS**

George L. Barner, Jr.  
Diane Oberquell  
Linda Medcalf

Tom Fitzsimmons, CAO

Prepared by: Thurston County Planning Department

NOVEMBER 1992

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Jackie Kettman, Assistant Planner  
Ken Brown, Graphic Technician  
Dan Haug, Graphics Assistant  
Lynn Lee, Office Specialist III  
Brett Melton, Data Entry Operator

Harold Robertson, AICP, Planning Director  
Kathleen Burgess, Deputy Director, Advance Planning

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## I. COMPREHENSIVE PLANNING AND ZONING

### A. WASHINGTON STATE PLANNING COMMISSIONS ACT OF 1965

Planning in Thurston County falls under the provisions of the Washington State Planning Commissions Act (RCW 35.63) which allows county governments to regulate land uses after establishing a Planning Commission and adopting a "Comprehensive Plan". A Comprehensive Plan is required to contain two sections:

- **Land Use Element**, showing the general distribution and location of various uses, and
- **Circulation Element**, showing the street system, transportation routes, trunk utility lines, and major terminal facilities.

These are the only mandatory requirements, but there are also a number of optional elements including open space, public services, and conservation. Since the Comprehensive Plan serves as a means of planning for physical development and promoting the general welfare, they do not have independent regulatory control. Such regulatory standards are traditionally contained within zoning and subdivision ordinances.

The State law allows for dividing the community into "Sub-Areas" (e.g. Nisqually Sub-Area or Planning Area) so a county-wide comprehensive plan need not be attempted all at once. Sub-Area planning provides for phased implementation with the adoption of zoning and other official controls for only those areas covered by a Sub-Area Comprehensive Plan. When adopted, the Sub-Area zoning is required to be uniform within the same district and is generally based on different land use types (e.g. industrial, agricultural, etc.) and development densities (e.g. 1 unit per 5 acres, 1 unit per acre, etc.). Therefore, while planning is not mandatory for county governments under this State Act, it is a prerequisite to zoning and most other forms of regulations.

**B. WASHINGTON STATE GROWTH MANAGEMENT ACT OF 1990**

In 1990 the legislature adopted a Growth Management Act (ESHB 2929) and amended it in 1991 (ESHB 1025). This Act will affect comprehensive planning in 12 "growth counties" within the state. Thurston County meets this criteria and this Act redefines what must be included in a comprehensive plan. A primary focus of the Act was " to reduce the inappropriate conversion of undeveloped land into sprawling, low-density development, conserve productive forest and agricultural lands, and protect the environment and enhance the state's high quality of life."

Also a "Growth Management Area" must be established around all cities or towns. These boundaries are to be large include adequate area and densities to accommodate the urban growth projected for the succeeding 20 year period. The Act also requires capitol budgets and implementing regulations, such as zoning, to be in conformity with the adopted comprehensive plan.

The Growth Management Act adds four new subjects or "Elements" must now be include in a comprehensive plan. These include housing, capitol facilities, utilities and rural land uses. Thurston County must designate agricultural, forest and mineral resource lands and then adopt regulations which will conserve these "Natural Resource Lands". There is also a similar requirement for "Critical Areas" which includes wetlands, critical aquifer recharge areas, fish and wildlife habitat areas, floodplains and geologically hazardous areas. At this writing the County has a draft ordinance for "Environmentally Sensitive Areas" which is designed to cover most of the areas defined as Critical Areas.

The Act establishes deadlines for the adoption of various tasks. The Natural Resource and Critical Areas revisions are due no later than March 1, 1992. The Act establishes a July 1, 1993 deadline for the addition of all new comprehensive plan requirements, and the following year (July 1, 1994) when all the implementing regulations are to be consistent with the comprehensive plan.

### C. 1988 THURSTON COUNTY COMPREHENSIVE PLAN

Thurston County updated its county-wide Comprehensive Plan in 1988. The previous plan was adopted in 1975 and was more general in nature. Both Plans contained "Goals and Policies", but the 1988 revision included substantially more guidance for designating urban and rural lands. The revision also includes a detailed list of those "Action Recommendations" which will be needed to implement the Comprehensive Plan. The 1988 Thurston County Comprehensive Plan applies to all unincorporated land in the county as well as the area within the Nisqually Planning Area.

Comprehensive planning in Thurston County began with a Sub-Area plan for the Cooper Point area in 1972 with interim zoning adopted for that area in 1968. The Nisqually Planning Area lies within parts of two previous Sub-Areas plans. That area north of I-5 was contained within the Northeast Thurston Sub-Area Plan, and to the south was in the East Olympia/Lacey Environs Sub-Area Plan, referred to as the Lacey Environs Plan. While these Sub-Area comprehensive plans were adopted in July of 1977 and March 1978 respectively, interim zoning was first adopted for lands within the Nisqually Planning Area in June 1970. The interim zoning was amended to match the Sub-Area plans when at they were adopted.

### D. URBAN GROWTH MANAGEMENT AREA BOUNDARY

In the 1988 Thurston County Comprehensive Plan there were several areas where Sub-Area zoning was found to be inconsistent with Comprehensive Plan. These areas are identified in Appendix E, Land Use Map and Growth Area Boundary Changes. Appendix E *"provides details on the changes to the land use plan designation and zoning that will need to be done to implement the Urban Growth Management (UGM) boundary around Olympia, Lacey, and Tumwater shown on Maps M-15 (Future Land Use) and M-16 (Urban Growth Management Area). These changes will be accomplished by reviewing and amending applicable Sub-Area Plans (for changes outside the urban boundary) or through Joint Plans (for changes within the urban area)". (pg. E-1)*

*Appendix E continues to indicate those "areas where new detailed urban or rural land use classifications will need to be selected are as follows:*

*"A-10        Nisqually Valley. Change from urban to rural to recognize an agricultural resource, Nisqually Delta resource and city water supply."*

*"A-11        Vicinity of Meridian Heights and Beachcrest*

- a.    Meridian Heights: Change from rural to long term urban.*
- b.    Beachcrest: Change from rural to short term urban. The boundary here includes the Beachcrest subdivision, only, not any adjacent lands.*

*Both changes recognize platted urban density and areas that may require urban sewer and water service to meet health and safety needs." (pg. E-2)*

The Urban Growth Area Boundary Changes Map on page E-6 of the Thurston County Comprehensive Plan shows these areas. Beachcrest and Meridian Heights area subdivisions now lies within the UGM boundary. As noted below, the Meridian Heights area has been added to the Nisqually Planning Area.

## E. NISQUALLY PLANNING AREA

The Nisqually is a new Sub-Area Planning Area created from portions of two adjacent Sub-Areas. The adoption of the Comprehensive Plan and Urban Growth Management Area boundary changes, created a strip of rural lands between the UGM boundary and the Nisqually River within the Northeast Thurston and Lacey Environs Sub-Area Plans. This provided an opportunity to create a separate planning area or Sub-Area plan for only for the rural lands east of the UGM which generally drained into the Nisqually River Basin. (Refer to Figure 1 -- Regional Setting.)<sup>1</sup>

In October 1989, the Thurston County Planning Commission defined the boundaries of the Nisqually Planning Area as the edge of the UGM boundary and SR-510 to the southern boundary of Nisqually Indian Reservation. The Nisqually River and Puget Sound create the eastern and northern boundaries, respectively. (Refer to Figure 2 -- Nisqually Planning Area and Figure 3 -- Urban Growth Management Area) The planning area includes approximately 8,980 acres or 14 square miles in 885 parcels. It also includes the Nisqually Indian Reservation, a majority of the Nisqually Wildlife Refuge and a portion of the Fort Lewis Military Reservation. The Nisqually Sub-Area will be the first Sub-Area Plan to be reviewed under the requirements of the new State Growth Management Act. After the second Public Forum in September of 1990, the Meridian Heights area lying between Meridian Road and McAllister Bluff was added to the planning area.

The Thurston County Comprehensive Plan also contains Goals, Objectives and Policies regarding the Sub-Area planning process. Refer to page 9 for a description of these terms. The following include those which are relevant:

*OBJECTIVE B: A system of coordinated plans should direct the county's physical development and provide the framework for a variety of implementing mechanisms.*

### POLICIES:

*B.1. The Comprehensive Plan should serve as the master plan to guide the county's physical development and the preparation of the county's sub-area plans, joint plans and plans for special services, functions or issues.*

---

<sup>1</sup>Note: The western boundary of the Nisqually Sub-Area follows the eastern boundary of the Lacey Urban Growth Area. Figure 13 shows the Lacey Urban Growth Area boundary which was adopted in December 1994.

- B.2. As the master plan for the county's physical development, the Comprehensive Plan should establish the framework of goals, objectives and policies for all aspects of future physical development. It should also establish the pattern for future land use and transportation by identifying areas for growth and rural development, providing guidelines for more detailed land use and transportation planning by geographic area, and establishing the plans for those land uses that should be approached on a county-wide basis rather than by geographic area. The public should be notified when the Comprehensive Plan is being prepared, revised or amended. The Comprehensive Plan should be prepared with participation by interested individuals and groups.*
- B.3. Sub-Area plans should function as integral parts of the Comprehensive Plan through the incorporation of the detailed land use and transportation plans for geographic sub-areas of the county. Sub-Area plans should be developed according to the following principles:*
- a. Involvement of property owners and residents of the sub-area, as well as any other interested persons and groups should be sought in the preparation of Sub-Area plans.*
  - b. The future land use pattern and transportation system prepared for sub-areas should be based on the goals, policies, growth-rural framework and guidelines for land use and transportation planning established in the Comprehensive Plan.*
  - c. The county planning department should work with interested citizens to prepare the sub-area plans. The Planning Commission should review the draft plans for consistency with the Comprehensive Plan's framework and guidelines, and for compatibility with neighboring sub-areas. The Board of County Commissioners should adopt the plans according to procedures of state law. (TCCP pg. 2-85)*

## F. NISQUALLY INTERIM ZONING ORDINANCE OF 1989

In November 1989 the Thurston County Board of Commissioners adopted interim zoning regulations in Ordinance No. 9316 for the 6.1 square miles of residential zoned portions in the Nisqually Planning Area as a means to implement the 1988 Thurston County Comprehensive Plan. (Refer to Figure 4 -- 1988 Zoning.) This interim zoning affected approximately 45% of the Planning Areas by reducing the residential zoning from 1 and 2 units per acre to a density of 1 unit per 5 acres. (Refer to Figure 5 -- 1991 Zoning) The Interim Zoning was adopted as an emergency measure to prevent a rush to vest projects which are inconsistent with the Comprehensive Plan and the Urban Growth Management agreement.

The secondary issue was to deal with the ever increasing threat of urban development from surrounding developments. The Board found that, "the subdivision of property in advance of the Nisqually Valley planning process will preclude the consideration of significant and potentially desirable land use alternatives ..." which "may create a development pattern which may not be in the public interest ... and may lead to irreparable damage of sensitive areas along the tributaries, floodplains, and of the bluffs of the Nisqually River and McAllister Creek". The Nisqually Interim Zoning was to be in effect for 18 months (May 1991) or until the Nisqually Sub-Area Plan and zoning are adopted which ever comes first. The Nisqually Interim Zoning was superseded by Ordinance No. 9766 in April of 1990. (Ordinance No. 9316, Finding 19)

## G. THURSTON COUNTY RURAL ZONING

In a separate but related action the Thurston County Board of Commissioners adopted Ordinance No. 9526 in July 1990. This reduced the density of 605 square miles of residentially zoned land within rural Thurston County. This action affected the remainder of the Nisqually Planning Area and included the Nisqually Wildlife Refuge, all non-privately owned lands within the Nisqually Indian Reservation, the Fort Lewis Military Reservation, and the private lands within the McAllister Geologically Sensitive Area (GSA). Some of the areas were zoned Unmapped Use District due to their Federal ownership, and those in the McAllister GSA had been restricted from subdivision since 1988. The zoning density established by this ordinance was also 1 unit per 5 acres, which is to be reevaluated by though a Sub-Area like planning process.

That portion of the Nisqually Planning Area which was subject to the Nisqually Interim Zoning was added to the County Rural Zoning by Ordinance No. 9766. The density and zoning under Rural Zoning (1 unit per 5 acres) is the same as that allowed under the interim zoning program.

#### H. WASHINGTON STATE SHORELINE MANAGEMENT ACT

In 1972 the voters of the state passed an initiative requiring comprehensive planning and compatible regulations along the major shorelines of the state. Large areas of the Nisqually Planning Area fall under the jurisdiction of the Shoreline Management Act which includes all shorelines adjacent to Puget Sound, the Nisqually River, McAllister Creek, and their associated wetlands. The shoreline jurisdiction includes whichever is the greater of upland areas 200 feet from the ordinary high water mark, the 100-year floodplain, or associated wetlands. (Refer to Figure 6 -- Shoreline Jurisdiction) The Act also requires that the counties adopt a Shoreline Master Program to regulate the substantial developments along their shorelines. Thurston County recently revised the Regional Master Program in 1990.

A Shoreline Master Program segments the shoreline jurisdiction into different "Environments" similar to zoning districts. The Shoreline Master Program for the Thurston Region is a combination comprehensive plan with its goals and policies, and a zoning code with its regulations and performance standards. The Master Program contains four shoreline designations which range in intensity from URBAN to NATURAL. Those shoreline "Environments" found within the Nisqually Planning Area includes one of only six NATURAL environments within the entire County. The NATURAL designation located outside the dike in the Nisqually Wildlife Refuge, is extremely restrictive and even prohibits the harvesting of timber within the watershed. A majority of the developed valley is RURAL which has a density of 2 units to the acre, but there are acres of shoreline jurisdiction which are CONSERVANCY and would have a density of 1 unit per acre. There is no URBAN shoreline environment within the Nisqually Planning Area.

## II. NISQUALLY GOALS AND POLICIES

### A. RATIONALE FOR GOALS AND POLICIES

The Thurston County Comprehensive Plan contains a number of necessary elements which are also desirable for the Sub-Area Planning Process. In addition to an official map the Comprehensive Plan includes "Goals, Objectives, and Policies" for the long-term development of the county.

*Goals are expressions of values, desires, ambitions, or intentions. "Providing all citizens with transportation, regardless of age, handicap, or income" is an example of a goal statement.*

*Objectives cite specifics about how goals can be realized. They call for the maintenance or establishment of a specific product or action, such as a program, ordinance, or special plan. For example, "preparing a plan for elderly and handicapped transportation" can be a way to pursue mobility for all citizens.*

*Policies are principles that should guide the content of the products or the management of the programs called for by the objectives. "Requiring lift equipment on all buses to accommodate the elderly and handicapped" is an example of a policy that guides the content of the plan for elderly and handicapped transportation. (TCCP, 1988 pg 2-1)*

## B. COMPREHENSIVE PLAN GOALS AND POLICIES FOR RURAL AREAS

The Comprehensive Plan contains guidance for the maintaining the character of rural areas. "Rural Areas" are defined in the Plan as "areas characterized by sparse or low density development, generally those areas of the County outside the urban and incorporated areas". The Goals, Objectives and Policies for Rural Areas found in the Comprehensive Plan are follows:

### GOAL -- RURAL AREAS SHOULD:

- *MAINTAIN A BALANCE BETWEEN HUMAN USES AND THE NATURAL ENVIRONMENT;*
- *MAINTAIN THE LAND AND WATER ENVIRONMENTS REQUIRED BY NATURAL RESOURCE-BASED ECONOMIC ACTIVITIES, WILDLIFE HABITATS, RURAL LIFESTYLES, OUTDOOR RECREATION AND OTHER OPEN SPACE;*
- *DEVELOP AT LOW LEVELS OF INTENSITY SO THAT DEMANDS WILL NOT BE CREATED FOR HIGH LEVELS OF PUBLIC SERVICES AND FACILITIES*

### A. RURAL LAND USE AND ACTIVITIES

*OBJECTIVE: County development requirements and programs should provide for a balance between human uses and the natural environment in rural and resource areas, and for low levels of demand for public services and facilities.*

#### POLICIES:

1. *Priority rural area land uses should be small scale farms, forestry and mining areas, outdoor recreation and other open space activities, scattered residences and rural residential developments.*
2. *Residential development in rural areas should be provided on lands which can physically support it without requiring growth area service levels or impacting rural character. Densities should be low enough to discourage leapfrogging of growth area development, and not encroach on the natural environment or natural resource management.*

3. *Residential use near designated commercial agriculture or forestry areas should be developed in a manner which minimizes potential conflicts and reduces unnecessary conversion of farm and forest land. Mechanisms such as clustering and buffering should be used.*
4. *Home-based occupations and industries should be allowed throughout the rural area provided they do not adversely affect the surrounding residential uses and do not result in non-residential clusters or strips.*
5. *Industrial uses in rural areas (other than small scale home-based industries) should generally be those appropriate to the lower densities and land uses of rural areas, such as:*
  - a. *Industries related to and dependent on natural resources of agriculture, aquaculture, timber and minerals;*
  - b. *Industries requiring large secluded areas away from population centers and not requiring urban services;*
  - c. *Commercial recreational uses, such as car or horse racing tracks, riding arenas, and rifle/archery ranges.*
6. *Neighborhood convenience commercial uses should be permitted throughout rural areas, located on collector or arterial roads. Generally, other types of commercial uses should locate in the urban area, the rural towns, or in community growth areas around unincorporated centers such as Rochester-Grand Mound.*
7. *Municipal utilities should not be extended into rural areas except to correct existing health hazards.*

*For policies on residential densities and other housing policies in rural areas, see Housing and Residential Policies on pages 2-28 to 2-30.*

The Goals, Objectives and Policies from the Comprehensive Plan for housing in the rural areas are as follows:

**GOAL 2:** *RESIDENTIAL DEVELOPMENT SHOULD OCCUR WHERE (1) THE LAND IS CAPABLE OF SUPPORTING DEVELOPMENT, (2) IT WILL BE COMPATIBLE WITH EXISTING AND PLANNED USES, AND (3) UTILITIES AND SERVICES CAN BE PROVIDED EFFICIENTLY AND ECONOMICALLY.*

**OBJECTIVE 2B:** *County requirements and programs for housing in rural areas outside community growth centers should encourage residential development that is compatible with small scale farming, forestry, aquaculture, open space, outdoor recreation, rural service levels and generally with the rural character where human use does not overbalance the natural environment.*

**POLICIES:**

1. *One dwelling unit per five acres (1/5) should be the common residential density level in rural areas. This density level should be applied to areas which:*
  - a. *may have severe soil limitations, steep slopes and/or very limited ground water.*
  - b. *are in/or adjacent to farm or forest lands or aquaculture management districts.*
  - c. *are too far from urban areas to enable cost effective provision of public services, or contain land uses that do not require extension or provision of urban services.*
  - d. *are in larger parcels, over five acres in size.*

2. *Residential densities of up to one unit per 2 acres (1/2) may be located in rural areas in relatively small areas under the following conditions:*
  - a. *To provide a buffer between existing rural developments and areas of higher or lower densities;*
  - b. *To provide a transition between existing rural residential subdivisions and lower intensity rural areas;*
  - c. *A higher density than one unit per five acres already exists;*
  - d. *Soil conditions are able to handle the cumulative long term impacts of on-site sewage disposal without adverse impacts to ground and surface waters.*
  
3. *Residential densities of one unit per acre (1/1) may occur in rural areas adjacent to urban areas under the following circumstances:*
  - a. *To provide buffers between rural areas and high urban densities where no natural buffers such as ravines or public open space exist;*
  - b. *Where site development practices such as clustering will also be used to buffer rural areas and to maintain large tracts of open areas;*
  - c. *Where there is already an existing mix of higher density residential developments, scattered single residences and small farms, and where some exclusively residential developments are expected to continue to occur;*
  - d. *Where the existence of extensive environmental development constraints is expected to result in an overall density average lower than one unit per acre;*

- e. *Where soil conditions are able to handle the cumulative long-term impacts of on-site sewage disposal without adverse impacts to ground and surface waters.*
4. *Residential densities of two units per acre (2/1) should occur in rural areas only in very limited and exceptional circumstances:*
- a. *In areas of existing development and existing platted lots around marine and freshwater shorelines or other recreational amenities;*
  - b. *Where small lot residential development already exists;*
  - c. *Where shoreline resources and ground and surface water can handle long-term, higher density use without adverse impacts;*
  - d. *Where community water systems can be efficiently provided.*
5. *Within rural areas, proposed new residential development should not negatively affect land based and marine aquacultural activities and farm and forestry activities. Aquaculture activities should not be considered a nuisance if they are operating in a reasonable manner and within applicable regulations. In addition, buffers between the residential uses and aquaculture districts should be provided by the residential development.*
6. *Residential development adjacent to agriculture or forestry uses should be designed in a manner which minimizes potential conflicts and reduces unnecessary conversion of farm and forest land. Such mechanisms as clustering and buffering should be employed to reduce potential conflicts.*

7. *Individual septic systems should be the method for handling residential sewage in rural areas. Only in areas of identified health hazards or water quality problems should sewer systems be permitted. In such cases the county should be the sewer and water provider.*
8. *Community water systems are required in unsewered areas where residential density exceeds one unit per acre, and for densities of one unit per two acres in areas of excessive porosity.*
9. *Municipal utilities should not be extended into rural areas except to correct existing health hazards.*
10. *Areas for active recreation and other open spaces should be dedicated as part of the development approval process in residential developments of ten or more acres located where the zoning permits more than one residential dwelling unit per acre, or in unmapped areas where the subdivision's density is more than one unit per acre.*

## C. DEVELOPMENT OF SUB-AREA GOALS AND POLICIES

Since the Nisqually Plan will be adopted as part of the Thurston County Comprehensive Plan for the Nisqually Sub-Area, it will be necessary to develop Goals and Policies for that area. The Goals and Policies for the Nisqually Sub-Area also called the Planning Area should therefore meet the following criteria according to the Nisqually Planning Committee:

1. Be generally consistent with the Thurston County Comprehensive Plan Goals, Objectives, and Policies.
2. Provide more detail than the Comprehensive Plan for the specific geographic area.
3. Contain language which will provide guidance for the next 10-15 year time frame.
4. Recommend changes to the Comprehensive Plan and other regulatory ordinance where conflicts arise within this geographic area.

The development of Goals and Policies for the Nisqually Planning Area has been a priority issue for the Nisqually Planning Committee. They began their planning process by having each member identify what would be necessary for a successful result. Each time a collection of information was prepared, it became a separate Nisqually Bulletin. The Committee developed a summary of the comments from the first Public Forum. The FARM group also prepared a position paper which the Committee used to develop its Preliminary Vision Statement. At its second Public Forum, a "Straw Poll" process was used. The tabulation of the comments and the results from the "Straw Poll" provided the basis for the Committee's Final Vision Statement which was prepared in December 1990. In April of 1991, copies of the Final Vision Statement were circulated to 230 persons on the Nisqually mailing list and 25 responses were again tabulated. The Committee used the Final Vision Statement and those comments to develop the Goals and Policies for the Nisqually Planning Area described in Section D as follows.

## D. GOALS AND POLICIES FOR THE NISQUALLY PLANNING AREA

The Goals and Policies for the Nisqually Planning Area are contained in 12 general categories. Together with the Comprehensive Plan, these specific Goals and Policies provide the basis for land use decisions within the Nisqually Planning Area.

### 1. RURAL CHARACTER

**GOAL A: MAINTAIN THE EXISTING RURAL ENVIRONMENT OF THE NISQUALLY PLANNING AREA WITH THE PRIMARY EMPHASIS ON PRESERVING THE NISQUALLY VALLEY VIEWSHED AND THE WOODED BLUFF ABOVE MCALLISTER CREEK AND ITS RURAL, AESTHETIC CHARACTER FOR FUTURE GENERATIONS.**

#### POLICIES:

- A.1. Adopt rural densities and land uses which provide long-term protection of resource lands (e.g. Agricultural lands, forest lands and mineral resources) and wildlife habitat.
- A.2. Require residential developments to be clustered within the planning area to reduce the loss of resource lands (e.g. agriculture or forestry) and minimize the hazards associated with environmentally sensitive areas (e.g. floodplains, wetlands, and landslide hazard areas).
- A.3. Preserve the existing viewshed of the Nisqually Valley by:
  - a. Retaining agricultural uses on the valley floor,
  - b. Maintaining the wooded character of the surrounding valley walls,
  - c. Preventing urban encroachment into the valley by the use of a vegetative buffer to the west of McAllister Bluff and along Old Pacific Highway and,
  - d. Prohibiting the construction of any billboards within the Nisqually Planning Area.

- A.4. Provide a vegetative buffer of 200 feet west of McAllister Bluff, 100 feet east of Old Pacific Highway from the existing Holroyd Pit entrance (near Durgan Road) south to Thomsen Road, and from the valley floor to Old Pacific Highway south of Reservation Road. A lesser buffer would apply to unbuilt lots within platted subdivisions, existing lots up to one acre in size, and between Martin Way and I-5.
- A.5. Seek to retain the wooded character of the I-5 corridor from the Nisqually River the Mounts Road Interchange and replant a vegetative buffer along the south side of I-5 west of the Nisqually River to the Nisqually Cut-Off Road.

## 2. WATER RESOURCES

**GOAL B: PROTECT THE SURFACE WATERS OF MCALLISTER CREEK, MEDICINE CREEK, AND THE NISQUALLY RIVER AND GROUNDWATER RESOURCES OF THE PLANNING AREA FROM POLLUTION, WHILE PLACING SPECIAL EMPHASIS ON THE LANDS ADJACENT TO THE NISQUALLY RIVER.**

### Policies:

- B.1. Protect people and property from the hazards of flooding by promoting the relocation of existing residences which lie immediately adjacent to the Nisqually River or within floodway to locations outside of the 100 year floodplain, prohibit the reconstruction of those structures which are destroyed by flooding, and reestablish a natural greenbelt along the Nisqually River by the acquisition of undeveloped parcels and existing residences over time.
- B.2. Restrict development by limiting densities and land uses to those which would not adversely impact the regionally significant groundwater resources at McAllister and Abbott Springs or the local groundwater aquifer.
- B.3. Sample the larger community wells (Class I & II) within the planning area on a regular basis as defined by the Thurston County Health Department and sample the springs along the McAllister Bluff.

3. **WILDLIFE RESOURCES**

**GOAL C:** PROMOTE AND ENHANCE THE WILDLIFE HABITAT THROUGHOUT THE PLANNING AREA AND PROTECT THE NISQUALLY WILDLIFE REFUGE FROM ADJACENT DEVELOPMENTS.

**Policies**

- C.1. Provide adequate buffer zones or greenbelts between less compatible land uses (e.g., commercial and residential, or urban densities and rural valley) and around agricultural lands and wildlife habitat areas, along shorelines, and selected road corridors.
- C.2. Restrict development by limiting densities and land uses in landslide hazard areas and land uses in agricultural wetlands.
- C.3. Create opportunities for land owners within the valley to participate in wildlife enhancement projects.
- C.4. Sponsor or support research into the restoration of the salt marsh ecosystem within the Brown Farm dike.
- C.5. Consider infrequent special event access to the Brown Farm dike trail for an animal-drawn wagon ride. Passengers would be provided with information on the historical and wildlife significance of the Brown Farm and the Wildlife Refuge.

4. **AGRICULTURAL ACTIVITIES**

**GOAL D:** ENHANCE AGRICULTURAL ACTIVITIES OR AGRIBUSINESS WITHIN THE NISQUALLY VALLEY.

**Policies:**

- D.1. Identify the boundaries for an "Agricultural District" within the Nisqually Planning Area.
- D.2. Protect agricultural lands from nuisance claims through "right to farm" provisions.

- D.3. Identify agricultural uses and activities from the Standard Industrial Classification Manual to be defined as "agri-business" and select those which would be compatible within the planning area. Horse arenas, slaughter houses and feedlots would not be compatible uses, and nurseries should be allowed which only grow plants in the ground.
- D.4. Adopt guidelines for agri-business which are consistent with agricultural "Best Management Practices" (BMPs).
- D.5. Allow the repair, replacement, and additions to existing farm residences within the Agricultural District, and limit the construction of new farm residences to those for resident farmers.
- D.6. Protect agricultural lands from the encroachment of existing and potential residences within the valley and along the adjacent wooded hillsides.

5. **COMMERCIAL DEVELOPMENT**

**GOAL E: PROHIBIT LARGE SCALE COMMERCIAL DEVELOPMENT WITHIN THE NISQUALLY VALLEY, WHILE RECOGNIZING EXISTING COMMERCIAL ACTIVITIES AND DESIGNATED COMMERCIAL AREAS.**

**Policies:**

- E.1. Minimize the addition of new commercial activities within the planning area by prohibiting commercial expansion of properties not currently zoned beyond the existing lot and use, promote the relocation of existing commercial uses to zoned areas and prohibit the use of mined out gravel pits for commercial or industrial use.
- E.2. Adopt design guidelines for designated commercial areas and commercial uses which complement the pastoral character of the Nisqually Valley.

- E.3. Recognize existing mineral extraction operations, require any new operations to be visually buffered from adjacent properties and roads, and prohibit any activities along the McAllister Bluff.
- E.4. Condition any mineral extraction operation north of the railroad to maintain a wooded hillside along Old Pacific Highway to provide a 100-foot vegetative buffer from the east of the right-of-way, except at an entrance. Where the native ground cover does not conceal the mining activities from the road, supplemental vegetation shall be provided.
- E.5. Allow accessory activities to be considered inside the mined out portion of a gravel pit through the site plan review process. Examples of allowable accessory uses would include concrete pipe and/or septic tank construction and the recycling of used concrete and asphalt pavement. Operators shall employ best management practices for covered storage of recycled asphalt to ensure minimal environmental harm and impact due to leachate. Best management practices will be determined through the site-level permit review process, but may include tarping, storage sheds, or other methods. The reprocessing of imported mineral resources shall not be the primary accessory use. These activities shall be discontinued once reclamation of the pit is completed in accordance with the WDNR standards.
- E.6. Evaluate all the allowable and special uses within the 1/5 zone to determine if they would be compatible with the "Agricultural/Pastoral Character" of the Nisqually Valley.
- E.7. Explore options for the redevelopment of the Martin Way & I-5 commercial area for a Nisqually Valley interpretative center.
- E.8. Provide for the redevelopment of preexisting non-conforming uses adjacent to the Old Nisqually commercial area through a Special Use Permit process, provided that the new use reflects the agricultural and historic character of the valley, and is consistent with the Goals and Policies of this Plan.

6. **RESIDENTIAL DEVELOPMENT**

**GOAL F: FOCUS RESIDENTIAL DEVELOPMENT INTO COMPACT HIGH DENSITY AREAS WHICH MINIMIZES THE LOSS OF AGRICULTURAL, FORESTRY, AND WILDLIFE HABITAT LANDS.**

**Policies:**

- F.1. Improve the aesthetic character of the planning area by bringing existing mobile home parks up to current county codes, prohibiting new mobile home parks, and creating incentives to encourage the redevelopment of mobile home parks in a clustered design.
- F.2. Adopt design guidelines for clustered residential development which complements the pastoral character of the Nisqually Valley.
- F.3. Revise existing ordinances as necessary, to fast track the review of cluster developments within the Nisqually Planning Area and create disincentives to the use of traditional subdivision approach.
- F.4. The overall density in the Nisqually Planning Area, excluding those lands within Fort Lewis, the Nisqually Wildlife Refuge, and McAllister Springs shall not exceed 1 unit per 5 acres, recognizing that some areas will be higher density and others will be lower.
- F.5. Calculate the residential density within critical areas as established in that ordinance, except for the hillside along McAllister Creek and those wetlands which lie within the Nisqually Agriculture district. The density for the Nisqually Hillside Overlay District shall be 1 unit per 5 acres.

- F.6. Calculate the residential density in the Nisqually Agriculture district at 1 unit per 40 acres for individual lots, 1 unit per 5 acres for a clustered lot subdivision, and 1 unit per 5 acres for purchase of development rights or transfer of development rights programs. No fractional units will be created in this calculation.
- F.7. Recognize the preexisting status of lots which were legally created prior to this Plan.
- F.8. Allow lands within the Long-Term Agriculture district to be eligible for the Transfer of Development Rights Program, with transferred rights calculated at 1 unit per 5 acres.

7. **RECREATION**

**GOAL G: PROMOTE PASSIVE AND ACTIVE RECREATIONAL OPPORTUNITIES WITHIN THE NISQUALLY PLANNING AREA WHICH HELP MAINTAIN ITS PASTORAL/RURAL CHARACTER.**

**Policies:**

- G.1. Locate and where practical acquire additional areas for low intensity recreational uses within the Nisqually Planning Area.
- G.2. Develop public recreation areas in the following portions of the Nisqually Planning Area:
  - a. Down stream of McAllister Springs,
  - b. Near Department of Wildlife River Access, and
  - c. Other sites identified at a later date.
- G.3. Recommend implementation of the Nisqually River Management Plan policy to improve the Department of Wildlife 6th Avenue fishing access.

8. **CONSERVATION PROGRAMS**

**GOAL H: ADOPT NON-REGULATORY MEANS OF PROTECTING THE AESTHETIC AND RURAL CHARACTER IN THE NISQUALLY VALLEY, IN ADDITION TO AND IN COMBINATION WITH LAND USE REGULATIONS.**

**Policies:**

- H.1. Design a voluntary Purchase of Development Rights (PDR) program and identify priority lands within the Nisqually Planning Area for enrollment.
- H.2. Identify local, state and private funding sources which can be allocated for the Nisqually PDR program.
- H.3. Apply to the state legislature for designation of the Nisqually Planning Area as a "Natural Resource of Statewide Significance" as provided in Section 37 of the Growth Management Act (ReSHB 1025). The purpose of this request is to obtain state matching funds for the Nisqually PDR program.
- H.4. Limit the use of a Purchase of Development Rights program to where there is a willing buyer and seller.
- H.5. Identify a public agency or a private non-profit entity which will be responsible for the management of the conservation easements or development rights program.
- H.6. Encourage the use of the Open Space Taxation Program for eligible Agricultural, Forestry, and Open Space lands within the planning area.
- H.7. Encourage properties enrolled in the Open Space Timber Program to transfer to the Open Space Lands Program when the Public Benefit Rating System has been revised to reflect the greater importance of McAllister Hillside and its buffer.

9. **TRANSPORTATION**

**GOAL I: DEVELOP A TRANSPORTATION SYSTEM WHICH ADDRESSES REGIONAL NEEDS WHILE STILL RETAINING THE RURAL CHARACTER OF THE NISQUALLY PLANNING AREA AND PRIMARILY THE AGRICULTURAL LANDS ALONG THE VALLEY FLOOR.**

**Policies:**

- I.1. Explore alternative routes between Yelm and I-5, and encourage Fort Lewis to reopen a gate on the south side of the Reservation for military employees who work on the base.
- I.2. Prohibit the approval of new development west of McAllister Bluff and between Martin Way and SR-510 until the Public Works and Planning Departments designate a major north-south arterial.
- I.3. Design future development west of McAllister Bluff so that traffic destined for the I-5 corridor is directed to the north and Martin Way rather than traversing the valley.
- I.4. Collaborate with WSDOT, Pierce County, Yelm, Dupont, Lacey, and Fort Lewis to minimize traffic passing through the planning area, and discourage commuter trips across the valley using Steilacoom Road.
- I.5. Prohibit new county multi-lane arterials within the Nisqually Planning Area except for Meridian Road north of Martin Way and a 3-lane facility for Old Pacific Highway near Old Nisqually.
- I.6. Establish "safe" speed limits along arterials, and restripe and sign Old Pacific Highway between Reservation Road and the Nisqually River Bridge as a No Passing Zone, with a 35 mph speed limit.
- I.7. Encourage Pierce County and Fort Lewis to make safety improvements to Old Pacific Highway between the Nisqually River Bridge and the Mounts Road Interchange.

- I.8. Develop a list of transportation system modifications which would enhance the agricultural character of the Nisqually Valley.
- I.9. Evaluate the possibility of Mt. Rainier and Nisqually Valley view points between I-5 and Martin Way along McAllister Bluff. This is an alternative to the development of preexisting lots in this location. There may be access from I-5, Martin Way, or both routes. Interpretive signs should also be included.
- I.10. Develop a non-motorized path and trail system wide enough to accommodate horse drawn wagons linking important resource and recreation lands through the use of loop trails and "park and bike" lots.
- I.11. Encourage the use of a common theme signage for agricultural activities within the planning area and include the use of I-5 tourist information signs, directional kiosks, Nisqually Agricultural District signs, and on-site signage.

## 10. HISTORIC RESOURCES

GOAL J: EXPAND THE PUBLIC'S AWARENESS OF THE GEOLOGIC AND HISTORIC IMPORTANCE OF THE NISQUALLY VALLEY.

### Policies:

- J.1. Preserve historic resources (e.g. buildings, barns, sites and trees) within the planning area by identifying and nominating appropriate candidates for the local, state, and national historic register.
- J.2. Provide a more appropriate interpretative setting for the Medicine Creek Treaty marker and better access to the treaty tree within the Wildlife Refuge.
- J.3. Acquire and renovate the Old Nisqually School as a community service building for the Nisqually residents.

11. COMMUNITY PLANNING PROCESS

GOAL K: PREPARE A NEW LAND USE PLAN AND IMPLEMENTING ORDINANCES FOR THE NISQUALLY PLANNING AREA WHICH IS THAT PORTION OF UNINCORPORATED THURSTON COUNTY WHICH GENERALLY LIES EAST OF THE URBAN GROWTH MANAGEMENT AREA BOUNDARY AND NORTH OF THE FORT LEWIS MILITARY RESERVATION.

Policies:

- K.1. Draft the appropriate ordinances to implement the Nisqually Sub-Area Land Use Plan.
- K.2. Evaluate the urban/rural boundary of the Nisqually Planning Area and recommend changes to the Urban Growth Management Agreement and Thurston County Comprehensive Plan as necessary.
  - a. Retain the Nisqually Planning Area and Urban Growth Management boundary for that area between the Beachcrest Plat and Meridian Avenue and which lies north of NE 46th Street.
  - b. Revise the Nisqually Planning Area boundary and Urban Growth Management boundary to be the extent of the McAllister Hillside Overlay District south of I-5.
- K.3. Evaluate the recommendations from other documents which would affect the Nisqually planning area. These should include but not be limited to:
  - a. Thurston County Comprehensive Plan
  - b. Nisqually River Management Plan
  - c. Northeast Thurston Sub-Area Plan
  - d. Lacey Environs East Olympia Sub-Area Plan
  - e. Yelm-Thurston County Joint Plan

12. **INTERGOVERNMENTAL COOPERATION**

**GOAL L: ENHANCE INTERGOVERNMENTAL COOPERATION BETWEEN TRIBAL, FEDERAL, STATE, AND ADJACENT LOCAL GOVERNMENTS IN IMPLEMENTING THE NISQUALLY SUB-AREA LAND USE PLAN AND OTHER RELATED LAND USE PROGRAMS.**

**Policies:**

- L.1. Develop inter-governmental agreements between the Tribal/Federal and local governments on the acquisition and/or development of the following:
  - a. Tribal or trust lands within the Nisqually Indian Reservation,
  - b. Privately owned lands within the reservation, and
  - c. Trust lands outside the reservation.
- L.2. Include the Nisqually Indian Reservation and portions of Fort Lewis within the Nisqually Planning Area land use plan.
- L.3. Encourage Pierce County, Dupont and Fort Lewis to develop land use plans which are consistent with the spirit and letter of the Nisqually Sub-Area Land Use Plan.
- L.4. Recognize the efforts of the Nisqually River Council and coordinate with them on areas of mutual interest.
- L.5. Encourage the Washington Department of Natural Resources to evaluate all forest practice applications on the McAllister Hillside as Class IV Special Permits due to significant natural resources identified in this Plan.

### **III. CHARACTERISTICS OF THE NISQUALLY PLANNING AREA**

#### **A. OVERVIEW**

The Nisqually Planning Area serves as the eastern gateway to Thurston County. The 40 million yearly travelers along the I-5 corridor will recognize it as one of the few undeveloped river valleys between Olympia and Everett. It is distinguished by the broad open areas of the Nisqually Wildlife Refuge north of I-5 and the rural farms south of the freeway. This picturesque rural setting is framed with a wooded hillside extending the length of the western McAllister Bluff which loops back into the valley. The northern portion of the planning area lies adjacent to Puget Sound whereas the portion south of the valley sits upon a plateau paralleling the Nisqually River. While forestry is the predominate land use within the Nisqually Planning Area, it is this combination of farm and forest, hillside and valley, or clusters of development and adjacent open areas which gives this planning area its distinctive character.

#### **B. THE SETTING OF THE NISQUALLY PLANNING AREA**

The Nisqually Planning Area lies adjacent to existing and planned urban areas generally to the west of Meridian Avenue and McAllister Bluff. (Refer to Figure 1 -- Regional Setting) North of I-5 the major distinction between the Growth (west) and the Rural (east) side of Meridian Avenue will be the provision of sewers to the Meridian Campus Planned Community and other residential subdivisions within the UGM boundary and to the west of street.

The Meridian Campus Planned Community, which is owned by the Weyerhaeuser Real Estate Company, received conceptual approval in 1983 and Master Plan approval in 1987. The Planned Community was revised in 1991 to add a golf course and will be the focus of future growth for a projected 30-year time period. The purpose of a Planned Community is "to provide for large-scale projects that incorporate a full range of land uses, including, major employment centers, with supporting housing, commercial services, and other facilities and services for the employees and residents of the project" (TCC 20.39.010 (2)).

The 1987 Meridian Campus Planned Community site plan reserved 30% of the 1153 acre site allowing up to 5.9 million square feet of Planned Industrial and Business Park Uses. Up to 2800 dwelling units will be constructed on within this project in single and multi-family sectors. Up to 55% of the units will be multi-family structures at a density up to 15 units to the acre. The projected population of the planned community is 7300 people with employment of up to 11,000 at full development. The planned community will also provide a 15 acre community commercial area, two neighborhood shopping areas, a 21 acre community park, 53 acres of school sites, a 4-acre fire district site and 194 acres of open space reserves throughout the site.

The area to the south of I-5 and to the west of McAllister Bluff is already a existing urban area with continued development occurring along the edge of the Nisqually Planning Area. From January 1980 to December 1989, 1310 dwelling units were constructed within one mile of the planning area boundary. This represents 14% of the dwelling units constructed within the county over that period. Further, the square mile with the highest growth for that period (703 units) lies just to the west of the Nisqually Valley. These newly developed areas inside the UGM boundary have a density of up to 1251 units per square mile, and lie adjacent to several sections in the Nisqually Planning Area with a density of 5 or less dwelling units. Over the past two years several residential project have been approved adjacent to the Nisqually Planning Area.

In Pierce County the City of Dupont has approved a Planned Community called Northwest Landing, also owned by the Weyerhaeuser Real Estate Company. The 3,000 acre project could accommodate 6,500 homes and apartments in a range of densities. Northwest Landing would have a full development population of 17,000 and be an employment center for 14,000 persons. The City of Dupont currently has a population of 600 and the project "is only a hawk's glide from the Nisqually Delta" (Seattle Times April 1, 1990).

Also in Pierce County, the Fort Lewis Military Reservation and Nisqually River serve as the eastern planning area boundary south of I-5. Fort Lewis also serves as a southern boundary for the Nisqually Planning Area in Thurston County. The currently has these adjacent areas in forest production with no known plans for converting to another intensity or type of land use.

## C. HISTORY OF SUB-AREA PLANNING IN NISQUALLY

The 14 square mile Nisqually Planning Area lies just to the east of the Olympia-Lacey-Tumwater Urban Growth Management (UGM) Area boundary. (Refer to Figure 1 -- Regional Setting & Figure 2 -- Nisqually Planning Area) The Nisqually Planning Area is defined by being located between an Urban Growth Area designations in both Thurston and Pierce Counties. The UGM long and short term boundaries are the western extent of the Planning Area. Short term is defined in the 1988 UGM Agreement as "being 5-10 years" with that area within the long-term boundary reserved for development "from 10-20 years". The extent of a similar interim boundary in Pierce County has been established to include the City of Dupont.

The Nisqually Planning Area is a new "Sub-Area" and was created from portions of the Northeast Thurston and Lacey Environs Sub-Areas. These sub-area plans divided that area now in the Nisqually Planning Area along the I-5 corridor. The Northeast Thurston Sub-Area was adopted in July 1977 and the Lacey Environs Sub-Area was adopted in March 1978. Interim Zoning was established for both sub-areas in June 1970 and therefore this original Interim Zoning was in effect for 7 and 8 years respectively.

These sub-area plans contained the land use categories and densities for those lands now within the Nisqually Planning Area. (Refer to Figure 7 -- 1988 Planning Area Land Use.) This map identified all of the planning area for residential use and a large portion of the Nisqually Valley had a density of 2 units to the acre. The remaining residential areas had a density of 1 unit per acre. (Refer to Figure 4 -- 1988 Zoning) In 1988 Thurston County adopted a new Comprehensive Plan and a revised Urban Growth Management Agreement boundary within the planning area.

The Thurston County Comprehensive Plan defines "Rural Areas" as "areas where the rural lifestyle is to be maintained by directing urban levels of growth and associated public services into growth areas". The two areas which the Comprehensive Plan reclassified are shown on the map on page E-6 of the Comprehensive Plan and described as follows:

A-10      *Nisqually Valley. Change from urban to rural to recognize an agricultural resource, Nisqually Delta and city water supply."*

*A-11a Vicinity of Meridian Heights. Change from rural to long term urban. This recognizes platted urban density and an area that may require urban sewer and water services to meet health and safety needs." (TCCP Appendix E, pg. E-2)*

The most direct means to implement this Comprehensive Plan language is to change the land use designations and zoning associated with these areas. In November 1989 an Interim Zoning Ordinance was adopted for 6.1-square mile area of the Nisqually Planning Area by emergency action (Ordinance No. 9316). It rezoned those residential lands within the Nisqually Interim Zoning area to a density of 1 unit per 5 acres. (Refer to Figure 5 -- 1991 Zoning.) Those areas which were rezoned were previously designated for densities of 1 and 2 units to the acre. With this action the Thurston County Planning Department initiate a planning process for the new Nisqually Planning or Sub-Area.

In July 1990 the remaining 60% of the planning area and several hundred square miles of rural areas outside the UGM boundary was rezoned to a similar Rural Residential 1 unit per 5 acre zoning (Ordinance No. 9526). Since the Nisqually Interim Zoning Ordinance was only valid for 18 months, the County extended this County Rural Zoning to those areas within the interim zoning in April 1991. Currently all the residentially zoned parcels within the Nisqually Planning Area are zoned Rural Residential 1 unit per 5 acres. However, the Ordinance also direct the planning department to conduct a review of all areas, including the Nisqually Planning Area, to determine if there are any rural areas which could sustain densities higher than 1 unit per 5 acres. Within the Nisqually Planning Area this review will be accomplished by using a sub-area planning process. It is therefore the responsibility of the Nisqually Planning Committee to develop the Nisqually Sub-Are Plan in cooperation with the "The Planning Commission and the Board should then adopt any appropriate changes in the zoning ordinance" (Ordinance No. 9526 -- Finding 18).

The County Rural Zoning Ordinance also designated those areas within the Nisqually Wildlife Refuge, Fort Lewis Military Reservation and Nisqually Indian Reservation for Rural Residential 1 unit per 5 acres zoning. These areas also lie within the Nisqually Planning Area. Traditionally local governments have limited authority to regulate land uses and densities on Federally owned property. However, there is a substantial portion of the Nisqually Indian Reservation which is owned by non-Indians. In these areas Thurston County may review development activities, if the Tribal government were to defer its primary review authority to the County. The Thurston County Health Department also has

limited authority over water and sanitation standards on Tribal and Trust properties within the reservation boundary. One of the seven members of the Nisqually Plan Committee represents the Nisqually Indian Tribe. Therefore, the Nisqually Sub-Area will also include land use designations for all portions of the Nisqually Indian Reservation.

#### D. NATURAL RESOURCE LAND CLASSIFICATION

The Growth Management Act and its Guidelines require Thurston County to classify and protect "Natural Resource Lands". The Guidelines define Natural Resource Lands as, "Agricultural, forestry, and mineral resource lands which have long-term commercial significance" (WAC 365-190-030(15)). The Act requires that "Each county ... shall adopt development regulations on or before September 1, 1991, to assure the conservation of agricultural, forest, and mineral resource lands designated ... under this act." The Growth Management Act Guidelines further define how this is to be accomplished. The Thurston County Planning Department has been evaluating the resource potential of lands outside the Urban Growth Management boundary as a part of the comprehensive review of all properties required by the County Rural Zoning Ordinance.

The Planning Department has developed mapping criteria for the delineation of all Natural Resource Lands which flow from the Growth Management Act Guidelines. This criteria uses five components which include: land use, soils, parcel context, parcel size, and area size. A brief summary of the different farm and forest resource categories is contained in Table 1 which follows. All of Thurston County has been evaluated using criteria for the Natural Resource Lands within the Nisqually Planning Area. (Refer to Figure 8 -- 1991 Land Use Categories.)

Within the Nisqually Planning Area, those parcels within the "Farm Land" category are those existing farms located in the central part of the valley. Other farms in the Open Space Tax Program that are outside the valley on the plateau or along Durgan Road are in a mixed resource category. The "Farm/Timber I" is the dominant land use category within the planning area and is concentrated south and east of the valley with some areas along McAllister Bluff.

**TABLE 1 -- NATURAL RESOURCE AND RURAL LANDS CATEGORIES**

**A. NATURAL RESOURCE LANDS**

FARM LAND

- Predominantly prime agricultural soils
- 20+ acre parcel size
- Maximum 1% residential uses, excluding farmsteads
- Predominantly Open Space Agricultural Tax Program enrollment

**B. RURAL LANDS**

OPEN SPACE

- Large Parks and preserves

FARM/TIMBER

- Predominately prime forest, land grade 3, or prime agriculture soils
- 10-20+ acre farm, 40-80+ acre forest parcel size
- Maximum 6% residential uses, excluding farmsteads
- Some Forest and Ag Tax Program enrollment

RURAL RESIDENTIAL

- Predominately residential uses
- Up to 5 acre parcel size

Those appropriate agricultural policies from the Nisqually Planning Area are contained in Chapter II Section C. In general they recommend establishing an agriculture district within the Nisqually Valley, protection of these areas with "right to farm" provisions, and identification of appropriate "agri-business" for the district. There are also policies which promote the use of a Purchase of Development Rights Program for priority lands. The Nisqually Plan Committee has not developed any policies directly for forestry, however a dominant theme is the protection of the Nisqually Valley viewshed and wooded valley walls.

A Mineral Resource overlay category will be added to areas already designated as some type of rural use. Within the Nisqually Planning Area there is a large area of potential resource shown on Figure 7--Land Use Categories and two existing mineral extraction operations. The largest is the Holroyd pit near Old Nisqually and the second is the Lakeside Industries Gravel pit west of Reservation Road and north of St. Clair Cut-Off. The Holroyd Pit has a State Permit which extends from Durgan to Reservation Road. Holroyd recently processed a "Special Use Permit" for an expansion of their mineral extraction operation south of Reservation Road to the extent of their ownership.

## E. RURAL AREA CLASSIFICATION

As previously mentioned the Nisqually Interim Zoning Ordinance and the County Rural Zoning Ordinance are to determine if there are any rural areas which could sustain densities higher than 1 unit per 5 acres. The Thurston County Comprehensive Plan contain Policies where and under what circumstances higher densities would be appropriate. It identifies the allowable range of densities in a Rural are as being from 2 units per acre to 1 unit per 5 acres. Briefly, 1 unit per 5 acre is to viewed as the "common residential density within a rural area," residential activities are not to impact forestry or agricultural uses, septic systems are to be the means of sewage disposal. Municipal utilities are not to be extended into the rural area except to correct a health hazard. The Nisqually Planning Areas, as well as the remaining rural portions of Thurston County have been evaluated using the Comprehensive Plan Goals and Policies for Rural Areas. (Refer to page 10.) Briefly, these promote the preservation of the existing rural character and attempt to minimize the impacts of new residential uses upon preexisting uses such as agriculture.

Even though Public Preserves could be defined as a Natural Resource Land it has been included on Table 1 as a Rural Land. Areas mapped as Public Preserves are publicly owned parks or preserves, the level of use activity should actually be less than that for Natural Resource Lands. Therefore, the Nisqually Wildlife Refuge, would fit the Public Preserves category.

The planning area has a several existing higher density residential areas which are well defined and severed by community water systems. That area oriented to the Nisqually Reach and which lies to the east of the Beachcrest plat and outside the UGM boundary is one of the larger collections of residential lots. The area north of 46th Avenue NE and to the west of Meridian is largely one acre parcels. An undeveloped 40-acre parcel is surrounded on two sides by one acre lots and on the third by the UGM boundary. The existing residential parcels east of Meridian are an equal mixture of very small lots, 1-2 acre lots and 5-acre parcels. Another small area which the Nisqually plan recommends be added to the planning area is the Meridian Heights and adjacent plat all of 1/2 acre lots.

Moving south is a small undeveloped plat along the bluff between I-5 and Martin Way. Just north of Steilacoom Road is another area of small lots. Two other spots of small lots exist within the Nisqually Indian Reservation. The first is the area adjacent to 25th Avenue and the second is surrounding the Nisqually Tribal Offices. But the largest concentration of residential lots is in the area referred to as "Old Nisqually".

Old Nisqually generally lies south of I-5 to 7th Avenue and the Holroyd Pit, and between Nisqually Cut-Off Road and the Nisqually River. A scattering of 5-acre parcels and the River Bend camping club on Durgan Road are also included in this area. While smaller clusters of a particular density could be identified, Table 2 below contains a distribution of the lot sizes which excludes the plats of Nisqually River Park and Valley Acre Ranchettes. In Table 2 it would appear that this area is dominated by small lots, but in terms of the overall acreage, the largest area is contained in the parcels larger than five acres. Some of the 5-acre tracts have a large number of mobile homes located on them along Kulman Road and the River Bend camping club on Durgan Road. A small commercial area lies in the center of Old Nisqually and water service to the area is provided by a City of Lacey system.

**TABLE 2 -- OLD NISQUALLY EXISTING LOT SIZES**

	Lot Sizes in Acres				Median	Mode (50-50)
	< 1	1 - 2	2 - 5	> 5		
All Lots	75	65	49	29	< 1	1-2
Outside Floodplain	39	46	30	13	1 - 2	1-2
Inside Floodplain	36	19	19	16	< 1	1-2

**F. ENVIRONMENTALLY SENSITIVE - CRITICAL AREA CLASSIFICATION**

The Growth Management Act and its Guidelines require Thurston County to classify and protect "Critical Areas". An "Environmentally Sensitive Area" designation for Thurston County is equivalent to a "Critical Area" under the Growth Management Act. Thurston County has had "Environmentally Sensitive Area (ESA) regulations as part of its zoning code since 1980. The Growth Management Act Guidelines define Critical areas as "include the following areas or ecosystem: (a) wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas". The Act also requires that "Each county ... shall adopt development regulations on or before September 1, 1991 (now March 1, 1992, under Ordinance 1025), precluding land uses or development that is incompatible with critical areas ...". The Guidelines go on to say that "precluding incompatible uses and development does not mean a prohibition of all uses or development".

In 1989 the Thurston County Planning Department began program to revise and update the Environmentally Sensitive Area regulations. While this project is separate from the Natural Resource or the Rural Lands Classifications, the Nisqually Planning Area contains many areas which meet the definition of "ESA or Critical Areas". Those appropriate goals or policies from the Nisqually Planning Area are contain in Chapter II Section E. In general those policies call for the protection of surface and groundwater resources, establishing a "greenway" along the Nisqually River in the floodway, and limitation of development on steep slopes and in wetlands.

Each of the Environmentally Sensitive - Critical Areas which lie within the Nisqually Planning Area has been mapped using the best available information source. Some information is specific (e.g. floodplain and floodways) whereas other is more generalized (e.g. wetlands). According to the above Nisqually policies, development should be restricted in several of these areas. The following discussion evaluates the impacts each ESA - Critical Area within the planning area based upon the existing ESA regulations and Nisqually Policies.

1. Wetlands

Wetlands within the Nisqually Planning Area are largely confined to the Wildlife Refuge and along McAllister Creek. (Refer to Figure 9 -- Water Features.) There are other isolated wetlands located adjacent to small ponds or within the valley in low areas. Filling of these areas is prohibited under current ESA regulations, but any substantial development activity of the wetlands within the McAllister and Nisqually floodplains would require a Shoreline Permit. These are as mapped in the Comprehensive Plan and on Township maps prepared by the Planning Department.

During the period of European settlement, agricultural fields were often located in converted wetlands. In the Nisqually Planning Area this occurred in the Brown Farm (now the Nisqually Wildlife Refuge) as well as other locations along the Nisqually River and McAllister Creek. Even though still farmed today, many of these areas would be classified as wetlands under the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1989) which is used by Thurston County.

The proposed Thurston County Critical Areas Ordinance would allow "existing and on-going agriculture" as an allowed use in converted wetlands, but would provide no residential density. However, since agricultural areas have been using these converted wetlands for generations, and this Plan is seeking to protect the farm lands, some flexibility would be appropriate. Therefore, all lands within the Nisqually Agriculture zone should be calculated at the zoning density of 1 unit per 40 acres.

2. Critical Aquifer Recharge Areas

A portion of the Nisqually Planning Area lies within the McAllister Geologically Sensitive Area and District as it is known in the Zoning Code. (Refer to Figure 9 -- Water Features and Figure 10 -- Critical Areas.) This area meets the state definition of a Critical Aquifer Recharge Area. Within this area both the Zoning and Health Codes call for low intensity land uses, such as Natural Resource lands, or low density residential, with a maximum density of 1 unit per 5 acres with a septic system. All of the McAllister Springs capture zone within the planning area lies within one year travel time according to the 1990 McAllister Resource Protection Report from the Thurston County Health Department. (Refer to Figure 11 -- Open Space and Public Lands.)

### 3. Fish and Wildlife Habitat Conservation Areas

The Brown Farm in the Nisqually Delta and the surrounding lands were purchased by the U.S. Fish and Wildlife Service (USFWS) in 1974. This site is now the Nisqually National Wildlife Refuge and is located on approximately 1,700 acres within Thurston County and this planning area.

The Wildlife Refuge provides for 10 different types of habitat types ranging from salt marshes, mud flats, freshwater marshes, to riparian forests. The site is home to 177 species of birds, 27 species of fish, 35 of mammals, and 5 of reptiles and amphibians. This is the only Federal wildlife refuge within Puget Sound. A 1985 report on Biologically Significant Wetlands Within Puget Sound identified the remnants of the salt marshes on the refuge as one of 19 priority sites in the sound. In 1980, Bortelson, et. al. estimated that the Nisqually River estuary had lost 28% of its ancient salt marsh wetlands. In terms of the Brown Farm, a dike was constructed between 1910 to 1920 "to reclaim the low delta lands" for farming. (Neilson, 1980.) As a result, those lands within the dike were changed over time from salt to a fresh water system.

The USFWS is interested in acquiring two additional parcels adjacent to the refuge. The first is the 400-acre Braget Farm in Pierce County to the east of the refuge and a 140-acre parcel to the west known as the Meek property. The Braget Farm includes frontage on the Nisqually River, freshwater wetlands, and some upland areas. It is accessed from Mounts Road. The Meek property lies between the refuge and the UGM boundary along Meridian Road. Both parcels lie north of the I-5 corridor.

The Nisqually Valley is also home to several state Priority Species. There are places along McAllister Bluff where great blue herons roost and the valley is home to a bald eagle nest located in 1991. Development adjacent to the heron rookery was required to maintain a 200-foot buffer along the top of McAllister Bluff. This same project was also required to provide a wildlife corridor connection between Meridian Campus and the top of the McAllister Bluff buffer.

Both the Nisqually River and McAllister Creek support a variety of salmonid fisheries. The Nisqually River fisheries is important for its cultural value to the Nisqually Tribe, as well as its commercial significance. The Tribe operates a fish hatchery within the planning south of the tribal office. The State Department of Fisheries Hatchery is located on McAllister Creek at Steilacoom Road.

Another major wildlife "preserve," which is currently not designated as such, is Olympia's McAllister Springs facility. This parcel includes wooded hillside, the springs, and the wetland headwaters of McAllister Creek. While the City of Olympia obtains most of its water from this source, the site's 256 acres are actually less "improved" than the wildlife refuge, and may represent a small vestige of ancient freshwater wetlands in the planning area.

#### 4. Floodplains and Floodways

There is a 100-year floodplain associated with both the Nisqually River and McAllister Creek, however only the Nisqually River has a floodway. (Refer to Figure 9 -- Water Features.)

The floodways is a narrow band parallel to the river channel where property damage would be the greatest and where new development is severely restricted under existing regulations. New residential uses are currently allowed within the floodplain if the first floor is elevated one foot above the 100-year flood. A number of existing lots in or around Old Nisqually lie within these floodplain areas as mapped by the Federal Emergency Management Agency (FEMA).

Nisqually Policy B1 recommends that a "natural greenbelt be established along the Nisqually River by the acquisition of undeveloped parcels and existing residences over time." It may not be possible to acquire all the shoreline residences since some are Indian Trust properties.

## 5. Landslide Slopes

The landslide slopes within the planning area are located along the marine shoreline and continue southward to McAllister Springs. This landslide slope is referred to as McAllister Bluff. Another small slope exists along Durgan Road. Currently, activities may be limited within these areas on a case by case basis and a special report may be required to insure slope stability. These are as mapped in the County Comprehensive Plan and on Township maps prepared by the Planning Department.

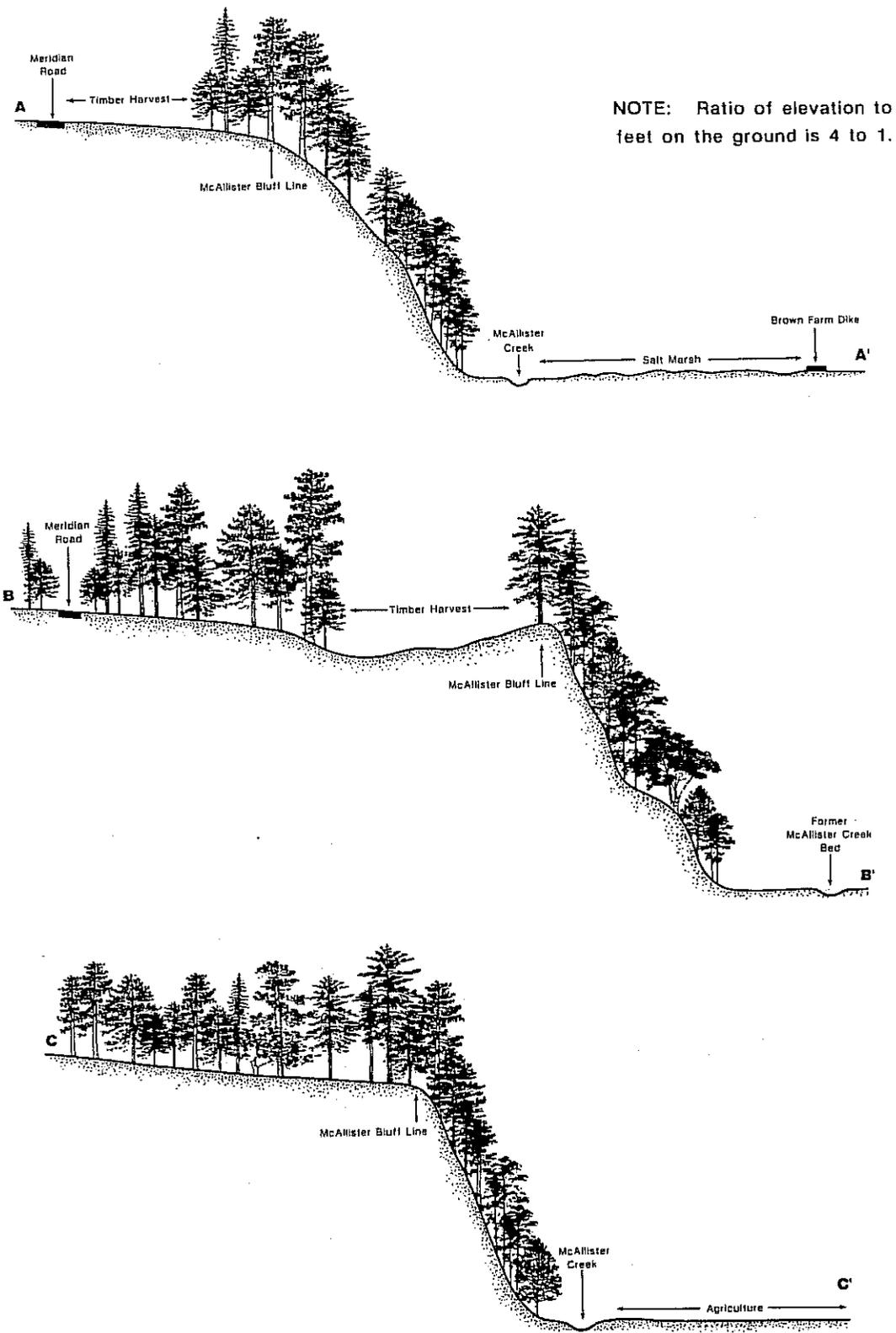
At the first public forum and in subsequent surveys, the public has indicated that the wooded hillside is also essential to maintain the long term "rural character" of the valley. McAllister Bluff extends along the western edge of the Nisqually Valley from 150 to 175 feet above the valley floor. Along this slope two older subdivisions have built right to the bluff and a third which lies between Martin Way and I-5 was approved just prior to this sub-area planning process.

The risk of slope failures in this area is real and magnified by the presence of McAllister Creek at or near the toe. A Conservancy Shoreline Environment parallels the west side of McAllister Creek from the springs to I-5 and changes to a Natural Shoreline Environment north of I-5. Refer to Figure 8. Cross sections of McAllister Bluff are shown in Figures 10A & 10B. The locations of these cross sections are shown on Figure 10.

Development along McAllister Bluff was of significant concern to the Nisqually Planning Committee. Figure 10C graphically depicts this traditional type of continuous bluff line development which concerned the Committee. They believed that the natural and community values would be destroyed even with requirements for mitigation which has been the case in Thurston County and along other bluffs in the Puget Sound region. A number of property owners along the bluff expressed their concern at the Thurston County Planning Commission public hearing about the proposed bluff restrictions. These property owners believed that the 200 foot buffer was excessive and would prevent their sale of prime "view" lots, which would be particularly desirable if the valley was protected.

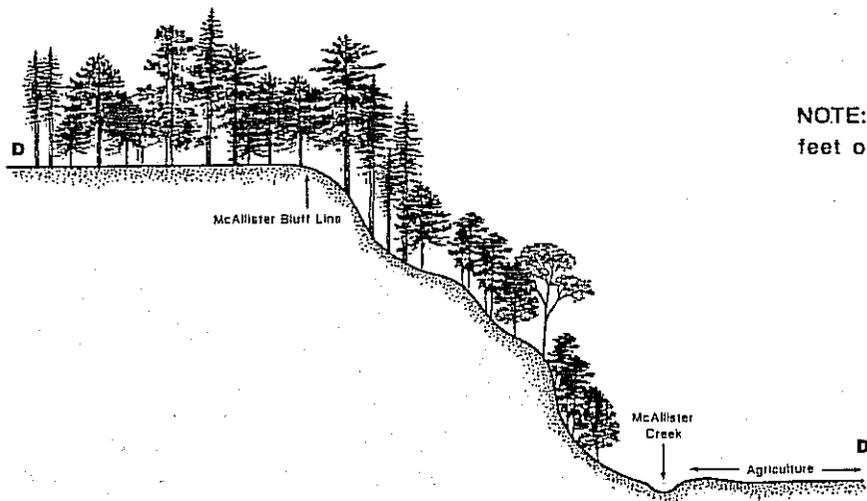
# Nisqually Planning Area

## Figure 10A: Existing McAllister Bluff Northern Cross-Sections

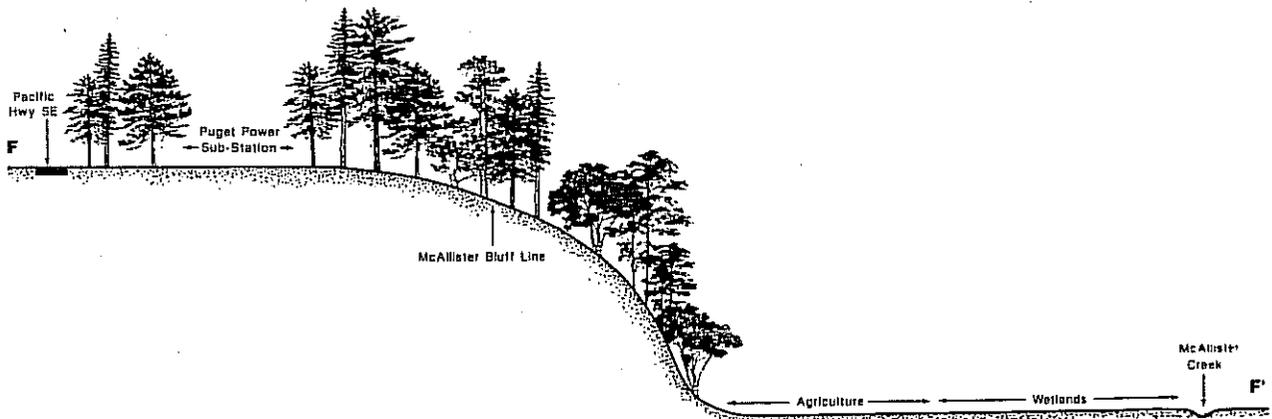
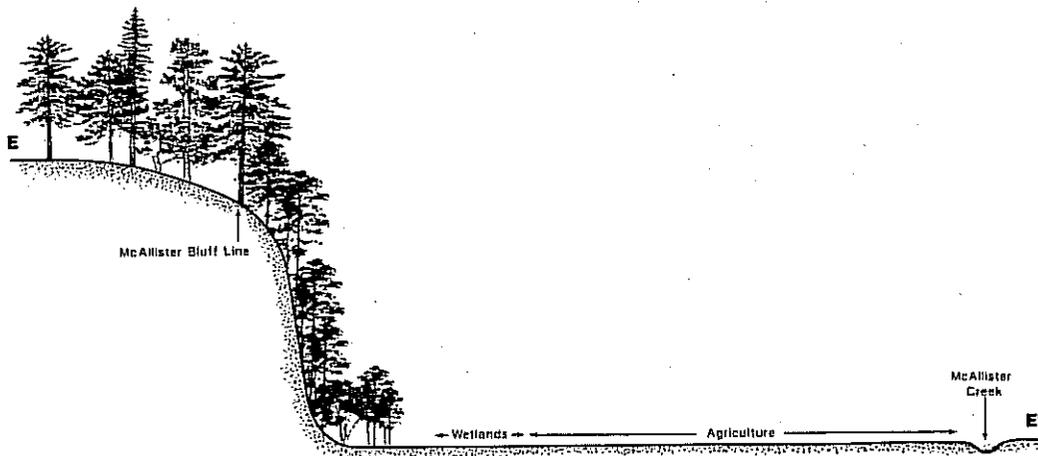


# Nisqually Planning Area

## Figure 10B: Existing McAllister Bluff Southern Cross-Sections



NOTE: Ratio of elevation to feet on the ground is 4 to 1.



The undeveloped portion of McAllister Bluff is over 5 miles long or a total of 27,000 lineal feet. The 1 unit per 5 acre zoning has no minimum lot width, but new residential subdivisions along Puget Sound with less than 150 feet in width are having trouble accommodating the desired housing style. Therefore, a 200-foot wide lot may be considered "average" for the purpose of calculating the potential number of lots. If calculated over its entire length, McAllister Bluff could support a total of about 135 view lots along its length. Under such a condition, the bluff would lose much of its aesthetic character.

Mitigative measures are not always successful in preserving desired features. Conditions placed on the preliminary plat of Ridgeview Division I (located just south of Martin Way and approved prior to the Nisqually Planning Program) required a 50-foot vegetative buffer be maintained from the top of McAllister Bluff. This requirement was identified as an easement on several affected lots and also noted on the final plat linen. Subsequent site inspections by the Planning Department indicate violations to this condition and a significant loss of trees and vegetation within the easement.

A similar trend of required buffer loss was reported by the Washington Department of Ecology. In a survey of 21 wetlands in King and Snohomish Counties, the Washington Department of Ecology found that:

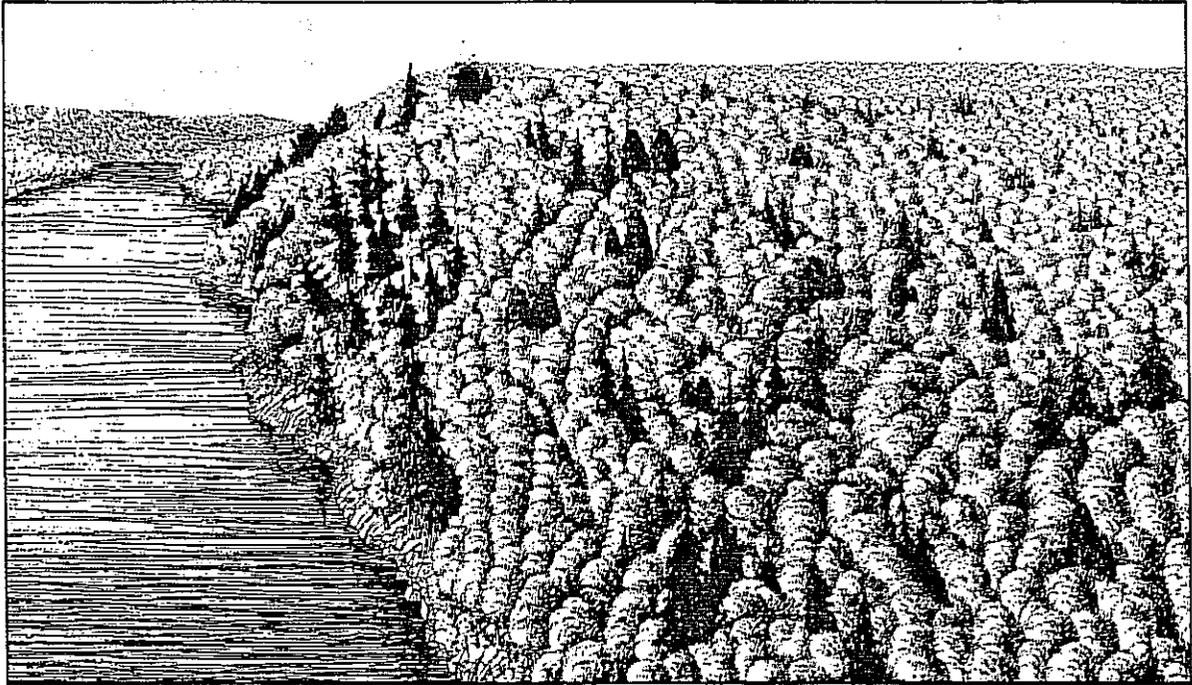
"buffers less than 50 feet wide showed a 90% increase in alteration of the buffer (19 out of 21), while only 43% (3 out of 7) showed alteration in those buffers where the buffer was greater than 50 feet."

(Wetland Buffers--Uses and Effectiveness, 1992)

To compensate for these findings, Ecology recommends larger buffers, placing them in open space tracts (rather than easements on lots) which are fenced with no gate. This would help minimize unauthorized vegetation removal. Since midnight logging is perceived as a potential problem along McAllister Bluff, similar conditions may be warranted.

# Nisqually Planning Area

## Figure 10C: Potential Bluffline Development



Bluffline before conventional development.



Bluffline after conventional development.

Note: Multifamily structures in this example.

Concerns about tree cutting on McAllister Bluff and its buffer could parallel those in King County where a \$250,000 enforcement action has been brought against a ridgeline property owner. Then an individual violated a recorded "Native Growth Protection Easement" designation within an open space tract. The amount of the civil penalty in King County is calculated to be equivalent to the economic benefit which was derived from the violation. In this case the market value of 5 lots in the plat of Montage were increased by \$50,000 per lot once they could be sold as "view" lots. Not surprisingly, this enforcement action is being appealed.

In 1989 a condition for a 200-foot vegetative buffer along McAllister Bluff was placed on a large lot subdivision located north of I-5. The condition also required placing the buffer in an open space tract. While there reportedly have been some minor encroachments into this area, its long-term viability is significantly greater than the above mentioned 50-foot buffer. The Nisqually Planning Committee also evaluated a 100-foot buffer of mature trees, an example of which was required along Marvin Road just to the west of the Planning Area. They concluded that a similar 100-foot buffer would not provide the type of effective visual screening which they desired, nor did it provide the same degree of natural resource protection as the 200-foot buffer.

The Nisqually Planning Committee proposed a 200-foot vegetative buffer along McAllister Bluff, based upon this evaluation and the belief that this buffer should provide a distinction between the urban and rural portions of the county. See Nisqually Policies A3, A4, and C1. However, some flexibility is needed in areas of preexisting hillside development or unbuilt but platted lots, particularly between Martin Way and I-5. In these areas, the buffer should be at least 50 feet wide, provided that this protects the stability of the bluff and maintain the visual integrity of the hillside. This Plan will provide for the calculation of residential density on the McAllister Hillside at the zoning density of 1 unit per 5 acres.

The slope along the eastern side of the valley and above the Old Pacific Highway provides a continuation of this visual backdrop. This slope is not identified as a Landslide Slope and is at a slightly lower elevation than the valley. It will be important to the rural character of the Nisqually Valley to protect both sides of the valley.

## G. OPEN SPACE CLASSIFICATION

Although not a regulation, the State of Washington has adopted a taxing program which is related to planning and zoning. The Open Space Tax Act (RCW 84.34) allows counties to designate lands which should be taxed at their "current use value". Programs are provided for agricultural lands, small forest lands less than 20 acres in size, and other open space lands. Under one option, eligible lands are designated as "Open Space" in a comprehensive plan and zoning code. A second option is to identify those lands which meet the general criteria in the Open Space Taxation Act.

Thurston County found the state criteria too broad and adopted a Public Benefit Rating System (PBRs) to help identify appropriate lands for the "Open Space" category. This system establishes eligibility criteria based upon the presence of three features important to Thurston County. These features are the number and relative importance of natural and cultural resources, the availability of public access, and the presence of a "conservation easement." These features are given a point value and the total value for the site determines its tax reduction category. For open space lands the program has three tax reduction categories of 50, 70 or 90 percent. Once this Plan is adopted, revisions to the rating system will be required to reflect the greater importance of McAllister Hillside and its buffer.

A survey of the properties enrolled in the Open Space Tax Program in 1990 indicated that nearly 1/3 of the planning area (32%) was enrolled in one of the three programs. This included 1,552 acres in timber, 1,294 acres in agriculture and 61 acres as open space lands. Timber accounted for 17% of the planning area, agriculture another 14% and open space less than 1%. (Refer to Table 3 -- 1990 Open Space Lands & Figure 11 -- Open Space and Public Lands.)

TABLE 3 -- NISQUALLY 1990 OPEN SPACE LANDS  
(Open Space Timber, Agriculture & Open Space and Designated Timber Programs)

	Timber	Agriculture	Open Space	Total
Land Area in acres*	1,552.29	1,294.12	61.30	2,907.69
Percent of total Planning Area (8,981 acres estimated for planning area)	17%	14%	0.7%	32%
Number of parcels	21	27	2	50
Number of owners	9	12	2	21
Total current use value (land only)	\$127,928 (0.1 million)	\$299,630 (0.3 million)	\$66,030 (0.06 million)	\$493,588 (0.5 million)
Total assessed market value (land only)	\$2,577,024 (2.6 million)	\$3,449,100 (3.4 million)	\$132,000 (0.1 million)	\$6,158,124 (6.1 million)
Average market value per acre** (land only)	\$1,660/acre	\$2,665/acre	\$2,153/acre	\$2,118/acre
Average current use value per acre (land only)	\$95/acre	\$232/acre	\$1,077/acre	\$170/acre
Percent of current use value to market value	6%	9%	50%	8%

\*\*Last thorough assessment was conducted in 1981. \* 7 parcels lie partially within the Planning Area boundary and were apportioned as follow:

2/3 of 09900001000 lies within the planning Area boundary

3/8 of 21818210200

1/6 of 21818220000

2/3 of 21818340000

3/8 of 21819220000

19/20 of 21828230000

4/5 of 21829120000

3/4 of 21829310000

## H. TRANSPORTATION

### 1. Current Facilities

The Nisqually Planning Area has historically been the crossroads of cultures and the regional transportation network. The I-5 corridor currently carries 70,300 Average Daily Trips which accounts for over 25,000,000 trips per year. In other words, the entire state of Washington drives through the Nisqually Valley every two months.

The planning area is therefore greatly impacted by traffic generated from other locations. (Refer to Figure 12 -- Transportation.) In addition to Interstate 5, there are several arterials which bisect the planning area. The largest of these are State Route 510, Old Pacific Highway, Reservation Road, Martin Way, Meridian Road, and 46th Avenue NE. Minor arterials include Nisqually Cut-Off Road and Steilacoom Road.

Many of the arterials which bisect the planning area are "rural" in character having 12 or fewer feet of asphalt per lane, with few shoulders and designed for low traffic volumes.

The current road standards for county arterial would require a minimum paved cross section of 40 feet, consisting of two 12-foot driving lanes and 8-foot shoulders on both sides. Meridian Road and 46th Avenue NE lie on the boundary between the Urban Growth Area and the rural portion of the county. Urban facilities are characterized by curb, gutter, and sidewalk sections, whereas the rural standard is shoulders and open ditch. There is currently no County policy to determine the type of facility (urban or rural) which should be constructed in this situation.

### 2. Traffic Volumes

The 1990 traffic volumes are identified on Figure 12 -- Transportation in average weekday trips in both directions. The highest traffic volumes for roads within the planning area are described in Table 4, which follows.

**TABLE 4 -- 1990 TRAFFIC VOLUMES**

<b>Rank</b>	<b>Roadway</b>	<b>Location</b>	<b>Volume (AWDT*)</b>
1	Martin Way	E of Meridian	11,870
2	SR-510	S of Nisqually Tribal	7,040
3	SR-510	N of Yelm Highway	5,320
4	Old Pacific Highway	Reservation Road to Nisqually River	5,190
5	Reservation Road	S of Old Pacific Highway	3,120
6	Meridian Road	N of Martin Way	3,060
7	Meridian Road	N of 31st Avenue NE	2,940
8	Nisqually Cut-Off Road	N of Canine Street	2,572
9	Old Pacific Highway	S of Reservation Road	1,970
10	Steilacoom Road/7th Avenue	--	1,070

\* AWDT = Average Week Day Trips

3. Transportation Issues

Table 4 indicates the magnitude of traffic volumes which bisect the planning area. Since the Nisqually Planning Area lies between the UGM area, the future city of Dupont, and the Yelm growth area, the traffic volumes on these arterials can be expected to increase over the next 20 years. The traffic projections for some arterials such as Martin Way, Old Pacific Highway near Old Nisqually, and Reservation Road are at least double current volumes. Volumes on other routes such as Old Pacific Highway from SR-510 to Reservation Road could be expected to triple. Although these projections prepared by Thurston Regional Planning Council are based upon the regional model, the actual increases in traffic may be considerably higher.

Since the planning area is already heavily impacted by commuter through trips, any future transportation improvements should be compatible with the rural character. This would be accomplished by maintaining two lane county arterials and which would only allow a three-lane section on Old Pacific Highway from the Nisqually River to Reservation Road. A policy decision on the design standard for Meridian Road is needed. Trips across the valley on Steilacoom Road and 7th Avenue should be discouraged, and trips from The Meadows should be encouraged to use Martin Way. This may require improving Dutterow Road and upgrading Deerbush Drive to major arterial standards.

The only road in the planning area that has an improved bike lane (adjacent to the travel lane) is SR-510. These facilities should expand as arterials are improved along with the park and bike facilities and view points in the valley. Currently there are no such facilities within the planning area.

#### 4. Proposed Transportation Improvements

As of the Spring of 1992 several transportation improvement projects are anticipated in the near future. The Reservation Road bridge over the Burlington Northern Railroad will be replaced during 1992. The Nisqually River bridge is to be replaced by 1995. Both projects will likely cause the substandard roadways which access these bridges to be reevaluated. It is likely that the intersection of Reservation Road and Old Pacific Highway will be realigned into a "T" in the near future.

Another project in the preliminary planning stages is the realignment of Dutterow Road into a 4-way intersection with Meridian Avenue and Martin Way. Although outside the Nisqually Planning Area this would greatly facilitate the use of Dutterow Road as the major north-south arterial paralleling McAllister Bluff which is described in Nisqually Policy: I.2. As other roads within the Nisqually Planning Area are evaluated for future improvements, these improvement need to maintain the basic rural character of the Nisqually Valley.

#### **IV. LAND USE AND ZONING CATEGORIES**

##### **A. NATURAL RESOURCE AND RURAL LANDS**

The Growth Management Act identifies three generalized types of lands. Briefly these are: "Urban Lands" those within an Urban Growth Boundary, "Natural Resource Lands" those with long-term commercially significant farm, forest and mineral resources, and "Rural Lands" those which lie outside the growth boundary and are not resource lands. The Thurston County Comprehensive Plan refers to "Rural Areas" but lacks the Growth Management Act's detailed distinction for Natural Resource Lands. This document will attempt to satisfy both criteria, and meet the goals and policies of the Nisqually Planning Committee. There will be no "Urban" land uses or densities within the Nisqually Planning Area.

##### **B. PROPOSED LAND USE AND ZONING CATEGORIES**

Since the Nisqually Planning Area contains a wide range of existing land uses, resources, and densities, there will be some new land use and zoning categories proposed to conserve these resources. Thirteen land use and zoning categories are proposed. Two categories will be defined as "Natural Resource Lands", eight as "Rural Lands", and three as "Commercial Lands". Special overlay categories will be for Mineral Resources and the Nisqually Hillside Overlay. These land use and zoning categories are describes below along with a description of the location within the planning area. A summary of these categories and their relative sizes is listed below in Table 5 -- Nisqually Land Use and Zoning Categories.

**TABLE 5 -- NISQUALLY LAND USE AND ZONING DISTRICTS**

Land Use and Zoning Districts	Zoning Symbol	Density for Single Residence or Clustered Housing	Density for Purchase or Transfer of Development Rights	Minimum Lot w/out Residence	Purchase of Development Rights (PDR)	Transfer of Development Rights (TDR)	Cluster Option
<b>NATURAL RESOURCE LANDS</b>							
Nisqually Agriculture	NA	1/40	1/5	5 Acres	Yes	No	Yes**
Long-Term Agriculture	LT-A	1/20	1/5	5 Acres	No	Yes	Yes**
Mineral Resource Overlay	Hatch Pattern	N/A	N/A	N/A	--	--	--
<b>RURAL LANDS</b>							
Public Preserves	PP	N/A	N/A	N/A	--	--	--
Military Reservation	MR	N/A	N/A	N/A	--	--	--
Rural Residential 1 Unit Per 5 Acres	RR 1/5	1/5	1/5	1/5	--	--	Yes
Rural Residential 1 Unit Per 2 Acres	RR 1/2	1/2	1/2	N/A	--	--	PRD
Rural Residential 1 Unit Per Acre	RR 1/1	1/1	1/1	N/A	--	--	PRD
Rural Residential 2 Units Per Acre	RR 2/1	2/1	2/1	N/A	--	--	PRD
McAllister Geologically Sensitive Area	MGSA	1/5	1/5	1/5	--	--	Yes**
Nisqually Hillside Overlay	Dot Pattern	Underlying Zone	Underlying Zone	Underlying Zone	--	Yes	Yes
<b>COMMERCIAL LANDS</b>							
Highway Commercial	HC	N/A	N/A	20,000 sq. ft.	N/A	N/A	N/A
Arterial Commercial	AC	N/A	N/A	12,500 sq. ft.	N/A	N/A	N/A
Neighborhood Convenience	NC	N/A	N/A	20,000 sq. ft.	N/A	N/A	N/A

-- = None  
N/A = Not Applicable  
\* = Does not include right-of-ways  
\*\* = No Density Bonus

## C. NATURAL RESOURCE LANDS

The Natural Resource Lands category meets the Growth Management Act Guidelines for defining those areas of "long-term commercial significance". Natural Resource Lands would benefit from "right to farm, right to forestry, and right to mine" provisions within and along the boundaries of these categories.

### 1. Nisqually Agriculture (NA) NOTE: New Category

The Nisqually Agriculture category includes those lands which were identified as "Farm Land" on Table 1. Within the Nisqually Planning Area this category has been applied to those lands within the valley which are currently in agricultural production, and lie between McAllister Bluff and the Nisqually Cut-Off Road and south of I-5.

The purpose of this category is to maintain agricultural lands for current and future use through a combination of regulations and incentives. To retain the valley in agricultural use, a higher residential density will be allowed if that density is transferred to another suitable location within the planning area or the Urban Growth Management Area or acquired by a Purchase of Development Rights (PDR) program.

Limitations on the properties where the density has been purchased would be accomplished through a deed restriction and/or a conservation easement if the density is transferred to another site. Either restriction would run with the land and be permanent. An appropriate government agency or local land trust would be the custodian of any deed restriction or conservation easements within the Nisqually Planning Area.

If the residential density of a parcel has been purchased or transferred to another suitable site, then no residential units may constructed on the parcel. The density varies if the residential unit is located on an individual plot (1 unit per 40 acres) or used to calculate clustered housing (1 unit per 5 acres). The density for a purchase of development rights or transfer of development rights program is 1 unit per 5 acres. No fractional units will be created in this calculation. Density transfer or purchase would be preferred over on-site clustering. No density bonus would be allowed for clustered housing in this zone.

The proposed Planned Rural Residential Development (PRRD) Chapter encourages the clustering of residential units which would maintain the aesthetic character of the valley and minimize the impacts to on-going agricultural activities. The least preferred option would be a non-clustered lot of 40 acres. Lots of parcels 5 acres in size could be created once the ability to construct single-family housing has been eliminated. Again no residential units will be allowed on these parcel, and the uses will be limited to traditional agricultural activities with almost all of the site reserved for farming. Small roadside stands would be allowed.

2. Mineral Resource Overlay (MR) **NOTE: New Category**

The Mineral Resource Overlay will apply to lands in either the Natural Resource or Rural Resource category. It will be added to the zoning map after a Special Use Permit has been issued for a specific pit. All preexisting pits with valid State or local permits will meet this criteria. This includes the existing and recently permitted expansion of the Holroyd facility and the existing Lakeside Industries Pit. The Lacey Environs Sub-Area Plan had a Mineral Extraction land use category. (Refer to Figure 7 -- 1988 Planning Area Land Use.)

3. Long-Term Agriculture (LT-A) **NOTE: Existing Category**

Within the Nisqually Sub-Area, the Long-Term Agriculture category applies to agricultural lands on Durgin Road, south of the rail line. These lands are eligible for the Transfer of Development Rights Program. Transferred rights are calculated at 1 unit per 5 acres. Refer to Chapter Two of the Thurston County Comprehensive Plan for a full description of the Long-Term Agriculture designation.

## D. RURAL LANDS

The Rural Lands category in this text meets the Comprehensive Plan language for "Rural Lands" where there is a mixture of farm, forestry, and residences. While these are not areas of "long-term commercial significance", they contribute significantly to what is often described as "Rural Character". The Thurston County Environmental Health Department has determined that these densities meet the current Health Code standards for on-site septic systems.

### 1. Public Preserve (PP) NOTE: New Category

The Public Preserve category includes those lands which were identified on Table 1. This category only includes large publicly owned areas which are not considered active parks. The Nisqually Wildlife Refuge, fits this criteria. Parcels may be added to this category only after acquisition by a public body for a similar passive open space activity.

### 2. Military Reservation (MR) NOTE: New Category

Fort Lewis has a specific designation due to its special needs and military mission. Only a small corner of the Fort lies within the planning area, and nearby portions will probably be managed similar to a long term forestry area.

### 3. Residential One Unit Per Five Acres (RR 1/5)

The Thurston County Comprehensive Plan refers to the residential 5 acre category as the "common residential density in rural areas" (page 12). It is the largest category in the planning area and is located along McAllister Bluff, the City of Olympia McAllister Springs ownership, within the Nisqually Indian Reservation on the plateau above the Nisqually Valley and in Old Nisqually due to the floodplain and adjacent agriculture designation. Clustered lots could be as small as ½ acre. Seventy-five percent of the site would be open space, and a 20% bonus would be allowed. The open space portion of a clustered lot subdivision would primarily be used for agriculture, forestry, or passive recreation with only a small portion of the area used for stormwater facilities on sewage system drain fields. Further development of the non-residential area would be prohibited by a deed restriction (e.g. conservation easement). This deed restriction would be permanent and run with the land. Long term use of the non-residential area as forestry would be preferred.

4. Residential One Unit Per Two Acres (RR 1/2)

The Rural Residential one unit per two acres category includes three areas which meet the Comprehensive Plan criteria for this density. The largest area lies east of Meridian Road and north of the Mixed Rural Residential category. The second area lies north of Martin Way to the Nisqually Valley subdivision. The last is a very small area of privately owned property between McAllister Springs and SR-507.

5. Residential One Unit Per Acre (RR 1/1)

The Residential one unit per acre category includes some of those lands within the "Rural Residential" land use category on Table 1. This category only occurs in one location within the planning area. All of that area which lies north of the Urban Growth Boundary and west of Meridian Road meets the Comprehensive Plan criteria for this density.

6. Residential Two Units Per Acre (RR 2/1)

This category includes a majority of those lands within "Rural Residential" on Table 1. The Residential two units per acre category includes four locations within the planning area. All four are pre-existing subdivisions and meet the Comprehensive Plan criteria for this highest Rural density. The four areas include the subdivisions and adjacent areas of Nisqually River Park, Kicuwa Meadows, adjacent to the Nisqually Tribal Offices, Nisqually Heights, and Meridian Heights & Nisqually Vista.

7. McAllister Geologically Sensitive Area (GSA)

The McAllister Geologically Sensitive Area was adopted in January 1991. It is a 1 unit per 5 acre zone, with additional restrictions for the protection of water quality. The location of this category lies south of McAllister Springs. Those portions of the McAllister Spring capture zone which lie within the planning area are all within a one-year travel time to the springs. New mineral extractions are prohibited, although the western portion of the Lakeside Industries operation lies within this category. For the long term protection of water resources, forestry is the preferred use. The mandatory clustering of residential lots also applies to this category, as to the residential one unit per five acres category.

8. Nisqually Hillside Overlay NOTE: New Category

To reduce the risk of slope failure and to maintain the visual integrity of the wooded Nisqually Valley, the Nisqually Hillside Overlay District will be adopted. It will extend from the toe to the top of the bluff along both sides of the valley. Above McAllister Creek it extends from Luhr Beach to McAllister Springs, and on the east side of the valley from the Holroyd pit entrance to McAllister Springs. A 200-foot buffer will be required upland of McAllister Bluff and a 100-foot vegetative buffer along the east side of Old Pacific Highway. This will extend from the Holroyd pit entrance to Thomsen Road. Some flexibility will be provided for areas of preexisting development along the bluff which includes lots less than one acre in size, undeveloped lots in a subdivision and the portion of the slope between Martin Way and I-5. In these locations, the buffer from McAllister Bluff should be at least 50 feet wide. This buffer will protect the stability of the bluff and maintain the visual integrity of the hillside.

No residential structures will be allowed within the Hillside Overlay District due to the severe risk of landslide and the potential adverse impacts to McAllister Creek. This Plan prohibits the calculation of residential density on the hillside at the residential density of 1 unit per 5 acres. The density may be clustered on the upland portion of a lot or transferred to an adjacent parcel. Mineral extractions would also be prohibited within the Hillside Overlay District.

## E. COMMERCIAL LANDS

Commercial Lands in the Nisqually Planning Area are limited to previously zoned areas and a new site near the Nisqually Tribal Office. Billboards would be prohibited in all commercial categories.

### 1. Highway Commercial (HC)

The Highway Commercial land use category includes the existing commercial uses within the Martin Way & I-5 triangle. This area was zoned in the Lacey Environs Sub-Area Plan. This category would match the previous designation and boundary, and should not be changed to the more intensive Arterial Commercial designation common along the Martin Way strip.

### 2. Arterial Commercial (AC)

The Arterial Commercial land use category will apply to only one area within the Planning Area. This will be a triangle of tribal land on the south west side of SR-510 and across from the existing tribal store. This area will be the probable site of a new neighborhood convenience store and a tribal bingo parlor.

### 3. Neighborhood Convenience (NC)

The Neighborhood Convenience land use category includes the existing commercial corner in Old Nisqually. This area was also zoned in the Lacey Environs Sub-Area Plan. This category would match the previous designation and boundary. Agriculturally related commercial activities which could be permitted in the Rural Residential/Resource 1/5 zone with a Special Use Permit, should be located in this zone.

## V. NISQUALLY ACTION RECOMMENDATIONS

### A. **REGULATORY PROGRAMS**

Structural changes will be needed to the Thurston County Zoning and Subdivision codes to implement the concepts in the previous chapter. The following are a list of those specific regulatory actions.

#### 1. Adopt New Zoning Categories

It will be necessary to adopt new zoning categories for all the proposed zoning districts. Primary and accessory uses will be needed, as well as minimum lot size, cluster density calculation, and other standard zoning language. Draft zoning language addressing these issues has been prepared for the Nisqually Agriculture, Public Preserves, Military Reservation, and the Nisqually Hillside Overlay.

#### 2. Adopt Cluster Regulations

It will be necessary to adopt an amendment to the Zoning Code for the cluster concept. Dimensional standards will be needed including the minimum and maximum size of clustered lot, allowable number of lots in a cluster, and locational criteria. Procedures for limiting uses on the remaining resource land parcel will also be needed. Draft zoning language addressing these issues has been prepared for the Planned Rural Residential Development district.

#### 3. Adopt Right to Farm and Practice Forestry Regulations

A "Right to Farm" law has been adopted by the State. A parallel local ordinance for farm and forestry practices has been drafted as an amendment to the Thurston County Zoning Code.

## B. NON-REGULATORY PROGRAMS

Non-regulatory programs are distinguished by the focus on property acquisition, education and other voluntary programs.

### 1. Farm Land Purchase of Development Rights (PDR)

Thurston County has adopted a voluntary Purchase of Development Right (PDR) program in the Nisqually Valley for approximately 840 acres of agricultural land. This includes most areas designated as "farm lands of long-term commercial significance" under the Growth Management Act guidelines within the Nisqually Valley. These lands are contained in the "Nisqually Agriculture" land use and zoning categories.

This technique is essential to the long-term protection of the valley for two reasons. First, because it will permanently preserve the land for farming, and with its success, the valley will be less influenced by changes in zoning and political decision makers.

### 2. Farmland Transfer of Development Rights Program

Thurston County allows Long-Term Agriculture lands within the Nisqually Valley to participate in a voluntary Transfer of Development Rights Program. This includes approximately 200 acres of agricultural lands south of the Durgin Road tunnel. This option provides permanent protection of the farm land while allowing farmers to retain ownership. It is similar to the Purchase of Development Rights Program, except that instead of the County purchasing development rights, a private citizen would purchase the rights for use in a development in the designated urban areas.

### 3. Apply for "Natural Resources of Statewide Significance" Designation

Thurston County should support legislation to designate the Nisqually Planning Area as a "Natural Resources of Statewide Significance". It is anticipated that such a designation would allow the County to apply for state matching monies for the agricultural PDR program.

### 4. McAllister Geologically Sensitive Area Purchase of Development Rights

Within the McAllister Geologically Sensitive Area, if the City of Olympia desires a greater degree of protection than is provided by those regulations, the City should consider purchasing the development rights of those lands.

It is a common practice for water utilities to acquire land or the development rights for surface watersheds. The same concept could be applied to a groundwater capture zone, particularly in an area of a short travel time (e.g., within one year to McAllister Springs). At the current and proposed density of 1 unit per 5 acres, approximately 105 homes could be constructed within both the Nisqually Planning Area and the one year travel time to McAllister Springs.

5. Fee Simple Purchase of Nisqually Floodway

The State, County or Land Trust should acquire at least the first tier of lots along the Nisqually River from the Burlington Northern Rail Road bridge downstream to the I-5 bridge. This should occur at times of opportunity over the next 20 years. Existing structures would be relocated and this area would reestablish vegetation over time.

6. Farming District Sign

Several types of signage are described in the Nisqually Goals and Policies. Appropriate efforts should be made to implement all the signage recommendations.

7. Nisqually Valley Days

The Nisqually Valley farmers and residents should consider starting a local festival which would showcase the valley, its farms, its history and the rural character. Events could include a "Nisqually Farm and Hatchery Tour", the infamous covered wagon rides even along the Brown farm dike, closing Steilacoom Road for 24 hours, limited vehicle access for only local residents, temporary park and bike locations and a bicycle farm tour.

8. Revised Public Benefit Rating System

The Thurston County Open Space Tax Program and the Public Benefit Rating System for Open Space Lands should be revised to reflect the increased importance of McAllister Hillside and its buffers. Hillside properties which are enrolled in Open Space Timber should be encouraged to convert to Open Space Lands once the rating system has been revised.

## C. INTERGOVERNMENTAL COOPERATION

Cooperation between governments is especially important for this planning area, since it lies adjacent to numerous Federal and local jurisdictions.

### 1. Nisqually Tribe Intergovernmental Agreement

As described in the Nisqually Goals and Policies, the Tribe and Thurston County should jointly adopt an intergovernmental agreement for trust lands on and off the reservation and private lands within the reservation. The Swinomish Tribe and Skagit County recently adopted such an agreement which dealt with both process and substantive issues.

### 2. Nisqually Forest Practices Review

Thurston County should request that the Washington Department of Natural Resources review forest practices applications in the Hillside Overlay District as a Class IV Special Permit due to its unique location and importance as identified in this Plan.

### 3. Planning within the Urban Growth Management Area

- a. The Urban Growth Management boundary in the area of the Meridian Heights Plat should be moved from the top of McAllister Bluff to Meridian Road north of I-5.
- b. The Urban Growth Management Boundary south of I-5 should be moved from the top of McAllister Bluff westerly 200 feet to include the buffer.
- c. Revisions to the Meridian Campus Planned Community Master Plan should be evaluated on their compatibility with this document's Goals, Policies, and provisions for the Urban-Rural interface. The retention of the 400-foot wide "Wildlife Habitat Corridor", which is continued in the Hawks Prairie Planned Community and within the Mixed Rural Residential category east of Meridian Road, should be evaluated on the basis of its impacts upon the wildlife within and on adjacent properties. This should include its connection with those portions of McAllister Bluff which lies within the Nisqually Wildlife Refuge.

4. Sub-Area Plan Concurrence with Dupont, Pierce County, and Yelm

The Board of County Commissioners should request letters of concurrence from the Cities of Dupont and Yelm; and Pierce County for the implementation of the Nisqually Sub-Area Land Use Plan, and specifically Policies A5, I1, I4, I7, and L3.

5. Protection of Nisqually Bluff in Dupont and Pierce County

The Board of County Commissioners should request that the City of Dupont and Pierce County maintain the visual integrity of the bluff along the eastern side of the Nisqually River which is visible from the I-5 corridor.

6. Thurston County Acknowledgement of Nisqually River Management Plan

The Board of County Commissioners should adopt a resolution supporting the Nisqually River Management Plan through the use of sub-area planning. The implications to County are minimal and were outlined in a 1989 Planning Department analysis for the Board.

**D. TRANSPORTATION**

The Nisqually Planning Area can anticipate a number of transportation facility improvements within the next 10 to 15 years. The following actions are needed to implement this plan.

1. Regional Facilities Planning

Thurston County will have to collaborate with WSDOT, Pierce County, Yelm, Dupont, Lacey, and Fort Lewis to minimize traffic passing through the Planning Area. This should include encouraging Fort Lewis to reopen gates to military employees who work on the base. Emphasis should be placed on bypassing the valley west of McAllister Bluff to reach the I-5 corridor and safety improvements to Old Pacific Highway in Pierce County.

2. McAllister North-South Arterial

The Public Works and Planning Departments need to designate and improve a north-south arterial in the area of The Meadows.

3. Urban-Rural Interface Arterials

Arterials which lie on the boundary of the Urban Growth Management Area should be constructed to match the urban or rural designation. Therefore, the urban side of the arterial would have curb, gutter, and sidewalks. Therefore, the rural side would have shoulders with an open ditch.

4. Mt. Rainier - Nisqually Valley View Point

Thurston County should work with the Washington Department of Transportation to provide a Mt. Rainier view point between I-5 and Martin Way. This would be an alternative to the development of platted lots along the bluff in this location. Such a facility should be reviewed through an administrative site plan review process. The site should have an interpretive sign since there are no other signed view points of Mt. Rainier along the I-5 corridor.

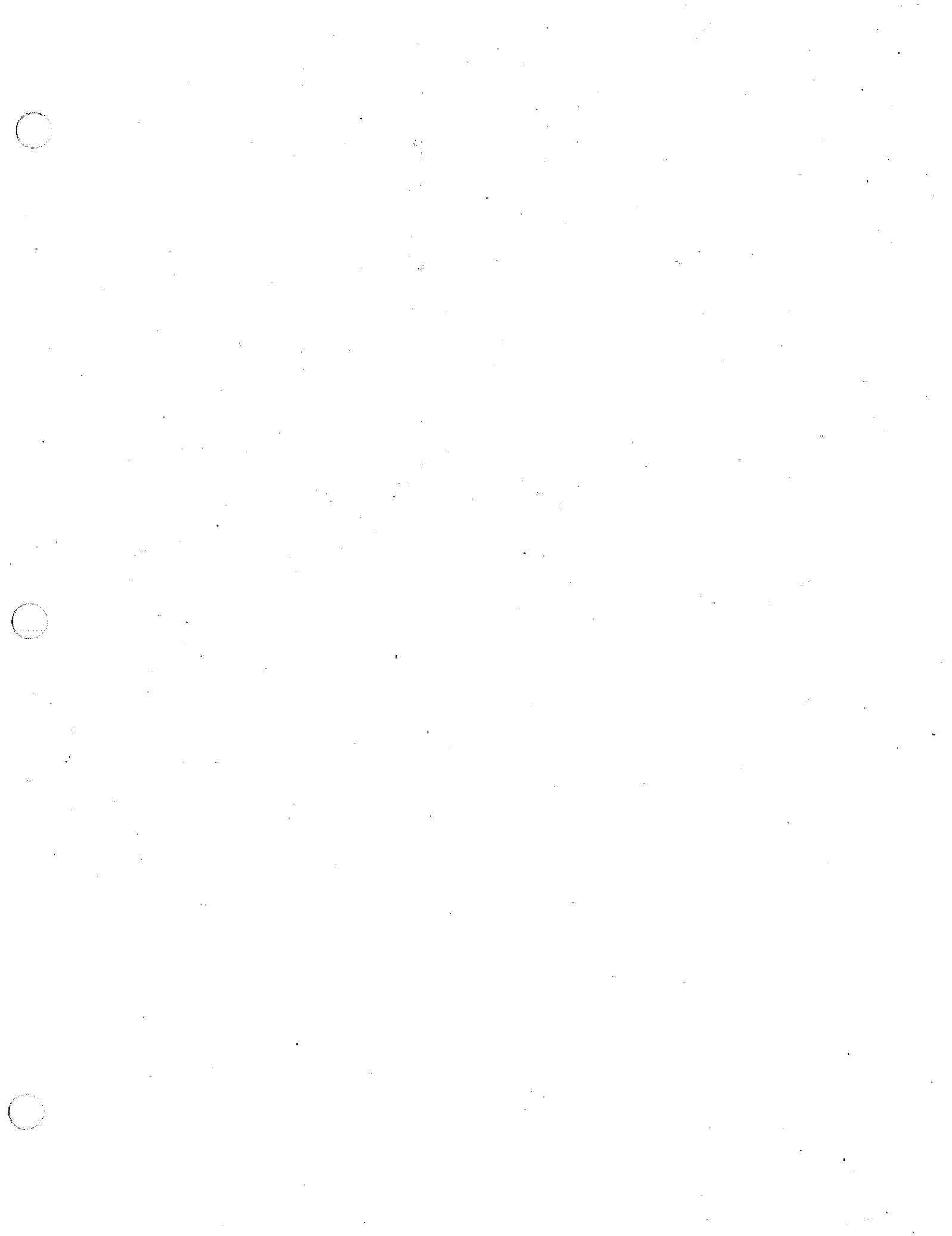
5. Old Pacific Highway View Points

Turn-outs with view points of the valley should be included in arterial improvements to Old Pacific Highway. There is a vista just south of Reservation Road and one in Pierce County overlooking the Delta.

6. Park and Bike Facilities

The Thurston County Public Works and Parks Departments should work together with the Washington Department of Transportation, City of Olympia, and the local bicycle clubs to locate several park and bike locations within the planning area. Potential sites are the Nisqually Interchange, McAllister Springs, Old Nisqually, and the Nisqually Tribal Center. The Planning and construction of these facilities will be partially dependent upon the sequence and scheduling of arterial-bike lane improvements within the planning area.







ORDINANCE NO. 10199

AN ORDINANCE relating to land use control outside the Urban Growth Management boundary and within the area known as the Nisqually Sub-Area; adopting the Nisqually Sub-Area Land Use Plan and Zoning; amending the Official Zoning Map of Thurston County, Washington for those lands within the Nisqually Sub-Area; initiating an amendment of the map for the Urban Growth Management Agreement, amending Sections 20.36.020, 20.36.30; adding new Sections to 20.09.045, 20.54.070, and Table 1 of Chapter 20.54; adding a new chapter, Chapter 20.08C to the Thurston County Code; and repealing portions of Ordinances 9526 and 9527.

WHEREAS, the Board of County Commissioners of Thurston County makes the following findings of fact:

1. The zoning for the Nisqually Planning Area was adopted as part of two previous sub-area planning processes. Those lands north of I-5 were zoned as a part of the Northeast Thurston Sub-Area Plan and those lands south of I-5 were zoned as a part of the East Olympia and Lacey Environs Sub-Area Plans.
2. The residential zoning in the Nisqually Planning Area prior to adoption of Ordinance No. 9316 was one and two housing units per acre which conflicted with policies within the Thurston County Comprehensive Plan (1988).
3. The Thurston County Comprehensive Plan (1988) identifies those areas which lie outside the Urban Growth Management (UGM) boundary as "Rural" and provides that "Rural area residential densities will commonly be one dwelling per five acres."
4. The revisions to the Memorandum of Understanding: An Urban Growth Management Agreement adopted by Lacey, Olympia, Tumwater and Thurston County adopted in June 1988 indicate that the Nisqually Planning Area lies outside the Urban Growth Management (UGM) boundary except for a small area lying between Meridian Road and McAllister Bluff, and

between Martin Way to the northern line of the Meridian Heights plat.

5. In November 1989 Ordinance No. 9316 established the boundaries of the new Nisqually Planning Area and established interim zoning on approximately 43% of the Nisqually Planning Area and rezoned the residentially zoned land to Rural Residential 1 Unit Per 5 Acre Zone (RR 1/5) Chapter 20.09 Thurston County Zoning Ordinance.
6. In July 1990 the Board of Thurston County Commissioners in Ordinances No. 9526 and No. 9527 adopted the Rural Residential 1 Unit Per 5 Acre Zone (RR 1/5) for the remaining portions of the residentially zoned land in the Nisqually Planning Area.
7. The interim zoning adopted under Ordinance No. 9316 expired in April 1991 with the adoption of Ordinance No. 9766 which amended Ordinance No. 9526 to include all of the Nisqually Planning Area. Therefore, all residentially zoned lands within the Nisqually Planning Area are currently zoned Rural Residential 1 Unit Per 5 Acre Zone (RR 1/5).
8. The Nisqually Sub-Area Land Use Plan and Zoning contains recommendations for both land use categories and zoning districts.
9. The Thurston County Planning Commission held a public hearing for the Nisqually Sub-Area Land Use Plan and Zoning on November 21, 1991 at the Meadows Elementary School, where public testimony was heard. All property owners within the Nisqually Planning Area were notified.
10. An environmental checklist was submitted to the Thurston County Planning Department on December 6, 1991, and a Final Determination of Non-Significance was issued on January 2, 1992.
11. The Thurston County Planning Commission concluded their review of this action on July 29, 1992 after a review and analysis of the comments from the public hearing.
12. The Thurston County Board of Commissioners held a public hearing for the Nisqually Sub-Area Land Use Plan and Zoning on November 2, 1992 at the Meadows Elementary School, where public testimony was heard. All property owners within the Nisqually Planning Area were notified.

13. The Thurston County Board of Commissioners concluded their review of this action on November 10, 1992 after a review and analysis of the comments from the public hearing.
14. Productive farmland is an irreplaceable and limited resource in Thurston County. It is essential to preserve agricultural land, particularly those lands such as the land in the proposed Nisqually Agricultural District which are adjacent to an Urban Growth Area.
15. The proposed Nisqually Hillside Overlay District lies along the eastern boundary of the Urban Growth Management Area and the bluff above Mcallister Creek.
16. The hillside above McAllister Creek is an Environmentally Sensitive Area under Chapter 20.36 of the Thurston County Zoning Code. McAllister Creek which flows along the base of this hillside, is under the jurisdiction of the Shoreline Management Act, provides salmonoid habitat and supports a state salmon hatchery.
17. A purpose of this Ordinance is to comply with the State Growth Management Act of 1990 and 1991.
18. The Thurston County Board of Commissioners concur with the analysis by the Nisqually Plan Committee regarding a 200 foot buffer width along McAllister bluff and calculation of density on the hillside as an appropriate means to protect the McAllister hillside.
19. The Thurston County Board of Commissioners agree with the Thurston County Planning Commission and the Nisqually Plan Committee that the creation of two new zoning districts within the Nisqually Planning Area; the Nisqually Agricultural District and the Hillside Overlay District, are needed to implement this sub-area plan.
20. The Thurston County Board of Commissioners also concur with the analysis by the Nisqually Plan Committee to require all new subdivisions on parcels of twenty acres in size and larger, which are zoned one unit per five acre zoning to be developed in a clustered lot subdivision and that large lots subdivisions would be prohibited in these areas.

21. The Thurston County Board of Commissioners agrees with the analysis of the Thurston County Planning Commission and the Nisqually Plan Committee that the buffer for McAllister Hillside is an integral part of the Nisqually Sub-Area, and as such the Urban Growth Management Area boundary should be modified to reflect this condition.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THURSTON COUNTY, as follows:

Section 1. The Nisqually Sub-Area Land Use Plan and Zoning dated November 1992 is adopted as a sub-area plan of the Thurston County Comprehensive Plan (1988) for those lands described on Figure 13 of the Plan and titled "Nisqually Land Use Categories and Zoning Districts". The maps found in the Thurston County Comprehensive Plan (1988) are amended to be consistent with those in the Nisqually Sub-Area Land Use Plan and Zoning.

Section 2. The "Official Zoning Map, Thurston County, Washington" is amended to reflect the zoning districts described on Figure 13 of the Nisqually Sub-Area Land Use Plan and Zoning and titled "Nisqually Land Use Categories and Zoning Districts".

Section 3. The Thurston County Planning Department is directed to initiate an amendment to the Urban Growth Management (UGM) Agreement map pursuant to this ordinance.

Section 4. Section 20.36.020 Thurston County Code is hereby amended to read as follows:

20.36.020 Applicability. This chapter shall apply to:

A. Areas identified as being environmentally sensitive in the Comprehensive Plan (including sub-area plans).

B. Wetlands, marshes, bogs and swamps over one (1) acre in size. "Wetlands" means those areas that are inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

C. Geologic hazard areas, meaning those areas subject to a severe risk of landslide, due to the combination of:

1. Slopes greater than fifteen (15) percent.
2. Impermeable subsurface material (typically silt and clay), sometimes interbedded with permeable subsurface material (predominantly wet sand and gravel) between the top and base (foot) elevations.
3. Characterized by springs or seeping ground water during the wet season (November to February). These areas include both active and currently inactive slides.

D. Critical wildlife habitat areas, meaning those areas which provide either valuable feeding, nesting, breeding or resident sites for endangered or threatened species as identified by the U. S. Department of Interior or the Washington State Department of Game.

E. Anadromous fish rearing habitat.

F. Areas adjacent to marine bluffs along all shorelines of Puget Sound, including the west slope of Nisqually Delta above McAllister Creek between Nisqually Head and McAllister Springs, for a distance inland of two hundred (200) feet from the upland boundary of the mapped areas cited in subsection "a" below, or for the other slopes cited in subsection "b" below, two hundred (200) feet measured on a horizontal plane from the ordinary high-water mark; and where the following bluff conditions exist:

1. The slope is identified as "unstable" or "intermediate stability" on the maps of the Coastal Zone Atlas of Washington, Volume 8, Thurston County, prepared by Washington State Department of Ecology. (For areas not mapped by this source, refer to Class 2, 3 and 4 slopes on Slope Stability Map, Thurston County--Geologic Map GM-15, prepared by Washington State Department of Natural Resources).
2. Other slopes where the vertical height of the bank is in excess of twenty (20) feet.

G. Upper Reach Management Unit of the Percival Creek Corridor Plan, Volume II. This area is designated as the Upper Reach Management Unit on the map entitled "Upper Reach Corridor Map," a copy of which shall be on file in the Planning Department. This map is adopted as a part of Title 20 of the Thurston County Code insofar as it indicates the Upper Reach Management Unit. (Ordinance No. 8672, 7/6/87)

H. The Summit Lake Special Management Area shall include all lands which drain into Summit Lake (e.g. Summit Lake Watershed). This area is located on the map entitled "Summit Lake Watershed" a copy of which shall be on file in the Planning Department and a reduced copy is attached as Figure 36-1. This map shall indicate the location of "shoreline lots" and "upland lots", both of which must abut Summit Lake Shore Road. (Ordinance No. 9532, 8/6/90)

I. The Nisqually Hillside Overlay District lies along the eastern boundary of the Urban Growth Management Area and north of the Burlington Northern Rail Road.

1. This area is located in the Nisqually Sub-Area Land Use Plan and Zoning on Figure 13 titled "Nisqually Land Use Categories and Zoning Districts" a copy of which shall be on file with the Planning Department.

2. This overlay district shall extend from the toe of McAllister Bluff to a point 200 feet westerly of the top of McAllister Bluff, except for those areas set forth in 20.36.030 I (2) & (3). The top of McAllister Bluff is so noted on the aforementioned map as "Bluff Line" and lies to the west of McAllister Creek.

3. The criteria to field locate the top of McAllister Bluff is a distinct topographic break in the slope less than 40% and at least 15 feet wide which is verified by the Planning Department.

Section 5. Section 20.36.030 Thurston County Code is hereby amended to read as follows:

20.36.030 Review.

A. In addition to meeting any other requirements of this Zoning Ordinance, developments requiring a County permit or approval which are located upon property subject to this chapter, including developments which require only the issuance of a building permit, shall be reviewed as provided in this chapter. Developments requiring a decision by the Hearings Examiner shall be reviewed for compliance with this chapter by the Hearings Examiner. All other developments shall be reviewed for compliance by the Planning Department. The review authority may approve, deny or condition approval of a proposed development.

B. For developments located in marine bluff areas defined by this chapter, the following requirements shall apply:

1. When Special Plans are Required. Plans as specified in "2.b" of this subsection shall be required when the following conditions exist:

- a. Surface water runoff is toward the bluff; or
- b. Proposed structures, sanitary waste systems, or removal of existing vegetation are within a 2:1 slope from the toe of the bluff. A 2:1 slope means a slope having a ratio of two (2) horizontal feet to one (1) vertical foot.

2. Required Plans. If the conditions named in "2.a" above exist, the following special plans shall be submitted prior to issuance of any County permit or approval, and implemented by the applicant if the permit is issued:

a. Land Development Plan. This plan shall describe soils, topography (including that of the marine bluff), existing vegetation, the areas to be cleared and graded, including any proposed view corridors, the location of major cuts and fills, proposed buildings, driveways, marine bulkheads, septic, water supply and stormwater management systems, anticipated schedule of development and vegetation replantings, and the proposed measures and site management practices for controlling erosion/sedimentation and runoff.

b. Drainage Plan. This plan shall be prepared by a licensed civil engineer and include temporary erosion and sedimentation control to be undertaken during construction, as well as permanent surface drainage systems showing all impervious surfaces and the system for drainage control. The contents of the drainage plans shall comply with the requirements of 20.35.080(4). Also applicable are the mandatory requirements of drainage improvements prescribed by 20.35.080(5).

c. Septic System Plan. This shall be the septic system plan prepared for submittal to the Thurston County Health Department for the specific building project under consideration.

3. Waiver of Required Plans. For permits or approvals involving minor changes, alterations or additions to developed properties, some or all of the above plans may be waived by the County review authority if the scale and the nature of the proposed project or activity will not effect surface water runoff or ground water.

4. Review of Required Plans

a. Clearing, grading and other construction activities shall not aggravate or result in slope instability or surface sloughing.

b. There shall be minimum disturbance of trees and vegetation in order to minimize erosion and stabilize bluffs.

c. Vegetation removal on the slopes of banks between the ordinary high-water mark and the top of the bank shall be minimized due to the potential for erosion. Selective tree removal on a limited basis may be appropriate to allow a view corridor to the water; however, thinning of limbs of individual trees is a preferred alternative.

d. No fill, dead vegetation (slash), or other foreign material shall be placed between the ordinary high-water mark and the top of the bank.

e. Structure foundations shall be placed below or beyond the 2:1 slope line unless a soil engineering report prepared by a licensed civil engineer indicates such a system will not affect slope stability.

f. Regardless of Section 20.35.080(5)(a), surface drainage down the face of the bluff should be avoided. If drainage must be discharged from the bluff into Puget Sound (or McAllister Creek in the case of Nisqually Delta bluff), it should be collected above the face of the bluff and directed to Puget Sound (or McAllister Creek) by tight line drain and provided with an energy dissipating device at the shoreline. The number of drain outlets should be minimized along any bluff frontage.

g. Surface drainage (including downspouts) that is directed away from the bluff face should be collected in a tight line drain (or other approved methods) for discharge to an acceptable natural drainage. If necessary, the drain should terminate at the end of the drainage course rather than at a point within the natural drainage course.

h. Regardless of Section 20.35.080(5)(c), stormwater retention and detention systems, including percolation systems utilizing buried pipe or french drain, are strongly discouraged unless such systems are designed by a licensed civil engineer and a soil engineering report or engineering geology report indicates such a system will not affect slope stability.

i. In addition to normal Health Department drainfield requirements, placement of drainfields shall be outside of the 2:1 slope from bluff toe, unless otherwise justified by a licensed civil engineer.

C. When reviewing a development proposal, the review authority shall consider information relevant to achieving the purposes of this chapter, and shall consider, where applicable, at least the following:

1. Soil and/or geologic limitations for on-site sewage disposal, roads or any other construction.

2. Natural drainage systems including marshes, bogs and waterways.

3. Slopes and the effect of altering them as a result of construction or other intensive activity.

4. Water quality of surface waters and aquifers.

D. The review authority may require that certain tests and other analytical studies be made prior to approval of development proposals or the granting of building permits in order that any environmental impact can be evaluated; and may require that mitigating steps be taken prior to, during or after construction in order that adverse effects can be minimized or eliminated.

The developer shall pay for or reimburse the County for the costs incurred in the conduct of such tests or studies and for the costs incurred by the County to engage technical consultants for review and interpretation of data and findings submitted by or on behalf of the developer.

E. In addition to meeting the minimum standards of the underlying zone, the review authority may prescribe more restrictive:

1. Building and development coverage
2. Setbacks
3. Size of lots and development sites
4. Height limits
5. Density limits
6. Restoration of ground cover and vegetation
7. Or other measures for environmental protection.

F. Nothing contained herein shall be deemed to prevent the establishment or operation of commercial peat bogs.

G. In the Upper Reach Management Unit as defined in Section 20.36.020(7) a buffer of undisturbed native vegetation buffer at least 50 feet in width shall be retained adjacent to the associated wetlands of Black Lake. For the purposes of this section, "associated wetlands of Black Lake" includes any area designated as wetlands or associated wetlands by the State Department of Ecology pursuant to RCW 90.58.030(2)(f).

1. Existing structures or improvements which encroach into the required buffer area on the effective date of the implementing ordinance shall retain the existing buffer with no further clearing or habitat destruction.

2. The director of the Planning Department or his/her designee may reduce the wetland buffer when lots of record are less than two hundred (200) feet in depth from the front property line to the wetland edge. In this case, the buffer shall not be greater than fifty (50) percent of parcel depth, but in no case reduced beyond twenty-five (25) feet. Further, in this case, a vegetation enhancement plan shall be provided and implemented for the wetland and/or its buffer.

3. Vegetation enhancement plans shall be designed to increase habitat or aquatic habitat by including riparian species similar to those listed in Suggestions for Stream Bank Revegetation in Western Washington (1980).

4. This section shall not apply to lands within: 1) the right of way of Black Lake Boulevard, OR 2) twenty-five (25) feet of any building, in existence at the time of this amendment. (Ordinance No. 8672, 7/6/87)

H. "Garages" as defined by the Uniform Building Code 1988, or as amended, may be constructed on upland lots identified on Figure 36-1 within the "Summit Lake Special Management Area" subject to the following standards:

1. The upland lot must be owned by a person who also owns a shoreline lot identified in Figure 36-1 and must have a residence on it.

2. In the case of a single family residence the garage shall be a single structure, one story in height, and no greater than 1800 square feet in size. In the case of a multi-family residence it shall also be a single structure, one story in height and limited to 500 square feet per multi-family unit.

3. Uses within the garages shall be limited to those allowed by the Uniform Building Code, with the following uses expressly prohibited:

- a. Separate living unit,
- b. Family member unit
- c. Home Occupation, and
- d. Home Based Industry.

4. All garages constructed on upland lots which lie directly across the road from the shoreline lot in common ownership or within 1 upland lot on either side (refer to Figure 36-2) shall meet the setback standards of the underlying zone.

5. Garages constructed on any other upland lot shall meet the following standards:

a. Obtain a Special Use Permit pursuant to Chapter 20.54, and  
b. The standards for garages with a Special Use Permit shall be as follows:

i. Meet the setback standards of the underlying zone,  
ii. Provide buffers of native vegetation (either existing or replanted) of 30 feet along the front property line and 20 feet along the side property line, with this buffer to be located on the upland lot and not within the right-of-way, (refer to Figure 36-3) and

iii. Be compatible in design, color, shape, landscaping and size to surrounding upland garages or residences within 1/4 mile.

6. A covenant shall be recorded with the titles of both the shoreline lot and the upland lot, prohibiting the sale of either lot separately. This covenant shall be substantially in the same form as Appendix 36-1. This covenant will be released by the Thurston County Planning Department when:

- a. The upland garage is demolished, or
- b. The upland garage site has a contract to be sold for new residence and a building permit is part of the transaction, or

c. The upland garage site is sold to another Summit Lake shoreline lot owner subject to the following standards and a new covenant is filed for those properties:

i. Those upland lots described in 20.36.030 (8)(d) above, may only be sold to a property owner for whom it would also meet those standards (refer to Figure 36-4), and

ii. Those upland lots described in 20.36.030 (8)(e) above, may be sold to any other Summit Lake shoreline lot owner. (Ordinance 9532, 8/6/90)

I. Any development permit within the Nisqually Hillside Overlay District as defined in Section 20.36.020(9), shall be subject to the following standards:

1. Residential development within this overlay district is prohibited, however, the number of dwelling units as calculated by the underlying residential zone (1 unit per 5 acres) may be clustered on that portion of the lot not within this overlay district or transferred to an adjacent parcel. No fractional units will be created in this calculation unless the parcel size is less than 5 acres.

2. The western 200 feet of the Nisqually Hillside Overlay District is a buffer measured from the top of McAllister Bluff, except that portion of the bluff between I-5 and Martin Way which shall be 50 feet.

3. For lots less than one acre in size, undeveloped lots in a platted subdivision, and the portion of the slope between Martin Way and I-5; the buffer from the top of the bluff shall be 50 feet. Each application for a development approval for these sites shall be reviewed by the Planning Department for compliance with the applicable zoning and the appropriate sub-area plan provisions.

Section 6. Add a new Section to Chapter 20.09 titled "Rural Residential-1 Dwelling Unit Per 5 Acres" and to the Thurston County Code to read as follows:

20.09.045 Subdivisions within the Nisqually Sub-Area. The subdivision of parcels 20 acres and larger which are located within the Nisqually Sub-Area shall meet the following standards:

- A. At least 75% of the parcel shall be open space,
- B. The open space portion of the lot shall only be used for agriculture, forestry, or passive recreation with no more than 25% of this area used for stormwater facilities or sewage system drainfields,
- C. Subdivisions created under these standards shall have a 20% density bonus but no fractional units may be created,
- D. Lots may be as small as 1/2 acre provided that the sewage disposal and water supply systems are approved by the Environmental Health Department,
- E. Lots shall also have a minimum width to length ratio of not less than one unit per four units of length (1 to 4),
- F. The minimum setback from the exterior boundary of the site shall be the same as the underlying zone, however other setback requirements may be waived to provide design flexibility, provided individual buildings shall

- maintain a 10 foot separation, and
- G. The design of the subdivision shall minimize its impacts upon critical areas and resource lands.

Section 7. Add a new Section to Chapter 20.54 titled "Special Uses" and the Thurston County Code to read as follows:

20.54.070 Use-Specific Standards.

14.5 Greenhouses - Wholesale

No specific standards.

Section 8. Add a new column to Table 1 in Chapter 20.54 titled "Special Uses" and the Thurston County Code to read as follows:

The title of the new column shall be "Nisqually Agricultural". The symbol "X" designating Special Uses Permit shall be placed in rows "14.5 Greenhouses-wholesale", "15. Home-based industry", "16. Home occupations", and "30. Public Utilities". The footnote "2" shall be added to the Special Use Permit requirement in row 14.5 with the footnote meaning "Expansions only".

Section 9. A new Chapter 20.08C is added to the Thurston County Code to read as follows:

CHAPTER 20.08C

NISQUALLY AGRICULTURAL DISTRICT -- NA

Sections:

- 20.08C.010 Purpose
- 20.08C.020 Primary Uses
- 20.08C.030 Special Uses
- 20.08C.040 Design Standards
- 20.08C.050 Subdivision Standards
- 20.08C.060 Additional Regulations

20.08C.010 Purpose. Productive farmland is an irreplaceable and limited resource in Thurston County. Therefore, it is essential to preserve agricultural land, particularly those lands which are adjacent to an Urban Growth Area, by limiting this district to agricultural uses and activities, discouraging agricultural nuisance claims from non-farm areas, and protecting these lands from encroachment of existing or potential residences within the Nisqually Valley and along the adjacent wooded hillsides. The primary use within this zone will be agricultural activities and this zone meets the long-term agricultural lands criteria for the state Growth Management Act. The standards of this zone are unique to the Nisqually Planning Area and this zone is applied to those lands within the Nisqually Planning Area which: a) contain large farms on prime agricultural soil, b) have been farmed for several generations, or c) are enrolled in or eligible for enrollment in the Agricultural Open Space tax program.

20.08C.020 Primary Uses.

A. GROUP A (Permitted after review by staff.)

1. Agriculture (Refer to the definition in Section 20.03.040);
2. Accessory uses and structures including but not limited to farm residences, barns, garages, storage buildings for crops, feed and equipment sheds, shipping, receiving and handling facilities;
3. Farm stands which sell agricultural products, provided these products are raised on the premises, the stand does not exceed 500 square feet, and customer parking is provided on the site;
4. Bare root nurseries for the growing and raising of nursery stock and/or christmas trees, provided that the plants are grown in the ground and not in containers; and
5. Single-family dwellings with lots conforming to provisions of Section 20.08C.040 and 20.08C.050.

B. GROUP B (Permitted after Site Plan Review.)

1. Wholesale greenhouses, provided that the maximum lot coverage standards of 20.08C.040.4 a and b is not exceeded;
2. Farm housing facilities separate from the main farm residence to accommodate agricultural workers and their families employed on the premises, or housing for family members of the farm owners as provided:
  - a. These housing facilities are only permitted on parcels containing at least 20 acres and shall not exceed two farm housing units for parcels in excess of 40 acres;
  - b. These housing facilities may only be leased, sold or subdivided subject to the density provisions of section 20.08C.040; otherwise, the maximum density provision of section 20.08C.040 does not apply to farm housing units;

c. The sewage disposal and water supply shall be approved by the Environmental Health Department.

20.08C.030 Special Uses. See Chapter 20.54 for special uses permitted in this district.

20.08C.040 Design Standards. The following standards are established as the minimum necessary to ensure that the purposes of this District are achieved and maintained as new lots are created and new buildings are constructed:

A. The calculation of maximum density within this district shall vary subject to its use:

1. Single-Family Residential: 1 unit/40 acres
2. Single-Family Residential on lots created in accordance with the Planned Rural Residential Development Chapter or 20.08C.050C: 1 unit/5 acres
3. Purchase or transfer of development rights: 1 unit/5 acres

B. Minimum yard requirements shall be as follows:

1. Single-Family Residential
  - a. Front yard - see Chapter 20.07
  - b. Side yard - 15 feet
  - c. Rear yard - 25 feet

2. Single-Family Residential on lots created in accordance with the Planned Rural Residential Development Chapter 20.30A.

3. All other structures (e.g. barns, stables, etc.) are subject to Section 20.07.030 or the standards which may be required of Special Uses in Chapter 20.54.

C. Maximum building height shall be 35 feet subject to Section 20.07.100.

D. Maximum lot coverage shall be as follows:

1. With single family house, farm housing, farm structures and access roads; excluding manure holding ponds; shall not exceed 5%.

2. When a clustered lot subdivision is approved pursuant to Section 20.08C.050 and Chapter 20.30A Planned Rural Residential Development, these lots and those uses listed in subsection 1 above shall not exceed 10%. Until such time that Chapter 20.30A is adopted, the standards contained in Section 20.08C.050C shall govern.

3. Those parcels which have lot coverage exceeding these limitations will not be eligible for the purchase of development rights program.

20.08C.050 Subdivision Standards. Any division of land within this District shall comply with the following requirements:

A. Land may be subdivided for agricultural uses, subject to the following requirements:

1. Only agriculture and accessory uses, farm residences and farm housing are permitted on lots created pursuant to this section as long as the lots are within this District.

2. The minimum lot size for a farm residence is forty (40) acres.

3. The minimum lot size for non-residential agricultural use is five (5) acres.

4. Divisions of land between 39.99 acres and 5.0 acres in size may be created when the following wording has been affixed to the plat, title and deed of the parcel stating that: "This parcel shall only be used for agricultural uses as provided in the Thurston County Zoning Code and the construction of a single family residence is prohibited."

B. Land may be subdivided for non-agricultural uses subject to the following requirements:

1. The subdivision shall meet the subdivision design standards established in Chapter 20.30A.060, Planned Rural Residential Development, to the extent consistent with this Chapter, except the density bonus provisions of Section 20.30A.060 shall not apply within this District. Where the requirements in Chapter 20.30A.060 conflict with the requirements of this District, the more restrictive standards shall apply.

2. There shall be no minimum lot size for non-agricultural-use lots. The lot size must meet the requirements of the Thurston County Sanitary Code to safely accommodate an approved water supply and on-site sewage disposal system, including space for a reserve drainfield.

C. Until the adoption of Chapter 20.30A Planned Rural Residential Development, the following standards shall apply to subdivisions:

1. Lots shall also have a minimum width to length ratio of not less than one unit per four units of length (1 to 4),

2. The minimum setback from the exterior boundary of the site shall be the same as the underlying zone, however other setback requirements may be waived to provide design flexibility, provided individual buildings shall maintain a 10 foot separation, and

3. The design of the subdivision shall minimize its impacts upon critical areas and resource lands.

20.08C.060 Additional Regulations. Refer to the following Chapters for provisions which may qualify or supplement the regulations presented above:

- A. Chapter 20.30A Planned Rural Residential Development
- B. Chapter 20.32 Open Space
- C. Chapter 20.34 Accessory Uses
- D. Chapter 20.35 Standards Relating to Physical Limitations of Land
- E. Chapter 20.36 Environmentally Sensitive Areas
- F. Chapter 20.40 Signs and Lighting
- G. Chapter 20.44 Parking and Loading
- H. Chapter 20.45 Landscaping and Screening

Section 10. Ordinances No. 9526 and No 9527 are hereby repealed for those lands described in Sections 1 and 2.

ADOPTED November 16, 1992.

BOARD OF COUNTY COMMISSIONERS  
Thurston County, Washington

ATTEST:

Donita L. Berzmar  
Clerk of the Board

George L. Barner Jr.  
George L. Barner, Jr., Chairman

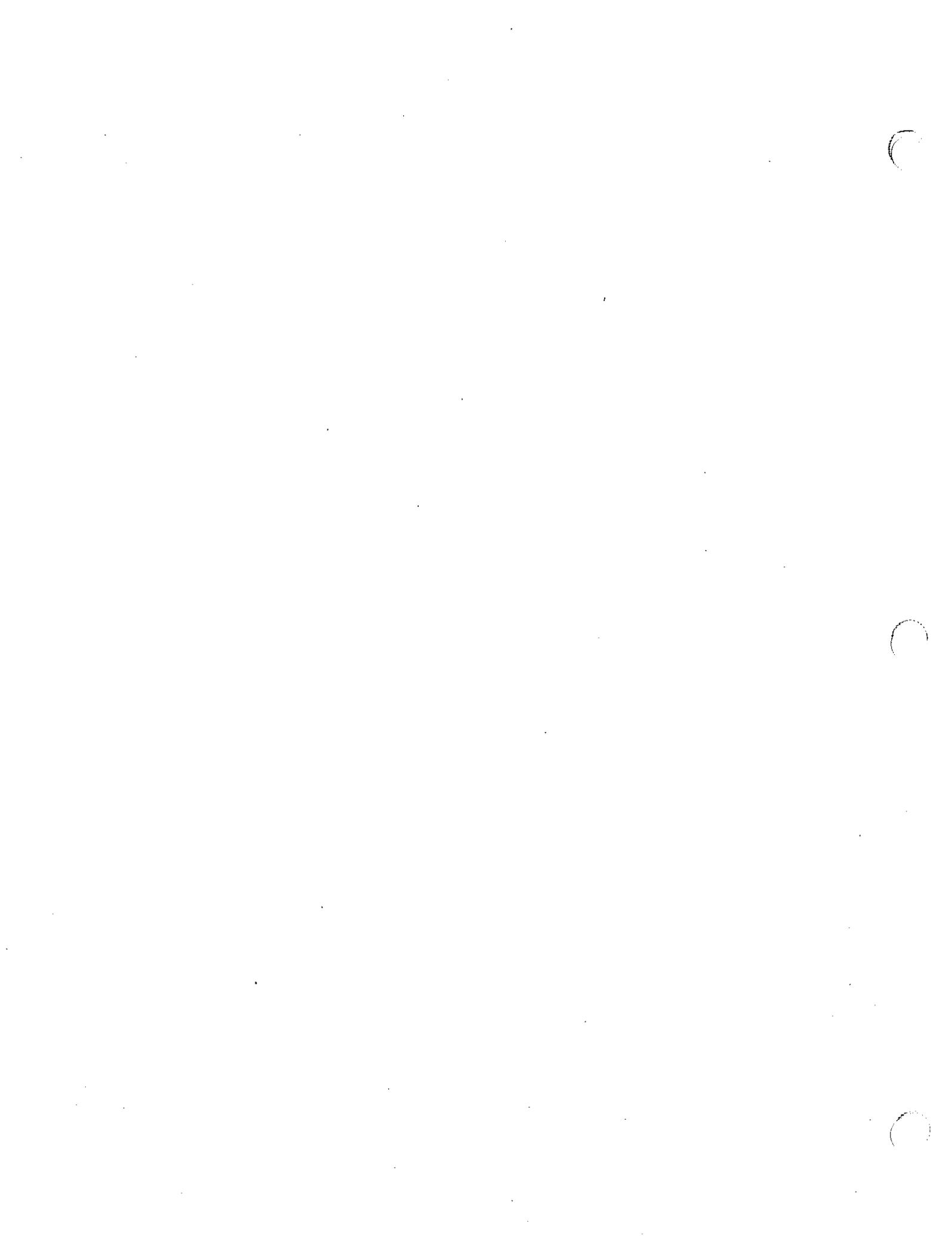
APPROVED AS TO FORM:

PATRICK D. SUTHERLAND  
PROSECUTING ATTORNEY

Linda Medcalf  
Linda Medcalf, Commissioner

By: [Signature]  
David Klumpp  
Deputy Prosecuting Attorney

[Signature]  
Diane Oberquell, Commissioner



RESOLUTION NO. 11322

A RESOLUTION amending the Thurston County Comprehensive Plan, the Nisqually Sub-Area Plan; the Tumwater/Thurston County Joint Plan; the City of Lacey and Thurston County Land Use Plan for the Lacey Urban Growth Area; the Comprehensive Plan for Olympia and the Olympia Growth Area; and the City of Yelm Joint Plan with Thurston County.

The Board of Commissioners of Thurston County enters the following findings of fact:

I. GENERAL FINDINGS

1. The state Growth Management Act (GMA), Chapter 36.70A RCW, requires counties within its scope to adopt comprehensive plans which are guided by the Act's goals and which meet the Act's requirements.
2. The GMA requires counties to adopt county-wide planning policies to guide the adoption of comprehensive plans. The principal purpose of these policies is to insure that the comprehensive plans of counties and the cities within them are coordinated and consistent with each other. The amendments to the comprehensive plan adopted by this resolution were prepared, considered and adopted in compliance with the county-wide planning policies.
3. The amendments to the comprehensive plan adopted by this resolution were the subject of a public hearing before the Thurston County Planning Commission, a public hearing before the Thurston County Board of Commissioners, and separate work sessions by each body.
4. The amendments to the joint plans with cities and the Thurston County Comprehensive Plan adopted by this resolution are coordinated and consistent with each other as required by the GMA.
5. This resolution amends the existing 1995 Comprehensive Plan for Thurston County, and joint plans with the cities of Olympia, Lacey, Tumwater and Yelm.

6. The measures adopted by this resolution comply with the GMA and other governing law and are reasonably related to the public health, safety and welfare.

## II. GROWTH MANAGEMENT ACT GOALS

7. RCW 36.70A.020 sets forth a list of 13 goals "to guide the development and adoption of comprehensive plans and development regulations" under the GMA. The goals are not listed in order of priority.

8. In formulating the comprehensive plan amendments adopted by this resolution, this Board has considered the goals contained in RCW 36.70A.020. The Board has weighed the goals as they apply to the subject matter of this resolution and has attempted to reach a reasoned balance among these goals.

9. The findings below and the record generated in the hearing and adoption of this resolution show that this measure is consistent with the GMA goals.

## III. CAPITAL FACILITIES (TC1)

10. The state Growth Management Act requires Thurston County to adopt a capital facilities element as part of its Comprehensive Plan, consistent with RCW 36.70A.070.

11. After public hearings by the Thurston County Planning Commission and Board of Commissioners, Resolution No. 10617 was enacted on April 18, 1994, adopting the Thurston County Capital Facilities Plan 1994-1999 as an element of the Thurston County Comprehensive Plan in compliance with the GMA. This plan applied in unincorporated Thurston County, including urban growth areas. It included capital facilities planned to be carried out by Thurston County in these areas.

12. The capital facilities element was amended by Resolution 10896 to update the 1994-1999 capital facilities plan to reflect 1995 budget decisions by the County, to include intervening decisions concerning planning for county buildings, and to include a new roadway improvement added by the Yelm joint plan.

13. The capital facilities element adopted by this Resolution includes the seven year plan of expenditures and revenues for County buildings, covering the years 1996-2002, and six year plans of expenditures and revenues for the other capital facilities provided by the County, covering the years 1996-2002.

14. The capital facilities element adopted by this resolution is a reasonable plan for those capital facilities which will be needed to accommodate the future levels of population projected for Thurston County. It is consistent with the growth phasing,

densities, and distribution of growth anticipated in the land use element of the Comprehensive Plan.

15. This capital facilities element contains levels of service or planning assumptions for the facilities which reflect community goals and which will provide a reasonable level of service to the expected population.

16. This capital facilities element estimates the amount of money needed for the planned facilities and identifies sources of funding for which there is reasonable assurance of availability. As set out in more detail in the capital facilities element, actual financial and budgetary decisions by the County may deviate to some degree from the estimates and plans contained in the element.

#### IV. HOUSEKEEPING UPDATES AND CORRECTIONS (TC2)

17. Recent amendments to the GMA require that the goals and policies of the Shoreline Master Program for the Thurston Region be adopted as an element of the Comprehensive Plan. The amendments adopted by this resolution adopt these policies and goals by reference, as required by RCW 36.70A.480.

18. Following adoption of the 1995 Comprehensive Plan, updated population projections have been modified by the Thurston Regional Planning Council and Office of Financial Management. Although these updated projections should be used in discussing future growth needs, adequate capacity to accommodate such growth remains within the urban growth areas within Thurston County.

19. The Comprehensive Plan should reflect recent and ongoing plans and studies which were omitted from previous versions or were completed after the adoption of the 1995 Comprehensive Plan.

#### V. AGRICULTURAL LAND DESIGNATION CRITERIA (TC3)

20. The Comprehensive Plan should include criteria for reclassifying properties designated as agricultural lands. Current standards in the Zoning Ordinance should be clarified to reflect the County's intention that such lands should be considered on a regional basis, based on analysis of a block of land, rather than individual parcels. It is appropriate to analyze agricultural lands on a regional basis in order to protect such lands from conversion to non-agricultural uses, consistent with RCW 36.70A.060 and 36.70A.070(5).

21. Owners should be allowed an opportunity for reclassification of agricultural properties which can be shown to be unsuitable for further agricultural use, based on long-term economic data. Short term economic troubles and temporary drops in

productivity should not form a basis for reclassifying agricultural lands. These decisions should be made on a legislative basis after analysis of County wide impacts, rather than on a parcel specific basis. As such, it is more appropriate to consider redesignation of agricultural lands in the Comprehensive Plan amendment process established by RCW 36.70A.

#### VI. RECREATIONAL TRAVEL USES IN HIGHWAY COMMERCIAL DISTRICT (TC4 and QJ3)

22. Certain property owners have requested redesignation of property located at the Martin Way and Interstate 5 interchange from Highway Commercial to Arterial Commercial in order to allow sales of recreational vehicles and boats. This redesignation would significantly broaden the allowed commercial uses. Designation of these properties as Arterial Commercial would be inconsistent with the criteria for this district in the Thurston County Comprehensive Plan and policies adopted by the Nisqually Sub-Area Plan.

23. The Highway Commercial zones existing in Thurston County are intended to serve the needs of the traveling public, which reasonably include uses related to recreational travel, which have lower needs for sewer or on-site sewage disposal. Such zones are small and have limited ability to accommodate sewage disposal needs that would be required from uses allowed in the Arterial Commercial district. Therefore, it is more appropriate to add language amending the Highway Commercial district to allow uses related to recreational travel, including the sale or repair of boats and recreational vehicles, rather than redesignate the area to Arterial Commercial.

#### VII. NISQUALLY SUB-AREA PLAN AMENDMENTS (NIS1)

24. Since the Nisqually Sub-Area Plan was adopted in 1992, the County has adopted programs for the Transfer of Development Rights (TDR) and Purchase of Development Rights (PDR) affecting agricultural lands in the Nisqually area. Certain portions of the Nisqually Agricultural district located within the floodplain were determined to be unsuitable for inclusion within the PDR program and should be redesignated as Long-Term Agriculture, in order to be eligible for the TDR program. This resolution includes language reflecting the adoption of the TDR and PDR programs and redesignating appropriate lands as Long Term Agriculture.

#### VIII. TUMWATER JOINT PLAN AMENDMENTS (TUM1)

25. Certain maps in the Tumwater Joint Plan depict the city limits as of 1995. These maps should be amended to note the date of these boundaries.

Prepared by Thurston County Environmental Health. The document describes water quality conditions on the Black River and Black Lake; identifies major and minor sources which contribute to bacteria concentrations, low dissolved oxygen and other water quality problems; and recommends an action plan. Two dairies identified as prime sources during the study instituted improved practices with resulting improvement documented in the Black River downstream of the land uses. In the Black Lake basin, stormwater facilities were inventoried, local groundwater characterized, a hydrologic model developed and 133 on-site sewage systems near the lake were surveyed. Copies are available from the Resource Protection Section of Thurston County Environmental Health.

13. 1996 Thurston County Water Resources Monitoring Report: 1994-1995 Water Year

This report is produced annually by the Thurston County Environmental Health Division and Thurston County Storm and Surface Water Program, in cooperation with city and State agencies. Water quality, stream flow and lake levels, and precipitation is reported for 46 streams, rivers and lakes throughout the county. Objectives of the report are to compile baseline water quality and quality information for streams and lakes in Thurston County; identify problem areas; and track trends in stream flow and water quality over time. Background information (vicinity map, water body size, basin size, fisheries resources, etc.) Are also provided for each stream and lake. Available from Resource Protection section of Thurston County Environmental Health.

Section 13. Maps M-14 and M-15 of the Thurston County Comprehensive Plan are hereby amended as shown on Attachment B, attached hereto and by this reference incorporated herein.

Section 14. Chapter II of the Nisqually Sub-Area Plan is hereby amended to add a new paragraph F.8 as follows:

F.8. Allow lands within the Long-Term Agriculture district to be eligible for the Transfer of Development Rights Program, with transferred rights calculated at 1 unit per 5 acres.

Section 15. Chapter IV, Table 5 of the Nisqually Sub-Area Plan is hereby amended to read as shown on Attachment C to this Ordinance which is by this reference incorporated herein.

Section 16. Chapter IV of the Nisqually Sub-Area Plan is hereby amended to read as follows:

1. Nisqually Agriculture (NA)

The Nisqually Agriculture category includes those lands which were identified as "Farm Land" on Table 1. Within the Nisqually Planning Area this category has been applied to those lands within the valley which are currently in agricultural production, and lie between McAllister Bluff and the Nisqually Cut-Off Road and south of I-5. ~~It also includes the agricultural area on Durgan Road south of the railroad.~~

The purpose of this category is to maintain agricultural lands for current and future use through a combination of regulations and incentives. To retain the valley in agricultural use, a higher residential density will be allowed if that density is transferred to another suitable location within the planning area or the Urban Growth Management Area or acquired by a Purchase of Development Rights (PDR) program.

2. Mineral Resource Overlay (MR)

The Mineral Resource Overlay will apply to lands in either the Natural Resource or Rural Resource category. It will be added to the zoning map after a Special Use Permit has been issued for a specific pit. All preexisting pits with valid State or local permits will meet this criteria. This includes the existing and recently permitted expansion of the Holroyd facility and the existing Lakeside Industries Pit. The Lacey Environs Sub-Area Plan had a Mineral Extraction land use category. (Refer to Figure 7 -- 1988 Planning Area Land Use.)

3. Long-Term Agriculture (LT-A)

Within the Nisqually Sub-Area, the Long-Term Agriculture category applies to agricultural lands on Durgin Road, south of the rail line. These lands are eligible for the Transfer of Development Rights Program. Transferred rights are calculated at 1 unit per 5 acres. Refer to Chapter Two of the Thurston County Comprehensive Plan for a full description of the Long-Term Agriculture designation.

Section 17. Chapter V of the Nisqually Sub-Area Plan is hereby amended to strike paragraph 3 under Regulatory Programs as follows:

~~3. Adopt Transfer of Development Rights (TDR) Regulations~~

~~It will be necessary to adopt an amendment to the Zoning Code will for the TDR concept. Dimensional standards for the receiving area and a process for limiting future uses from the transferred parcel will be needed. Deed restrictions (e.g. conservation easement) will be necessary and a recipient (land trust or agency) of any restrictions will need to be established. Draft zoning language detailing the transfer of development rights program is contained in the 1993 Thurston County Planning Department work program.~~

Section 18. Chapter V, Section B, Non-Regulatory Programs, of the Nisqually Sub-Area Plan is hereby amended to add a new paragraph 2 and renumber paragraphs accordingly as follows:

## B. NON-REGULATORY PROGRAMS

Non-regulatory programs are distinguished by the focus on property acquisition, education and other voluntary programs.

### 1. Farm Land Purchase of Development Rights (PDR)

Thurston County ~~has adopted~~ should implement a voluntary Purchase of Development Right (PDR) program in the Nisqually Valley for approximately ~~840~~ 4,250 acres of agricultural land. This ~~would include~~ most all these areas designated as "farm lands of long-term commercial significance" under the Growth Management Act guidelines within the Nisqually Valley. These lands are contained in the "Nisqually Agriculture" land use and zoning categories.

This technique is essential to the long-term protection of the valley for two reasons. First, because it will permanently preserve the land for farming, and with its success, ~~after it is adopted~~, the valley will be less influenced by changes in zoning and political decision makers.

### 2. Farmland Transfer of Development Rights Program

Thurston County allows Long-Term Agriculture lands within the Nisqually Valley to participate in a voluntary Transfer of Development Rights Program. This includes approximately 200 acres of agricultural lands south of the Durgin Road tunnel. This option provides permanent protection of the farm land while allowing farmers to retain ownership. It is similar to the Purchase of Development Rights Program, except that instead of the

County purchasing development rights, a private citizen would purchase the rights for use in a development in the designated urban areas.

Section 19. Appendix A of the Nisqually Sub-Area Plan is hereby repealed.

Section 20. Figure 13 of the Nisqually SubArea Plan shall be amended to redesignate certain properties from Nisqually Agriculture to Long Term Agriculture, as shown on Attachment D hereto.

Section 21. Chapter Three, Section 3.5.1.1, Residential/Sensitive Resource, of the Tumwater/Thurston County Joint Plan is hereby amended to read as follows:

Residential/Sensitive Resource areas are intended to be used only for exceptional places. This designation should be applied to areas that are not protected by the State Shoreline Management Act and are not already built out. These areas are where intensive urban development would adversely affect ground or surface waters or environmental resource areas. In addition to being of a relatively low density, development in these areas should be clustered. Clustering means grouping or "clustering" development onto part of a property so that the remainder can be preserved as unbuilt open space. The intent of clustering development in this area is to preserve open space along environmentally sensitive areas and provide a lot configuration that allows for future applied density to be achieved over the twenty year time period. In addition to clustering, other methods of preserving open space shall be strongly encouraged such as purchase or donation, easements or deed restrictions, covenants, land exchanges and transfer of development rights as a method of preserving open space and to guide development into less sensitive portions of the land. Densities in this designation should be 2-4 DU/Acre. It is the intent of this plan that areas receiving this designation remain at these densities in the long-term future.

Section 22. Chapter Three, Section 3.5.3.2, Mixed Use, of the Tumwater/Thurston County Joint Plan is hereby amended to read as follows:

The area near the intersection of 88th Avenue and Old Highway 99 has historically been a residential neighborhood that, in recent years, has begun to transition to a mix of commercial and residential development. The area north of the intersection should be encouraged to continue this transition because it is more compatible with the adjacent Olympia Airport (see description under General Commercial heading below). The area south of the intersection, however, is more appropriate for a continued transition to a mixed use type of development. The Mixed Use designation would provide an opportunity to develop and infill this area in a way that provides for affordable housing close to needed services and quality community design. This area currently consists of primarily single-family

revise the Urban Growth boundary between Olympia and Tumwater to follow the boundary of parcel 12836310500, and redesignate said parcel as R-4-8 Single Family Residential, as shown on Attachment E hereto.

Section 55. Map 6-2 of the Comprehensive Plan for Olympia and the Olympia Growth Area shall be amended to show an Existing Class II Bike Lane along Yelm Highway and a Proposed Class II Bike Lane along Cooper Point Road as shown on Attachment J hereto.

Section 56. Map 3 of the City of Yelm Joint Plan with Thurston County shall be amended to revise the Short-Term Urban Growth Area Boundary redesignate parcel 64303200300 as Arterial Commercial and parcel 22729310301 as Suburban Residential 4 Units per Acre as shown on Attachment K hereto.

ADOPTED: December 23, 1996

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
Thurston County, Washington

LaBonté L. Boyer  
Clerk of the Board

Judy Wilson  
Chairman

APPROVED AS TO FORM:

Heane Chequell  
Commissioner

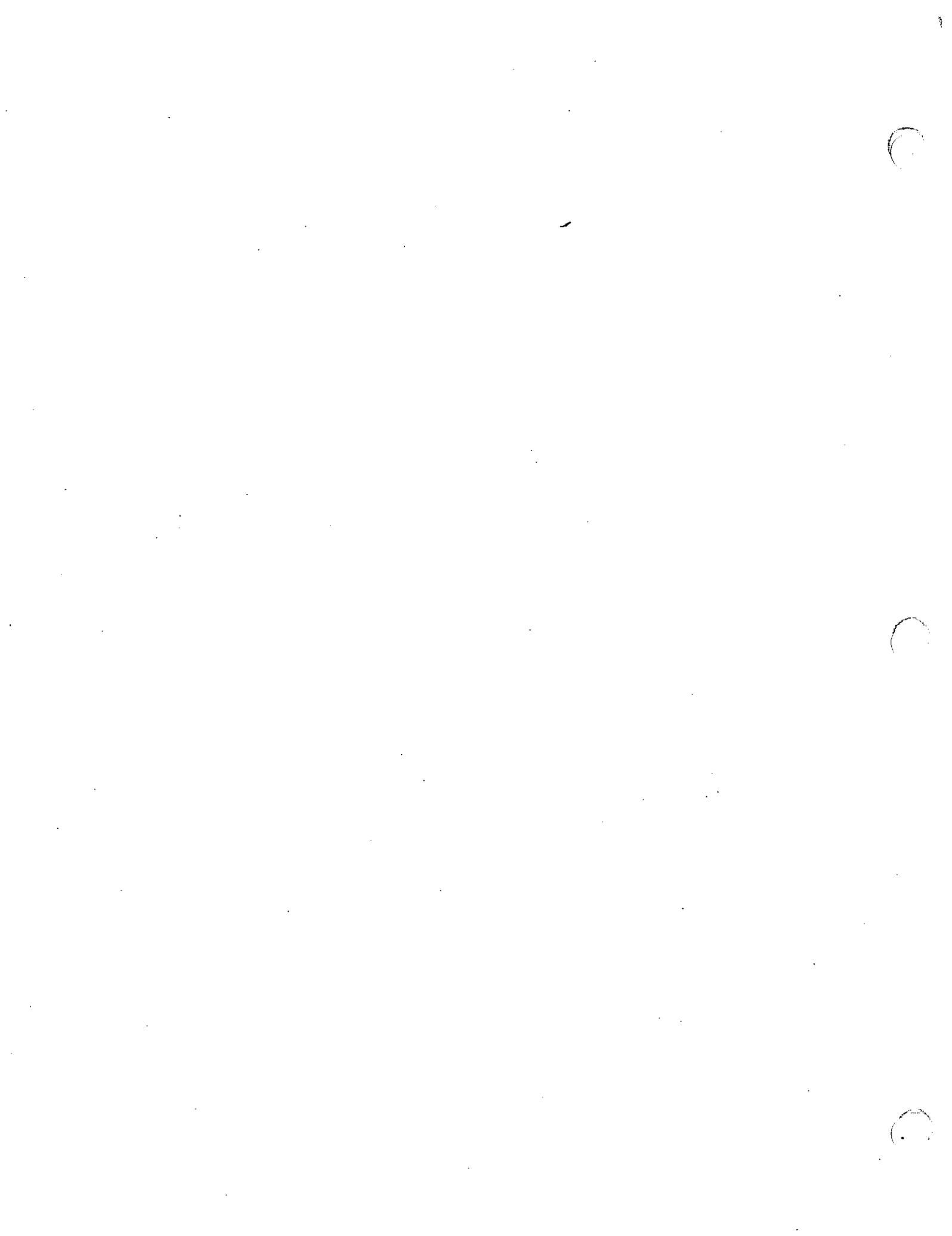
BERNARDEAN BROADOUS  
PROSECUTING ATTORNEY

Richard D. Nichols  
Commissioner

By:

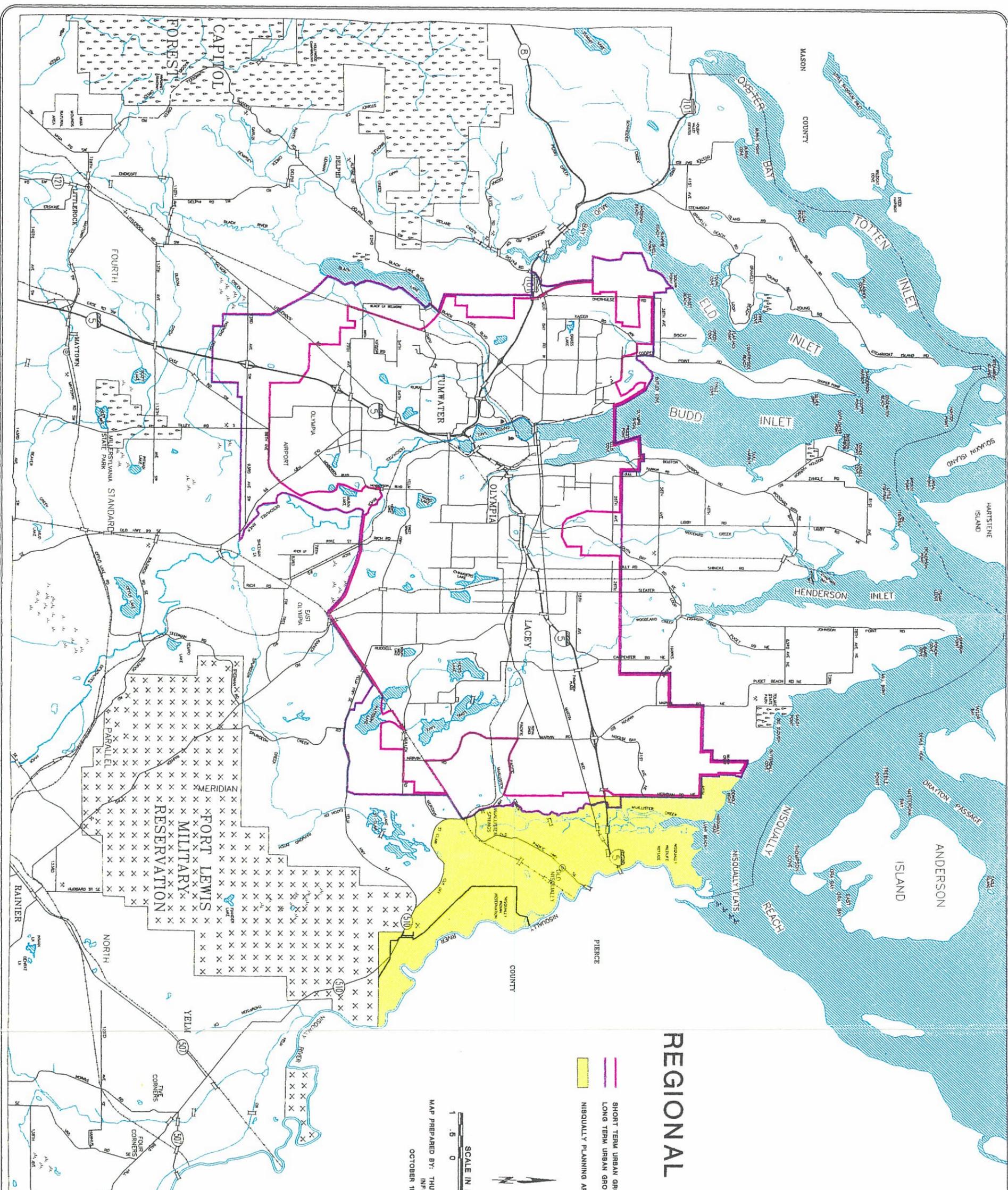
Jeffrey S. Myers  
Deputy Prosecuting Attorney

A:\CPAMD96.RES









- SHORT TERM URBAN GROWTH MANAGEMENT BOUNDARY
- LONG TERM URBAN GROWTH MANAGEMENT BOUNDARY
- NISQUALLY PLANNING AREA

SCALE IN MILES  
 1 0.5 0 1 2

MAP PREPARED BY: THURSTON GEOGRAPHIC INFORMATION FACILITY  
 OCTOBER 1991

# REGIONAL LOCATION

FIGURE 1

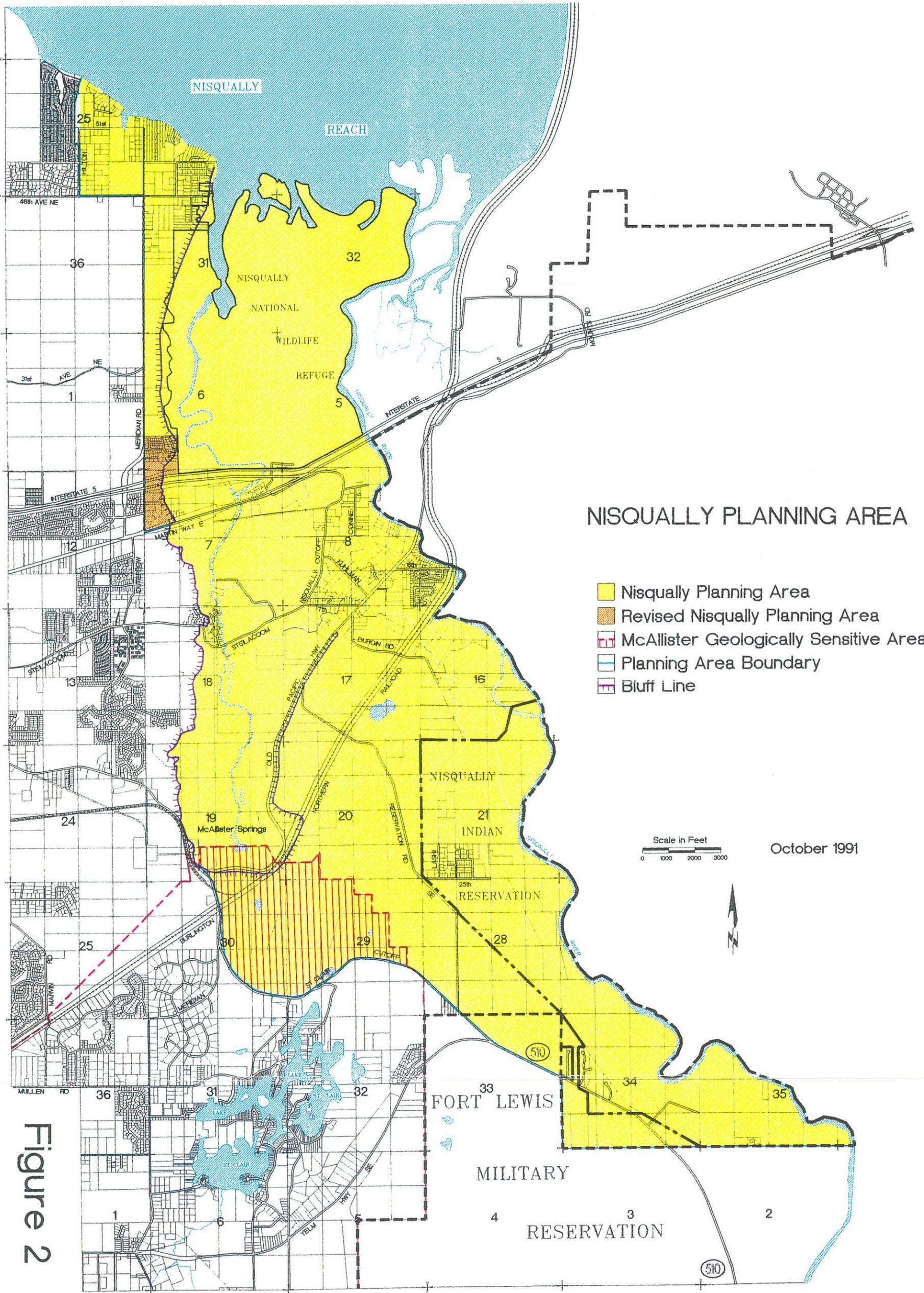


Figure 2

# NISQUALLY PLANNING AREA

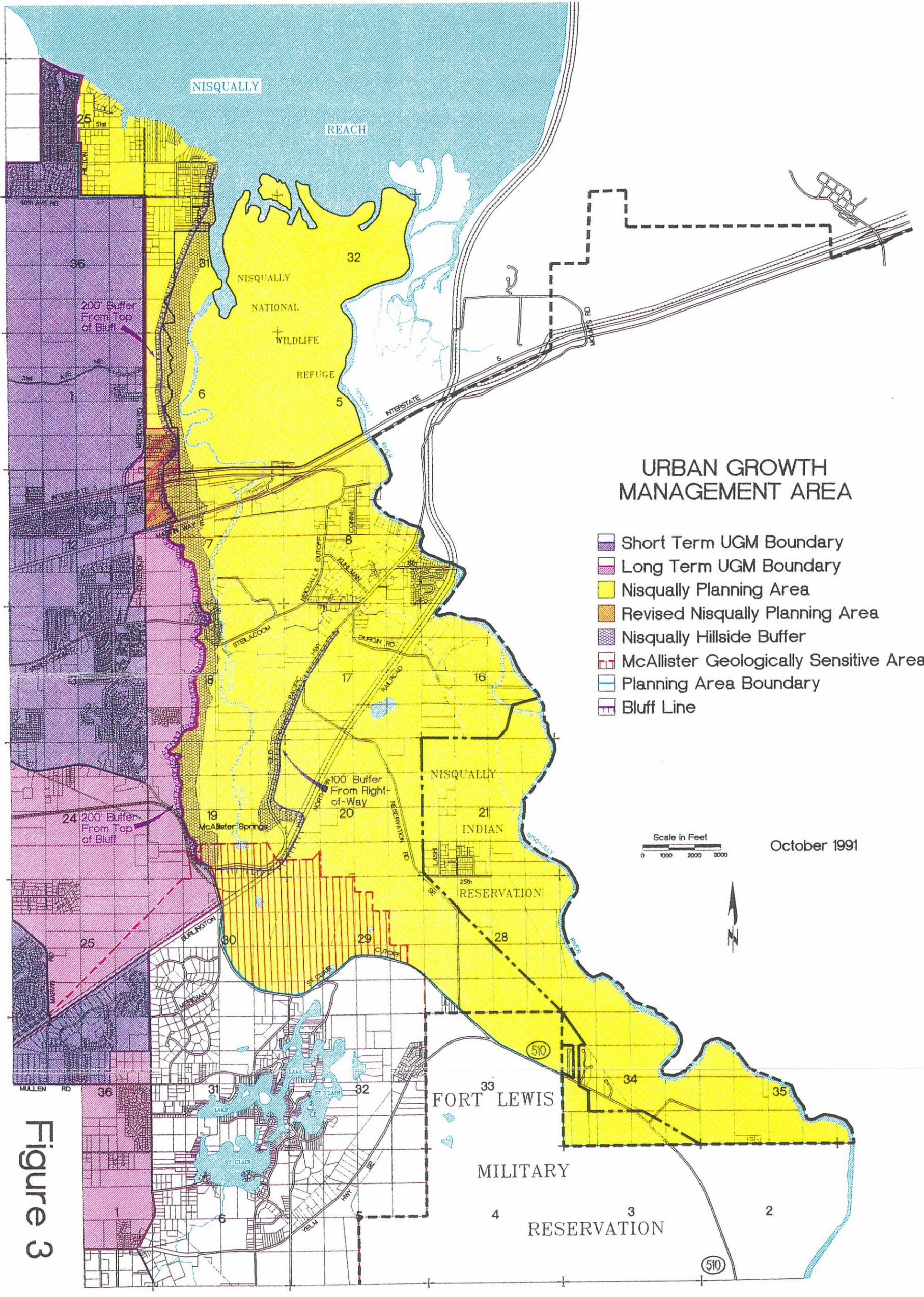


Figure 3

# NISQUALLY PLANNING AREA

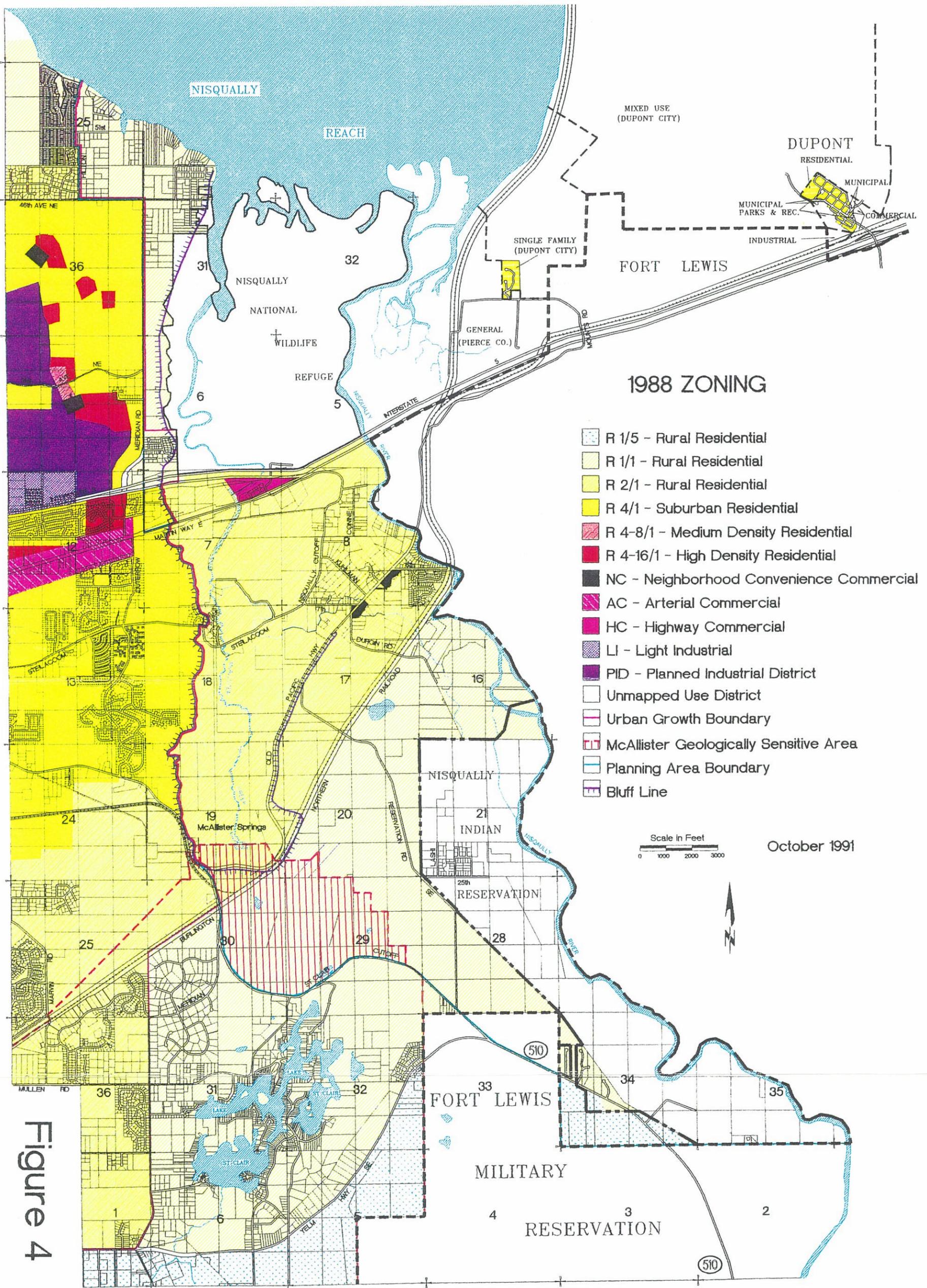


Figure 4

# NISQUALLY PLANNING AREA

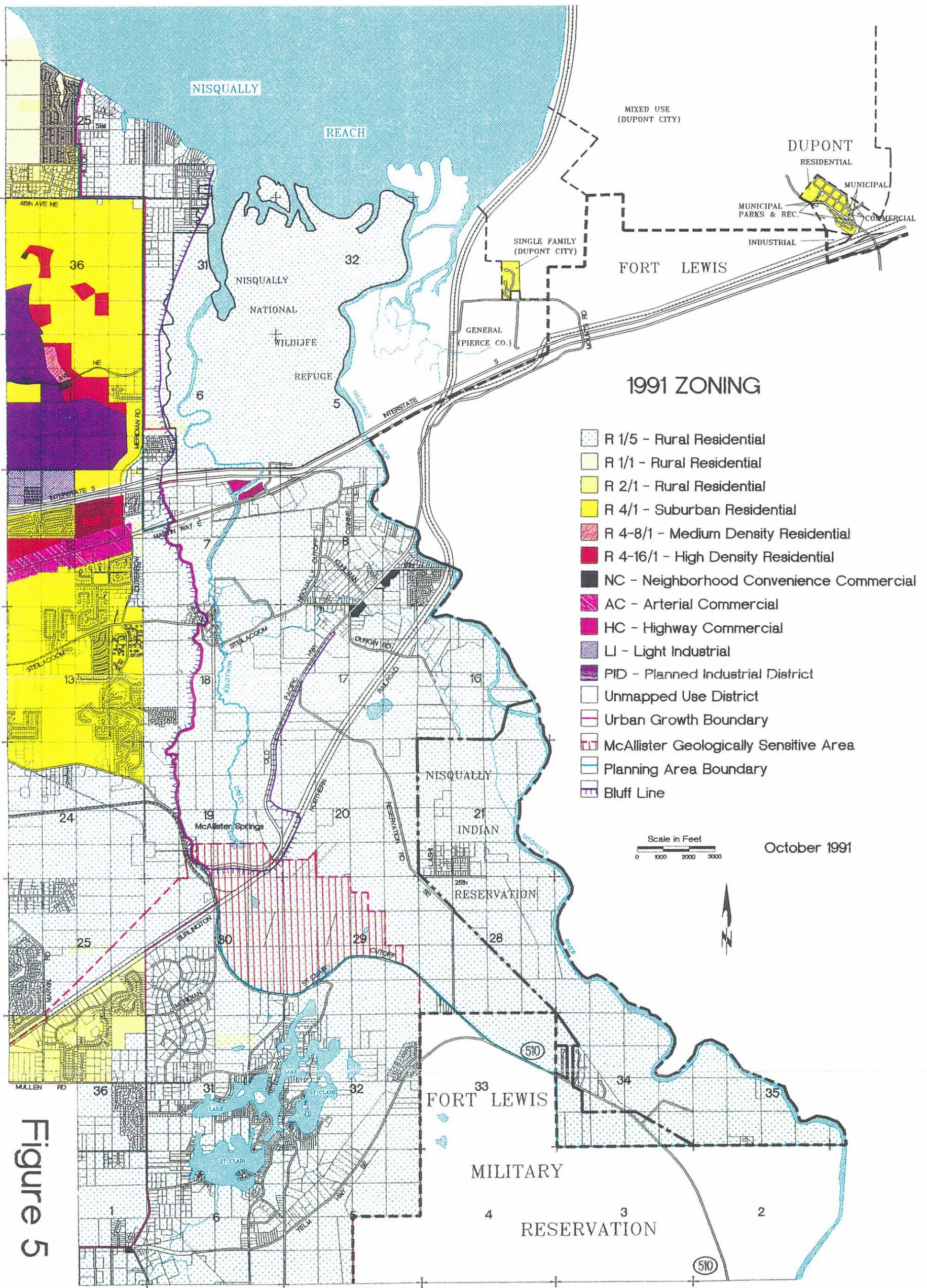


Figure 5

# NISQUALLY PLANNING AREA

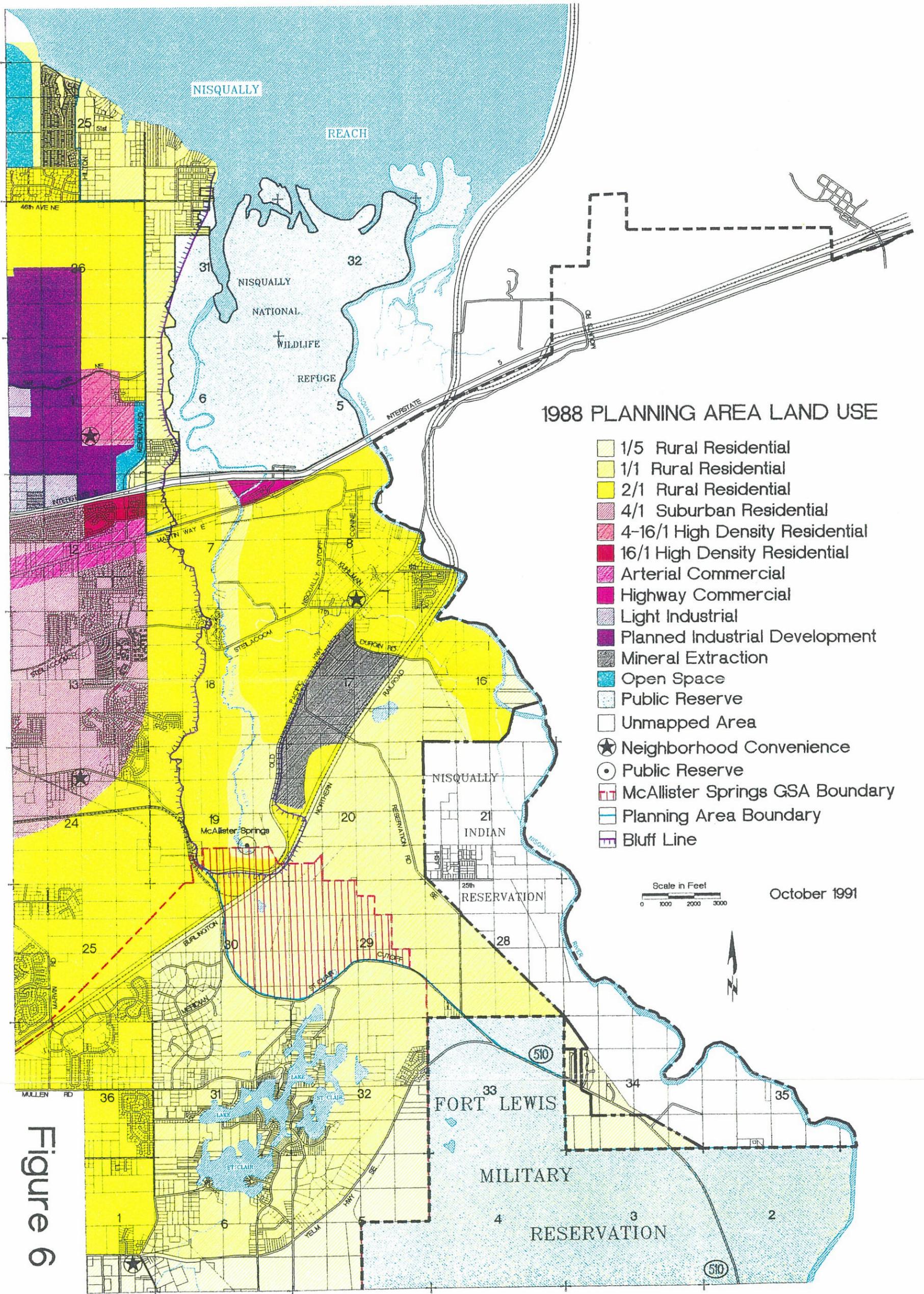


Figure 6

# NISQUALLY PLANNING AREA

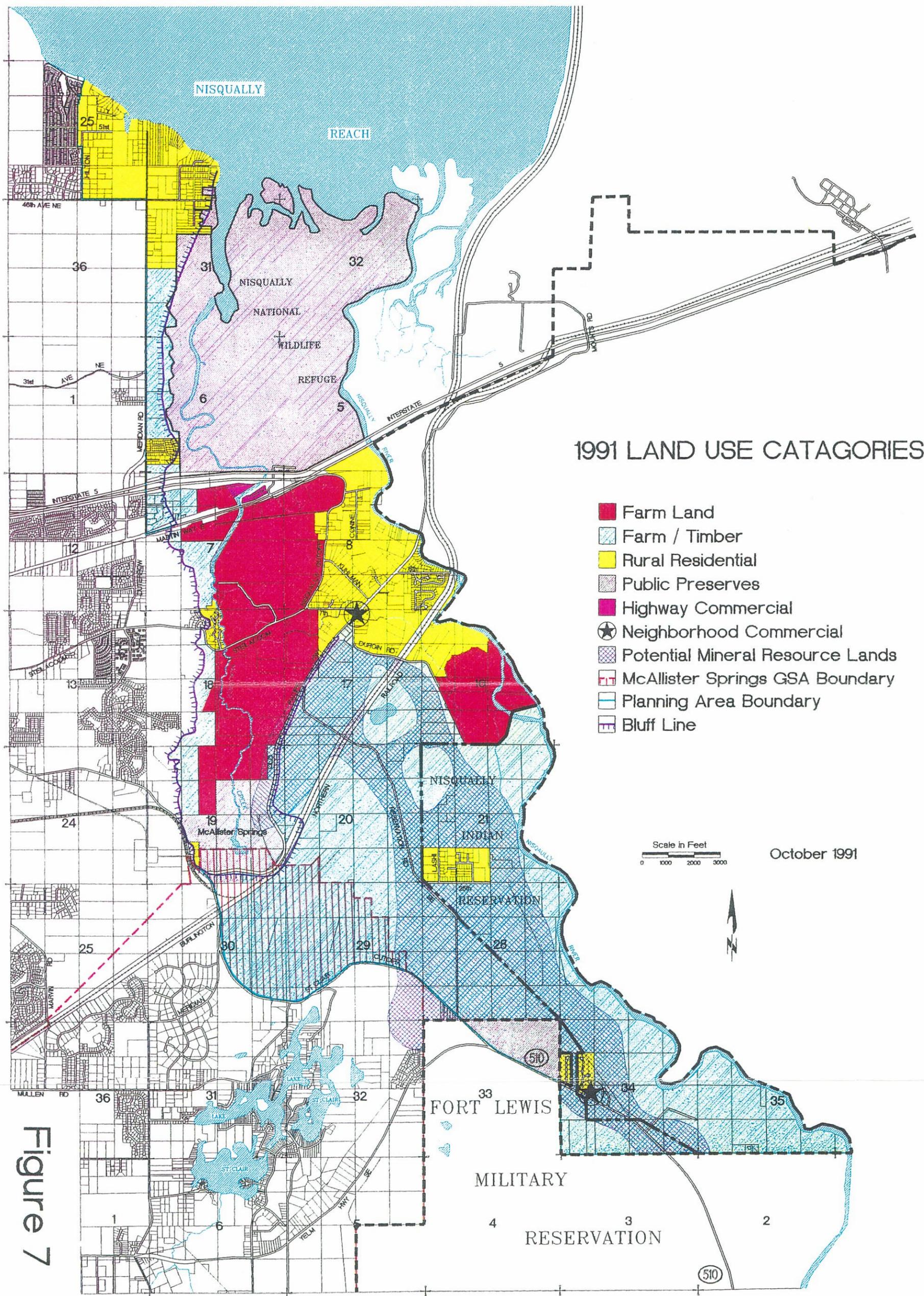


Figure 7

# NISQUALLY PLANNING AREA

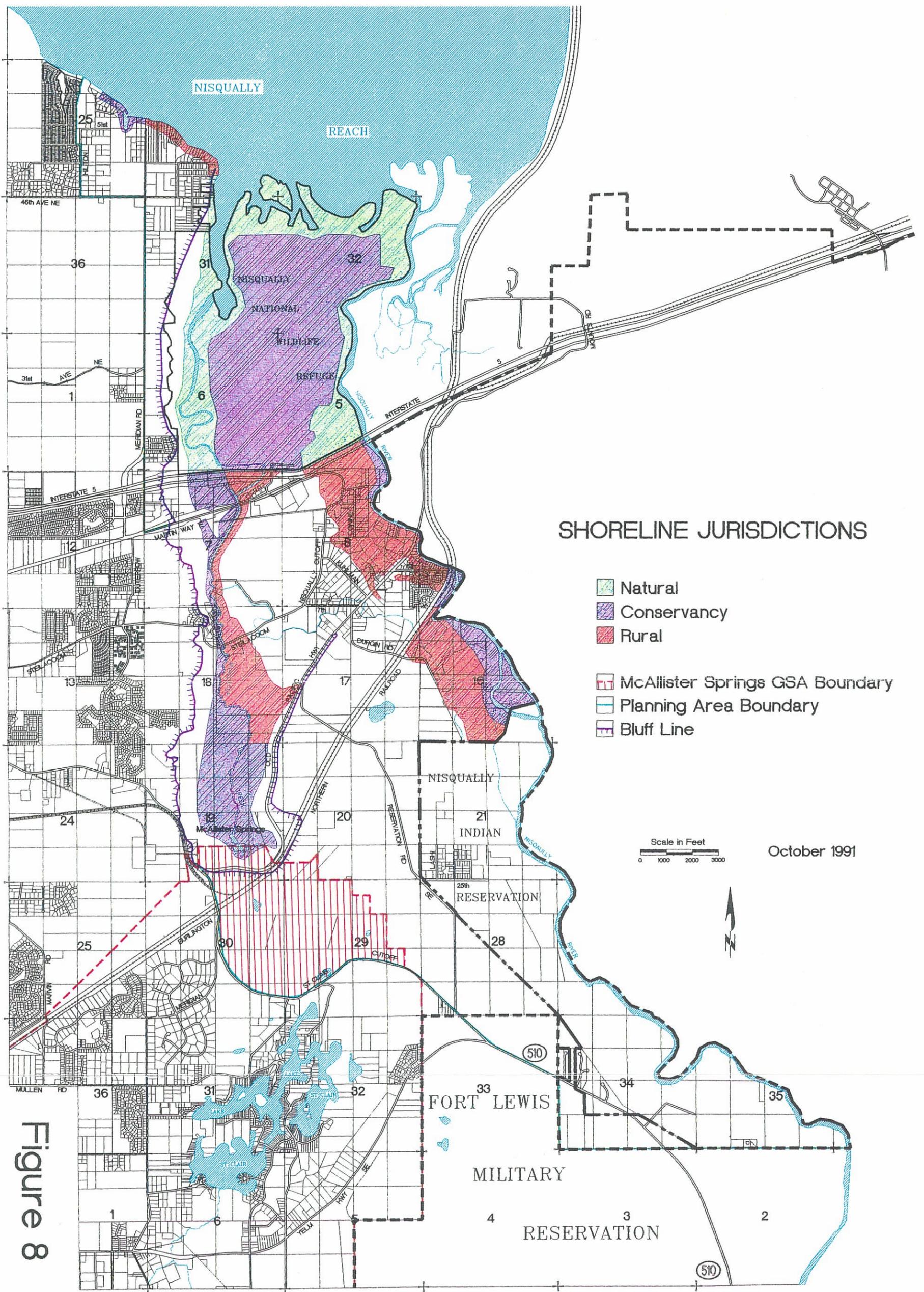


Figure 8

# NISQUALLY PLANNING AREA

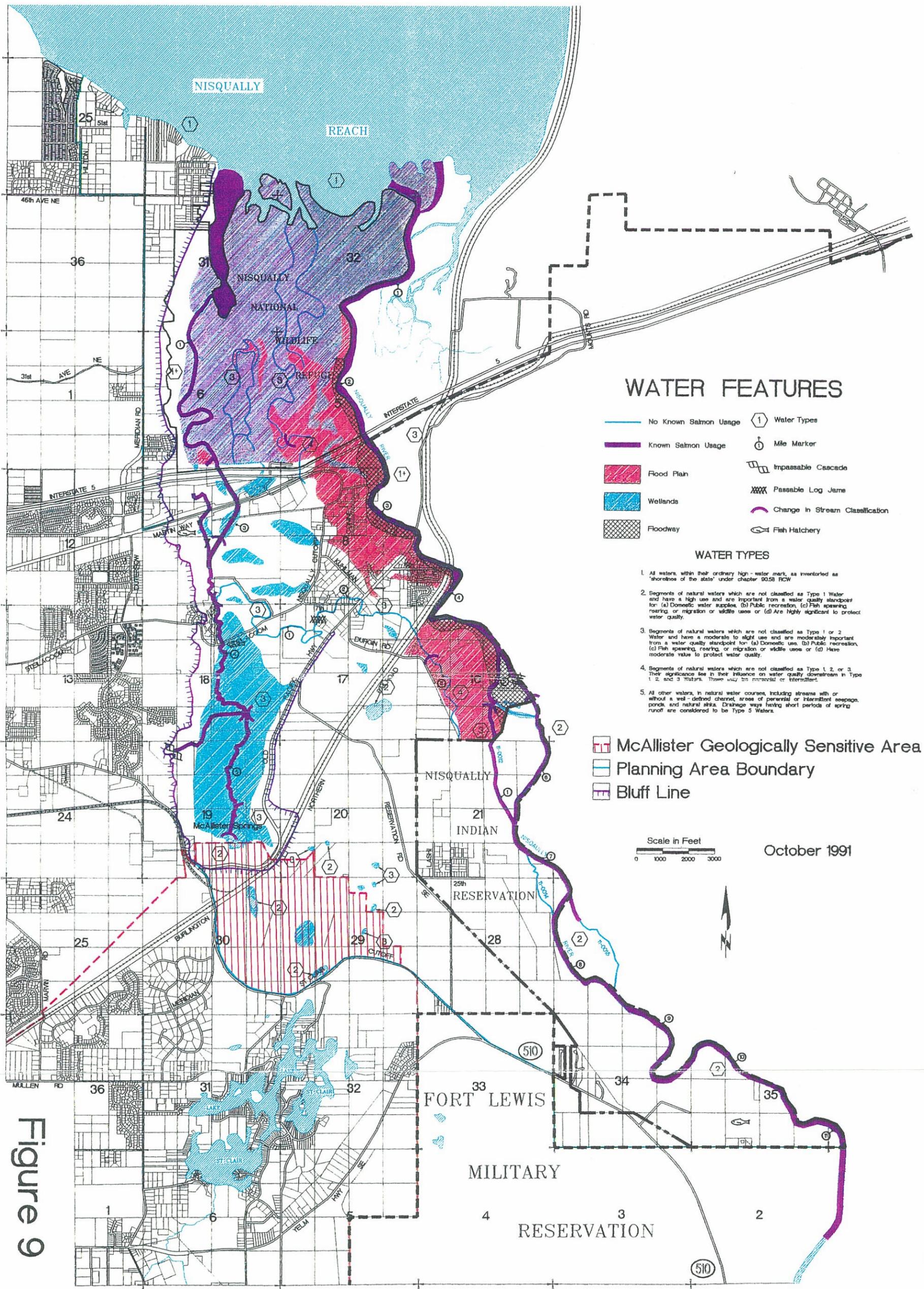


Figure 9

# NISQUALLY PLANNING AREA

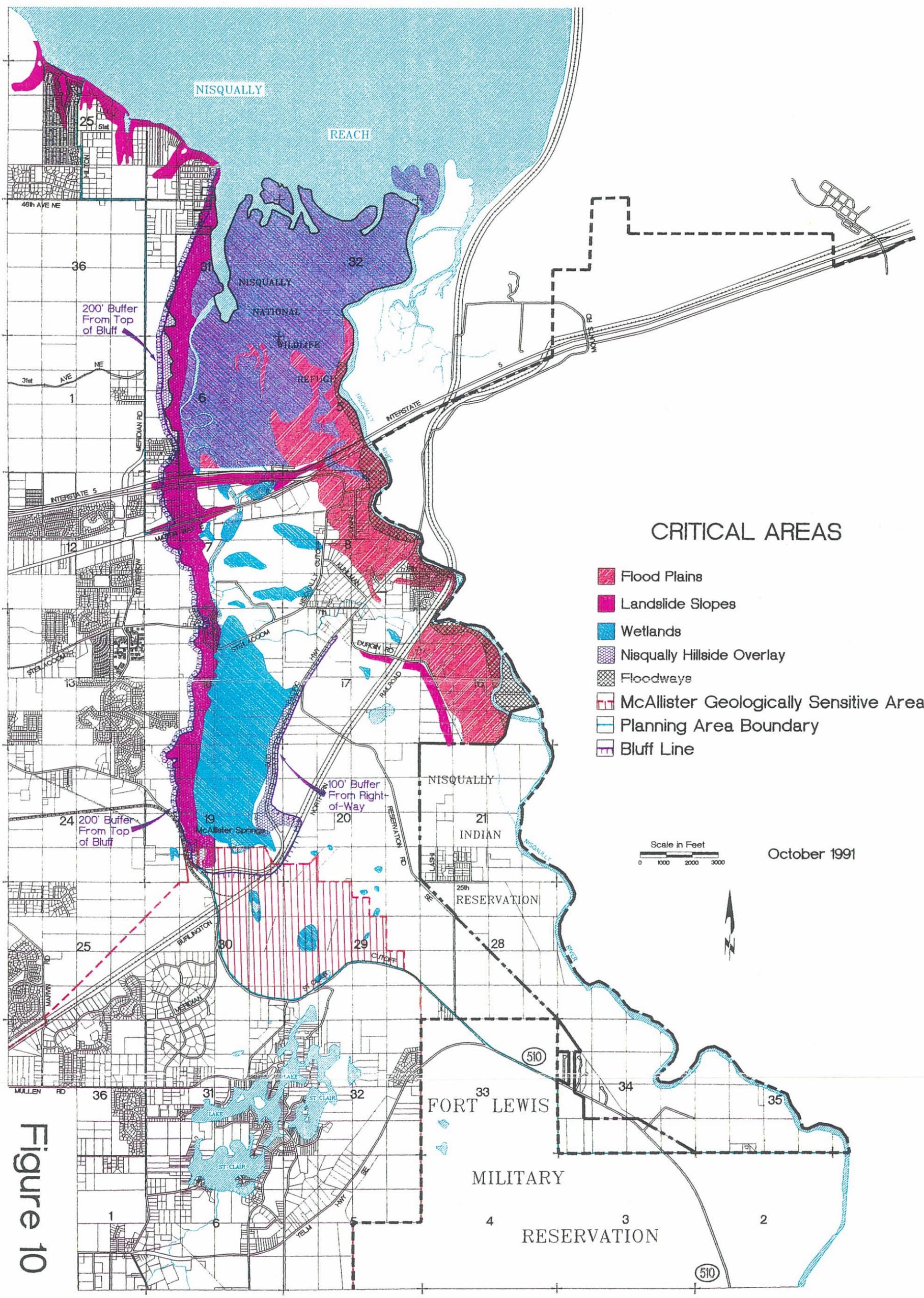


Figure 10

# NISQUALLY PLANNING AREA



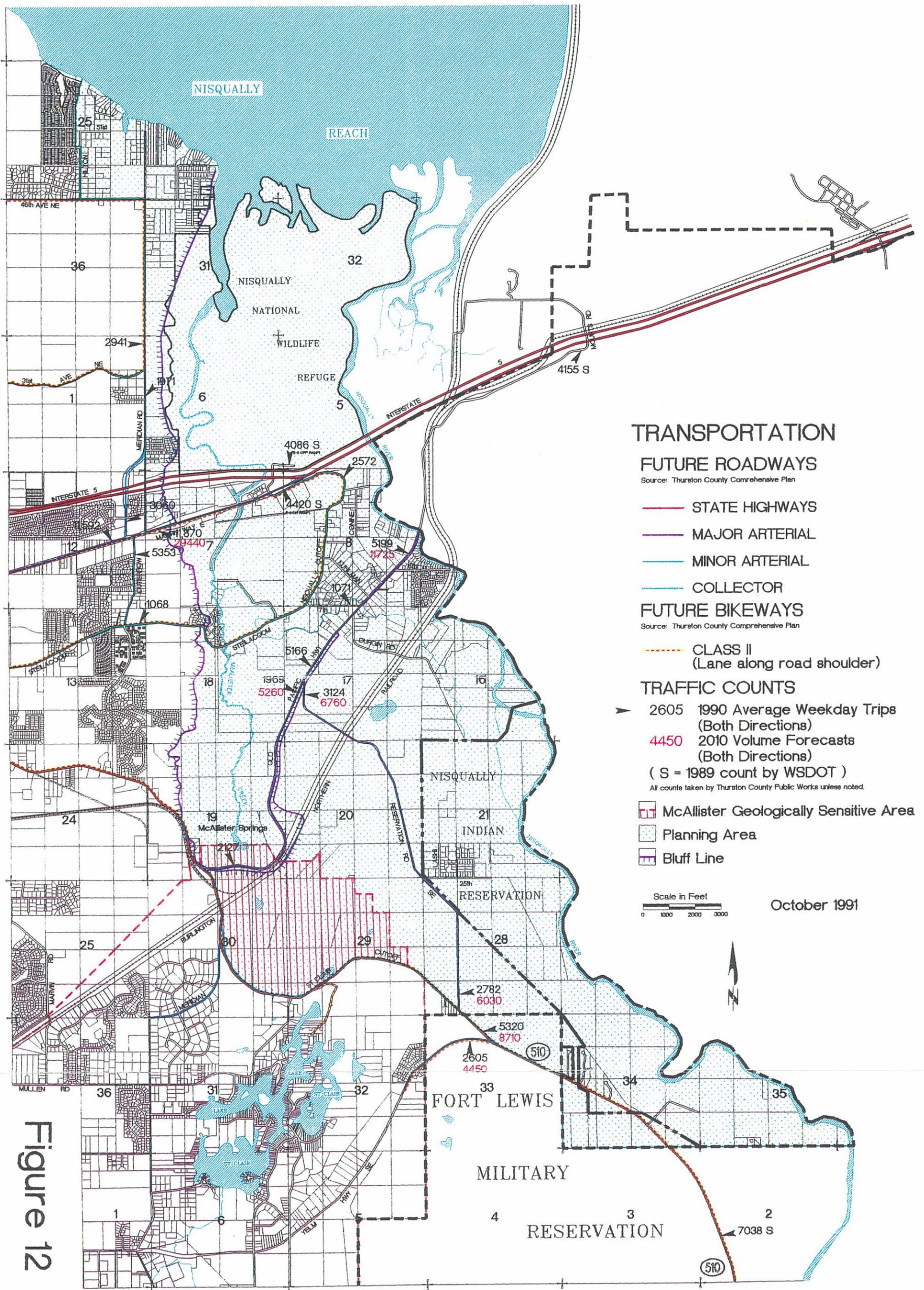


Figure 12

# NISQUALLY PLANNING AREA

# NISQUALLY LAND USE CATEGORIES AND ZONING DISTRICTS

## NATURAL RESOURCE LANDS

- NA  
Nisqually Agriculture
- LTA  
Long-Term Agriculture
- Mineral Resource Overlay

## RURAL LANDS

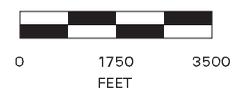
- PP  
Public Preserves
- MR  
Military Reservation
- RR 1/5  
Rural Residential - 1 Unit Per 5 Acres
- MGSA  
McAllister Geologically Sensitive Area
- RR 1/2  
Rural Residential - 1 Unit Per 2 Acres
- RR 1/1  
Rural Residential - 1 Unit Per 1 Acre
- RR 2/1  
Rural Residential - 2 Units Per 1 Acre

## COMMERCIAL LANDS

- NC  
Neighborhood Convenience Commercial
- AC  
Arterial Commercial
- HC  
Highway Commercial

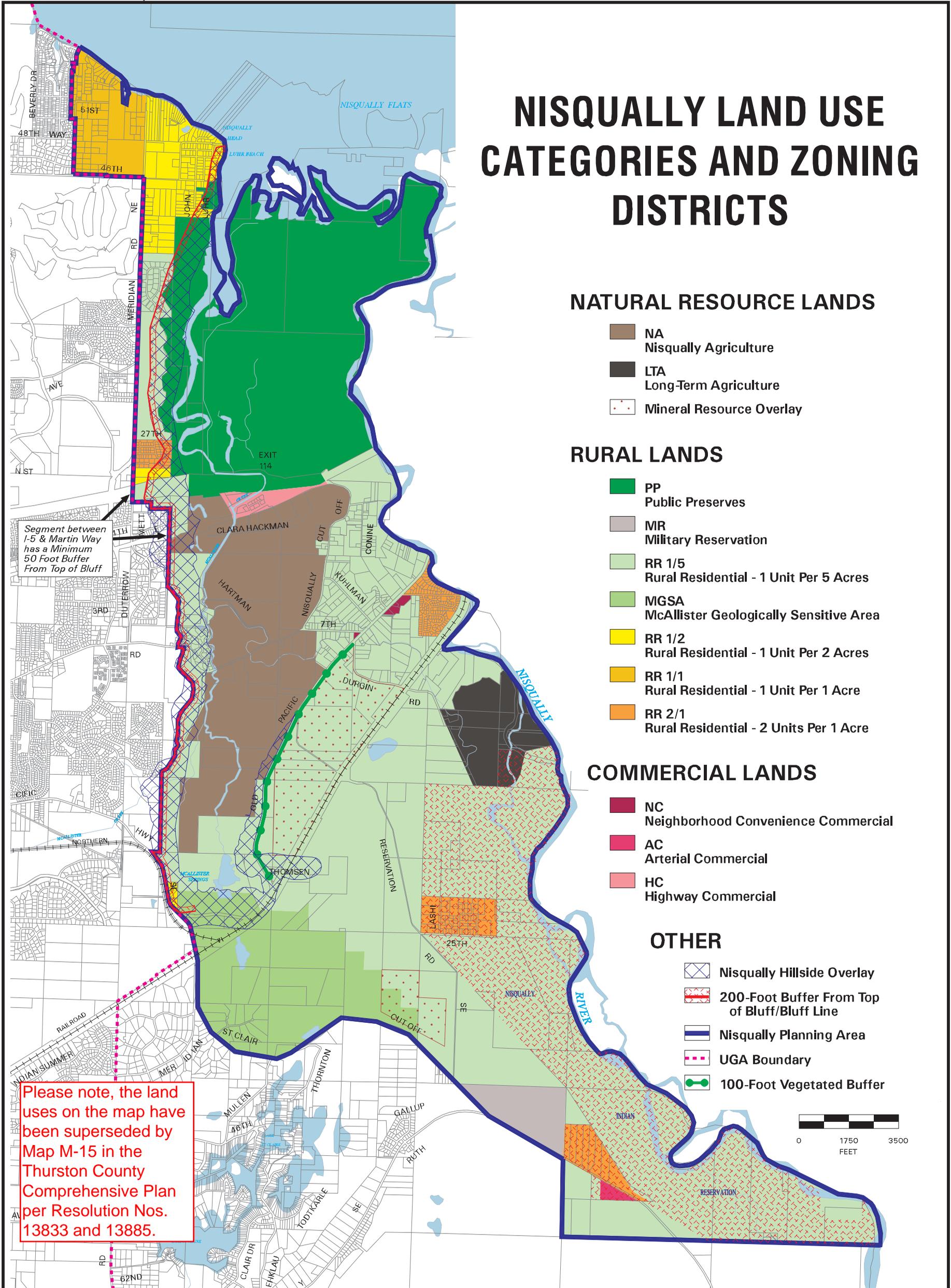
## OTHER

- Nisqually Hillside Overlay
- 200-Foot Buffer From Top of Bluff/Bluff Line
- Nisqually Planning Area
- UGA Boundary
- 100-Foot Vegetated Buffer



Segment between I-5 & Martin Way has a Minimum 50 Foot Buffer From Top of Bluff

Please note, the land uses on the map have been superseded by Map M-15 in the Thurston County Comprehensive Plan per Resolution Nos. 13833 and 13885.



# NISQUALLY PLANNING AREA