



## COUNTY COMMISSIONERS

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## COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

Joshua Cummings, Director

*Creating Solutions for Our Future*

### MEMORANDUM

**TO:** Thurston County Planning Commission

**FROM:** Andrew Boughan, Associate Planner  
Amelia Schwartz, Associate Planner

**DATE:** February 15, 2023

**SUBJECT:** Work Session #2: Code Clarifications & Corrections Amendment

#### SUMMARY & DECISION POINTS

This is work session #2 on this topic. At this work session, staff will provide an overview of Development Code Docket Items A-13, Clerical Code Updates, and respond to Commission questions from the February 1 work session. Staff will also request the Planning Commission set a public hearing for the three (3) Development Code Docket Items for March 15, 2023.

The "Code Clarifications & Corrections Amendment" comprises of three (3) docketed projects on the 2022-2023 Development Code Docket. The projects included in the proposal are:

- A-13 - Miscellaneous Clerical Errors
- A-28 - Clarification on Expansion of Non-Conforming Non-Residential Uses and Structures
- A-29 - Update Sign Board Posting Procedures

Staff requests the following from the Planning Commission:

- Motion: Move to set a public hearing on the Development Code Docket Items A-13, A-28, and A-29 for March 15, 2023, at 7 PM or soon thereafter.

#### STAFF RESPONSE TO COMMISSIONER QUESTION ON A-28

At the work session on February 1, the Planning Commission requested staff research if other public facilities, specifically fire stations (new and expanding), may have similar issues as academic schools regarding expanding building coverage.

Staff found that other public uses, such as fire and police stations and government buildings, have different constraints regarding building/lot coverage than academic schools do when expanding. Public uses, which include government buildings, police stations, fire stations, and public parks, are classified as “public facilities.” Defined in Thurston County Code (TCC) 20.03.040(107), public facilities means

“...buildings or uses of land whether owned or leased, operated by a public agency for such purposes as providing places for public assembly and recreation, operating services of benefit to the public, or for the administration of public affairs.”

Public facilities are permitted as distinctly separate special uses under Thurston County Code (TCC) Chapter 20.54.070(29), which does not have specific additional standards for new or major additions to existing public facilities. This is unlike academic schools, which include regulations limiting floor area.

### **A-13 MISCELLANEOUS CLERICAL ERRORS**

The proposed changes capture various clerical errors by correcting information and updating terms and names within various Thurston County Code (TCC) titles. Staff has included the changes for which the Board of County Commissioners docketed and referred to the Planning Commission which generally include Titles 17 through Title 24.

#### **SUMMARY OF CHANGES**

The primary changes include:

- Correcting Community Planning & Economic Development’s name throughout TCC;
- Relocating graphics/figures to the appropriate code section;
- Correcting references to the Olympic Region Clean Air Agency;
- Creating missing/revising definitions; and
- Correcting spelling mistakes, incorrect references, and other clerical errors.

### **OPTIONAL MOTION TO SET A PUBLIC HEARING**

“Move to set a public hearing for March 15, 2023, at 7:00 PM or as soon thereafter as the matter may be heard on the Code Clarifications & Corrections Amendment containing Development Code Docket Item A-13 - Miscellaneous Clerical Errors, A-28 - Clarification on Expansion of Non-Conforming Non-Residential Uses and Structures, and A-29 - Update Sign Board Posting Procedures.”

### **PUBLIC FEEDBACK**

Outreach has been done internally, with proposed code amendment drafts being reviewed by Thurston County department staff associated with the code changes to ensure the corrections were addressed adequately.

## **NEXT STEPS**

Staff anticipates the following schedule for review of the proposed code clarification & corrections amendment:

- February 1, 2023 – Clarification on Expansion of Non-Conforming Non-Residential Uses and Structures (A-28) and Update Sign Board Posting Procedures (A-29)
- February 15, 2023 – Miscellaneous Clerical Updates (A-13) and tentatively request to set a public hearing
- March 15, 2023 – Tentative public hearing date; follow-up work session for Recommendation

## **ATTACHMENTS**

- Attachment A: Master Ordinance (Docket Items #A-13, #A-28, and #A-29)

**Thurston County  
Community Planning and Economic Development Department  
Community Planning Division**

**PLANNING COMMISSION  
DELIBERATIVE DRAFT**

February 15, 2023

**Code Clarifications & Code Amendment  
Master Draft Ordinance**

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

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## **ATTACHMENT A**

### **Code Clarifications & Code Amendment**

### **Master Draft Ordinance**

Deleted Text: ~~Strikethrough~~ / Changes: Underlined / Unaffected Omitted Text: (...)

...

**I. Thurston County Code Chapter TCC 17.09 (STATE ENVIRONMENTAL POLICY ACT) shall be amended to read as follows:**

...

17.09.100 – Preparation of EIS—Additional considerations.

...

- A. Preparation of a draft and final EIS and supplemental EIS (SEIS) is the responsibility of the Community Planning & Economic Development ~~resource stewardship~~ Department under the direction of the responsible official. Before the county issues an EIS, the responsible official shall be satisfied that it complies with this chapter and Chapter 197-11 WAC.

...

17.09.130 – Designation of official to perform consulted agency responsibilities for the county.

...

- A. The Thurston County Community Planning & Economic Development ~~resource stewardship~~ Department director or designee shall be responsible for preparation of written comments for the county in response to a consultation request prior to a threshold determination, participation in scoping, or reviewing a draft EIS.

...

17.09.140 – Designation of responsible official.

...

- A. For those proposals for which the county is the lead agency, the responsible official shall be the Thurston County Community Planning & Economic Development ~~resource stewardship~~ Department director or designee.

...

17.09.160 – Environmental appeals.

...

- B. Who May Appeal. Any person aggrieved by a threshold determination may appeal; provided, however, if there is a comment period required by WAC 197-11-340, only those persons who submit written comments during the comment period may appeal the threshold determination.
- C. Time to Appeal. A written notice of appeal, meeting the requirements of subsection (D) of this section, and the appeal fee must be received by the Community Planning & Economic Development resource stewardship dDepartment within fourteen calendar days of the date of issuance of the threshold determination or, if there is a comment period under WAC 197-11-340, within seven calendar days of the last day of the comment period. If the last day of the appeal period is a holiday or a weekend, the appeal must be filed by five p.m. on the first weekday following such holiday or weekend.

...

- F. Public Notice of Appeal Before the Hearing Examiner. When Thurston County receives a timely notice of appeal and timely filing of appropriate fees under this chapter, the county shall give public notice of such appeal by mailing notice to:
  - 1. The appellant, project sponsor, the environmental review officer, and any individuals or organizations who have submitted a written request for notice of SEPA appeals to the Community Planning & Economic Development resource stewardship dDepartment;
  - 4. The appropriate media, as determined by the Community Planning & Economic Development resource stewardship dDepartment, but only if the appeal is of a nonproject action;

...

...

## **II. Thurston County Code Chapter TCC 17.15 (AGRICULTURAL ACTIVITIES CRITICAL AREAS) shall be amended to read as follows:**

...

### **17.15.200 – Definitions.**

...

"Department" when used by itself in this title means the Community Planning & Economic Development resource stewardship dDepartment, unless otherwise indicated in the specific section.

...

"Review authority" means the director of the Thurston County Community Planning & Economic Development resource stewardship dDepartment, or their his/her

designee, for administrative permits and the hearings examiner for proposals requiring a public hearing.

...

17.15.340 – Review standards—Critical area tracts.

...

C. The deed restriction language shall be similar to the following:

NOTE: Before beginning and during the course of any grading, building construction, or other development activity, on a lot or development site subject to restriction and the area of development activity must be fenced or otherwise marked to the satisfaction of Thurston County Community Planning & Economic Development resource stewardship dDepartment.

...

E. The following note shall appear on the face of all plats, short plats, planned rural residential developments, or other approved site plans containing separate critical area tracts, and shall be recorded on the title of all affected lots:

NOTE: All lots adjoining critical area tracts are responsible for maintenance and protection of the tracts. Maintenance includes insuring that no alterations occur and that all vegetation remains undisturbed unless the express written authorization of the Thurston County Community Planning & Economic Development resource stewardship dDepartment has been received.

...

17.15.345 – Review standards—Access limitations, signs and fencing of critical areas and tracts.

...

E. The sign shall be worded as follows or with alternative language approved by the review authority.

(Critical Area)  
DO NOT DISTURB  
Contact Thurston County  
Community Planning & Economic Development resource stewardship dDepartment  
Regarding Uses and Restrictions

...

**III. Thurston County Code Chapter TCC 17.25 (THURSTON COUNTY FOREST LANDS CONVERSIONS ORDINANCE) shall be amended to read as follows:**

...



17.25.200 – Definitions.

...

"Conversion option harvest plan (COHP)" means a voluntary plan developed by the landowner and approved by Thurston County, indicating the limits and types of harvest areas, road locations, and open space. This approved plan, when submitted to the Department of Natural Resources as part of the forest practice application and followed by the landowner, maintains the landowner's option to convert to a use other than commercial forest product production (releases the landowner from the six-year moratorium on future development).

"Department" means shall always mean the Community Planning & Economic Development Department, unless otherwise indicated in the specific section.

"Developed property" means property which has been altered for a use other than commercial forest product production. Developed property includes land area which has been graded, landscaped or built upon. Any portion of property which has been altered as described in this chapter shall be considered to be developed property for purposes of this chapter.

...

"Development proposal" means any activity relating to use and/or development of land requiring a permit or approval from the Thurston County Community Planning & Economic Development ~~resource stewardship d~~Department.

"Director" means the Thurston County director of Community Planning & Economic Development ~~resource stewardship~~ or the directors designee.

...

17.25.400 – North County Urban Growth Area Conversion Requirements.

...

D. Conversion Standards. All forest lands conversions within the north county urban growth area shall comply with all of the applicable provisions of the following:

...

5. Residential Subdivisions. Applications for residential subdivisions submitted to the ~~resource stewardship d~~Department after September 29, 1997 are subject to the following:

...

6. Multi-family, Commercial, and Industrial Development. The following provisions apply to any multiple-family, commercial, or industrial site development.
  - a. Tree preservation plans for multiple-family, commercial or industrial developments shall be coordinated and consistent with any

landscaping/tree plan required by Chapters 20.45, 21.80, 22.47 or 23.36, as applicable.

...

- F. Use of Tree Tracts. Recreational uses, such as picnic areas and trails, which would not jeopardize the survival of protected trees (e.g. by damaging roots, compacting soil, or altering drainage), can be located in tree tracts with written approval of the ~~resource stewardship d~~Department. The ~~d~~Department may also authorize stormwater ponds in tree tracts if trees would not be removed and tree roots would not be damaged during construction or by saturated soil conditions such that their survival would be jeopardized. Prior to acting on the request, the approval authority may require the proponent to supply a written analysis from a qualified professional forester regarding the proposal's potential impact on the protected trees.

...

#### 17.25.600 – Administration.

...

- C. Authority and Duties of the County and Director.
1. It shall be the duty of the Thurston County Community Planning & Economic Development ~~resource stewardship d~~Department to administer the provisions of this chapter:

...

- D. Authority and Duties of the County and Director.
1. A completed "forest lands conversion application" form as provided by the ~~resource stewardship d~~Department:

...

- E. Application Procedure and General Conditions. The application for forest lands conversion shall be processed according to the same permitting procedures described in Chapter 20.60 of the Thurston County Code. For purposes of this chapter:

...

4. The ~~resource stewardship d~~Department shall forward a copy of the conversion forest practices and the county's action to the Thurston County assessor for their use.
5. A forest land conversion approval by the county is valid for a period of one year or the duration of the associated development permit or approval. The ~~resource stewardship d~~Department may authorize an extension of one hundred eighty days.

6. The director may approve an amendment to the county's approval if the amendment is consistent with the conversion standards. If granted, the ~~resource stewardship~~ dDepartment shall provide a written record of the amendment and will provide a copy of it to the landowner and/or forester.

...

**IV. Thurston County Code Chapter TCC 18.04 (GENERAL PROVISIONS) shall be amended to read as follows:**

...

**18.04.052- Division of lots with more than one residential structure.**

- A. Except as limited by subsection C of this section, notwithstanding the maximum residential density otherwise allowed by Title 20 TCC, an undivided parcel on which two or more single-family or ~~multiple~~-family dwellings are located on the effective date of this section may be subdivided to create lots for each of the structures if each of the following conditions are met:
  1. Each of the single-family or ~~multiple~~-family dwellings was constructed in compliance with all applicable codes and other law;
  2. Each of the single-family or ~~multiple~~-family dwellings has been occupied as a residence during the year preceding submittal of the preliminary subdivision application;

...

**V. Thurston County Code Chapter TCC 18.10 (ADMINISTRATIVE PROCEDURES) shall be amended to read as follows:**

...

**18.10.010 - Administration.**

The Thurston County ~~resource stewardship~~ Community Planning & Economic Development ~~dDepartment~~ director and department staff, referred to as "planner," is vested with the duty of administering this title and may prepare and require the use of such additional forms which are necessary to effectuate the provisions of this title. Unless otherwise specified in this title, the term "department" means the ~~resource stewardship~~ Community Planning & Economic Development ~~dDepartment~~, or its designee.

...

**VI. Thurston County Code Chapter TCC 18.12 (PRELIMINARY PLAT) shall be amended to read as follows:**

...

18.12.010 - Presubmission conference.

Before submitting an application for preliminary plat, the applicant or their representative shall meet with the planner and the public works department to discuss preliminary studies or sketches. At this time the departments shall make available all pertinent information on file relating to the general area. It is the purpose of the presubmission conference to identify as many potential problems as possible in order for the preliminary plat to be processed without delay. The conference should take place prior to detailed work by an engineer or surveyor. Discussion topics at this time would include such things as the comprehensive plan, street plan, shoreline master plan, zoning, availability of sewer and water, development concepts, other county requirements and permits, and the environmental impact of the plat. If the applicant owns adjacent land, the possibilities of future development shall be discussed. Upon receipt of a properly prepared request for a presubmission conference, the ~~resource stewardship~~ Department shall notify the applicant of the time and place for the presubmission conference.

...

**VII. Thurston County Code Chapter TCC 18.16 (FINAL PLAT) shall be amended to read as follows:**

...

18.16.070 - Composition.

...

D. The plat shall also show the following certificates:

...

5. Certificate—~~resource stewardship~~ Community Planning & Economic Development ~~Department~~.

Examined and Approved this \_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_

\_\_\_\_\_  
~~resource stewardship~~ Community Planning & Economic Development ~~Director~~

...

**VIII. Thurston County Code Chapter TCC 18.24 (AGREEMENT AND BOND FOR IMPROVEMENTS) shall be amended to read as follows:**

...

18.24.010 - Agreement in lieu of completion of improvements—Agreement to assure successful operation of improvements.

...

- A. Before final approval is given for any division of land pursuant to Title 18, Thurston County Code:

...

2. In lieu of installation of all required minor improvements, the developer may execute and file with the county an agreement guaranteeing completion of such improvements together with any needed replacements or repairs within a specified time. In no case shall final plat approval be given if any related improvements remain uninstalled that shall constitute a hazard to public health and safety as determined by the department director, or designee. Such agreement:
  - a. May be approved by the director or designee of either the Public Works or the ~~resource stewardship d~~Department;
  - b. Shall provide the period of time within which all work required shall be completed which shall not exceed one year from the date of approval. Such agreement may provide for reasonable extensions of time for completion of work. Extensions must be requested, approved by the board of county commissioners or the director or designee of either the Public Works or the ~~resource stewardship d~~Department, and properly secured as provided in this title in advance of the required initial completion date;

...

- B. Regardless of whether all required improvements are completed prior to final approval of any division of land pursuant to Title 18, Thurston County Code, as a condition of such approval, the developer shall execute an agreement to assure successful operation of such improvements.
2. The agreement and security may be approved by the director or designee of either the Public Works or the ~~resource stewardship d~~Department;

...

**IX. Thurston County Code Chapter TCC 18.28 (LARGE LOT SUBDIVISIONS\*) shall be amended to read as follows:**

...

**18.28.025 - Presubmission conference.**

Before submitting an application for a large lot subdivision the applicant shall submit a request form and one copy of the proposal to the ~~resource stewardship d~~Department for a presubmission conference. The proposal should include the information required for submission of a preliminary large lot as described in Section 18.10.050. Upon receipt of a properly prepared request, the resource stewardship department shall notify the applicant of the time and place for the presubmission conference.

18.28.030 - Preliminary action.

...

B. The proposed division shall be approved when the ~~d~~Department finds that:

...

**X. Thurston County Code Chapter TCC 18.32 (SHORT PLATS) shall be amended to read as follows:**

...

18.32.020 - Exemptions.

The provisions of this title shall not apply to:

...

D. Conservation Lots. Unbuildable lots created for purposes of habitat conservation or critical area preservation to be owned in perpetuity and in fee simple interest by a registered, non-profit conservation land trust or government agency. Such lots may not be created so as to make the remaining lot unbuildable or less than two acres in size. For the purposes of this chapter, an unbuildable lot shall be defined as a lot which is unable to be developed without a variance or reasonable use exception. Surveys and/or deeds recorded for the purpose of creating such conservation lots shall:

...

4. Be reviewed and approved through a minor administrative review process by ~~Thurston County Resource Stewardship d~~Department prior to recording with the Thurston County Auditor's Office.

...

18.32.115 - Presubmission conference.

Before submitting an application for a short subdivision, the applicant shall arrange to have the proposal reviewed informally by submitting a request form and one copy of the proposal to the ~~resource stewardship d~~Department for a presubmission conference. The proposal should include the information required for submission of a preliminary short plat as described in Section 18.10.050. Upon receipt of a properly prepared request, the ~~resource stewardship d~~Department shall notify the applicant of the time and place of the presubmission conference.

...

18.28.030 - Preliminary action.

...

B. The proposed division shall be approved when the ~~d~~Department finds that:

...

**XI. Thurston County Code Chapter TCC 20.03 (STRUCTURE, INTERPRETATIONS AND DEFINITIONS) shall be amended to read as follows:**

...

20.03.030 - Interpretations.

For the purpose of this title, certain words and terms are to be interpreted as follows:

...

9. The terms "board of Thurston County commissioners," "planning commission," "hearing examiner," "County Community Planning & Economic Development resource stewardship ~~Director~~," "health officer," "building officer," "building inspector" and other similar offices shall mean the respective boards, commissions, and officers of Thurston County and/or their authorized agents. The use of the term "board" shall always mean the board of Thurston County commissioners, the use of the abbreviation "examiner" shall always mean the hearing examiner, the use of the term "director" shall always mean the director of the County Community Planning & Economic Development resource stewardship ~~Department~~; and the use of the term "commission" shall always mean the planning commission. The use of the term "department" by itself shall always mean the County Community Planning & Economic Development resource stewardship ~~Department~~, unless otherwise indicated in the specific section.

...

20.03.040- Definitions.

...

3.8.5. "Approval authority" means the director of the Thurston County Community Planning & Economic Development resource stewardship ~~Department~~, or his/her designee, for administrative permits.

...

7. Automobile Service Station. ~~See "Service station."~~ "Automobile service station" or "service station" means any area of land, including the structures thereon, that is used for the sale of gasoline or other motor fuels, oils, lubricants, and auto accessories; and which may or may not include washing, lubricating, and other minor servicing with the exception of automobile body work.

...

20. "Cluster subdivision" means a subdivision design with smaller lots than those allowed in conventional subdivisions to be clustered on a portion of a parcel, thereby providing

open space areas at a minimum of twenty percent of the total site area (See Appendix Figure 2: Section 20.65.030).

...

35.1. "Department" when used by itself in this title means the Community Planning & Economic Development resource stewardship department, unless otherwise indicated in the specific section.

...

40. Dwelling, Multi-Family. ~~Multiple Family~~. "Multiple family dwelling" "Multi-family dwelling" means a residential building containing two or more separate dwelling units located on a single lot or parcel of ground. For the purpose of this title, a multiple-family dwelling shall not be construed to mean a single-family attached dwelling as defined in this section.

...

42.5 Dwelling, Two-Family. "Two-family dwelling" means a residential building containing exactly two complete dwelling units located on a single lot. For the purpose of this title, a two-family dwelling shall not be construed to mean a single-family dwelling as defined in this section.

...

65. Height, Building. "Building height" means the vertical distance from average finish grade level to the highest point of a building or structure excluding any chimney, antenna, or other uninhabitable vertical appurtenances. (See Appendix Figure 9: Section 20.65.090).

...

76. "Lot coverage" means that portion of a lot which, when viewed directly from above, would be covered by a building, or any part of a building, except any area covered by a structure where fifty percent or more of the perimeter of such structure is open from grade. (See Appendix Figure 4: Section 20.65.050).

77. "Lot frontage" means that portion of a lot nearest the street. For the purpose of determining yard requirements, all sides of a lot adjacent to a street shall be considered frontage and yards shall be provided as indicated under yards in this title. (See Appendix Figure 11: Section 20.65.100).

...

79. Lot Line, Rear. "Rear lot line" means a lot line which is opposite and most distant from the front lot line. In the case of a triangular, or gore-shaped lot, it means a line ten feet in length within the lot parallel to and at the maximum distance from the front lot line. (See Appendix Figure 5: Section 20.65.060).

...

81. Lot Measurements.



a. Depth of a lot shall be considered to be the horizontal length of a straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line. (See ~~Appendix Figure 5~~ Section 20.65.060).  
...

b. Width of lot shall be the horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear property line. (See ~~Appendix Figure 7~~ Section 20.65.080).  
...

### 83. Lot Types.

a. "Corner lot" means a lot that abuts two or more intersecting streets or a lot along a curving street that forms one of the three lot boundaries as depicted in ~~Appendix Figure 6~~ Section 20.65.070. (Also see Vision clearance area.).

b. "Flag lot" means a lot, approved in accordance with the provisions of Chapter 20.07, which does not abut a public street other than by its driveway which affords access to the lot.

c. "Interior lot" means a lot, other than a corner lot, with a street along only one lot boundary or a through lot. (See ~~Appendix Figure 7~~ Section 20.65.080).

d. "Nearby lot" means: (1) a lot that is contiguous to the subject lot; (2) a lot that is across a public right-of-way from the subject lot and within one hundred feet of a lot line of the subject lot; or (3) a lot that is adjacent to a lot directly across the public right-of-way from the subject lot.

e. "Through lot" means an interior lot bounded on opposite ends by streets that do not intersect along the lot's frontage. Through lots also may be referred to as "double-frontage" lots. (See ~~Appendix Figure 7~~ Section 20.65.080).  
...

111. Recreation, Active. "Active recreation" means leisure activities, usually performed with others, often requiring equipment and taking place at prescribed places, sites or fields. The term "active recreation" includes, but is not limited to, swimming, tennis and other court games, baseball and other field sports, and playground activities.

111.3 Recreation, Outdoor. "Outdoor recreation" means leisure activities, performed outdoors that are minimally disruptive to the natural environment. For examples of activities, see "Recreation, Passive."

111.5 Recreation, Passive. "Passive recreation" means low intensity recreation activities which have limited noise and light impacts and are minimally disruptive to the natural environment. For the purposes of this chapter, "passive recreation" includes, but is not limited to, hiking, canoeing, viewing, nature study, photography and fishing.  
...

138. Subdivision, Conventional. "Conventional subdivision" means the subdivision of a lot in accordance with the lot size requirements and bulk regulations specified for same in the district regulations. (See ~~Appendix Figure 1~~ Section 20.65.020).  
...

...

144. "Vision clearance area" means a triangular area of a corner lot at the intersection of two front lot lines, and through which it is necessary to retain vision clearance in the interest of public safety: (See ~~Appendix Figure 15~~Section 20.65.130).

...

**XII. Thurston County Code Chapter TCC 20.07 (LOT, YARD, USE AND STRUCTURE REGULATIONS) shall be amended to read as follows:**

...

20.07.070 - Use limitations on corner lots.

1. On every corner lot within the triangle formed by the street lines of such lot and a line drawn between points on such lines which are thirty feet from the intersection thereof, there shall be no structure or planting of such nature and dimension as to obstruct lateral vision other than a post, column or trunk of a tree (but not branches or foliage), which is no greater than one foot in cross section or diameter. Such lateral vision shall be maintained between two horizontal planes, one of which is two and one-half feet, and the other ten feet above the centerline grade of existing streets and/or railroads: (See ~~Appendix Figure 13~~Section 20.65.090).

...

**XIII. Thurston County Code Chapter TCC 20.08G (AGRITOURISM OVERLAY DISTRICT (AOD)) shall be amended to read as follows:**

...

20.08G.020 - General standards.

General standards for all agritourism uses within the AOD shall be as follows:

...

4. AOD activities shall comply with all applicable ~~eCounty h~~County Health, Community Planning & Economic Development, resource stewardship and p~~Public w~~Public Works department requirements and standards.

...

20.08G.040 - Permitted uses and exclusions.

General standards for all agritourism uses within the AOD shall be as follows:

...

6. Activities and uses defined as nature tourism, geo-tourism, culinary tourism, art tourism or eco-tourism may be permitted on all legal lots subject to Sections

20.08G.020, 20.08G.040(2), and all other applicable standards contained in this chapter and Thurston County Code. When a use pursuant to this section is proposed within an existing, nonconforming structure or lot, the ~~Resource Stewardship Department~~ may permit the development subject to the applicant demonstrating compatibility with the rural environment, existing development and all other Thurston County Codes. In addition, such uses shall be designed and operated so as to enhance the economic viability of farming and maintain the rural character of the AOD by:

...

**XIV. Thurston County Code Chapter TCC 20.27 (PLANNED INDUSTRIAL PARK DISTRICT (PI)\*) shall be amended to read as follows:**

...

**20.27.050 - Performance standards.**

No land or structure shall be used or occupied within this district unless the use and occupancy complies with the following minimum performance standards:

1. External Effects.
  - a. Noise. Maximum permissible noise levels shall be determined by WAC 173- 60, as amended
  - b. Vibration. Vibration emanating from the site which is discernible without instruments at the property line of the use concerned is prohibited.
  - c. Smoke and Particulate Matter. Air emissions must comply with the standards of the Olympic Region Clean Air Agency ~~Air Pollution Control Authority~~.
  - d. Odors. The emission of gases or matter which are odorous at any point beyond the property line of the use emitting the odor is prohibited.

...

**XV. Thurston County Code Chapter TCC 20.28 (LIGHT INDUSTRIAL DISTRICT (LI)\*) shall be amended to read as follows:**

...

**20.28.050 - Performance standards.**

1. External Effects.
  - a. Noise. Maximum permissible noise levels shall be determined by WAC 173- 60, as amended
  - b. Vibration. Vibration emanating from the site which is discernible without instruments at the property line of the use concerned is prohibited.

- c. Smoke and Particulate Matter. Air emissions must comply with the standards of the Olympic Region Clean Air Agency~~Air Pollution Control Authority~~.
- d. Odors. The emission of gases or matter which are odorous at any point beyond the property line of the use emitting the odor is prohibited. All emissions must comply with the requirements of the Olympic Region Clean Air Agency~~Air Pollution Control Authority~~.

...

**XVI. Thurston County Code Chapter TCC 20.29 (RURAL RESOURCE INDUSTRIAL DISTRICT (RRI)) shall be amended to read as follows:**

...

**20.29.050 - Performance standards.**

**1. External Effects.**

- a. Noise. Maximum permissible noise levels shall be determined by WAC 173-60, as amended.
- b. Vibration. Vibration which is discernible without instruments at the property line is prohibited.
- c. Smoke and Particulate Matter. Air emissions must comply with the requirements of the Olympic Region Clean Air Agency~~Air Pollution Control Authority~~.
- d. Odors. The emission of gases or matter which are odorous at any point beyond the property line of the use emitting the odor is prohibited. All emissions must comply with the requirements of the Olympic Region Clean Air Agency~~Air Pollution Control Authority~~.

...

**XVII. Thurston County Code Chapter TCC 20.30C (SUMMIT LAKE OVERLAY ZONE) shall be amended to read as follows:**

...

**20.30C.020 - Summit Lake overlay zone maps.**

The Summit Lake overlay zone shall include all lands which drain into Summit Lake and are so located on the map entitled "Summit Lake Overlay Zone." A copy of this map shall be on file with the ~~Thurston County resource stewardship d~~Department. This map shall indicate the location of "shoreline lots" and "Summit Lake upland lots," both of which must abut Summit Lake Shore Road.

...

**XVIII. Thurston County Code Chapter TCC 20.37 (SITE PLAN REVIEW) shall be amended to read as follows:**

...

**20.37.020 - Presubmission conference.**

Before submitting an application for site plan review, an applicant may arrange to have the proposal reviewed informally by submitting a request form and one copy of the proposal to the ~~resource stewardship~~ dDepartment for a presubmission conference. However, for all new commercial and industrial uses or change of use, a presubmission conference is mandatory. The proposal shall contain in a rough and approximate manner all of the information required in the site plan application. The purpose of the summary site plan review is to enable the applicant to obtain the advice of affected County departments as to the applicability of the intent, standards and provisions of this title to the plan. Upon receipt of a properly prepared request, the ~~resource stewardship~~ dDepartment shall notify the applicant of the time and place for the presubmission conference.

...

**XIX. Thurston County Code Chapter TCC 20.54 (SPECIAL USE\*) shall be amended to read as follows:**

...

**20.54.060 - Presubmission conference.**

1. Before submitting an application for a hearing examiner approved special use permit (see Chapter 20.54.015), the applicant shall submit a request form and one copy of the proposal to the ~~resource stewardship~~ dDepartment for a presubmission conference. At minimum, the proposal shall contain in a rough and approximate manner the information required in the special use application. The purpose of the presubmission conference is to enable the applicant to obtain the advice of affected County departments as to the applicability of the intent, standards and provisions of this title to the proposal. Upon receipt of a properly prepared request, the ~~resource stewardship~~ dDepartment shall notify the applicant of the time and place for the presubmission conference.

...

**20.54.070 – Use—Specific standards.**

The following standards apply to specific special uses and are in addition to those established in other sections of this chapter. The zoning districts in which a special use is authorized are identified in Table 1.

1. Academic Schools.
  - a. Minimum Site Size

- i. For Public Schools. Minimum site size shall be as required by the Superintendent of Public Instruction.
- ii. For Private Schools. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area of a private school in excess of four students, shall be determined by the approval authority.
- b. Density: The density shall not exceed one hundred students per one acre of ground nor shall there be more than one square foot of floor area to two square feet of ground area
- c. Development Standards
  - i. Expansions: The Hearing Examiner shall be able to increase the project-wide amount by a maximum of fifteen percent (15%) for each of the following:
    - A. Building Height:
      - i. The height of any auditorium or gymnasium shall be set by the approval authority.
    - B. Building Square Footage
    - C. Impervious Surface
  - ii. No further expansions shall be approved if the cumulative expansion would exceed ten percent of the original size. If expansion is requested past this amount, approval of a variance application would be required.
  - iii. Expansions shall conform to all other provisions of Thurston County Code and shall not cause any significant adverse impact to surrounding properties.
  - iv. The approving authority may impose conditions upon the expansion of the use to mitigate adverse impacts with surrounding uses.

~~The density shall not exceed one hundred students per one acre of ground nor shall there be more than one square foot of floor area to two square feet of ground area.~~

- ~~b.d.~~ Any portion of the site which abuts upon a residential use shall be screened in such a manner as to reduce the noise generated by activities on the school grounds.
- ~~e.~~ ~~The height of any auditorium or gymnasium shall be set by the approval authority.~~

...

#### 11.7. Farm Stands.

- a. Farm stands for retail sale of agricultural products are permitted as a matter of right: meaning no land use approval is required, provided the farm stand meets the following standards:

...

- viii. Farm stands operated by separately owned farms are encouraged to be collocated in the same area, using shared vehicular access and parking, or stands shall be separated by a minimum of one thousand feet between access points. The ~~Director of resource stewardship~~ may consider exceptions to this separation standard on a case by case basis. Up to three separately operated farm stands are permitted on one site, but must be separated by a minimum of twenty feet pursuant to International Fire Code requirements. Collocated farm stands may be reviewed under one application if applied for concurrently.

...

**XX. Thurston County Code Chapter TCC 20.60 (ADMINISTRATIVE PROCEDURES) shall be amended to read as follows:**

...

20.60.020 – Application review procedures.

...

2. Type II Procedure—Administrative Decision (~~See Appendix Figure 16~~Section 20.65.140).

...

3. Type III Procedure—Quasi-Judicial Decision (~~See Appendix Figure 17~~Section 20.65.150).

...

- g. At least ten (10) calendar days prior to the hearing examiner public hearing on a Type III application, the department shall provide notice of the public hearing as follows:
  - i. Publish ~~Notice~~; The Department shall provide published notice, including the project location, description, type of permit(s) required, comment period dates and location where the complete application may be reviewed, in the newspaper of general circulation in Thurston County;
  - ii. Mail ~~Notice~~; The Department shall provide mail notice, including all items described in subsection (3)(g)(i) of this section, to owners of property surrounding the project site, the applicant and other interested parties in the same manner prescribed in Section 20.60.020(3)(c) above;
  - iii. Posted ~~Notice~~; The Department shall prepare a sign board for the applicant, ~~Post notice~~, including the project number, name and description, parcel number, date, time and location of public hearing, and telephone number where the county staff can be contacted for more

information, in a conspicuous place visible to the public on or near the project site.

A. The applicant shall post one (1) county-provided sign board on the property subject to the development application as follows:

- i. The sign board shall be installed in a conspicuous place visible to the public, the midpoint along the site street frontage at a location five (5) feet inside the property line, or as otherwise directed by the responsible official to maximize visibility.
- ii. The sign board shall be secured to a stationary object such as a fence, post, or other object that may be able to withstand typical weather conditions including high wind and heavy rain. The top of the sign board shall be designed to be between four (4) and six (6) feet above grade.
- iii. Installation and Removal Requirements. The sign board shall be installed on the site at least ten (10) calendar days in advance of the public hearing. The applicant shall maintain the sign board in good condition throughout the application review period, which shall extend through the time of the final county decision on the proposal including the expiration of the applicable appeal period of the hearings examiner's decision if submitted. If the sign board is removed, county review of the land use application may be discontinued until the board is replaced and has remained in place for the required period of time.
- iv. The applicant shall remove the sign board within fourteen (14) calendar days after final county decision on the application, including expiration of applicable appeal periods, and return the sign board to the county.
- v. Affidavit of Installation. The applicant shall execute an affidavit certifying where and when the sign board was posted and submit to the responsible official for inclusion in the project file at least seven (7) days prior to the hearing. The applicant shall provide digital proof to the responsible official that the sign has been posted according to requirements.
- vi. If for some reason the required posted sign boards in the area or on the site for which the public hearing is being held is inadvertently moved through no fault of the County, this in no way invalidates the legal notice requirements of the scheduled public hearing or other public comment opportunity.

...

20.60.030 – Contents of application.

...



3. Type II and III Applications. Each application for a Type II or III permit shall contain the following in clear and intelligible form (with exceptions as provided in Section 20.60.030(3)(p) and (q) below):

...

- g. At least ten (10) calendar days prior to the hearing examiner public hearing on a Type III application, the department shall provide notice of the public hearing as follows:

...

**XXI. Thurston County Code Chapter TCC 20.63 (State-Licensed Marijuana Producers, Processors And Retailers Regulations) shall be amended to read as follows:**

...

20.63.045 – Development standards—General.

...

2. No marijuana producer, processor or retailer shall locate within one thousand feet of those entities listed in WAC 314-55-050(10), as amended, or such other entities, as determined by the ~~resource stewardship~~ Director, where persons under twenty-one years of age are invited routinely to congregate for activities or events, and of future school sites owned by a school district and for which construction of a school within six years has been approved by the school district. The distance shall be measured in a straight line from property line to property line at the closest point.

...

**XXII. Thurston County Code Chapter TCC 20.64 (MAJOR EDUCATIONAL INSTITUTION (MEI)) shall be amended to read as follows:**

*This section contains an appendix with figures unrelated to the section subject. Staff suggests removing the figures from this rection and instead creating a new section, 20.65 to contain the reference figures.*

...

20.64.060 – Application review procedures.

...

## **~~Thurston County Zoning~~**

## ~~Appendix I~~

# ALL GRAPHICS TO BE REMOVED

FIGURE 1  
(1) Conventional  
subdivision  
development

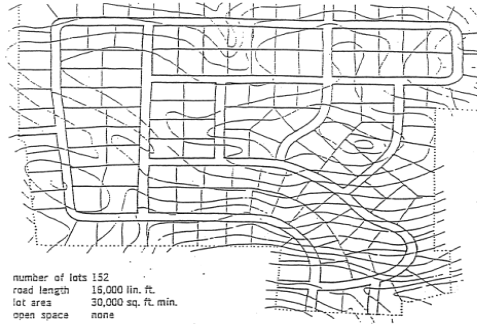
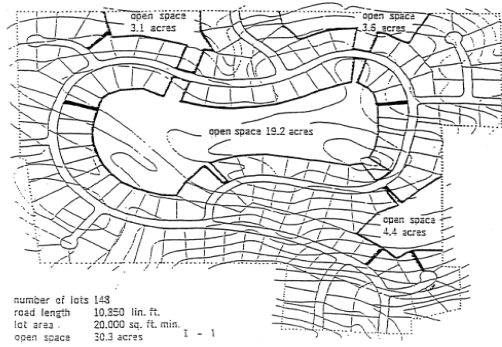
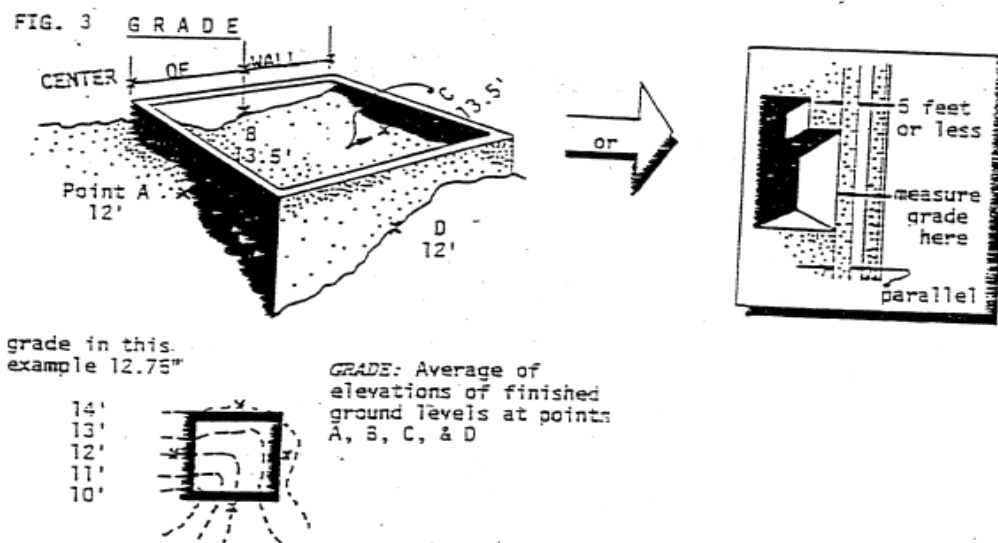


FIGURE 2  
(2) Cluster  
development



FIG. 4 LOT COVERAGE

Example A. Shaded Area is Computed Coverage

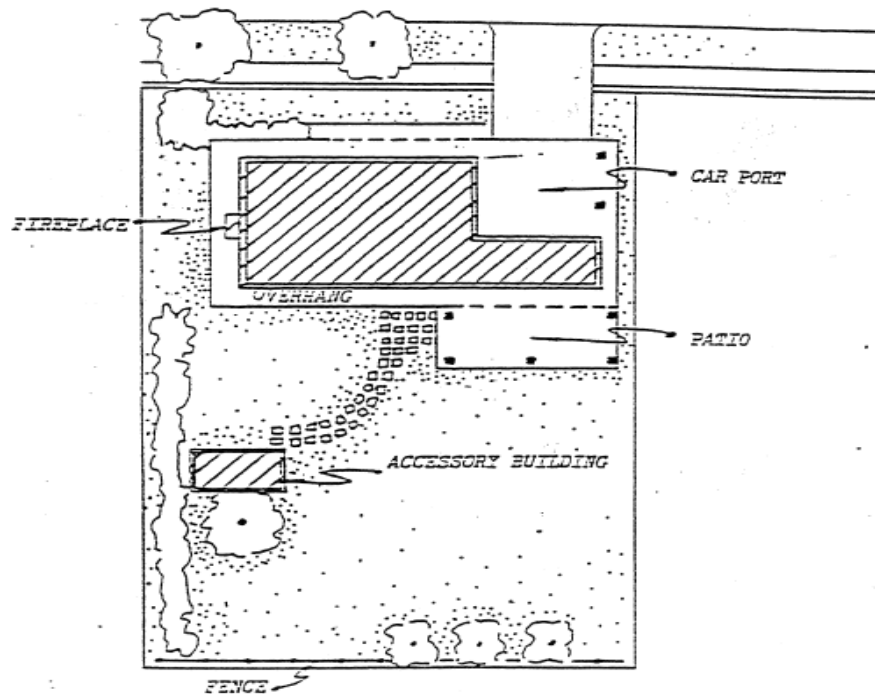


FIG. 5 LOT LINES, DEPTH & WIDTH

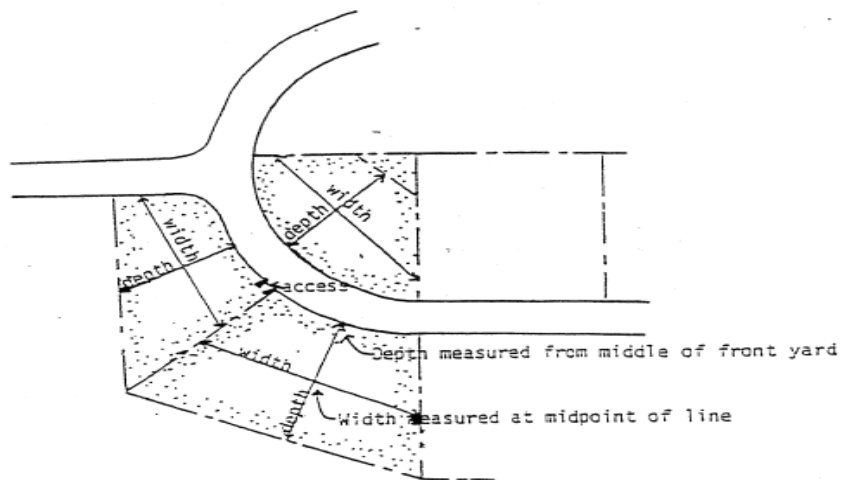
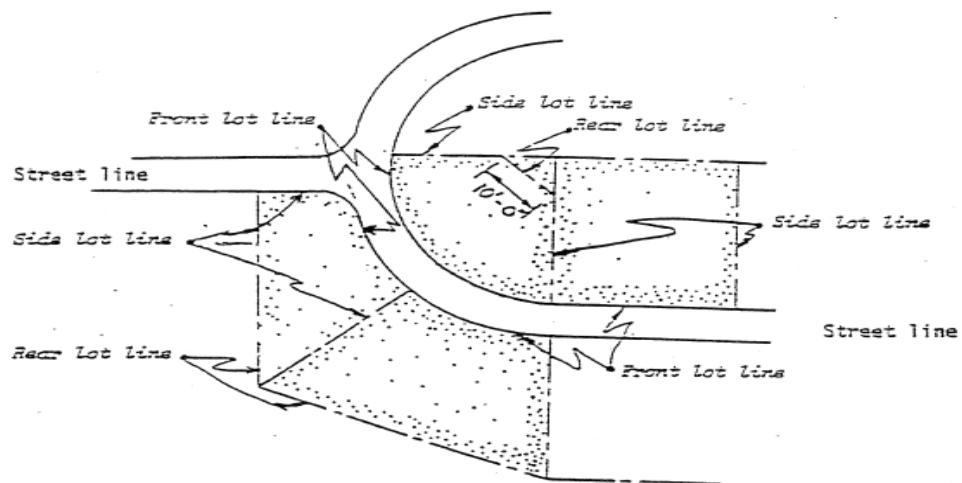
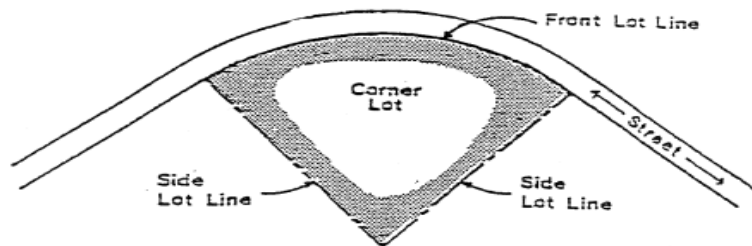


FIGURE 6

EXAMPLE 'A'



EXAMPLE 'B'

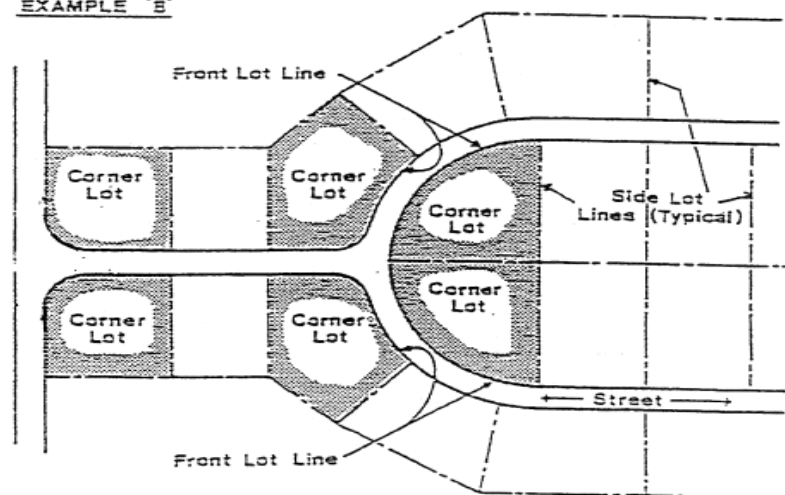
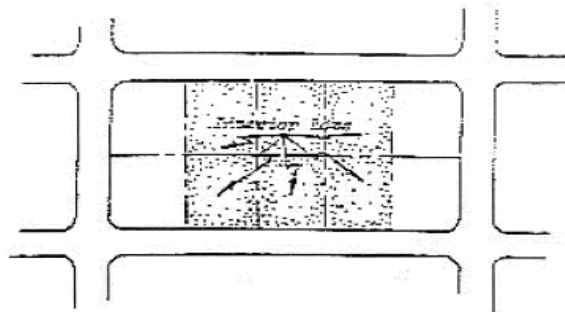
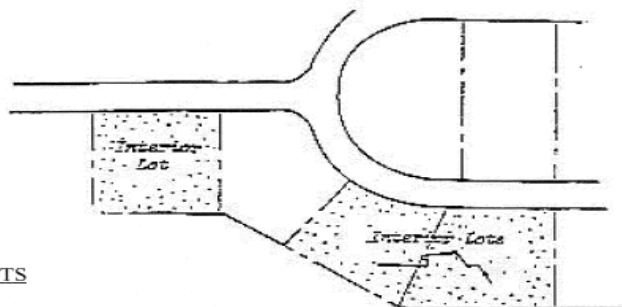


FIG. 7 INTERIOR LOTS

Example A.



Example B.



THROUGH LOTS

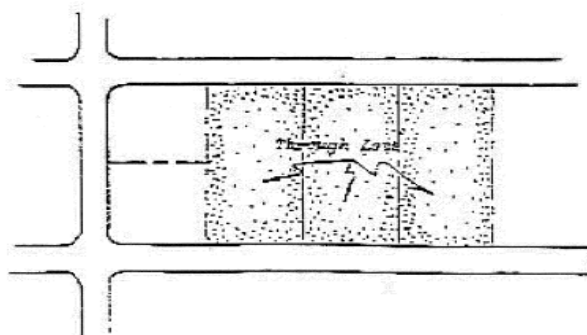


FIGURE 9

BUILDING HEIGHT DETERMINATION

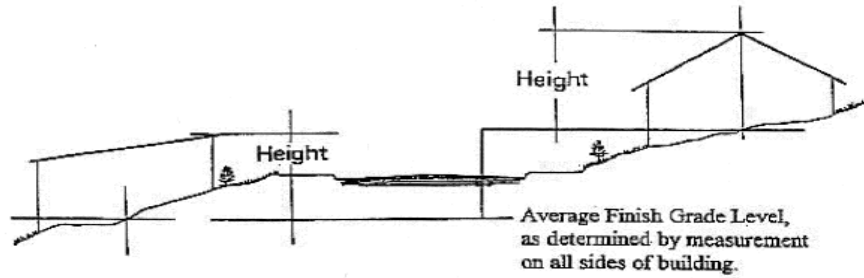
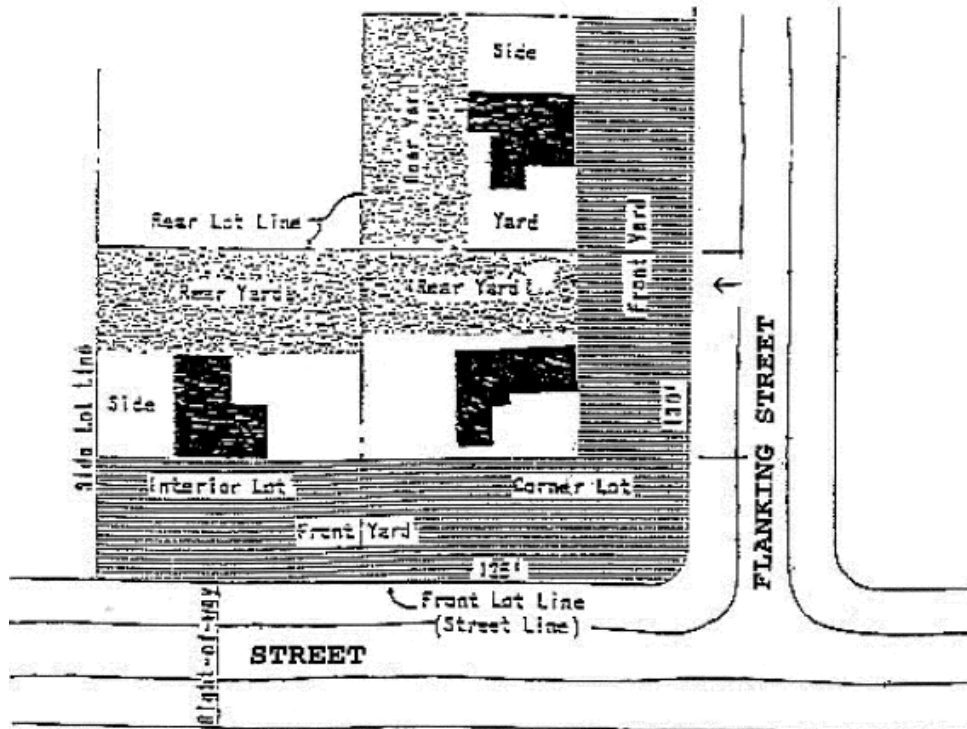
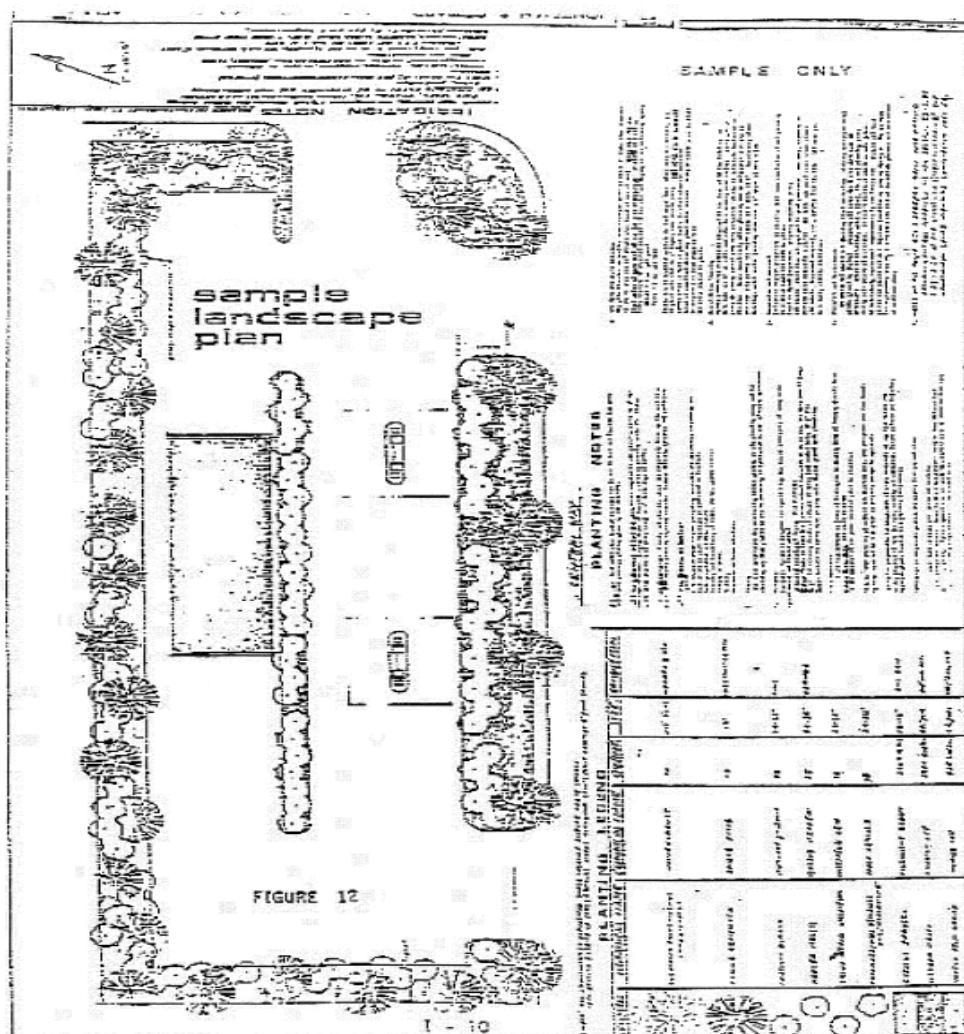


FIGURE 11  
LOT LINES AND YARDS







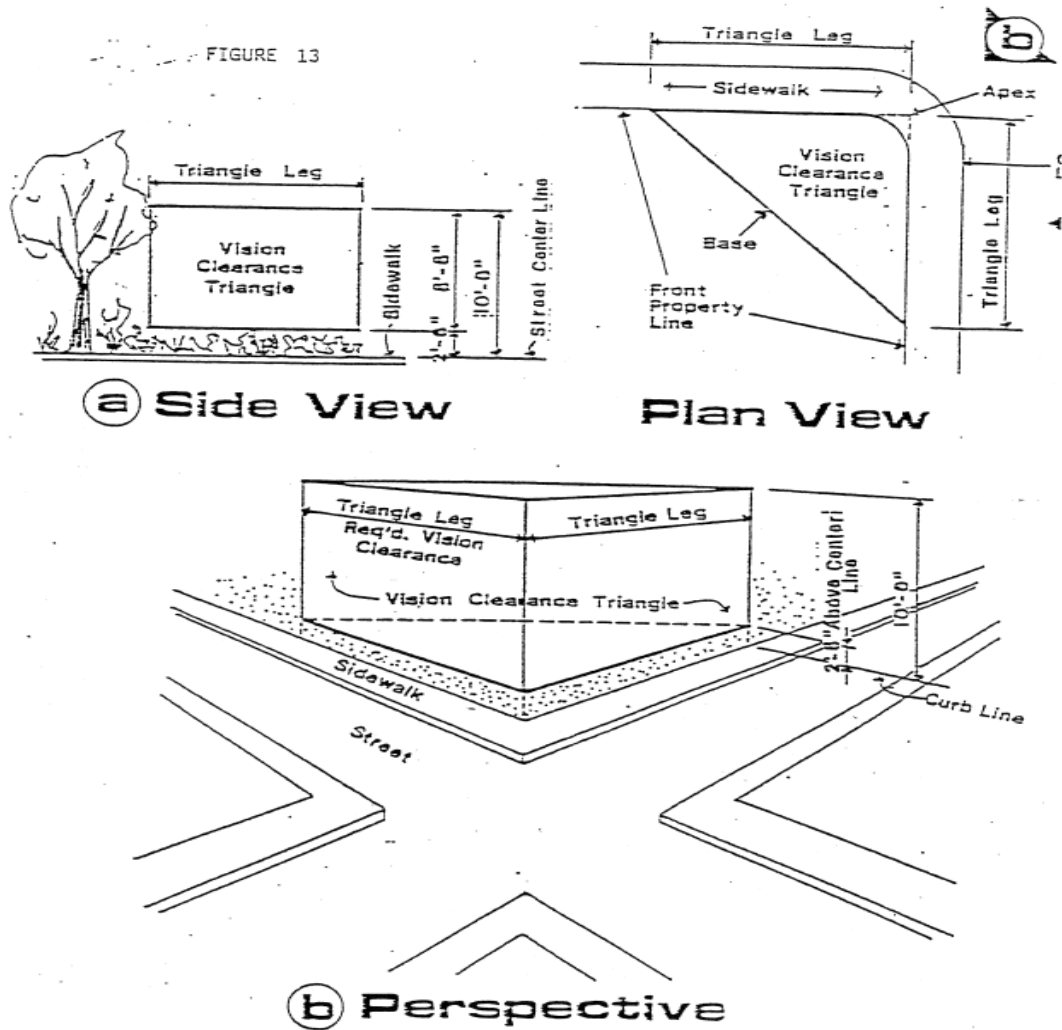


FIGURE 1a

MARINE BLUFF REVIEW AREA

[10.35.010(6)]

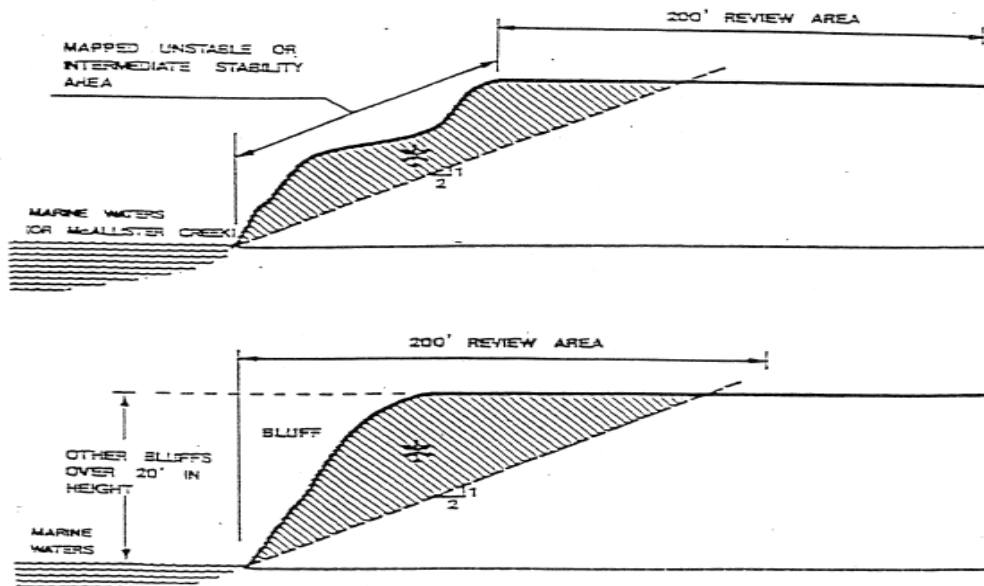
Special plans specified in 10.35.030(2)(b) must be prepared under the following circumstances:

1. If surface runoff within the 100-foot review area is toward the marine slope; or
2. Regardless of the surface runoff direction, if structures, septic systems, or vegetation removal is proposed within the area of a two to one slope measured from the toe of the marine bluff (this area is illustrated below).

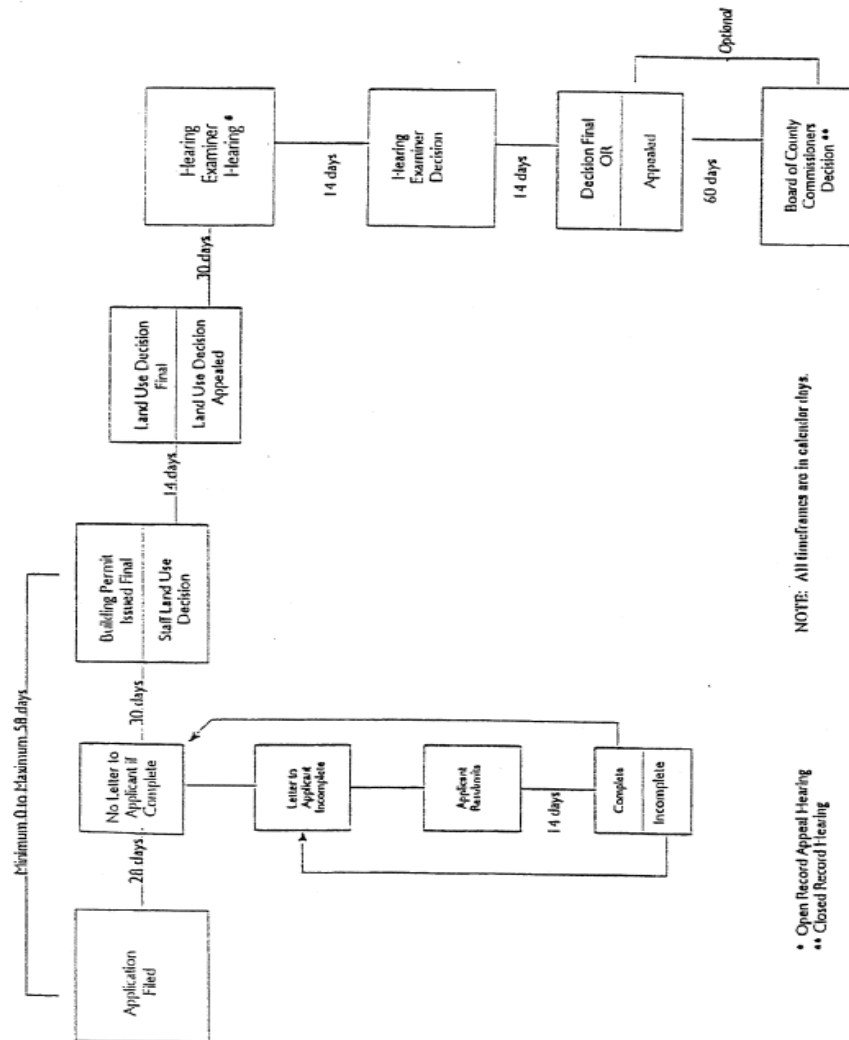
Special plans will not be required if:

1. Surface runoff is away from the marine slope; and
2. No structures, septic systems, or vegetation removal are proposed within the two to one slope area (this area is illustrated below).

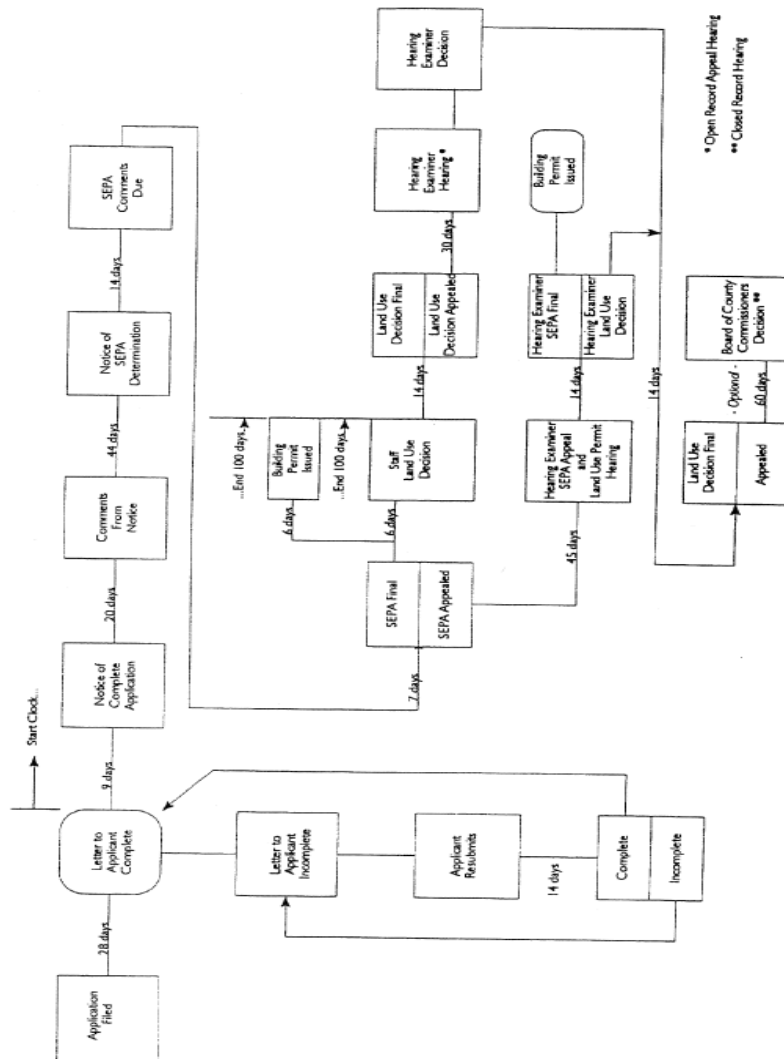
Hatched Areas with \* Mark the Area of the 2 to 1 Slope



**FIGURE 15**  
**TYPE I—PERMIT REVIEW TIMELINE**  
**ADMINISTRATIVE PERMITS - SEPA EXEMPT**

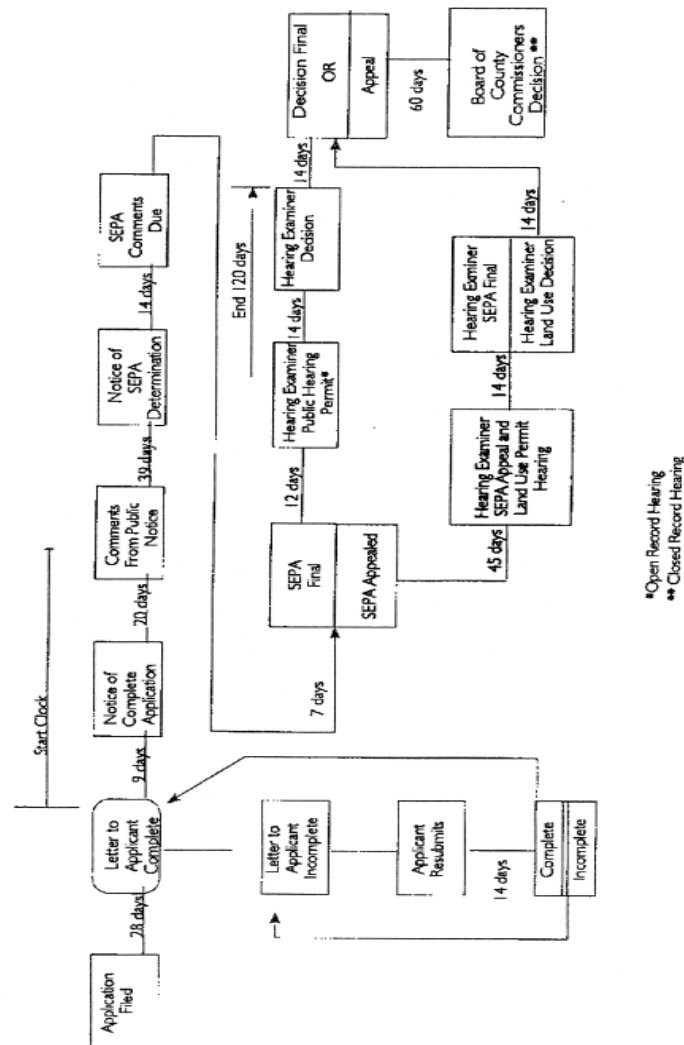


**FIGURE 16**  
**TYPE II—PERMIT REVIEW TIMELINE**  
**ADMINISTRATIVE PERMITS - SEPA REQUIRED**



NOTE: All timeframes noted are maximum calendar days under state law, except for public comment periods and appeal processes. The comment period for a SEPA determination of nonsignificance (DNS) may be combined with the comment period on the notice of application pursuant to Section 17.09.095 TCC.

FIGURE 17  
TYPE III—PERMIT REVIEW TIMELINE  
HEARING EXAMINER PERMITS



NOTE: All timeframes noted are maximum calendar days under state law, except for public comment periods and appeal processes. The comment period for a SEPA determination of nonsignificance (DNS) may be combined with the comment period on the notice of application, pursuant to Section 17.09.095 TCC.

Figure 18

# **METHODOLOGY FOR DETERMINING EXTENT OF ADJACENT RESIDENTIAL USES** **CRITERIA FOR DESIGNATING LONG-TERM MINERAL LANDS** **THURSTON COUNTY**

Zoning Chapter 20.30B, Designated Mineral Lands, lists six criteria that must be met in order for a proposed mineral extraction site to be considered for designation as long-term commercially significant mineral resource lands. Criteria No. 3 (page \_\_\_\_\_) reads as follows:

"At least sixty percent of the area within one thousand feet of the site must have parcels larger than five acres in size, at the time of the application for designation."

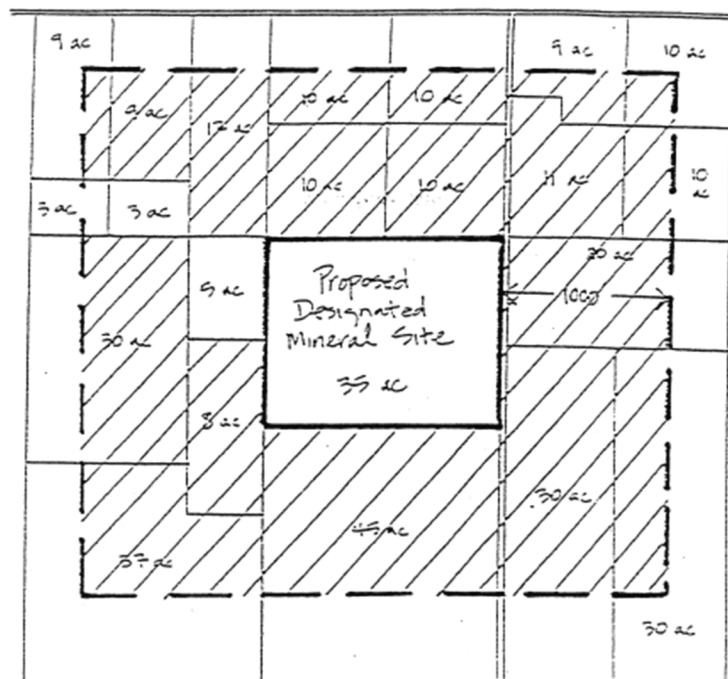
Criteria No. 3 is based on the following assumptions:

1. — Parcels five acres or smaller in size will primarily be used for residential purposes, and parcels larger than five acres will primarily be used for other rural uses (such as farming and forestry).

- ~~2. Designated long-term mineral sites, which typically have at least a fifty-year supply of mineral deposits and may be eligible for private nuisance protection, should be located in areas where residential uses do not predominate.~~
- ~~3. While the zoning may allow additional five-acre parcels to be created after a mineral site is designated, from that point on new property owners are notified that there is a long-term mineral operation nearby and that there may be temporary periods when the mining activities may not be compatible with residential development. Therefore, Criteria No. 3 focuses solely on surrounding parcel sizes existing at the time of application for designation.~~

~~To ensure consistent application of this criteria, the following methodology should be used:~~

- ~~Step 1: Draw a continuous line one thousand feet from site boundary around proposed mineral site.~~
- ~~Step 2: Calculate the total acreage of the area between the site boundary and the one-thousand-foot line.~~
- ~~Step 3: Identify all road rights-of-way and parcels over five acres in size that are partially or entirely within the one-thousand-foot area, and calculate the total acreage within the one-thousand-foot area that these identified parcels cover. (For those roads and parcels that are partially within the area, calculate the acreage of only the portion within the one-thousand-foot area.)~~
- ~~Step 4: Divide the acreage from Step 3 by the total acreage from Step 2, and multiply this number by one hundred. If the final result is sixty or greater, Criteria No. 3 has been met and, if all other criteria are met, the proposed mineral site may be approved for designation status. If the final result is less than sixty, the proposed mineral site does not meet Criteria No. 3 and, therefore, does not qualify for designation status.~~

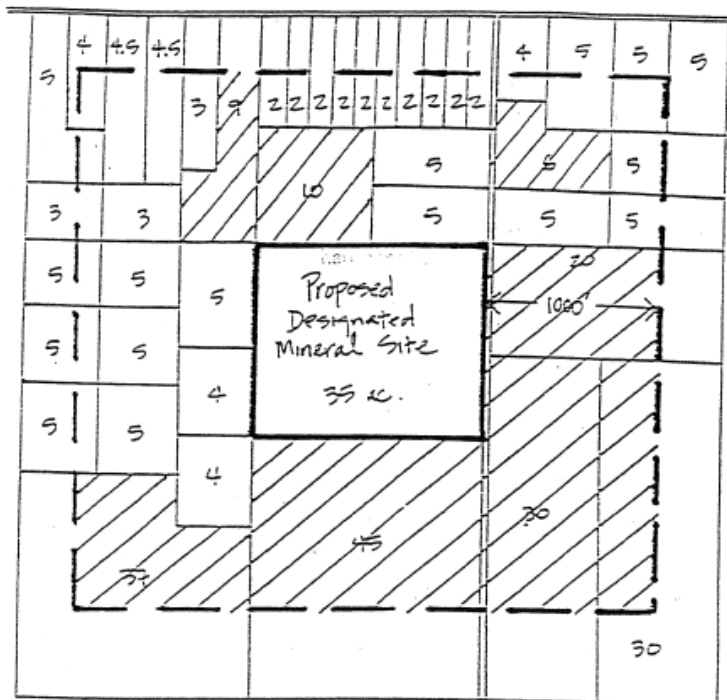


### Example 1

Step 2: Total acres within 1000' area = 205

Step 3: Total acres with parcels > 5 acres = 196 (area cross-hatched)

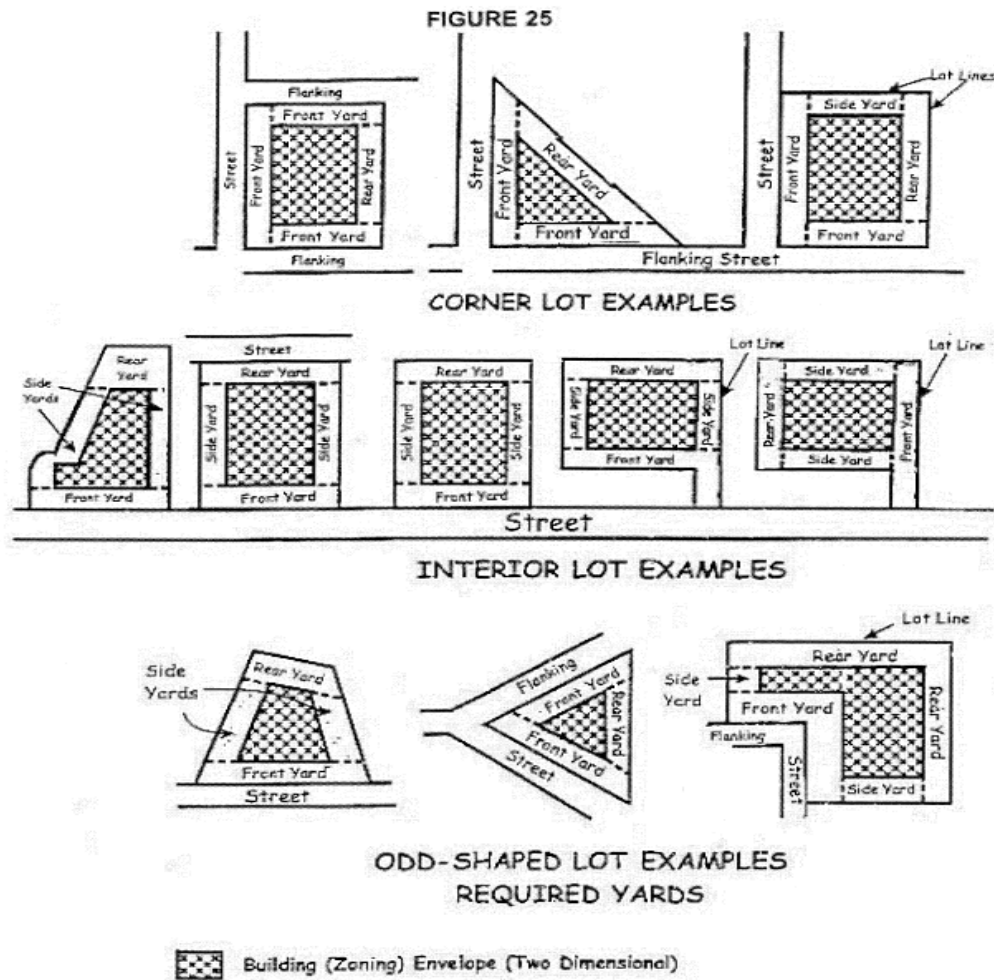
Step 4:  $196 \div 205 = .96 \times 100 = 96$  (site meets Criteria No. 3)



### Example 2

- Step 2: Total acres within 1000' area = 205  
 Step 3: Total acres with parcels > 5 acres = 108 (area cross-hatched)  
 Step 4:  $108 \div 205 = .53 \times 100 = 53$  (site meets Criteria No. 3)





**XXIII. Thurston County Code Chapter TCC 20.65 (APPENDIX) shall be amended to read as follows:**

...

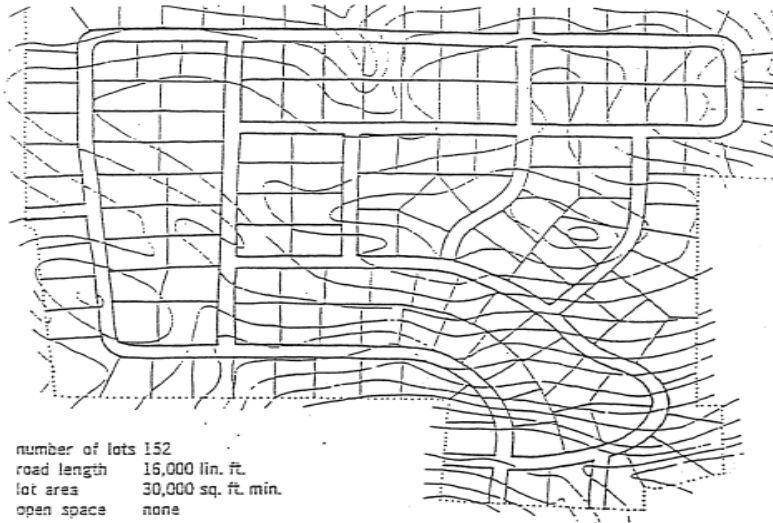
**20.65.010 – Intent**

The intent of this chapter is to serve as the appendix for Title 20. This chapter is a centralized location to contain Title 20's figures, graphics, and tables that are not otherwise placed in their associated code. This chapter will not contain all the figures, graphics, and tables located in Title 20.

...

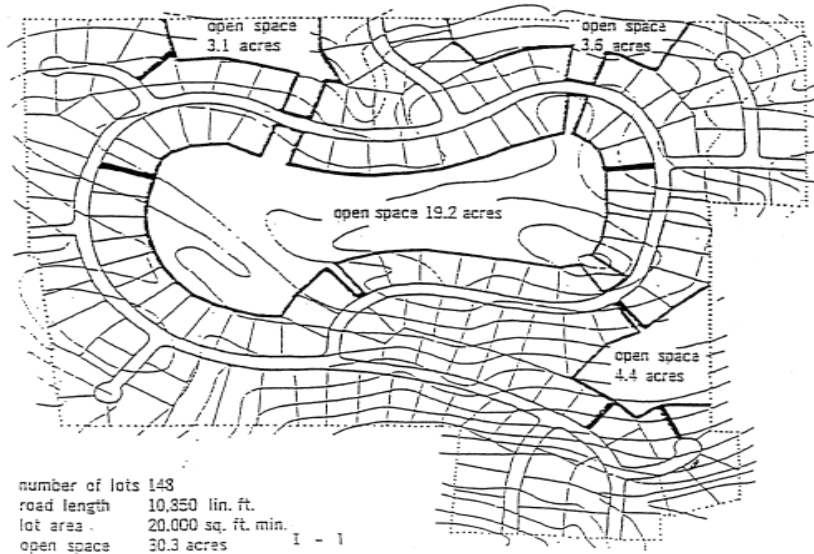
## 20.65.020 – Conventional Subdivision Development

FIGURE 1  
(1) Conventional  
subdivision  
development

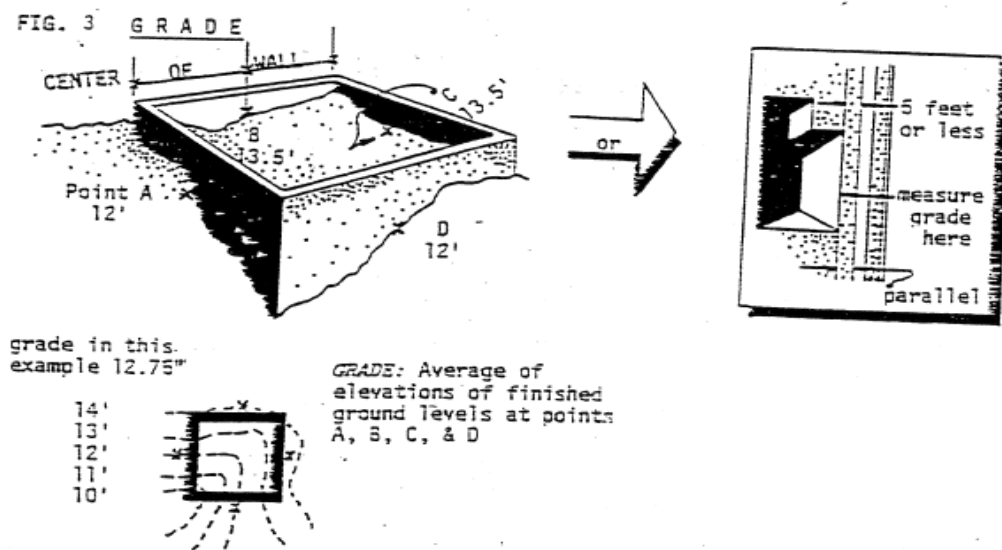


## 20.65.030 – Cluster Development.

FIGURE 2  
(2) Cluster  
development



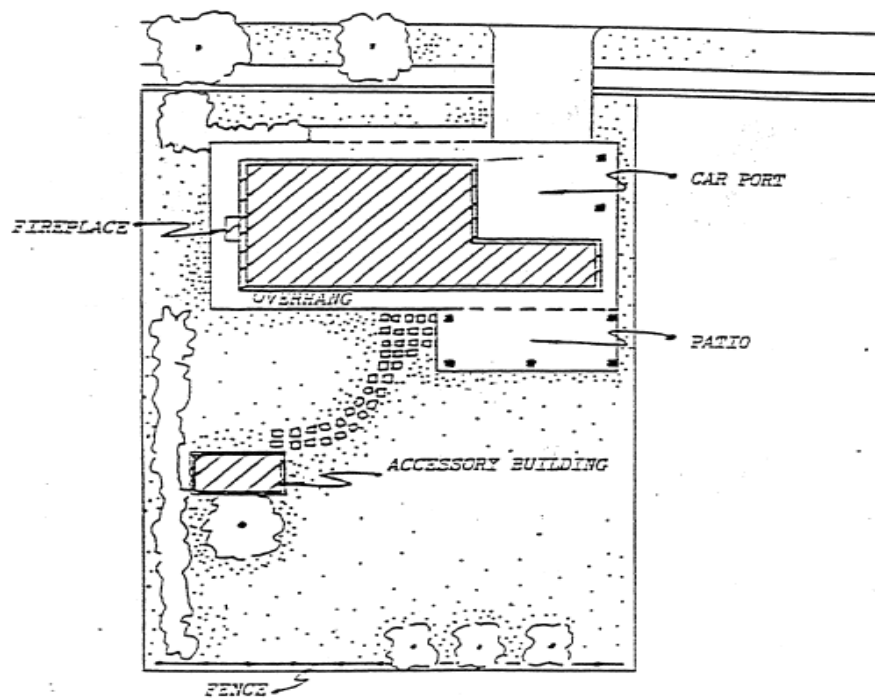
20.65.040 – Grade



20.65.050 – Lot Coverage

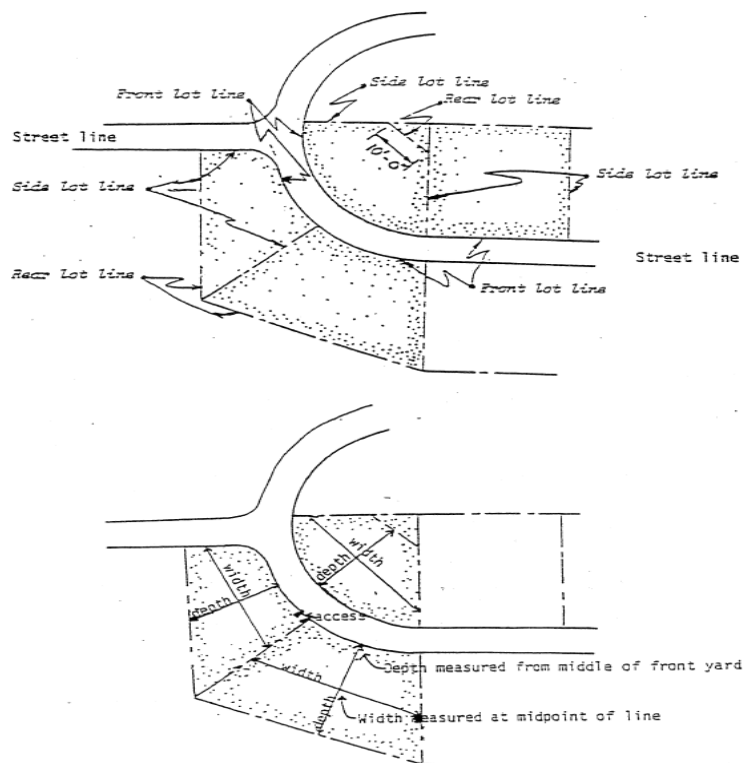
FIG. 4 LOT COVERAGE

Example A. Shaded Area is Computed Coverage



20.65.060 – Lot Lines, Depths, & Widths

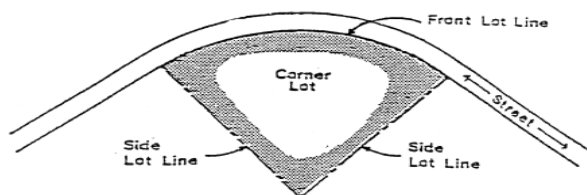
FIG. 5 LOT LINES, DEPTH & WIDTH



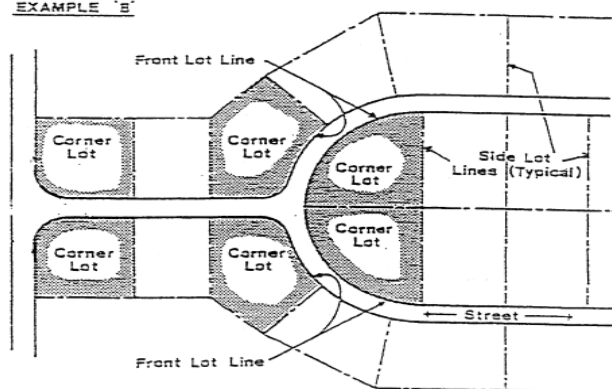
20.65.070 – Corner Lots

FIGURE 6

EXAMPLE "A"

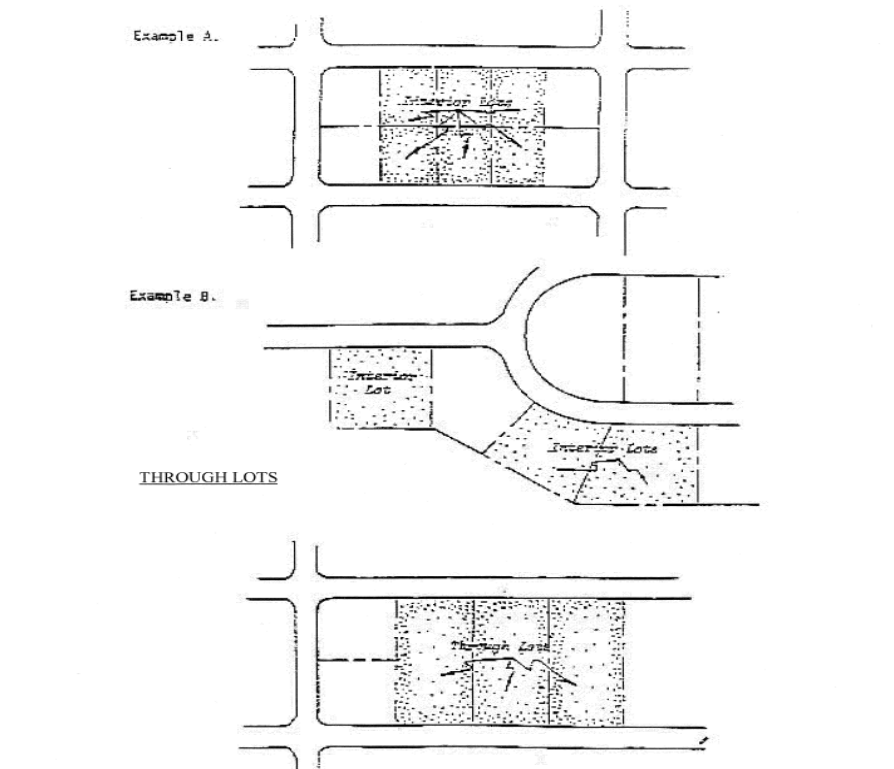


EXAMPLE "B"



## 20.65.080 – Interior Lots & Through Lots

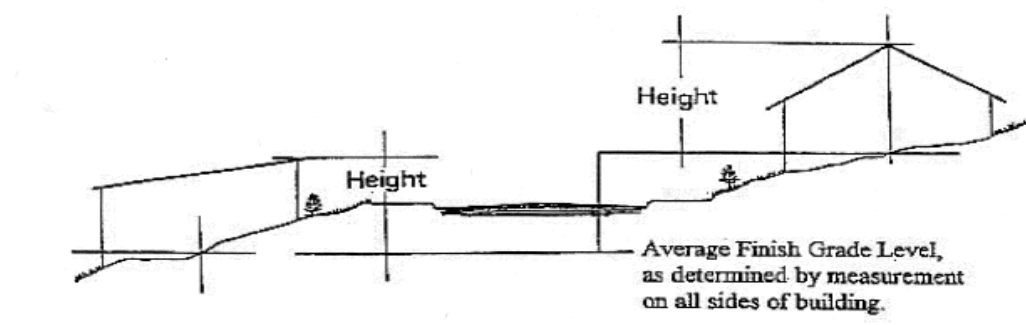
FIG. 7 INTERIOR LOTS



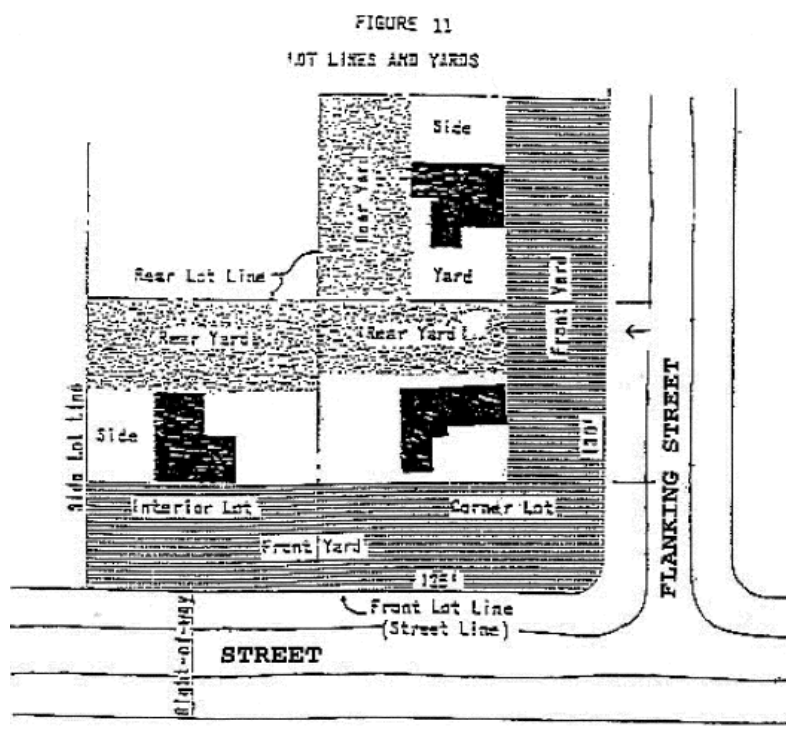
## 20.65.090 – Building Height Determination

FIGURE 9

### BUILDING HEIGHT DETERMINATION

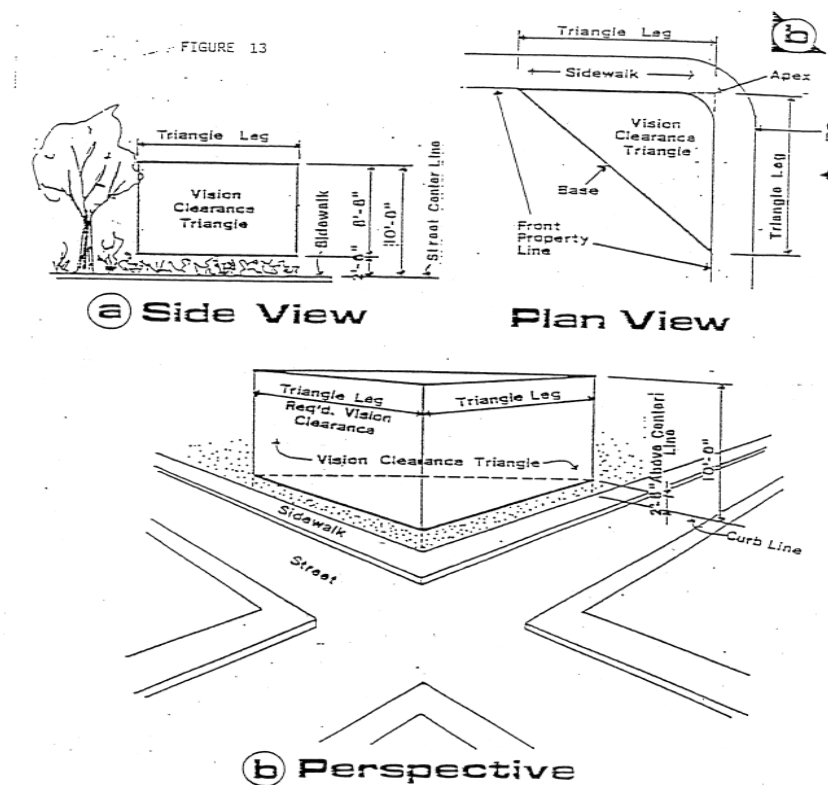


20.65.100 – Lot Lines and Yards





20.65.110 – Visual Clearance Triangle



## 20.65.120 – Marine Bluff Review Area

FIGURE 1a

### MARINE BLUFF REVIEW AREA

[20.35.010(6)]

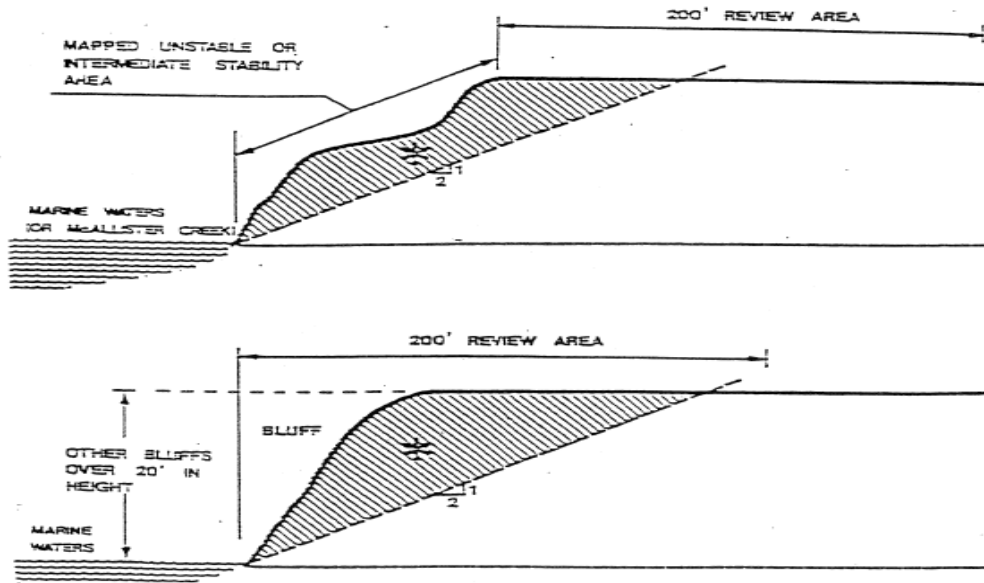
Special plans specified in 20.35.030(2)(b) must be prepared under the following circumstances:

1. If surface runoff within the 200-foot review area is toward the marine slope; or
2. Regardless of the surface runoff direction, if structures, septic systems, or vegetation removal is proposed within the area of a two to one slope measured from the toe of the marine bluff (this area is illustrated below).

Special plans will not be required if:

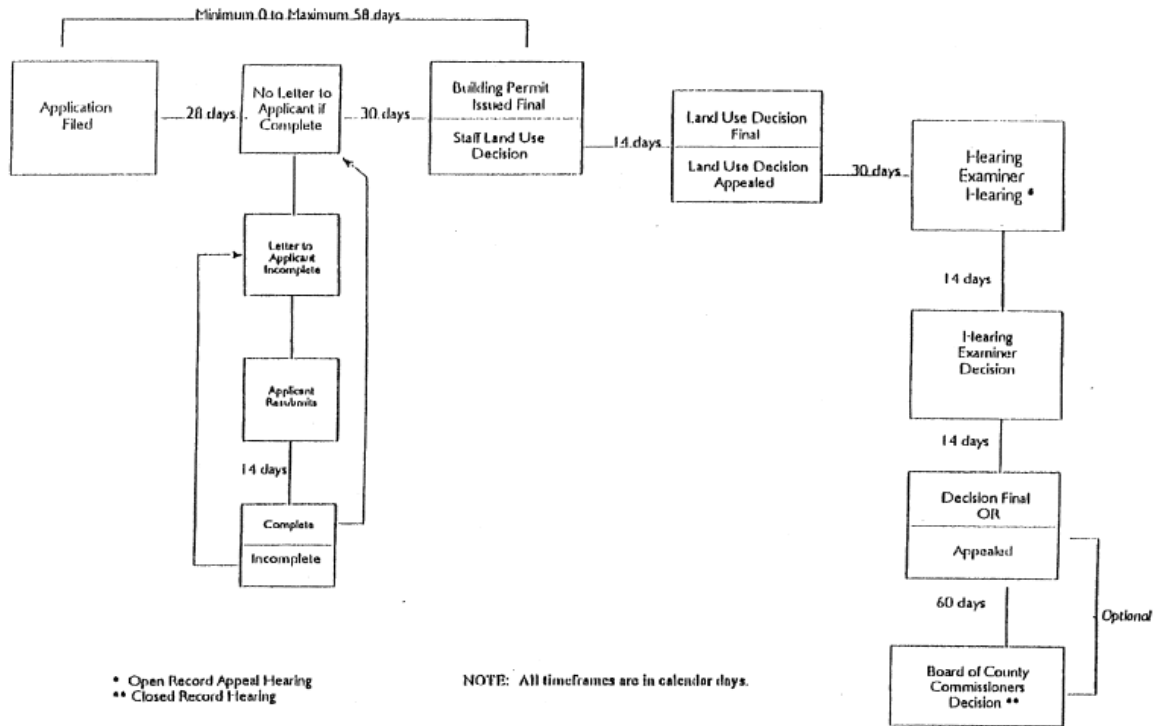
1. Surface runoff is away from the marine slope; and
2. No structures, septic systems, or vegetation removal are proposed within the two to one slope area (this area is illustrated below).

Hatched Areas with \* Mark the Area of the 2 to 1 Slope



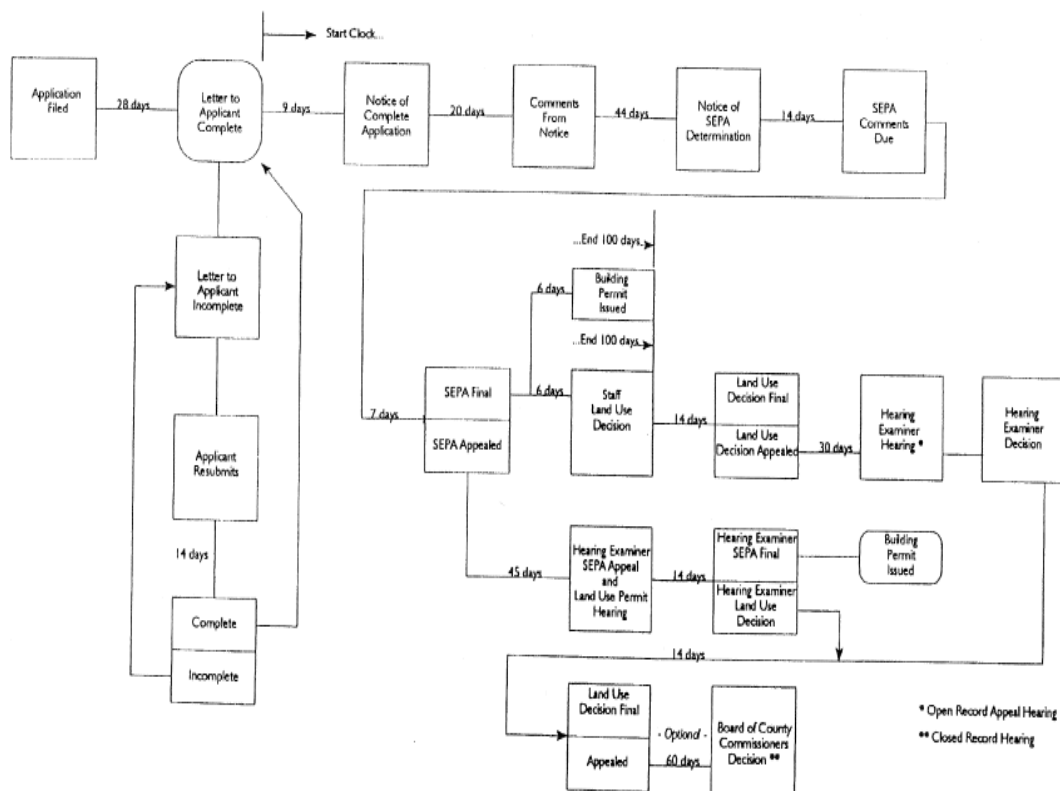
20.65.130 – Type I – Permit Review Timeline

**FIGURE 15**  
**TYPE I—PERMIT REVIEW TIMELINE**  
**ADMINISTRATIVE PERMITS - SEPA EXEMPT**



### 20.65.140 – Type II – Permit Review Timeline

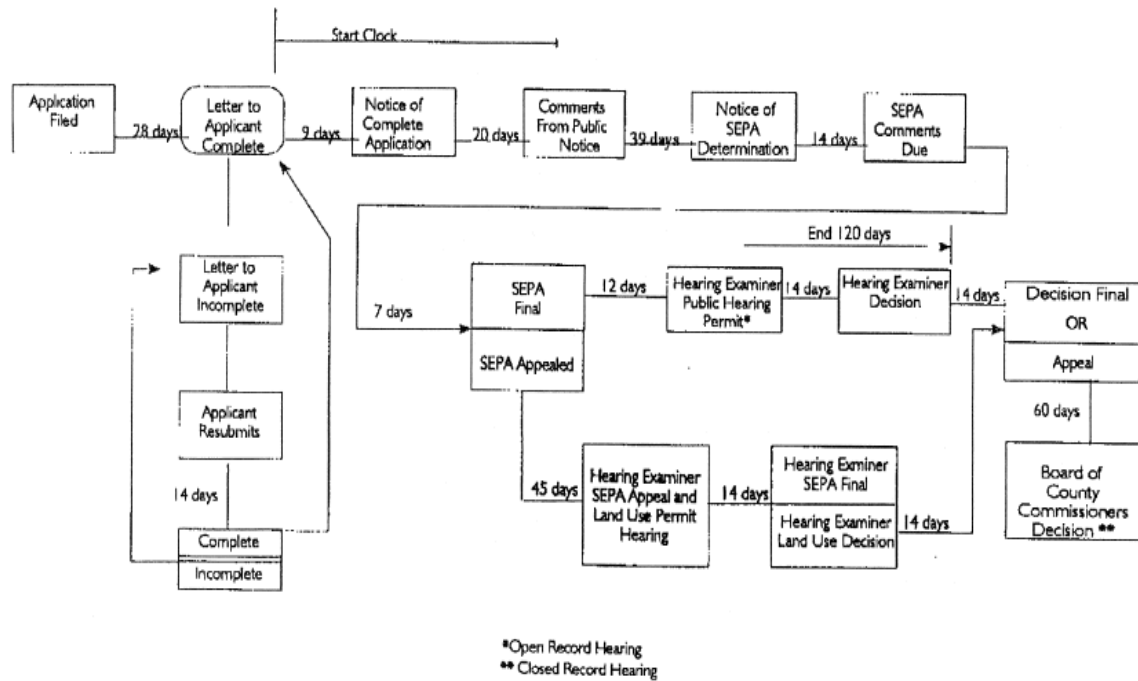
**FIGURE 16**  
**TYPE II—PERMIT REVIEW TIMELINE**  
**ADMINISTRATIVE PERMITS - SEPA REQUIRED**



NOTE: All timeframes noted are maximum calendar days under state law, except for public comment periods and appeal processes. The comment period for a SEPA determination of nonsignificance (DNS) may be combined with the comment period on the notice of application pursuant to Section 17.09.095 TCC.

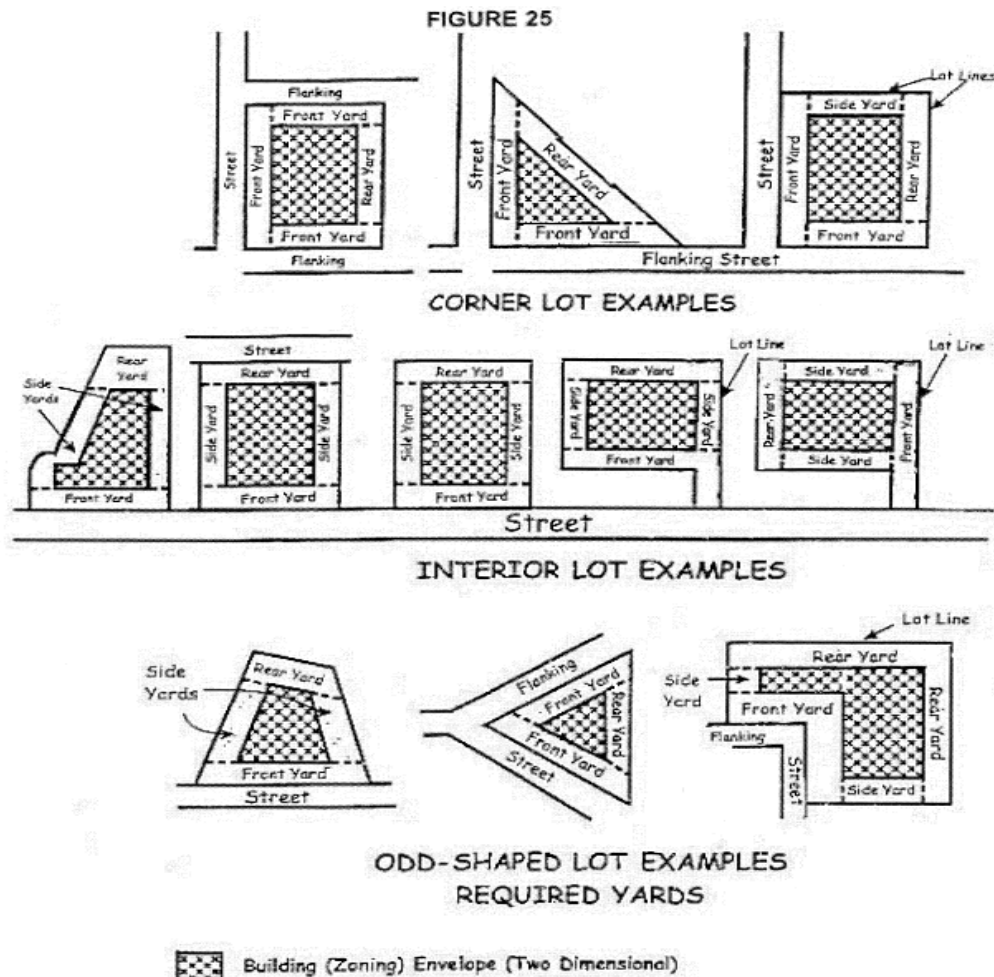
## 20.65.150 – Type III – Permit Review Timeline

**FIGURE 17**  
**TYPE III—PERMIT REVIEW TIMELINE**  
**HEARING EXAMINER PERMITS**



NOTE: All timeframes noted are maximum calendar days under state law, except for public comment periods and appeal processes.  
The comment period for a SEPA determination of nonsignificance (DNS) may be combined with the comment period on the notice of application, pursuant to Section 17.09.095 TCC.

20.65.160 – Yard Placement by Yard Type



...

**XXIV. Thurston County Code Chapter TCC 21.06 (DEFINITIONS) shall be amended to read as follows:**

...

21.06.265– Department.

"Department" means the Thurston County ~~Resource Stewardship-Community Planning & Economic Development~~ Department.

...

21.06.265– Director.

"Director" means the director of the Thurston County ~~Resource Stewardship~~ Community Planning & Economic Development Department, or designee.

...

21.06.280– Dwelling.

"Dwelling" means a building, or portion thereof designed exclusively for residential purposes, including one-family, two-family, multiple-family or apartment dwellings and mobile homes.

...

**XXV. Thurston County Code Chapter TCC 21.39 (LIGHT INDUSTRIAL /COMMERCIAL DISTRICT) shall be amended to read as follows:**

...

21.39.040– Environmental performance standards.

It shall be the responsibility of the operator and/or the proprietor of any permitted use to provide such reasonable evidence and technical data as the ~~resource stewardship~~ Director may require to demonstrate that the use or activity is or will be in compliance with the environmental performance standards of Chapter 21.57 of this title. Failure of the department to require such information shall not be construed as relieving the operator and/or the proprietor from compliance with the environmental performance standards of this title.

...

**XXVI. Thurston County Code Chapter TCC 21.57 (ENVIRONMENTAL PERFORMANCE STANDARDS) shall be amended to read as follows:**

...

21.57.040 - Emissions.

- A. Air Pollution. Air pollution shall be controlled by the operator and/or the proprietor of any land use or activity permitted by this chapter. The ambient air quality standards specified in Regulation I of the ~~Olympia Air Pollution Control Agency, (OAPCA)~~ Olympic Region Clean Air Agency, shall apply to all air contaminants listed therein.
- B. Toxic Substances. Toxic substances shall be kept to concentrations not exceeding one-fiftieth (1/50) of interior standards by use of the best available control methods and technology in all phases of plant operation and handling of materials, and by an active commitment to good housekeeping practices. Toxic substances not listed in Regulation I of ~~OAPCA~~ the Olympic Region Clean Air Agency, but released into the air shall be limited in accordance with the most

current publication entitled "Threshold Limit Values," of the American Conference of Governmental Hygienists.

...

**XXVII. Thurston County Code Chapter TCC 21.61 (TOWNHOUSE DEVELOPMENT) shall be amended to read as follows:**

...

21.61.050 - Review and approval procedure.

...

- D. Townhouse developments with more than four units are subject to design review requirements of Sections ~~21.70.090-21.71.080~~ and 21.70.110.D.

...

**XXVIII. Thurston County Code Chapter TCC 21.66 (SPECIAL USES) shall be amended to read as follows:**

...

21.66.030 - Application review for special uses.

...

- B. Before submitting an application for a hearings examiner approved special use permit, the applicant shall submit a request form and one copy of the proposal to the ~~resource stewardship d~~Department for a presubmission conference. At minimum, the proposal shall contain in a rough and approximate manner the information required in the special use application. The purpose of the presubmission conference is to enable the applicant to obtain the advice of affected county departments as to the applicability of the intent, standards and provisions of this title to the proposal. Upon receipt of a properly prepared request, the ~~resource stewardship d~~Department shall notify the applicant of the time and place for the presubmission conference.

...

**XXIX. Thurston County Code Chapter TCC 21.81 (ADMINISTRATION AND ENFORCEMENT) shall be amended to read as follows:**

...

21.81.040 – Application review procedures.

...

- C. Type III Procedure—Quasi-Judicial Decision (see Appendix Table 21T.28).



...

7. At least ten (10) calendar days prior to the hearing examiner public hearing on a Type III application, the department shall provide notice of the public hearing as follows:
  - a. Publish ~~N~~notice; The Department shall provide published notice, including the project location, description, type of permit(s) required, comment period dates and location where the complete application may be reviewed, in the newspaper of general circulation in Thurston County;
  - b. Mail ~~N~~notice; The Department shall provide mail notice, including all items described in subsection (C)(7)(a) of this section, to owners of property surrounding the project site, the applicant and other interested parties in the same manner prescribed in Section 21.81.040(C)(3) above;
  - c. Posted ~~N~~notice; The Department shall prepare a sign board for the applicant, including the project number, name and description, parcel number, date, time and location of public hearing, and telephone number where the county staff can be contacted for more information, in a conspicuous place visible to the public on or near the project site.
    - i. The applicant shall post one (1) county-provided sign board on the property subject to the development application as follows:
      - (A) The sign board shall be installed in a conspicuous place visible to the public, the midpoint along the site street frontage at a location five (5) feet inside the property line, or as otherwise directed by the responsible official to maximize visibility.
      - (B) The sign board shall be secured to a stationary object such as a fence, post, or other object that may be able to withstand typical weather conditions including high wind and rain that may occur. The top of the sign board shall be designed to be between four (4) and six (6) feet above grade.
      - (C) Installation and Removal Requirements. The sign board shall be installed on the site at least ten (10) calendar days in advance of the public hearing. The applicant shall maintain the sign board in good condition throughout the application review period, which shall extend through the time of the final county decision on the proposal including the expiration of the applicable appeal period of the hearings examiner's decision if submitted. If the sign board is removed, county review of the land use application may be discontinued until the board is replaced and has remained in place for the required period of time.
      - (D) The applicant shall remove the sign board within fourteen (14) calendar days after final county decision on the application.

including expiration of applicable appeal periods, and return the sign board to the county.

(E) Affidavit of Installation. The applicant shall execute an affidavit certifying where and when the sign board was posted and submit to the responsible official for inclusion in the project file at least seven (7) days prior to the hearing. The applicant shall provide digital proof to the responsible official that the sign has been posted according to requirements.

(F) If for some reason the required posted sign boards in the area or on the site for which the public hearing is being held is inadvertently moved through no fault of the County, this in no way invalidates the legal notice requirements of the scheduled public hearing or other public comment opportunity.

...

**XXX. Thurston County Code Chapter TCC 21.84 (SITE PLAN REVIEW) shall be amended to read as follows:**

...

21.84.050 – Summary site plan—Presubmission conference.

Before submitting an application for a site plan review, a developer shall submit a request form and one copy of the proposal to the ~~resource stewardship~~ Department for a presubmission conference, which shall contain in a rough and approximate manner all of the information required in the site plan application. The purpose of the summary site plan is to enable a developer filing the plan to obtain the advice of the department as to the applicability of the intent, standards and provisions of this chapter to the plan. After the filing of a summary site plan, the department shall schedule a presubmission conference at which time it shall make available to the developer its written advice regarding the compatibility of the preliminary site plan with the intent, standards and provisions of this chapter.

...

**XXXI. Thurston County Code Chapter TCC 21.103 (STATE-LICENSED MARIJUANA PRODUCERS, PROCESSORS AND RETAILERS REGULATIONS) shall be amended to read as follows:**

...

21.103.050 – Development Standards.

...

D. No marijuana producer, processor or retailer shall locate within one thousand feet of those entities listed in WAC 314-55-050(10), as amended, or such other entities,

as determined by the ~~resource stewardship~~ Director, where persons under twenty-one years of age are invited routinely to congregate for activities or events, and of future school sites owned by a school district and for which construction of a school within six years has been approved by the school district. The distance shall be measured in a straight line from property line to property line at the closest point.

...

**XXXII. Thurston County Code Chapter TCC 22.04 (DEFINITIONS) shall be amended to read as follows:**

...

**22.04.163– Department.**

"Department" means the ~~resource stewardship~~ Community Planning & Economic Development Department, unless otherwise specified in this title. The department is charged with the administration of the building and occupancy permits and for the interpretation of the zoning ordinance codified in this title.

...

**21.06.265– Director.**

"Director" means the ~~Director of the resource stewardship~~ Community Planning & Economic Development department unless otherwise specified in this title. The director of resource stewardship is responsible for all actions of the ~~resource stewardship~~ Community Planning & Economic Development department, including the administration of the county's land use and related ordinances, interpreting laws on a case-by-case basis, and preparing reports for policy making bodies.

...

**XXXIII. Thurston County Code Chapter TCC 22.40 (ENVIRONMENTAL PERFORMANCE STANDARDS) shall be amended to read as follows:**

...

**22.40.040 - Emissions.**

- A. Air Pollution. Air pollution shall be controlled by the operator and/or the proprietor of any land use or activity permitted by this chapter. The ambient air quality standards specified in Regulation I of the ~~Olympia Air Pollution Control Agency, (OAPCA)~~ Olympic Region Clean Air Agency, shall apply to all air contaminants listed therein.
- B. Toxic Substances. Toxic substances shall be kept to concentrations not exceeding one-fiftieth of interior standards by use of the best available control methods and technology in all phases of plant operation and handling of

materials, and by an active commitment to good housekeeping practices. Toxic substances not listed in Regulation I of ~~OAPCA~~ the Olympic Region Clean Air Agency, but released into the air shall be limited in accordance with the most current publication entitled "Threshold Limit Values," of the American Conference of Governmental Hygienists.

...

**XXXIV. Thurston County Code Chapter TCC 22.56 (SPECIAL USE PERMITS) shall be amended to read as follows:**

...

**22.56.020 - Application—Contents and fee.**

- A. A request for a special use permit shall be submitted on an application form available at the ~~Thurston County Resource Stewardship~~ Department. Each application shall include the information required in Section 22.62.030.
- B. Before submitting an application for a hearings examiner approved special use permit, the applicant shall submit a request form and one copy of the proposal to the ~~resource stewardship d~~Department for a presubmission conference. At minimum, the proposal shall contain in a rough and approximate manner the information required in the special use application. The purpose of the presubmission conference is to enable the applicant to obtain the advice of affected county departments as to the applicability of the intent, standards and provisions of this title to the proposal. Upon receipt of a properly prepared request, the ~~resource stewardship d~~Department shall notify the applicant of the time and place for the presubmission conference.

...

**XXXV. Thurston County Code Chapter TCC 22.59 (SITE PLAN REVIEW) shall be amended to read as follows:**

...

**22.59.080 - Application—Review process.**

...

- B. Before submitting an application for a new commercial use or a change of use, the applicant shall submit a request form and one copy of the proposal to the ~~resource stewardship d~~Department for a presubmission conference. The proposal shall contain in a rough and approximate manner all of the information required in the site plan application. The purpose of the summary site plan review is to enable the applicant to obtain the advice of affected county departments as to the applicability of the intent, standards and provisions of this title to the plan. Upon receipt of a properly prepared request, the ~~resource stewardship d~~Department shall notify the applicant of the time and place for the presubmission conference.

...

**XXXVI. Thurston County Code Chapter TCC 22.62 (ADMINISTRATION AND APPEALS) shall be amended to read as follows:**

...

**22.62.020 - Application Review Procedures.**

...

**Table 22.62  
Permit Review Matrix  
Tumwater UGA Zoning Ordinance**

Permit/Review	Staff/Director	Hearing Examiner (open hearing)	Planning Commission (open hearing)	Board of County Commissioners (closed hearing)	Review Process Timeline			
					Type I	Type II	Type III	Type IV
Site plan review (administrative)	D	A		A	A✓	✓		

...

**C. Type III Procedure—Quasi-Judicial Decision (see Appendix Figure 3).**

...

7. At least ten (10) calendar days prior to the hearing examiner public hearing on a Type III application, the department shall provide notice of the public hearing as follows:
  - a. ~~Publish Notice;~~ The Department shall provide published notice, including the project location, description, type of permit(s) required, comment period dates and location where the complete application may be reviewed, in the newspaper of general circulation in Thurston County;
  - b. ~~Mail Notice;~~ The Department shall provide mail notice, including all items described in subsection (C)(7)(a) of this section, to owners of property surrounding the project site, the applicant and other interested parties in the same manner prescribed in Section 22.62.020(C)(3) above;
  - c. ~~Posted Notice;~~ The Department shall prepare a sign board for the applicant, including the project number, name and description, parcel number, date, time and location of public hearing, and telephone number where the county staff can be contacted for more information, in a conspicuous place visible to the public on or near the project site.

- i. The applicant shall post one (1) county-provided sign board on the property subject to the development application as follows:
  - (A) The sign board shall be installed in a conspicuous place visible to the public, the midpoint along the site street frontage at a location five (5) feet inside the property line, or as otherwise directed by the responsible official to maximize visibility.
  - (B) The sign board shall be secured to a stationary object such as a fence, post, or other object that may be able to withstand typical weather conditions including high wind and heavy rain. The top of the sign board shall be placed to be between four (4) and six (6) feet above grade.
  - (C) Installation and Removal Requirements. The sign board shall be installed on the site at least ten (10) calendar days in advance of the public hearing. The applicant shall maintain the sign board in good condition throughout the application review period, which shall extend through the time of the final county decision on the proposal including the expiration of the applicable appeal period of the hearings examiner's decision if submitted. If the sign board is removed, county review of the land use application may be discontinued until the board is replaced and has remained in place for the required period of time.
  - (D) The applicant shall remove the sign board within fourteen (14) calendar days after final county decision on the application, including expiration of applicable appeal periods, and return the sign board to the county.
  - (E) Affidavit of Installation. The applicant shall execute an affidavit certifying where and when the sign board was posted and submit to the responsible official for inclusion in the project file at least seven (7) days prior to the hearing. The applicant shall provide digital proof to the responsible official that the sign has been posted according to requirements.
  - (F) If for some reason the required posted sign boards in the area or on the site for which the public hearing is being held is inadvertently moved through no fault of the County, this in no way invalidates the legal notice requirements of the scheduled public hearing or other public comment opportunity.

...

**XXXVII. Thurston County Code Chapter TCC 22.65 (STATE-LICENSED MARIJUANA PRODUCERS, PROCESSORS AND RETAILERS REGULATIONS) shall be amended to read as follows:**

...

22.65.050 - Development standards.

...

- B. No marijuana producer, processor or retailer shall locate within one thousand feet of those entities listed in WAC 314-55-050(10), as amended, or such other entities, as determined by the ~~resource stewardship~~ Director, where persons under twenty-one years of age are invited routinely to congregate for activities or events, and of future school sites owned by a school district and for which construction of a school within six years has been approved by the school district. The distance shall be measured in a straight line from property line to property line at the closest point.

...

**XXXVIII. Thurston County Code Chapter TCC 23.02 (GENERAL PROVISIONS) shall be amended to read as follows:**

...

23.02.180 - Definitions.

...

"Department" means the Thurston County ~~resource stewardship~~ Community Planning & Economic Development department.

...

"Director" means the director of the Thurston ~~resource stewardship~~ Community Planning & Economic Development department, and the director's designees.

...

**XXXIX. Thurston County Code Chapter TCC 23.20 (OLYMPIA UGA DESIGN GUIDELINES) shall be amended to read as follows:**

...

23.20.010 - How to use design guidelines.

- A. These design guidelines shall only apply to commercial projects and ~~multiple~~ family residential projects with more than four dwelling units. The requirement sections in the following design guidelines are the requirements each project shall meet. These design criteria are intended to supplement the development standards of each zoning district. Where the provisions of this chapter conflict with the provisions of the zoning district, the provisions of the zoning district shall apply. The guidelines which follow each requirement statement are suggested ways to achieve the design intent. Each guideline is meant to indicate the preferred

conditions, but other equal or better design solutions will be considered acceptable to the department, so long as these solutions meet the intent of these sections.

...

**XL. Thurston County Code Chapter TCC 23.40 (PROPERTY DEVELOPMENT AND PROTECTION STANDARDS) shall be amended to read as follows:**

...

**23.40.080 - Protection standards.**

...

**A. Emissions.**

1. Air pollution shall be controlled by the operator and/or proprietor of any land use or activity permitted by this title. The ambient air quality standards specified in Regulation I of the Olympic Region Clean Air Agency~~Air Pollution Control Agency (OAPCA)~~, shall apply to all air contaminants listed therein.

...

**XLI. Thurston County Code Chapter TCC 23.48 (SPECIAL USES) shall be amended to read as follows:**

...

**23.48.020 - Special use approval.**

...

- B. Before submitting an application for a hearings examiner approved special use permit, the applicant shall submit a request form and one copy of the proposal to the ~~resource stewardship~~ Department for a presubmission conference. At minimum, the proposal shall contain in a rough and approximate manner the information required in the special use application. The purpose of the presubmission conference is to enable the applicant to obtain the advice of affected county departments as to the applicability of the intent, standards and provisions of this title to the proposal. Upon receipt of a properly prepared request, the ~~resource stewardship~~ Department shall notify the applicant of the time and place for the presubmission conference.
- C. Permit Content and Enforcement. Special use permit shall state the location, nature and extent of the special use together with all conditions that were imposed and any other information deemed necessary for the issuance of such permit. A copy of this permit shall be kept on file in the ~~resource stewardship~~ Community Planning & Economic Development Department and if, at any time, it is found that the special use no longer complies with the conditions therein specified, the owner shall be declared in violation of this title and shall be subject to its penalties.



- D. Expansion of Approved Special Uses. The director of the ~~resource stewardship~~ ~~d~~Department may authorize up to a twenty-five percent expansion, in any five year period, of an approved special use's gross floor area, height, parking and occupancy (e.g., number of seats, classrooms and students). The ~~d~~Director of the ~~resource stewardship department~~ may also authorize alterations to the site design, including landscaping, fences, lighting, signs and similar site features. If the expansion in a residential zone exceeds five thousand square feet in floor space, it must meet the Olympia UGA Design Guidelines, Chapter 23.20: All such modifications shall be consistent with the original conditions of approval and applicable regulations. All such proposed expansions shall be processed as a Type II application pursuant to Section 23.72.040B.

...

**XLII. Thurston County Code Chapter TCC 23.60 (SITE PLAN REVIEW) shall be amended to read as follows:**

...

**23.60.080 - Application—Review process**

...

- B. Before submitting an application for a new commercial use or a change of use, the applicant shall submit a request form and one copy of the proposal to the ~~Resource Stewardship~~ Department for a presubmission conference. The proposal shall contain in a rough and approximate manner all of the information required in the site plan application. The purpose of the summary site plan review is to enable the applicant to obtain the advice of affected County departments as to the applicability of the intent, standards and provisions of this title to the plan. Upon receipt of a properly prepared request, the ~~Resource Stewardship~~ Department shall notify the applicant of the time and place for the presubmission conference.

...

**XLIII. Thurston County Code Chapter TCC 23.72 (ADMINISTRATION) shall be amended to read as follows:**

...

**23.72.040 – Application review procedures.**

...

- C. Type III Procedure—Quasi-Judicial Decision (see Appendix Figure A-3).

...

7. At least ten (10) calendar days prior to the hearing examiner public hearing on a Type III application, the department shall provide notice of the public hearing as follows:
  - a. ~~Publish Notice;~~ The Department shall provide published notice, including the project location, description, type of permit(s) required, comment period dates and location where the complete application may be reviewed, in the newspaper of general circulation in Thurston County;
  - b. ~~Mail Notice;~~ The Department shall provide mail notice, including all items described in subsection (C)(7)(a) of this section, to owners of property surrounding the project site, the applicant and other interested parties in the same manner prescribed in Section 23.72.040(C)(3) above;
  - c. ~~Posted Notice;~~ The Department shall prepare a sign board for the applicant, including the project number, name and description, parcel number, date, time and location of public hearing, and telephone number where the county staff can be contacted for more information, in a conspicuous place visible to the public on or near the project site.
    - i. The applicant shall post one (1) county-provided sign board on the property subject to the development application as follows:
      - (A) The sign board shall be installed in a conspicuous place visible to the public, the midpoint along the site street frontage at a location five (5) feet inside the property line, or as otherwise directed by the responsible official to maximize visibility.
      - (B) The sign board shall be secured to a stationary object such as a fence, post, or other object that may be able to withstand typical weather conditions including high wind and heavy rain. The top of the sign board shall be designed to be between four (4) and six (6) feet above grade.
      - (C) Installation and Removal Requirements. The sign board shall be installed on the site at least ten (10) calendar days in advance of the public hearing. The applicant shall maintain the sign board in good condition throughout the application review period, which shall extend through the time of the final county decision on the proposal including the expiration of the applicable appeal period of the hearing examiner's decision if submitted. If the sign board is removed, county review of the land use application may be discontinued until the board is replaced and has remained in place for the required period of time.
      - (D) The applicant shall remove the sign board within fourteen (14) calendar days after final county decision on the application, including expiration of applicable appeal periods, and return the sign board to the county.

(E) Affidavit of Installation. The applicant shall execute an affidavit certifying where and when the sign board was posted and submit to the responsible official for inclusion in the project file at least seven (7) days prior to the hearing. The applicant shall provide digital proof to the responsible official that the sign has been posted according to requirements.

(F) If for some reason the required posted sign boards in the area or on the site for which the public hearing is being held is inadvertently moved through no fault of the County, this in no way invalidates the legal notice requirements of the scheduled public hearing or other public comment opportunity.

...

**XLIV. Thurston County Code Chapter TCC 23.91 (STATE-LICENSED MARIJUANA PRODUCERS, PROCESSORS AND RETAILERS REGULATIONS) shall be amended to read as follows:**

...

**23.91.050 - Development standards.**

...

- E. No marijuana producer, processor or retailer shall locate within one thousand feet of those entities listed in WAC 314-55-050(10), as amended, or such other entities, as determined by the ~~resource stewardship~~ Director, where persons under twenty-one years of age are invited routinely to congregate for activities or events, and of future school sites owned by a school district and for which construction of a school within six years has been approved by the school district. The distance shall be measured in a straight line from property line to property line at the closest point.

...

**XLV. Thurston County Code Chapter TCC 24.01 (GENERAL PROVISIONS) shall be amended to read as follows:**

...

**24.01.030 - Interpretations.**

...

- M. The terms "Board of Thurston County Commissioners," "~~p~~Planning eCommission," "~~h~~Hearing eExaminer," "~~resource stewardship~~Community Planning & Economic Development director," "~~h~~HHealth ~~o~~Officer," "~~b~~Building ~~o~~Officer," "~~b~~Building ~~i~~Inspector" and other similar officers shall mean the respective boards, commissions, and officers of Thurston County and/or their

authorized agents. The use of the term "board" or "Board" shall always mean the Board of Thurston County Commissioners. The use of the terms "planning commission" or "Planning Commission" shall always mean the Thurston County Planning Commission. The use of the terms "examiner" or "hearing examiner" shall always mean the Thurston County Hearings Examiner. The term "Director" shall always mean the ~~resource stewardship~~Community Planning & Economic Development director or designee.

...

#### 24.01.040 - Critical areas maps.

...

- A. Official Maps. The ~~resource stewardship department~~Director, or designee, shall maintain the official critical areas maps.

...

### **XLVI. Thurston County Code Chapter TCC 24.03 (DEFINITIONS) shall be amended to read as follows:**

...

#### 24.03.010 - Definitions.

...

"Approval authority" means the director of the Thurston County ~~Resource Stewardship~~Community Planning & Economic Development Department, or his/her designee, for administrative permits or the hearings examiner for proposals as shown in Chapter 24.05 TCC.

...

"Base flood elevation (BFE)" means the flood elevation as indicated on any of the following:

...

- (b) The Thurston County High Ground Water Hazard Area Resource Map on file with the ~~Resource Stewardship~~ Department or recognized by a detailed Thurston County groundwater study; or

...

"Department" means the "~~resource stewardship~~Community Planning & Economic Development department" unless otherwise specified in this title.

...

"Development proposal site" means the legal boundaries of the parcel or parcels on which an applicant has applied for authority from Thurston County to carry out a development proposal.

"Director" means the director of the Thurston County Community Planning & Economic Development department, and the director's designees.

"Dispersion" means the release of surface and stormwater runoff from a drainage facility system such that the flow spreads over a wide area and is located so as not to allow flow to concentrate anywhere upstream of a drainage channel with erodible underlying granular soils.

...

**XLVII. Thurston County Code Chapter TCC 24.10 (CRITICAL AQUIFER RECHARGE AREAS) shall be amended to read as follows:**

...

**24.10.010 - Applicability.**

This chapter applies to proposals for new development and alteration and expansion of existing uses listed in Table 24.10-1 that are located in an area defined as a critical aquifer recharge area in this title. These regulations also apply to the one-, five- and ten-year time of travel zones of wellhead protection areas meeting the criteria in this chapter. See the map entitled "wellhead protection areas." These maps shall be on file at the ~~Thurston County Resource Stewardship~~ Department.

...

**XLVIII. Thurston County Code Chapter TCC 24.15 (GEOLOGIC HAZARD AREAS) shall be amended to read as follows:**

...

**24.15.020 - Nisqually hillside overlay district.**

...

- A. This area is depicted on the map entitled "Nisqually Land Use Categories and Zoning Districts," a copy of which shall be on file with the ~~Thurston County Resource Stewardship~~ Department.
- C. The criteria to field locate the top of McAllister Bluff is a distinct topographic break in the slope less than thirty percent and at least fifteen feet wide which is verified by the ~~Thurston County Resource Stewardship~~ Department.

...

**24.15.210 - Vegetation removal—Noxious weeds.**

Removal of noxious weeds, as defined by Chapter 16-750 WAC, under the direction of the Thurston County Noxious Weed Control Board, is permitted in geologic hazard areas and associated buffers consistent with a county approved integrated pest management plan, applicable county and state regulations, any applicable approved farm plan, and this section. Prior to requiring removal of noxious weeds within a landslide or marine bluff hazard area or associated buffer that would involve the use of motorized equipment or broadcast spraying of herbicides, the noxious weed control board staff shall consult with the ~~resource stewardship~~ Department to evaluate alternative methods of weed removal and the associated risks to the stability of the landslide or marine bluff hazard area and buffer.

...

**XLIX. Thurston County Code Chapter TCC 24.25 (FISH AND WILDLIFE HABITAT CONSERVATION AREAS) shall be amended to read as follows:**

...

24.25.065 - Important habitats and species.

...

**C. Habitats and Species of Local Importance.**

...

3. In addition to requirements of Chapter 24.91 TCC, adding or removing habitats and species of local importance is subject to the following:
  - a. Submission requirements. This chapter must be amended to add or remove a habitat or species of local importance. Any request to add or remove a habitat or species shall be submitted, in writing, to the ~~resource stewardship~~ Department and must include the following information:

...

24.25.380 - Vegetation removal—Noxious weeds and invasive plants.

...

- B. Removal of invasive plants is permitted subject to the criteria in this section. Plant removal shall be performed such that it will not increase the likelihood of stream bank erosion, marine bluff erosion (see Chapter 24.15 TCC), significantly damage untargeted vegetation, or impair any habitat functions. The method of removal shall be approved in writing by ~~Thurston County Resource Stewardship~~ the Department, consistent with applicable county, state, and federal regulations.

...

**L. Thurston County Code Chapter TCC 24.30 (WETLANDS) shall be amended to read as follows:**

...

#### 24.30.010 - Applicability.

This chapter applies to all property within unincorporated Thurston County containing wetlands as defined in Chapter 24.03 TCC, and/or associated buffers required by this chapter. The Thurston County Wetlands Inventory on file at the ~~resource stewardship~~ Department identifies the approximate location of many wetlands. However, it is the actual presence of a wetland and/or buffer on a parcel that triggers the requirements of this section, regardless of whether or not the wetland has been mapped

...

#### 24.30.025 - Rating wetlands.

...

Note— The Washington State Department of Ecology Wetland Rating System was amended in 2014. Code changes are under review. In the interim, please contact ~~Thurston County Resource Stewardship~~ the Department for information about applying the new rating system to determine a wetland category and function scores.

...

#### 24.30.040 - Wetland buffers—General standards.

...

- B. Buffers on Enhancement Sites. The approval authority may establish buffers for wetlands that were voluntarily enhanced or restored based on the wetland's pre-enhancement condition. Buffers shall remain in effect as long as the owner of the property at the time the county authorized the enhancement retains ownership. The approval authority may require that the wetland be rated prior to the enhancement or restoration. The ~~resource stewardship~~ Department shall record the approved buffer width and any associated rating with the auditor on the property title.

...

#### 24.30.350 - Wetlands—Vegetation removal—Tree removal.

...

- A. Hazard Trees. The county may authorize limbing, thinning or removal of hazard trees located in the wetland or buffer provided that compliance with all of the criteria below can be met:

...

3. Hazard tree removal in wetlands shall be mitigated as required by this chapter. At minimum, mitigation shall include replacement with native tree species at a ratio of 3:1 for each tree removed. The replacement trees shall have a minimum fifteen-gallon pot size, a height of four feet, and be three years old. Additional mitigation may be required based on site conditions,

habitat type and wetland functions as determined by the ~~resource stewardship~~ Director. The applicant may be required to submit reports for maintenance and monitoring of planted vegetation at the discretion of the ~~Director~~.

...

24.30.390 - Wetlands—Vegetation removal—Invasive species.

...

- B. Activity that would expose more than one hundred square feet of soil within one hundred feet of the wetland shall require submission of a plan for county approval that identifies the proposed plant removal and site restoration consistent with the provisions of this section. The method of vegetation removal must be approved in writing by the ~~Thurston County Resource Stewardship~~ Department, consistent with this section and all applicable county, state, and federal regulations prior to initiation of any such vegetation removal.

...

24.30.400 - Wetlands—Vegetation removal—Noxious weeds.

...

- A. Removal of noxious weeds, as defined by Chapter 16-750 WAC, under the direction of the Thurston County Noxious Weed Control Agency, is permitted in wetlands and associated buffers consistent with a county approved integrated pest management plan, applicable county and state regulations, and TCC 24.30.390(A), (C) and (D). Prior to requiring removal of noxious weeds within a Category I wetland or associated buffer, the noxious weed control staff shall consult with the planning and environmental ~~division~~ staff of the ~~resource stewardship~~ Department to evaluate alternative methods of weed removal and the associated risks to the wetland and buffer.

...

**LI. Thurston County Code Chapter TCC 24.35 (SPECIAL REPORTS) shall be amended to read as follows:**

...

24.35.130 - Geologic hazards—Minimum standards for special reports—Geologic assessment.

A geologic assessment, as outlined below, shall be required when the ~~resource stewardship~~ Department's mapping, source documents, and/or field investigations indicate a proposed activity is located within or adjacent to an erosion, landslide, marine bluff, seismic, or mine hazard area.

...



24.35.240 - Frequently flooded areas—Channel migration hazard area report.

...

- A. A determination as to whether the one-hundred-year channel migration hazard area is located on site and, if so, the extent of its location, shall be made by a qualified professional proficient in fluvial geomorphology (e.g., possess a graduate degree in geology or physical geography with specialization in fluvial geomorphology, and have at least two years of professional experience) using a reliable methodology to determine channel migration accepted by the ~~resource stewardship~~ Department (e.g., as described in Forest Practices Board Manual, Standard Methods for identifying Channel Migration Zones and Bankfull Channel Features, dated 8/2001, as amended, or as described in "A Framework for Delineating Channel Migration Zones," Washington Department of Ecology, 2003 as amended). Maps delineating the one-hundred-year channel migration zone shall be of a scale and format specified by the department.

...

24.35.290 - Requirements for critical area reports.

...

- A. Maps. The report shall contain a vicinity map with detailed driving instructions to the subject site and site map setting forth the following, as applicable:

...

2. The location of important habitat areas and any marine or riparian management zones on-site, the point location of an important species within six hundred feet of the development proposal site, and other critical areas that extend onto the property proposed for development and within three hundred feet of the project area. The important habitat areas and any established and proposed buffers shall be staked and flagged in the field. A professional land surveyor shall survey the boundary of the important habitat area or, if applicable, associated buffer after the approval authority has determined that it is located correctly. The habitat area and management zone delineations shall be submitted to the approval authority in a format acceptable to the ~~resource stewardship~~ Department.

...

24.35.370 - Wetlands—Critical area report.

...

- B. Maps. The report shall contain a vicinity map with detailed driving instructions to the subject site and site map setting forth the following, as applicable:

...

2. The location of wetlands and associated buffers on-site, consistent with TCC 24.30.020. The wetland boundaries shall be staked and flagged. A professional land surveyor shall survey the wetland boundary after the approval authority has determined that it is located correctly. The final wetland and buffer delineations shall be submitted to the approval authority in a format acceptable to the ~~resource stewardship~~ dDepartment.

...

**LII. Thurston County Code Chapter TCC 24.40 (CRITICAL AREA REVIEW PERMIT) shall be amended to read as follows:**

...

**24.40.030 - Application requirements**

The application for a critical area review permit shall be filed with the ~~resource stewardship~~ dDepartment in accordance with Chapter 24.05 TCC. When a critical area review permit is combined with another permit, the underlying permit application shall also include the information required for a critical area review permit.

...

**LIII. Thurston County Code Chapter TCC 24.45 (REASONABLE USE EXCEPTION) shall be amended to read as follows:**

...

**24.40.030 - Application requirements**

The application for a reasonable use exception shall be filed with the ~~resource stewardship~~ dDepartment in accordance with Chapter 24.05 TCC. The report shall also address the other criteria in this section.

...

**LIV. Thurston County Code Chapter TCC 24.60 (CRITICAL AREA SIGNS AND FENCING) shall be amended to read as follows:**

...

**24.60.030 – Required signage.**

...

(Critical Area)  
DO NOT DISTURB  
Contact Thurston County  
Community Planning & Economic Development ~~resource stewardship~~  
Department  
Regarding Uses and Restrictions

...

**LV. Thurston County Code Chapter TCC 24.65 (CRITICAL AREA TRACTS AND DELINEATIONS) shall be amended to read as follows:**

...

24.65.040 - Recordation of restrictions and notices.

...

- A. The following note shall appear on the face of all plats, short plats, large lot subdivisions, binding site plans, maps, or lots created to protect critical areas as part of a cluster development containing critical area tracts, critical area easements, delineation areas, lots containing critical areas, conservation areas, or conservation lots:

"Critical area tracts, critical areas and their buffers, or conservation lots containing critical areas and/or associated buffers shall not be altered except as provided for under the Critical Areas Ordinance (Title 24 of the Thurston County Code). The owner(s) of a critical area tract or lot containing critical areas and/or associated buffers is responsible for ensuring that no alterations occur within such tract or lot and that all vegetation remains undisturbed unless the ~~Thurston County Stewardship~~ Department provides express written authorization for such alteration."

- B. A map shall be recorded depicting critical area delineations created through a site plan review permit, variance permit, special use permit, or approved site plans where critical areas may be impacted, with the following note appearing of the face of the map:

"Critical areas and/or associated buffers shall not be altered except as provided for under the Critical Areas Ordinance (Title 24 of the Thurston County Code). The owner(s) of a tract or lot containing critical areas and their associated buffers is responsible for ensuring that no alterations occur within such tract or lot and that all vegetation remains undisturbed unless the ~~Thurston County Resource Stewardship~~ Department provides express written authorization for such alteration."

- C. A restriction shall be recorded on the title of all critical area tracts and lots containing critical area easements created pursuant to this chapter. The restriction language shall be substantially similar to the following:

"Prior to and during the course of any grading, building construction or other development activity on a lot or development site containing or abutting a critical area and/or associated buffer or conservation area, the area of development activity must be

fenced or otherwise marked to the satisfaction of the ~~Thurston County Stewardship~~ Department. The critical area shall be maintained in its existing condition, except as provided for by Title 24 of the Thurston County Code, the Critical Areas Ordinance. Yard waste, debris, fill, equipment, vehicles, and materials shall not be placed within a critical area tract or delineated critical area and associated buffer ~~buffer~~."

...