

**2022-2023 Comprehensive Plan Amendment Docket
CPA-16 Community Driven Review of Agriculture:
Agriculture Zoning Update
Public Hearing Staff Report**

Date: June 21, 2023
Prepared by: Maya Teeple, Senior Planner
Ashley Arai, Community Agriculture Program Manager

Proponent/Applicant: Thurston County

Action Requested: Amend the Thurston County Comprehensive Plan, chapters 2, 3, and Appendix C

Amend the Future Land Use Map (L-1) and Official Zoning Map of Thurston County, WA from various zones to Long-Term Agriculture (LTA)

Amend the Thurston County Code, Chapters 20.03, 20.08A, 20.08G, 20.09, 20.09A, 20.09C, 20.30A, 20.54, and 20.60.

Location: Throughout Rural Unincorporated Thurston County

APN: N/A
Acres: N/A
Current Land Use and Zoning: Rural Residential

☒ Comprehensive Plan Changes: ☐ Map Changes ☐ Text Changes ☒ Both
☒ Development Code Amendments (TCC 20.03, 20.08A, 20.08G, 20.09, 20.09A, 20.09C, 20.30A, 20.54, and 20.60.)
☐ Other Affected Jurisdictions

1 BACKGROUND

2 In 2020, the Board of County Commissioners (BoCC) docketed a project to review County
3 agriculture policies and programs in response to:

- 4 • Community input received during the 2019 Comprehensive Plan Update;
5 • A Planning Commission recommendation in late 2019 to add a docket item that reviews
6 agricultural policy and programs; and

- A Growth Management Hearings Board (GMHB) appeal of the 2019 Comprehensive Plan's designation of agricultural lands of long-term commercial significance (case no. [20-2-0001](#)).

This project was docketed as CPA-16, Community-Driven Review of Agriculture Policies and Programs. One component of the CPA-16 docket item is to review agricultural zoning and consider updates. In January 2022, the BoCC set the scope for the Long-Term Agriculture Designation and Zoning review and directed staff to conduct a targeted review beyond soils of the following existing designation criteria for long-term agriculture:

- (Criteria 2, 4) Consider designating LTA within the Urban Growth Areas
- (Criteria 5) Consider including smaller acreage farms in the designation criteria
- (Criteria 8) Consider revising block size requirements

The proposed amendments as part of the Long-Term Agriculture Designation and Zoning Update include:

- Comprehensive Plan Amendments (Chapters 2, 3, and Appendix C)
- Amendments to land use descriptions and acreages (Chapter 2)
- Options for amendments to targeted designation criteria (soil type, parcel size, and agricultural diversity) for Long-Term Agriculture of commercial significance (Chapter 3)
- Addition of policy language for agriculture resource subdivisions (cluster development) proposal (Chapters 2 and 3)
- Relocation and update of soils list used for designation of long-term agriculture lands of commercial significance (Appendix C)
- Future Land Use Map (Map L-1), Long-Term Forestry and Agriculture Map (Map N-1)

Development Regulations and Zoning Map

- Amendments to Thurston County Code, Chapters 20.03, 20.08A, 20.08G, 20.09, 20.09A, 20.09C, 20.30A, 20.54, and 20.60.
- Amendments to development regulations to clarify language, streamline permit processes, and increase flexibility for farmers to establish agriculture-related uses
- Amendments to development regulations to require agricultural resource subdivisions (cluster development) on prime agricultural lands that are not protected through zoning
- Amendments to the Official Zoning Map of Thurston County, Washington

APPEAL ON COMPREHENSIVE PLAN TO GROWTH MANAGEMENT HEARINGS BOARD – CASE NO. 20-2-0001

A portion of this project is in response to the GMHB Case, 20-2-0001. In 2020, Futurewise appealed the County's update of the Comprehensive Plan (Resolution 15836 and Ordinance 15839 adopted on Nov. 12, 2019). This appeal was upheld by the Growth Management Hearings Board.

The issues presented for review include:

1. Did Thurston County's adoption of resolution 15836 and ordinance 15839 violate RCW 36.70A.020(8), RCW 36.70A.050(1) and (3), RCW 36.70A.060(1), RCW 36.70A.070 and (1), RCW 36.70A.130(1)(a), (b), and (d) and (5)(b), RCW 36.70A.170, RCW 36.70A.210, or RCW 36.70A.290(2) because the County failed to designate and conserve all lands

meeting the comprehensive plan's criteria for agricultural lands of long-term commercial significance, created an internally inconsistency between the comprehensive plan designation criteria and the future land use map (Resolution No. 15836 Attachment B map L1) and the Long Term Agriculture and Forestry map (Resolution No. 15836 Attachment B map N-1), failed to review and revise the County's development regulations to conserve agricultural lands of long-term commercial significance, failed to comply with the countywide planning policies, and failed to comply with the GMA provisions listed in this issue?

2. Did Thurston County's adoption of Resolution No. 15836 and Ordinance No. 15837 violate RCW 36.70A.020(2), (8), (9), and (10), RCW 36.70A.070 and (5), RCW 36.70A.110(1), RCW 36.70A.130(1)(a), (b), and (d) and (5)(b), RCW 36.70A.210, or RCW 36.70A.290(2) because the County failed to review and revise its comprehensive plan and development regulations to achieve a variety of rural densities and uses, protect the rural character including critical areas, protect against conflicts with the use of natural resource lands, comply with the countywide planning policies, and comply with the GMA provisions listed in this issue?
3. Did Thurston County's adoption of Resolution No. 15836 violate RCW 36.70A.020(12), RCW 36.70A.070 and (3), RCW 36.70A.130(1)(a), (b), and (d) and (5)(b), or RCW 36.70A.290(2) because the County failed to review and revise its capital facility plan element to include a plan that will finance the capital facilities within projected funding capacities and that clearly identifies sources of public money for such purposes and failed to comply with the GMA provisions listed in this issue?

On Feb. 26, 2020, Issue number 3 was dismissed and the County entered a settlement extension with Futurewise for the remaining two issues 1 and 2. The County has had 13 settlement extensions to date.

At issue is the County's failure to use updated data for prime farmland soils to review its long-term agriculture (LTA) designations at the time of its last periodic update. The current designation criteria within the Comprehensive Plan uses the 1990 USDA Soil Survey to inform designation for Long-Term Agriculture. Futurewise's comment letter received during the 2019 periodic update outlines these concerns (provided for reference, Attachment F).

DEPARTMENT ANALYSIS

Long-Term Agriculture is both a zoning district and a land use designation. The long-term agriculture land use designation is a requirement under state law ([RCW 36.70a.040](#)) which states that counties shall designate agricultural lands and adopt development regulations to conserve these areas.

These areas are not intended for all agricultural lands, only for those of long-term commercial significance or that are *capable of being used* as such.

We hold land is "devoted to" agricultural use under RCW 36.70A.030 if it is in an area where the land is actually used or capable of being used for agricultural production.

3
4 Long-term commercial significance is determined by a set of criteria and policies that live in
5 [Chapter 3](#) of the Thurston County Comprehensive Plan. State law provides guidance in how to
6 classify and designate agricultural resource lands of long-term commercial significance ([WAC](#)
7 [365-190-050](#)).
8

9 The County currently designates around 15,500 acres of agricultural lands of long-term
10 commercial significance, which are zoned as Long-Term Agriculture and Nisqually Agriculture.
11 These lands are sited based on the following policies (Comprehensive Plan [Chapter 3](#)):

- 12 • Used or capable of being used for commercial agriculture
 - 13 • ≥50% prime farmland soils (1990 USDA Soil Survey)
 - 14 • Blocks of agricultural land at least 200-320+ acres
 - 15 • Parcels 20 acres and greater
 - 16 • No parcels inside Urban Growth Areas
 - 17 • Nearby access to road, rail, or air routes to markets
 - 18 • Outside of Natural Shoreline Environments
- 19

20 Thurston County's history on designating lands of long-term agricultural significance and a
21 summary of what policies other jurisdictions use to site these lands was reviewed in the
22 memorandum provided to the Planning Commission on May 3, 2023.
23

24 Thurston Regional Planning Council (TRPC) conducted a land capacity analysis on the scenarios
25 presented. The land capacity analysis estimates the maximum number of dwellings under each
26 scenario. Under current zoning, residential capacity in the rural unincorporated county is
27 estimated at 17,983. The scenarios decrease residential housing unit capacity by between 657
28 and 1,276 units (or a 4% to 7% decrease) depending on the scenario. Under all scenarios, there is
29 sufficient capacity for estimated residential need in the rural unincorporated county over the next
30 20 years. For a full summary of the analysis, see Attachment B.
31
32

33 **CONSISTENCY STATE LAW**

34 The purpose of the Growth Management Act (GMA) is to prevent uncoordinated and unplanned
35 growth, which can pose threat to the environment, sustainable economic development, health,
36 safety, and quality of life. The GMA requires that jurisdictions designate agricultural lands of long-
37 term commercial significance and includes guidance on how jurisdictions should approach this.
38 Counties must classify and designate lands through a county-wide approach (WAC 365-190-050).
39 Lands should be considered for designation as an agricultural resource land based on three factors:
40 1) the land is not already characterized by urban growth, 2) the land is used or capable of being
41 used for agricultural production, based on the USDA NRCS land capability classification system,
42 and 3) that the land has long-term commercial significance, as evaluated by a number of non-
43 exclusive criteria (WAC 365-190-050).
44

45 A full summary of relevant state law was reviewed in the memorandum provided to the Planning
46 Commission on May 3, 2023.

The proposed amendments contained herein are consistent with state law. Updates to designation criteria, future land use map, and zoning map conserve agricultural lands of long-term commercial significance by strengthening policy language and proposing additional acreage. Proposed code amendment updates to require cluster developments do not increase density overall but will increase the county's variety of rural densities and protection of rural character, natural resources, and critical areas by requiring tracts of open space and clustering on agriculturally used lands, and finally both amendments protect against conflicts with the use of natural resource lands. Code amendments would additionally increase flexibility for farmers use of land within Long-Term Agriculture zoning district, improving their long-term commercial viability.

PUBLIC PARTICIPATION/OUTREACH:

Staff conducted outreach on this project to several stakeholders and the community. Stakeholder feedback has been used to identify major themes and develop a range of considerations for the Planning Commission. The following list includes the stakeholders Staff have reached out to, as well as the number of meetings we have attended.

- Agriculture Advisory Committee (9)
- Agritourism Advisory Committee (1)
- Voluntary Stewardship Program Workgroup (4)
- Stakeholder Workgroup (7)
- Community Informational Meetings (4)
- Olympia Master Builders (1)
- Targeted Outreach: Thurston Chamber of Commerce, Thurston Realtors Association, and Thurston Economic Development Council, WSU Extension, Thurston Conservation District, South Sound Farm and Forestry Association

Community Planning also convened a diverse stakeholder group to review designation criteria and develop options. A review of the stakeholder group's work was provided to the Planning Commission in the May 3, 2023 packet, and stakeholders participated in the Planning Commission meeting on May 17, 2023.

Additionally, Community Planning held 4 community informational meetings on the proposed amendments on March 27, 30, April 4, and April 7. In total, over 58 individuals signed in over the 4 meetings.

PLANNING COMMISSION REVIEW:

- **May 3, 2023** – Review of proposed amendments, history, state law, comprehensive plan, stakeholder group feedback and other public outreach, and policy considerations ([View the Planning Commission packet](#))
- **May 17, 2023** – Follow up questions, stakeholder group presentations ([View the Planning Commission packet](#))

SUMMARY OF CHANGES:

The Long-Term Agriculture zoning update includes changes to the Comprehensive Plan and Development Code.

Comprehensive Plan

Comprehensive Plan Chapter 2

- Amendments to land use descriptions and acreages
- Addition of policy language for cluster development proposal

Comprehensive Plan Chapter 3

- Options for amendments to targeted designation criteria (soil type, parcel size, and agricultural diversity) for Long-Term Agriculture of commercial significance
 - Soil Type: Update soils information, consider 50% or 75% soils coverage
 - Parcel Size: Maintain 20 acre minimum or reduce to 15 acres (average agricultural parcel size)
 - Agricultural Diversity: Reduce to 100+ acres, or reduce to 40+ acres
- Policy language included for agriculture cluster development proposal
- Policy language included for proposed development regulations around increased flexibility to establish agriculture-related uses on non-prime farmland soils

Comprehensive Plan Appendix C

- Relocation and update of soils list used for designation of long-term agriculture lands of commercial significance

Maps

- Future Land Use Map (Map L-1) updated depending on outcome of designation criteria
- Long-Term Forestry and Agriculture Map (Map N-1) updated depending on outcome of designation criteria

Table 1: Summary of LTA Designation changes and Scenarios

| Information | Current LTA Designation | Baseline – Based on Appeal | Scenario 1 – Based on Stakeholder Themes | Scenario 2 – Based on Stakeholder Themes |
|---|---|----------------------------|--|--|
| Acreage of LTA | 15,500 | Additional 22,000 | Additional 12,000 | Additional 19,000 |
| Criteria that are outside the scope of discussion as set by BoCC | | | | |
| Criteria 3. Land Capability and Tax Status | Used or capable of being used for agriculture | Applied without change | Applied without change | Applied without change |
| Criteria 6. Land Use Settlement Patterns | Adjacent residential development should be minimal and at densities of 1 per 5 acres or less. | Applied without change | Applied without change | Applied without change |
| Criteria 7. Proximity of Markets | Should have access to road, rail, or air transportation routes | Applied without change | Applied without change | Applied without change |
| Criteria 9. Environmental Considerations | Outside of Natural Shoreline Environments | Applied without change | Applied without change | Applied without change |
| Criteria that are within the scope of discussion as set by BoCC | | | | |

| | | | | |
|---|---|---|---|---|
| Criteria 1. Soils information | 1990 USDA Soil Survey, predominantly prime farmland soils (>50%) | 2022 USDA Web Soil Survey predominantly prime farmland soils (>50%) | 2022 USDA Web Soil Survey predominantly prime farmland soils (>75%) | 2022 USDA Web Soil Survey predominantly prime farmland soils (>75%) |
| Criteria 2. Availability of public facilities and services | Designated lands should be outside of area planned to be served by public facilities and utilities | Applied without change | Applied without change | Applied without change |
| Criteria 4. Proximity to Urban Growth Areas | Designated lands should be outside of urban growth areas and should be separated by a natural or man-made barrier | Applied without change | Applied without change | Applied without change |
| Criteria 5. Predominant Parcel Size | 20 acres or more | 20 acres | 20 acres | 15 acres |
| Criteria 8. Agricultural Diversity | Agricultural Block of Land must be: 320 acres or 200 acres if nearby to other agriculture | 320 acres or 200 if nearby | 100 acres or more | 40 acres or more |

Table 2. Acreage of Possible New LTA by Draft Map Option and Zone

| Zone Code | Baseline | Scenario 1 | Scenario 2 |
|------------------|-----------------|-------------------|-------------------|
| R 1/10 | 520 | 540 | 1,030 |
| R 1/20 | 2,900 | 1,750 | 1,890 |
| RR1/5 | 790 | 450 | 580 |
| RRR1/5 | 18,450 | 9,920 | 15,600 |
| TOTAL | 22,660 | 12,660 | 19,100 |

*** Numbers are rounded, and acreages will change as the process continues.*

Development Regulations & Zoning Map

- Amendments to Thurston County Code, chapters 20.03, 20.08A, 20.08G, 20.09, 20.09A, 20.09C, 20.30A, and 20.60.
 - Amendments to development regulations to clarify requirements, streamline permit processes, and increase flexibility for farmers to establish agriculture-related uses
 - Amendments to development regulations to require agricultural resource subdivision (cluster development) on prime agricultural lands that are not protected through zoning
 - Cluster requirements would apply to properties that are designated as RR 1/5, RRR 1/5, and R 1/10, outside of urban growth areas, at least 20 acres in size, contain 50% of more prime farmland soils, and enrolled as current use agriculture in the Thurston County Tax Assessor's Open Space Tax Program within the past 7 years.

- An estimated 1,723 acres of land meets the above criteria and falls outside of all the proposed LTA expansion maps. The remaining 4,967 acres fall within at least one proposed LTA expansion map.
- Amendments to the Official Zoning Map of Thurston County, Washington, dependent on the outcome of updated designation criteria

OPTIONS FOR CONSIDERATION:

Before making a recommendation, the planning commission may consider further refinements to the scenarios, policy changes, or code changes based on public testimony received.

Option A: No Change to Comprehensive Plan and associated maps, Thurston County Code, and Official Zoning Map of Thurston County, WA.

Draft motion: Move to recommend no change to the Thurston County Comprehensive Plan or Thurston County Code as it relates to amendments for long-term agriculture designation and zoning as part of docket item CPA-16.

Considerations:

- Does not respond to appeal under GMHB Case No. 20-2-0001.
- Does not respond to community input to consider updates to designation criteria.
- Retains current long-term agriculture designation and zoning of ~15,500 acres.
- Retains current amount of county lands zoned for rural residential use.
- Does not amend code to require cluster developments on agricultural lands with 50% or more prime farmlands.
- Does not amend code to increase flexibility in uses on lands zoned as long-term agriculture.
- Does not streamline or clarify county code requirements in agritourism overlay district.

Option B: Change Comprehensive Plan and associated maps, Thurston County Code, and Official Zoning Map of Thurston County, WA.

Draft motion: Move to recommend approval of amendments to the Thurston County Comprehensive Plan, associated comprehensive plan maps, and Official Zoning Map of Thurston County, WA as presented under [baseline scenario / scenario 1 / scenario 2]. Further move to recommend approval of amendments to the Thurston County Code to clarify permit procedures, streamline processes, increase flexibility of uses in agricultural districts, and to require cluster development on agricultural lands with prime soils not protected through zoning.

Considerations:

- Responds to appeal under GMHB Case No. 20-2-0001.
- Considers community input to consider updates to designation criteria.
- Increases current designation and zoning of Long-Term Agriculture from ~15,500 acres to between ~27,500 to ~37,500 acres (acreage may change with policy refinements).
- Reduces lands zoned for rural residential use from between 12,000 to 22,000 acres less.
- Requires cluster development on agricultural lands with prime soils that are not protected through zoning.

- Amends code to increase flexibility in uses on lands zoned as long-term agriculture.
- Streamlines and clarifies county code requirements in agritourism overlay district.

SEPA:

An environmental determination for the proposed amendments in unincorporated Thurston County is required pursuant to WAC 197-11-704 and, will be completed prior to a public hearing on the amendments before the Board of County Commissioners.

NOTIFICATION:

A legal notice and webmail was issued on May 26, 2023. A press release was issued on June 9, 2023. A postcard mailing was sent to all mailing addresses of property owners who have parcels affected under one of the three scenarios, mailed on May 26, 2023.

PUBLIC COMMENT:

As of the June 9, 2023, 3 public comments have been received, with 1 in favor and 2 against. Public comment has been collected and compiled and is summarized in Attachment H: Public Comment Matrix. An updated public comment matrix will be sent on June 21.

ATTACHMENTS

Attachment A: Memo – Information on “Test-Out” of Long-Term Agriculture Update
Attachment B: TRPC Thurston County Land Capacity Analysis Memo
Attachment C: Draft Comp Plan Changes
Attachment D: Draft Code Package
Attachment E: Draft Map Packet
Attachment F: 2019 Comment Letter on Periodic Update from Futurewise (Appellant)
Attachment G: Draft Environmental Checklist
Attachment H: Public Comments Received for PC Public Hearing (05-26-2023 to 06-09-2023, updated comments will be provided to PC on 06-21-2023)



COUNTY COMMISSIONERS

Carolina Mejia-Barahona

District One

Gary Edwards

District Two

Tye Menser

District Three

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

Creating Solutions for Our Future

Joshua Cummings, Director

ATTACHMENT A – MEMORANDUM ON TEST OUT OPTION

TO: Thurston County Planning Commission

FROM: Maya Teeple, Senior Planner
Ashley Arai, Agriculture Community Program Manager

DATE: June 21, 2023

SUBJECT: Work Session 3: Long-Term Agriculture Designation and Zoning Update –
“TEST OUT” Option

PLANNING COMMISSION REQUEST – “TEST OUT” OPTION

This memo is additional to the staff report and distributed to the Planning Commission as part of work session 3 on the Long-Term Agriculture Designation and Zoning Update, which is one component of CPA-16 “Community Driven Review of Agricultural Policies and Programs.”

At the 2nd work session on May 17, 2023, the Planning Commission requested staff investigate allowing landowners that may be affected by the three agriculture designation and zoning options presented to “test-out” of the designation and zoning update. This memorandum provides information and staff’s next steps for that request.

BACKGROUND

Thurston County has developed options to update policies (“designation criteria”) that determine how and where “long-term agriculture lands of commercial significance” (LTA) are sited. The options included as part of the June 21, 2023 public hearing range from re-designating and rezoning between 12,000 and 22,000 acres of land from a rural residential zoning to Long-Term Agriculture. Classification as LTA usually results in downzoning the property – typically converting it from 1 house per 5-10 acres to 1 house per 20 acres.

The current map of LTA only includes soils defined as prime farmland from the 1990 USDA Soil Survey. The County is currently under appeal to consider the updated USDA soil survey, which

nearly doubles the amount and acreage of prime farmland soils that are being considered in Thurston County.

Beyond considering updated soils data, the County is considering changes to other criteria based on stakeholder group feedback, including percent of prime farmland soils on a property to qualify, minimum parcel size, agricultural block size, and inclusion within the UGA (no options presented currently redesignate lands within the UGA, consistent with the stakeholder group recommendations). The proposed options include other non-agricultural parcels that could be successfully converted to commercial agriculture at some point.

PREVIOUS “TEST OUT” OPPORTUNITIES

In Dec. 2008, Thurston County adopted Resolution 14180, which included roughly 2,800 new acres of Long-Term Agriculture. In response to comment received, the County provided a one-time opportunity for landowners to file a request for reconsideration to be removed from the Long-Term Agriculture designation and zone without needing to pay a comprehensive plan amendment fee for the land use designation. The County hired a third-party subject matter expert to develop a field methodology for testing out of the long-term agriculture designation. To be considered, the property owner needed to submit supporting information consistent with the developed field methodology.

Between 2009-2010, three property owners over about 460 acres provided soil reports. The County then contracted with a qualified expert to peer review the soils reports. The three properties and peer review summary were then reviewed by the Planning Commission and Board in 2012 and 2013. Following that process in Jan. 2013, the BoCC adopted resolution 14845 that redesignated some of the requests – about 225 acres (49% of original requests) – to Rural 1 to 10.

Resolution 14845 was appealed. In response to that appeal, the Growth Management Hearings Board asked parties to come to an agreement. The settlement was to change the land use and zoning of 3 parcels totaling 188 acres never previously included in LTA from Rural Residential Resource 1/5 to Long-Term Agriculture. This was closed with Resolution 15019 adopted in May 2014.

A test out option based on irrigation was not provided in 2008. The methodology states that soils considered “prime if irrigated” are included in the map update, although they may not be currently irrigated, if converted to agriculture they could be irrigated in the future. This approach was further supported by the Thurston County Agriculture Advisory Committee. Staff held a brief work session with the Committee at their May 18 meeting to gather feedback on this question of a test out option based on irrigation. The Committee came to a consensus that irrigation should not be a

factor in determining whether a property be removed from Long-Term Agriculture designation and zoning based on the following:

- Soils are a static resource while irrigation is dynamic and can change over time. For example, water rights can be transferred or sold, or they may be reduced or lost if underutilized for extended periods.
- Concerns about whether farmers may lose their ability to transfer and/or sell existing water rights if their property is designated and zoned LTA. On the contrary, worried that property owners could 'game the system' by transferring their water rights in order to test out of LTA.
- Encouraged staff to further research the 'Land Capability Classes and Yields per Acre' of the new Prime Farmland Soils to assess whether they should be considered commercially significant—with or without irrigation or drainage.

NEXT STEPS FOR “TEST OUT” OPPORTUNITY

After reviewing the 2008-2010 process for landowners to “test out” of the Thurston County LTA designation and soliciting input from the Agriculture Advisory Committee, staff have concluded the County does not have an existing clear methodology that outlines what landowners would need to provide to test out, the expertise in house to develop said methodology, or the expertise to review submitted soil surveys or ground truth irrigation claims.

Following a Planning Commission recommendation, when staff brings forward the recommendation(s) to the Board of County Commissioners, staff will present options for the BoCC to consider offering a “test out”, along with considerations for how that could impact the timeline of this project, GMHB appeal, and budget. At a high-level, those will include:

- **1 – Do not offer a test out** – proceed with the legislative review of package of amendments.
- **2 – Offer a test out following an action on proposed amendments** – proceed with the legislative review of package of amendments and offer a test out following a BoCC final action on the package of proposed amendments.
- **3 – Offer a test out and delay package of final amendments** – delay BoCC hearing and any action on package of amendments until opportunity for test out has been offered.

**MEMBERS:**

City of Lacey
 City of Olympia
 City of Rainier
 City of Tenino
 City of Tumwater
 City of Yelm
 Confederated Tribes of the
 Chehalis Reservation
 Nisqually Indian Tribe
 Town of Bucoda
 Thurston County
 North Thurston Public Schools
 Olympia School District
 Tumwater School District
 Intercity Transit
 LOTT Clean Water Alliance
 Port of Olympia
 PUD No. 1 of Thurston County

ASSOCIATE MEMBERS:

Lacey Fire District #3
 Puget Sound Regional Council
 The Evergreen State College
 Thurston Conservation District
 Thurston Economic
 Development Council
 Timberland Regional Library

MEMORANDUM

TO: Maya Teeple, Senior Planner
 Thurston County Community Planning & Economic Development

FROM: Michael Ambrogi, Senior Planner
 Thurston Regional Planning Council

DATE: June 5, 2023

SUBJECT: Thurston County LTA Zoning Alternatives Analysis

OVERVIEW

Thurston County requested a land capacity analysis examining the effects of three proposed changes to the County's Long-Term Agriculture zoning district. The analysis is intended to show how the scenarios would affect residential capacity as estimated by Thurston Regional Planning Council's land capacity model.

BACKGROUND

Thurston Regional Planning Council (TRPC) maintains a land capacity model for Thurston County. This database was used to develop TRPC's population and employment forecast (2018 update) and the 2021 Buildable Lands Report for Thurston County. The model includes multiple metrics, including acres of developable land and "residential capacity," the theoretical maximum number of dwellings that could be built on a parcel. In general, the actual number of dwellings constructed over a 20-year time period will be less than the capacity as not all property owners will choose to develop their land, even if they could do so, or because there is less demand for new housing in some areas.

The land capacity model estimates capacity on properties across Thurston County, considering such factors as:

- **Existing land use and development.** Some land uses — like churches or parks — are unlikely to develop in the future even if there is buildable land on a parcel.
- **Vested subdivision plans.** Projects that have recently been approved will develop as planned, even if zoning or development regulations later changed.
- **Zoning.** Zoning informs the types of uses allowed and density of future development.
- **Average development densities.** In zones that allow a range of uses and housing densities, historical trends inform what is likely in the future.
- **Critical areas and environmental constraints.** Wetlands, steep slopes, and other constraints limit the amount of future development.
- **Ownership.** For port, tribal, and many government-owned properties, capacity is determined on a case-by-case bases in consultation with staff.



Marc Daily
 Executive Director

2411 Chandler Court SW
 Olympia, WA 98502
 360-956-7575
 360-741-2545 Fax
www.trpc.org

Documentation for the land capacity model is available at <https://www.trpc.org/236> (See “Population and Employment Land Supply Assumptions”).

Thurston County requested an analysis showing the effects of three different LTA zoning district scenarios. The scenarios are being considered as part of the 2022/2023 Comprehensive Plan Amendment Docket (CPA-16: “Community Driven Review of Agricultural Policies and Programs”).

- Scenario A: Based on Appeal
- Scenario 1: Based on Stakeholder Group Themes
- Scenario 2: Based on Stakeholder Group Themes

Figures 1-3 show maps of the three scenarios, comparing the proposed LTA zoning to current zoning.

Figure 1: Scenario A: LTA Zoning Based on Appeal

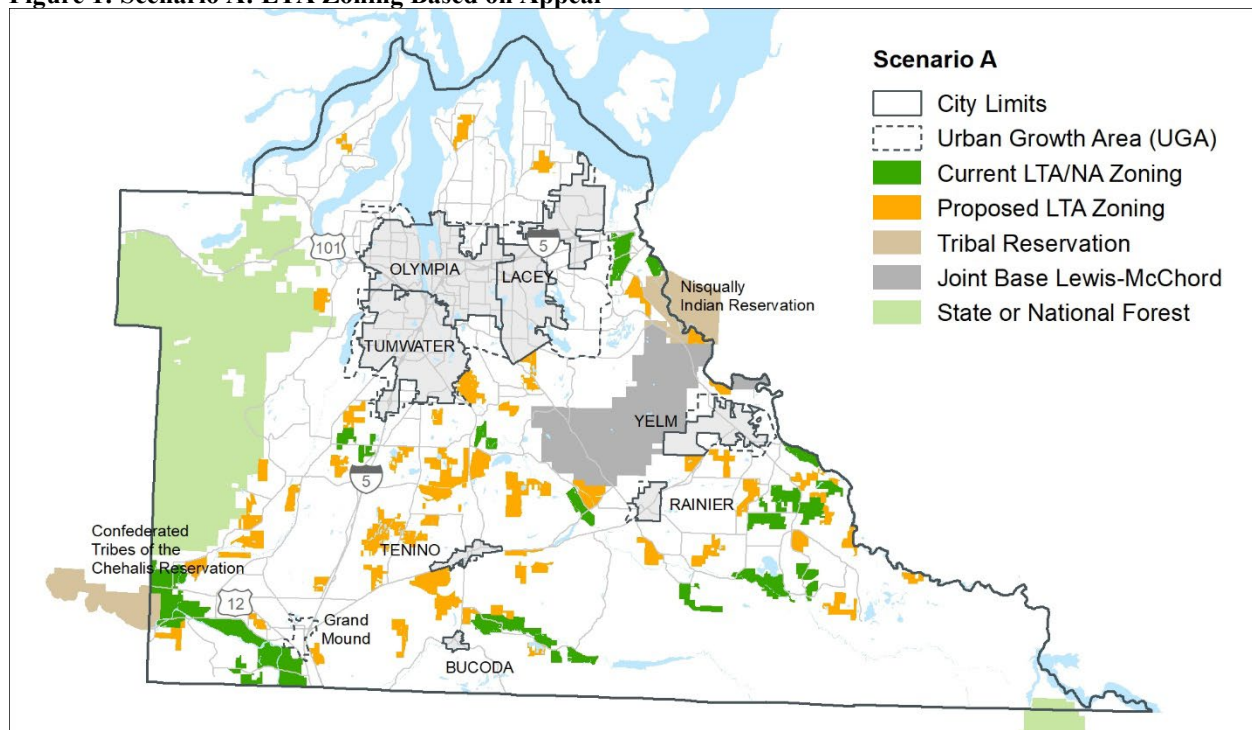


Figure 2: Scenario 1: LTA Zoning Based on Stakeholder Group Themes

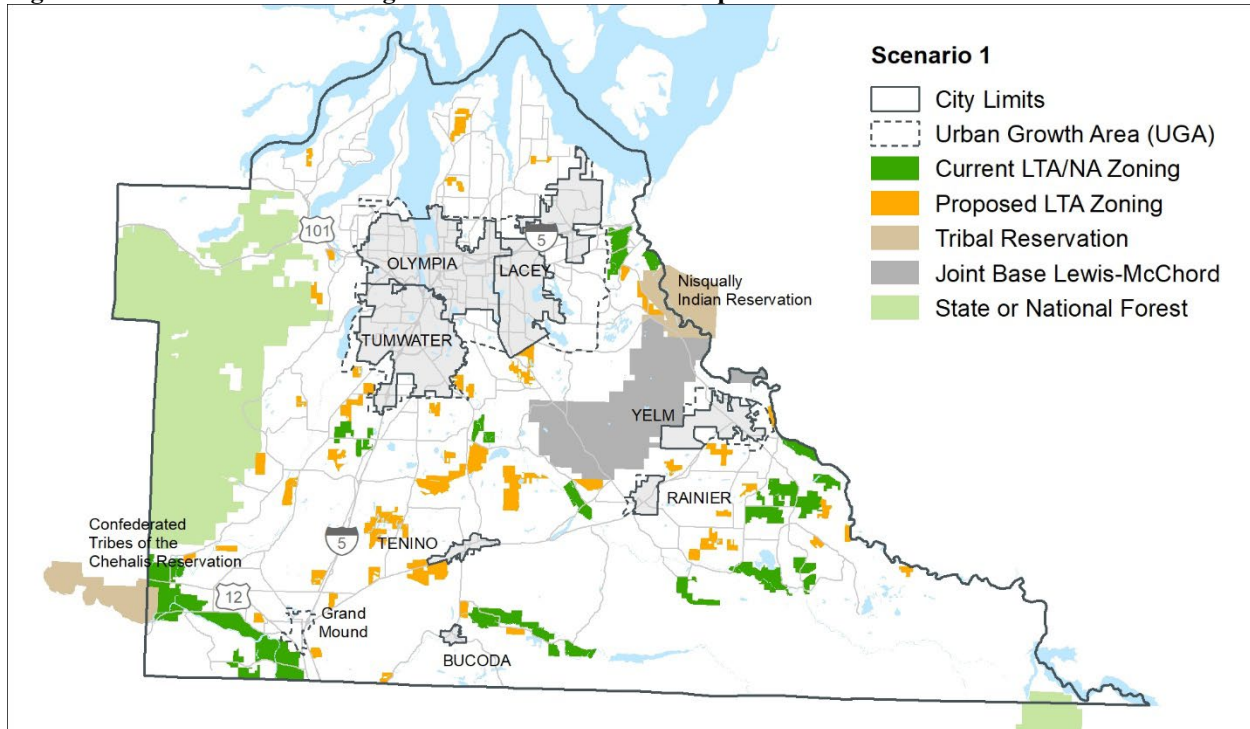
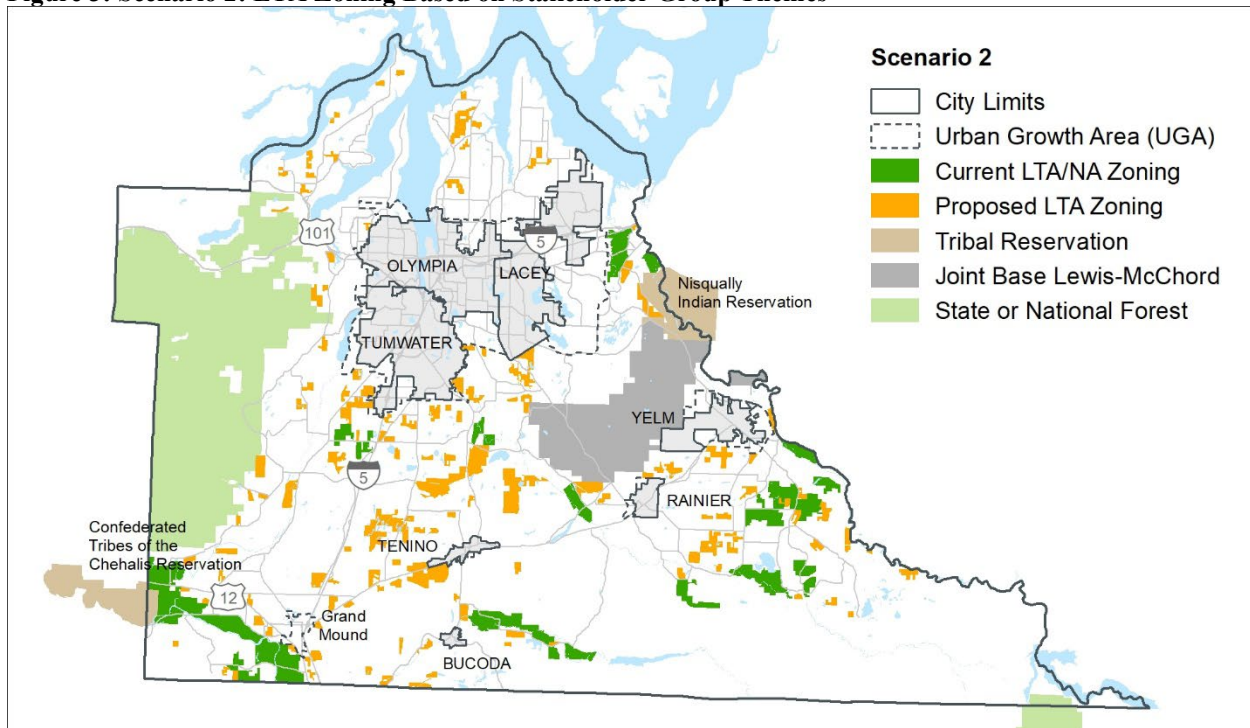


Figure 3: Scenario 2: LTA Zoning Based on Stakeholder Group Themes



ASSUMPTIONS

All assumptions used in the analysis are consistent with those used in the 2021 Buildable Lands Report for Thurston County¹. The model's assumptions and the baseline outputs were reviewed by a 21-member advisory committee consisting of jurisdiction staff, members of the real estate and development community, and citizen representatives. The land capacity model was developed using zoning, land use, and development regulations as they existed in 2017. This analysis did update the zoning on eight parcels in the rural unincorporated County rezoned after 2017 (Thurston County Ordinances 15722 and 15974) which affected parcels in the study area. The model was not updated to account for any other zoning changes, nor was it updated to account for development that has occurred since 2017.

Table 1 shows the assumptions in the land capacity model for the zones relevant to the requested analysis. Parcel in four zones — R 1/10, R 1/20, RR 1/5 and RRR 1/5 — were rezoned to LTA in at least one scenario. LTA has a minimum lot size of 20 acres, or 0.05 dwelling units per acre.

Table 1: Land Use Model Zoning Assumptions

| Zone | Zone Name | Density (Units per Acre) |
|-------------|--------------------------------------|-------------------------------------|
| LTA | Long-Term Agriculture | 0.05 |
| R 1/10 | Rural 1/10 | 0.10 |
| R 1/20 | Rural 1/20 | 0.05 |
| RR 1/5 | Rural Residential (RR 1/5) | 0.20 |
| RRR 1/5 | Rural Residential/Resource (RRR 1/5) | 0.20 |

In some cases, a parcel's ownership or current land use may override these assumptions. For example, on parcels where the current use is mining or mineral extraction, the model assumes that the parcel is already fully developed, with no additional developable land in the future.

¹ <http://www.trpc.org/164>

ANALYSIS

Thurston County requested an analysis of residential capacity for each of the scenarios. “Residential capacity” is the estimated number of dwelling units that could be built on a parcel. It takes into account existing development, zoning and development regulations, critical areas, and other assumptions.

Table 2 shows the results of the land capacity analysis for the three scenarios, compared to current zoning. Residential capacity in the rural unincorporated county would be 16,707 units in Scenario A, a decrease of 1,276 units from current zoning. Capacity would be 17,326 in Scenario 1 and 16,934 in Scenario 2, a decrease of -657 and -1,049 units, respectively.

Table 3 provides the area of parcels in each zoning designation. For all scenarios, RRR 1/5 has the greatest area rezoned as LTA.

Buildable Lands Considerations

RCW 36.70A.215 requires certain counties — including Thurston County — to review development trends to ensure consistency with the goals of the state Growth Management Act and Countywide Planning Policies. This review is commonly known as the Buildable Lands Report. The most recent Buildable Lands Report for Thurston County was completed in 2021.

TRPC’s most recent population forecast² projects that about 6,400 new housing units will be built in the rural unincorporated county between 2020 and 2040 to accommodate the region’s growing population. This number is well below the estimated capacity for the rural county in all scenarios, including a reasonable market factor of 10-25%.

Model Limitations

For the purposes of this analysis, residential capacity does not take into account reductions due to non-residential uses in residential zones (such as schools, parks, and churches), capacity for accessory dwelling units or family member units, or redevelopment. These types of capacity are included in the 2021 Buildable Lands Report.

TRPC’s land capacity model uses general assumptions intended for regionwide analyses. How many dwelling units can be built or how many acres can be developed for a particular parcel is determined by jurisdiction planning or building department staff as part of the development review process. Their determinations may vary from this analysis.

² <https://www.trpc.org/DocumentCenter/View/8542> (Table 3-2)

Table 2: Capacity for New Residential Housing Units, Rural Unincorporated County

| Zoning | Residential Capacity | | | | Change in Capacity | | | Percent Change in Capacity | | |
|-----------------------|----------------------|---------------|---------------|---------------|--------------------|-------------|---------------|----------------------------|------------|------------|
| | Current Zoning | Scenario A | Scenario 1 | Scenario 2 | Scenario A | Scenario 1 | Scenario 2 | Scenario A | Scenario 1 | Scenario 2 |
| LTA | 351 | 1,003 | 654 | 815 | 652 | 303 | 464 | 186% | 86% | 132% |
| R 1/10 | 212 | 179 | 186 | 163 | -33 | -26 | -49 | -16% | -12% | -23% |
| R 1/20 | 371 | 339 | 360 | 357 | -32 | -11 | -14 | -9% | -3% | -4% |
| RR 1/5 | 251 | 189 | 179 | 167 | -62 | -72 | -84 | -25% | -29% | -33% |
| RRR 1/5 | 13,916 | 12,115 | 13,065 | 12,550 | -1,801 | -851 | -1,366 | -13% | -6% | -10% |
| Other Zones | 2,882 | 2,882 | 2,882 | 2,882 | 0 | 0 | 0 | 0% | 0% | 0% |
| Total Capacity | 17,983 | 16,707 | 17,326 | 16,934 | -1,276 | -657 | -1,049 | -7% | -4% | -6% |

Table 3: Acres for Select Zones, Rural Unincorporated County

| Zoning | Acres | | | | Change in Acres | | | Percent Change in Acres | | |
|--------------------|----------------|----------------|----------------|----------------|-----------------|------------|------------|-------------------------|------------|------------|
| | Current Zoning | Scenario A | Scenario 1 | Scenario 2 | Scenario A | Scenario 1 | Scenario 2 | Scenario A | Scenario 1 | Scenario 2 |
| LTA | 14,489 | 36,643 | 27,018 | 33,441 | 22,154 | 12,529 | 18,952 | 153% | 86% | 131% |
| R 1/10 | 4,961 | 4,359 | 4,420 | 3,922 | -601 | -541 | -1,039 | -12% | -11% | -21% |
| R 1/20 | 14,357 | 11,461 | 12,639 | 12,494 | -2,896 | -1,718 | -1,863 | -20% | -12% | -13% |
| RR 1/5 | 2,193 | 1,818 | 1,794 | 1,675 | -375 | -399 | -518 | -17% | -18% | -24% |
| RRR 1/5 | 167,840 | 149,558 | 157,969 | 152,309 | -18,282 | -9,871 | -15,531 | -11% | -6% | -9% |
| Other Zones | 192,287 | 192,287 | 192,287 | 192,287 | 0 | 0 | 0 | 0% | 0% | 0% |
| Total Acres | 396,127 | 396,127 | 396,127 | 396,127 | 0 | 0 | 0 | 0% | 0% | 0% |

Note: Area excludes rights of way

ATTACHMENT C

DRAFT

COMPREHENSIVE PLAN CHANGES

| | |
|--------------------------|---------------------------|
| <u>Underlined</u> | - new text |
| Strikethrough | - removed text |
| (...) | - omitted text, unchanged |

CHAPTER 2

LAND USE

I. INTRODUCTION

This chapter of the Comprehensive Plan depicts the future pattern of public and private use of the land in unincorporated Thurston County, and serves as both the Land Use and Rural Elements as they are defined by the Washington State Growth Management Act (GMA).

The Land Use Chapter includes county-wide population projections and the methodology used to derive these projections, population densities, and future land use designations, as well as the process and criteria for making those designations. The Land Use Chapter works in concert with the other chapters of the Comprehensive Plan to meet the requirements of the GMA (see sidebar).

The Land Use Chapter also identifies the location of urban growth areas (UGAs) around incorporated cities and towns. However, this chapter does not include land use designations for the UGAs. The respective city/county joint plans provide that information. Likewise, the Grand Mound Subarea Plan contains the future land use map for the Grand Mound UGA.

GROWTH MANAGEMENT REQUIREMENTS

The Growth Management Act requires a Land Use Element:

“...designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of ground water used for public water supplies. Whenever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and stormwater run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.”

RCW 36.70A.070(1)

Some Land Use topics are covered more fully in other chapters of the Comprehensive Plan:

- ❖ Public utilities are covered in Chapter 7 – Utilities
- ❖ Review of drainage, flooding, and stormwater are covered in Chapter 7 – Utilities and Chapter 9 – Environment
- ❖ Measures protecting water quality and quantity are covered in Chapter 9 – Environment
- ❖ Measures promoting physical activity are covered in Chapter 11 – Health

(...)

Land Use

THURSTON COUNTY COMPREHENSIVE PLAN

~~Adepted December 2020~~ Planning Commission Draft – May 2023

plan. Rural area lands are designated according to the land use guidelines above. See Table 2-3, below, for the percentage of land allocated to different rural uses.

Table 2-3

Percentage of Land Allocated for Rural Uses⁴

| Land Use Category | Total Acres | Percent Designated |
|--|---|-------------------------------------|
| Designated resource use (designated agriculture, forestry, and mineral lands) ⁵ | 156,512 <i>(with mineral lands overlay: 296,795)</i> | 39.8% <i>(75.5%)⁶</i> |
| Rural (residential density 1 dwelling unit per 20 acres) | 14,176 | 3.6% |
| Rural (residential density 1 dwelling unit per 10 acres) | 4,978 | 1.3% |
| Rural resource and residential (residential density 1 unit per 5 acres) | 177,116 | 44.9% |
| Urban Reserve (residential density 1 unit per five acres) | 1,752 | 0.4% |
| Limited Areas of More intensive Rural Development (LAMIRDs) (densities greater than 1 dwelling unit per 5 acres) | 10,082 | 2.6% |
| Public Parks, Trails, and Preserves and Educational Institution Lands | 9,393 | 2.4% |
| Military Reservation | 18,404 | 4.7 % |
| Rural commercial and industrial use | 870 | 0.2% |
| Totals | 393,283 | 100% <i>(135.6%)</i> |

Commented [MT1]: Updates will be made based on any changes as an outcome of this process.

Commented [MT2]: Update: may increase

Commented [MT3]: Update: may decrease

Commented [MT4]: Update: may decrease

Commented [MT5]: Update: may decrease

⁴ Excludes all lands within Urban Growth Areas, areas covered by water, public and railroad rights-of-way. Source: Thurston County Geo Data & Buildable Lands Work Program, Thurston Regional Planning Council.

⁵ Low density residential uses are permitted in some of these areas, at densities ranging from 1 unit per 20 acres to 1 unit per 80 acres. Note that agriculture, forestry, and mining activities occur throughout the county, not just on land dedicated for these purposes. See Chapter 3.

⁶ Accounts for mineral lands designation, which is an overlay on other land use designations.

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The actual use of land may be different than the use for which it is designated. For example, nonconforming residential uses may exist in commercial or industrial areas, agriculture is a permitted use in all rural residential areas, and some designated mineral land is not yet mined. The designation categories are described in detail, below.

1. Rural resource and low density residential designations

About 90.3 percent of rural Thurston County is designated for resource and low density residential uses appropriate for maintaining rural character (see Table 2-3). These areas include designated forestry and agricultural lands of long-term commercial significance (see Chapter 3 for further discussion of designated resource lands and other natural resource uses). Other lands allow for rural residential uses. Low density residential designations will include lands that have soil composition and other characteristics suitable for forestry, farming, and mineral resource extraction and allow for as well as for natural resource activities such as agriculture, forestry, and mining. The purpose, characteristics, and location guidelines for each rural resource and low density residential category are described below.

| FORESTRY | |
|--------------------------------|---|
| Purpose | <p>To conserve forest lands of long-term commercial significance.</p> <p>To maintain and enhance resource-based industries.</p> <p>To discourage residential encroachment and other incompatible development from long-term forest lands.</p> <p>To promote and protect forestry and its dependent rural community through the enhancement, protection, and perpetuation of the ability of private and public landowners to grow and harvest timber.</p> |
| Definition and Characteristics | <p>This designation includes lands meeting the Growth Management Act definition for forest lands of “long-term commercial significance.” They are lands characterized by existing commercial resource production and have soils and other physical characteristics that are specially suited for timber production. Existing designated Forestry areas include much of the Bald Hills in southern Thurston County and the Black Hills in the western part of the county.</p> <p>Within designated forest lands, residential densities are limited to one unit per 80 acres, except for smaller ownerships (less than 640 acres in size) where residences, if clustered, can achieve a density of one unit per 20 acres.</p> |

Adopted December 2020 Planning Commission Draft – May 2023

FORESTRY

| | |
|-----------------------|---|
| | Additionally, legal lots from 10 to 39.99 acres in size, under the same ownership since August 23, 1993, may be divided one time into a maximum of two lots. |
| Locational Guidelines | The criteria for locating designated Forestry areas are based on the physical growing conditions of the land as well as the proximity to population areas and the possibility of more intense uses of the land. The full set of criteria is listed in Chapter Three - Natural Resource Lands. |

AGRICULTURE

| | |
|--------------------------------|--|
| Purpose | <p>To conserve agricultural lands of long-term commercial significance <u>that are or can be</u> used for the production of crops, livestock or other agricultural products.</p> <p>To discourage residential encroachment and other incompatible development from long-term agricultural lands.</p> <p>To encourage the continued viability of agriculture.</p> <p>To encourage property owners to maintain property in agriculture uses.</p> <p>To promote and protect agriculture and its dependent rural community through the enhancement, protection, and perpetuation of the ability of the private sector to produce food and fiber.</p> |
| Definition and Characteristics | <p>This designation includes lands meeting the Growth Management Act definition for agricultural lands of “long-term commercial significance.” They are lands characterized by existing commercial resource production <u>or lands that may be used for commercial resource production</u> and have soils and other physical characteristics that are specially suited for agricultural production. Existing designated Agriculture areas include portions of the Nisqually, <u>Black, Deschutes</u>, Chehalis and Skookumchuck River Valleys, among other areas <u>throughout the County</u>. Within the designated lands in the Nisqually Valley, residential densities are limited to one unit per 40 acres, unless</p> |

Commented [MT6]: Update as needed

(...)

| RURAL RESIDENTIAL AND RESOURCE -- ONE UNIT PER FIVE ACRES | |
|---|--|
| Purpose | <ul style="list-style-type: none">• To maintain the rural character of the county.• To buffer environmentally sensitive areas and resource management areas from incompatible activities.• To maintain a balance between human uses and the natural environment. |
| Definition and Characteristics | Primary land uses in the one unit per five acre areas are resource-oriented (farming, forestry, mineral extraction), open space, and low density residential. Residential use may be limited due to physical land capability constraints, including the presence of critical areas. Innovative techniques are used by the County to provide a variety of rural densities within this designation. |
| Locational Guidelines | <p><i>Land Capability and Environmental Characteristics.</i> This designation is appropriate for lands that may have severe soil limitations, critical areas and/or very limited ground water. Lands subject to this designation may be located within the adjacent uplands to an aquaculture management district or “natural” shoreline under the Shoreline Management Program.</p> <p><i>Natural Resources.</i> The area has moderate potential for farming, or moderate potential for forestry management, or may be adjacent to long-term resource lands.</p> <p><i>Public Services.</i> The area is too far from the urban area to enable cost-effective provision of public services. Uses do not require extension or provision of urban services.</p> <p><i>Existing Land Uses.</i> The land is generally in parcels five acres or larger in size.</p> |

(...)

(...)

Land Use

THURSTON COUNTY COMPREHENSIVE PLAN

~~Adepted December 2020~~ Planning Commission Draft – May 2023

4. Residential use near designated long-term agriculture or forestry areas, designated mineral lands, and other natural resource lands should be developed in a manner that minimizes potential conflicts and reduces unnecessary conversion of farm and forest land. When mechanisms such as clustering and buffering are used, these mechanisms should be scaled, located, and designed to maintain rural character and environmental quality.
5. Residential use occurring on active farms with prime farmland soils that are not designated long-term agriculture should be developed through clustering to conserve underlying prime soils for farming operation.
5. Agriculture and forestry should be accommodated on rural lands in addition to designated long-term resource lands. The development of rural areas for residential uses should not preclude the use of land for agriculture or timber production. Mineral extraction consistent with the provisions of this plan should be permitted through a special use process.
6. Home-based occupations and industries should be allowed throughout the rural area provided they do not adversely affect the surrounding residential uses or rural character.
7. Isolated commercial and industrial businesses in the rural area, legally established on or before July 1, 1990, that may not be principally designed to serve the existing or projected rural population and nonresidential uses, but do provide job opportunities for rural residents, should be allowed to expand or change use provided the expansion or conversion does not constitute new urban development in the rural area, is contained on the same lot as the existing use, is visually compatible with the surrounding rural area, and detrimental impacts to adjacent properties will not be increased or intensified.
8. New industrial uses in rural areas (other than small scale home-based industries) should generally be those appropriate to the lower densities and land uses of rural areas, such as:
 - a. Industries related to and dependent on natural resources of agriculture, aquaculture, timber, and minerals and
 - b. Industries that are functionally and visually compatible with the character of the rural area and dependent upon a rural setting.
9. Neighborhood convenience commercial uses should be permitted throughout rural areas, located at road intersections and taking access from collector or arterial roads. Generally, other types of commercial uses should locate in the urban area, the rural towns, or in rural commercial centers.
10. Rural commercial centers should be designated as limited areas of more intensive rural development (LAMIRDs) using the criteria established in RCW 36.70A.070(5)(d). Rural commercial centers should be designated only for identified rural community areas, like Rochester and Steamboat Island Road at Highway 101. These centers should serve a larger rural community than neighborhood convenience and have a greater variety of uses, while maintaining a rural character.

Commented [MT7]: New policy to pair with cluster overlay concept

(...)

CHAPTER 3

NATURAL RESOURCE LANDS

I. INTRODUCTION

The Natural Resource Lands chapter of the Comprehensive Plan addresses goals and policies for the four main resource lands in Thurston County: agriculture, aquaculture, forestry, and minerals. Natural resource lands are key to Thurston County's economy, community, and history. These areas provide valuable products and raw materials that support jobs, create tax revenues, and are important components to the local and regional economies. Additionally, natural resources also provide aesthetic, recreational, and environmental benefits to the public. Protection and enhancement of these natural resource lands is paramount to the county and its citizens.

Thurston County implements GMA's statewide goal (see sidebar) through policies and programs tailored to our local community's vision for the County's natural resources. This chapter is separated into sections by the four major natural resource industries:

- ❖ Agriculture
- ❖ Aquaculture
- ❖ Forestry
- ❖ Mineral resources

2019 Update: Critical Issues

- ❖ Increasing population, development, and incompatible uses near resource industries or lands;
- ❖ An aging population in the agricultural industry;
- ❖ Pressure on rural resource lands from increasing urban growth;
- ❖ Regulatory obstacles, such as lack of supporting infrastructure.

GROWTH MANAGEMENT REQUIREMENTS

The Growth Management Act (GMA) sets the following goal for natural resource industries:

"Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands and discourage incompatible uses."

RCW 36.70A.020 (8)

To support this goal, counties planning under GMA must:

- ❖ designate agricultural lands, forestlands, and mineral resource lands "not characterized by urban growth and that have long-term significance" for the commercial production of that resource.

RCW 36.70A.170

- ❖ adopt development regulations "to assure the conservation of [designated] agricultural, forest, and mineral resource lands."

RCW 36.70A.060

(...)

Adopted December 2020 DRAFT 2023

recognize the need to protect the environment. Farmers take responsibility to preserve soil fertility and ground and surface water quality, and to promote a land stewardship ethic for existing and future generations.

B. BACKGROUND:

Agriculture in Thurston County has an important and varied role. ~~Although Thurston County is not often noted as a farming county, While Thurston County has grown at a rapid pace and lost to development more than half the land that was farmed 50 years ago, the County still retains 150,000 acres of prime agricultural soils as mapped by the United States Department of Agriculture. Those prime soils are distributed widely throughout the county, including within urban growth areas. Not all areas that have prime soils will be suitable for commercial agriculture.~~ Local commercial agriculture accounts for almost 15 percent of the County's land use and produces over \$120 million worth of farm products a year.¹ According to data collected for the Thurston County Voluntary Stewardship Program, land used for agricultural activities within the County is estimated at 125,600 acres, and accounts for nearly 25 percent of land use when non-commercial agriculture is included.² A thriving local agricultural industry is essential to the long-term sustainability of the community. It preserves nonrenewable resource land, enhances regional self-reliance for food and jobs, maintains diversity of the local economy, reduces dependence on petroleum products, and increases the quality of life. Many local farms provide additional benefits to the larger community such as flood control, wildlife habitat protection, nutrient cycling, and scenic open space. Some farms also provide seasonal recreation opportunities, such as corn mazes, U-pick farms, pumpkin patches, hay rides, Christmas fairs, and petting zoos. As the county's population continues to grow, the need for conservation measures to protect agricultural resources intensifies because of increased development pressure on farmlands and greater local demand for agricultural products. This interconnection between urban and rural residents within the county and local farmers points to the need for community-wide awareness, appreciation, and support for farming.

C. FARMING DIVERSITY AND MARKETS:

Thurston County products range from nursery stock to hay, from strawberries to dairy products, representing the diversity of our local resources. According to the 2017 USDA Agricultural Census, Thurston County has 25 percent pastureland, 35 percent cropland, 13 percent other, and 27 percent woodland (Figure 3-1). Most of the top-ranked producer counties in Washington do not have the same agricultural diversity as Thurston County. This diversity is possible due to the unique soil and water resources that occur here and the variety of markets available for farm products. ~~The county has a diversity of soils – sandy well drained, clay loam soils, loamy sand, prairie soils – spread throughout the county. For example, sandy, well-drained soil types in areas throughout the county give rise to very successful seedling tree enterprises. These soils allow for~~

¹ USDA. (2012). Census of Agriculture: Thurston County Profile. *United States Department of Agriculture*.

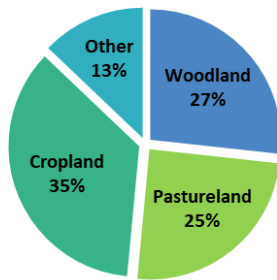
² Thurston County. (March, 2017). Voluntary Stewardship Program: Appendix H – Thurston County Baseline Conditions & Existing Information. *Thurston County*, p. 26.

Adopted December 2020 DRAFT 2023

~~the planting and harvesting of plants during wet weather, when other soils are impossible to work. This characteristic allows crops to be grown here that are difficult to grow on heavier soils.~~ In addition, clean water from relatively shallow aquifers provides for the irrigation needs of a variety of different crops.

Thurston County has a diversity of types and sizes of farms. Farms in Thurston County come in sizes from less than an acre to more than a thousand acres. The average agricultural parcel size for in Thurston County is 15.5 acres.³ They include larger-scale commercial farms, organic farms, historic family farms, smaller-scale, close-to-market produce farms, orchard farms, and part-time farming operations. Community-Supported Agriculture (CSA) farms have become popular within the county, providing a direct relationship between the consumer and the farm on which an agricultural product is raised. Over 60 local farms sell their produce directly to consumers, through Farmers Markets, U-Pick, special orders, and roadside farm stands.⁴ Fish farming operations have also located here, finding substantial quantities of clean water, an important factor in the successful

Agricultural Make-Up of Thurston County in 2017



rearing of fish (see Aquaculture section, below). Along with chickens, cows, and sheep, Thurston County farmers raise alpacas, llamas, emus, and other diverse types of livestock. Several turf-growing companies have also located in Thurston County partly because of the county's proximity to a major marketing area and because of the availability of good farm ground. Proximity to markets has been a factor in sustaining the county's egg and poultry producers (Thurston County leads the state in egg production with an inventory of 1,433,800 "layers", or 20 percent of the states total, in the 2017 USDA Census of Agriculture).

Figure 3-1. Agricultural Makeup of Thurston County
SOURCE: UNITED STATES DEPT. OF AGRICULTURE, CENSUS OF AGRICULTURE, 2017

Farmers in Thurston County are affected by changing conditions: markets, federal, state and local regulations, land costs, water rights issues, and land uses

surrounding farming areas. Long-term trends show a loss in farmland (6,500 acres since 2000; 90,000 since 1950); an aging farm population with an average age of 59; development pressure

³ Calculated by taking the average parcel size of all parcels that are current use agriculture, agriculture not in current use, or contain WSDA Cropland (2017) mapped on the property. This is not necessarily indicative of farm size, since some farms may have several parcels.

⁴ South Sound Community Farm Land Trust. (2017). South of the Sound Community Farm Land Trust 2017 Farm Map.

(126,000 new residents by 2040) that leads to increase in land cost; and continued loss of large farms and contiguous farmland.⁵ Thurston County lost more than 14,000 acres of farmland over the past five years, down to 62,250 in 2017 from 76,638 in 2012.⁶ Figure 3-2 illustrates the decline in average farm size since 1997. In the year 2017, there were fewer large farms than previous years. Since 2012, there has been a decrease in the number of farms on less than 10 acres.

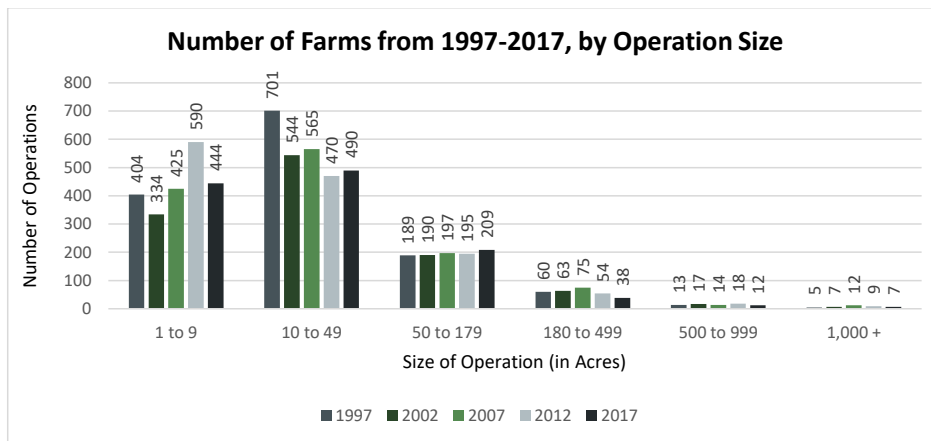


Figure 3-2. Number of Farms from 1997-2017, by operation size.

SOURCE: UNITED STATES DEPT. OF AGRICULTURE, CENSUS OF AGRICULTURE, 2017.

According to the *South Puget Sound Agricultural Producer Needs Assessment* (WSU, 2017), top identified need areas include regulatory reform; capital, equipment, and infrastructure; access to productive resources including land and water; research, education, networking and information resources; and market access.

Farmers in Thurston County, regardless of farm size or commodity produced, share a common sense of stewardship and love of the land. Farmers and residents that benefit from fresh, local agricultural products want farming to continue in this county. Due to market and regulatory issues which are outside the control of local farmers, there is a need for a comprehensive approach to maintain the commercial viability of local agriculture. Farmers need to be flexible and capable of growing a diversity of crops to remain competitive, and there needs to be a program of community support for local agriculture. There is also a need for protection of an affordable land base, soil

⁵ Bramwell, S., Moorehead, S., Meade, A., Sero, R., Gray, S., and Miles Nowlin. (2017). "South Puget Sound Agricultural Producer Needs Assessment". *Washington State University*.

⁶ USDA. (2017). Census of Agriculture: Thurston County Profile. *United States Department of Agriculture*.

fertility, and ground and surface water quality and quantity, in order to maintain and enhance resource opportunities for existing and future generations.

D. EXISTING PROGRAMS TO SUPPORT AGRICULTURE

An overriding philosophy in this Plan is that in order to preserve agricultural land for future generations, the business of agricultural production must remain economically viable. Agricultural producers serve a vital role in the care and management of ~~prime agriculture agricultural~~ lands as well as make significant economic, cultural, and environmental contributions to the quality of life in Thurston County. This Plan places great emphasis on protecting the economic viability of agriculture businesses to encourage agricultural producers to continue to serve as stewards of the land and contributors to the quality of life in the future.

Food, feed, forage, fiber, and oil seed crops are all best produced on farmland soils that provide superior physical and chemical characteristics. Historically, valuable agricultural lands have been diverted and eliminated by urbanization in the form of low-density suburban sprawl located outside cities and their urbanized environments. Thurston County has a number of programs that exist to support agricultural viability and minimize the conversion of farmland to other uses:

Open Space Tax Program

In 1970, the Washington State Legislature passed the Open Space Tax Act, recognizing the need to protect farmlands from high property taxes in an effort to stem conversion of farmland to urban and suburban land uses. Thurston County administers the Act through a local farm and agricultural tax classification that provides eligible farmers the ability to have their productive and idled farmland taxed at its current use, instead of its "highest and best use." This significant property tax savings helps reduce pressures to convert farmland, and helps relieve speculative land values which drive up property tax assessments. While many farmers are currently enrolled in this program, some are not or do not know how to enroll. In 2017, approximately 8 percent of the County's lands were enrolled in an Open Space program related to agriculture. Of those lands enrolled, 88 percent was enrolled as current use agriculture, and the remaining 12 percent was enrolled as open space, which can include idled farmland. The policies and action recommendations provide for encouraging enrollment and publicizing the program.

Another threat to increased farmland tax values is taxes or assessments for sewer, water, public utility districts, local improvement districts, and utility local improvement districts. The policies discourage the inclusion of farmland in these districts.

Voluntary Stewardship Program (VSP)

The Voluntary Stewardship Program was created under the Growth Management Act ([Chapter 36.70A RCW](#)) in 2011 to give counties the option to use locally driven watershed-based plans and incentive-based tools to protect critical areas located on agricultural lands. Prior to 2011, the main tool for counties to ensure protection of critical areas on agricultural land was regulation. Regulation of agricultural land can threaten farm viability and lead to legal battles. The VSP provides an alternative approach to balance the protection of critical areas with agricultural viability.

It is this land ethic that drives the newly developed Voluntary Stewardship Program (VSP) in Thurston County. Instead of enacting further critical areas regulation on agricultural lands, the VSP allows the county and a technical assistance provider to work closely with landowners to develop voluntary, site-specific stewardship plans. The VSP is a watershed-wide, incentive-based approach to protect and voluntarily enhance critical areas while maintaining and improving the long-term viability of agriculture.

In addition to protecting critical areas, the VSP is a collaborative effort that is working to fill some of these needs and provide a comprehensive approach to maintain the long-term viability of local agriculture. In order to remain viable, agriculture requires adequate water and land with good soil to produce healthy crops of food, fiber, and fuel. The VSP is one of the methods that the County is using to reduce threats to the economic viability of local agriculture, reduce farmland conversion, and ensure food security.

Conservation Futures

Conservation Futures is a land preservation program authorized by RCW 84.34.200 that protects, preserves, maintains, improves, restores, and limits the future use of threatened areas of open space, timberlands, wetlands, habitat areas, culturally significant sites, and agricultural farmlands within Thurston County. Thurston County established a Conservation Futures program in 1989. Conservation Futures funds, acquired through a property tax levy, may be used for the following approaches to agricultural land conservation:

❖ Purchase of Development Rights (PDR)

Thurston County established a Purchase of Development Rights Program (PDR) in 2011. This program authorizes Thurston County and other qualified conservation programs to purchase development rights with the intent to preserve farmland. Land owners are compensated when they agree to conserve their land. Generally, property owners retain ownership and continue to reside on their lands under the PDR program. The PDR program is open to all lands that meet the definition of agricultural lands, as defined by the Open Space Tax Program (RCW 84.34.020).

❖ Fee Simple Purchase

This program is the acquisition of land by a land trust or conservation agency. The land may be leased or sold to farmers who agree to use the land for agricultural purposes. Land trusts own the land in a fee simple purchase, and have the greatest control over how the land is managed. Some tools to create affordable access include allowing long-term leases or sale of land in exchange an agreement to use sustainable agricultural practices.

❖ Agricultural and Conservation Easements

Conservation easements are a voluntary legal agreement between a landowner and a land trust, where the use of the property is permanently limited in order to protect agricultural or conservation value. In the case of an agricultural conservation easement, continued agricultural use is required, but land owners may continue to occupy the land.

Transfer of Development Rights (TDR)

Thurston County's Transfer of Development Rights Program (TDR) allows agricultural land owners to realize the value of their land without having to sell the property for development. The County's Transfer of Development Rights Programs allows property owners of land in the Long-term Agriculture zoning district (Sending Area) to gain credit for unused development rights that can be sold and transferred to another property in an urban area (Receiving Area). This approach helps to preserve the rural character and agricultural economy of Thurston County.

Table 3-1. Acres of Land Enrolled in Agricultural Protection Programs

| Program | Acres Enrolled |
|---------------------------------------|----------------|
| Open Space Tax Program | 38,809 |
| Voluntary Stewardship Program | N/A |
| Transfer of Development Rights | 181 |
| Purchase of Development Rights | 942 |
| Fee Simple Purchase | 302 |
| Agricultural & Conservation Easements | 2,095 |

DATA RETRIEVED FROM: THURSTON COUNTY ASSESSOR'S PARCEL DATA (MARCH 14, 2018), TRPC (2017)

As of 2017, approximately 38,809 acres of land were enrolled in Open Space as Current Use Agriculture or Farm and Agricultural Conservation Land, 181 acres enrolled in TDR, 942 acres in PDR, 302 acres of land under a fee simple purchase, and 2,095 acres of land under an agricultural/conservation easement.⁷

E. AGRICULTURAL LANDS OF LONG-TERM COMMERCIAL SIGNIFICANCE:

The Growth Management Act (RCW36.70A.170) requires counties to designate agricultural lands of long-term commercial significance. Designation of agricultural lands of long-term commercial significance intends to conserve lands that are used or can be used for commercial agriculture use, while discouraging residential encroachment and other incompatible development, and to encourage continued viability of agriculture. The designation does this primarily by limiting the number of houses on a property within it, limiting uses and development on prime farmland soils to

⁷ TRPC (2017). "Farmland Zero Net Loss". *Thurston Regional Planning Council*.

Adopted December 2020 DRAFT 2023

those that support agriculture, and by notifying nearby neighbors that agricultural uses could occur nearby which might cause dust, noise, and odors.

In 2006, the Washington State Supreme Court clarified the definition of “agricultural land” by stating:

[w]e hold that agricultural land is land: (a) not already characterized by urban growth (b) that is primarily devoted to the commercial production of agricultural products enumerated in RCW 36.70A.30(2), including land in areas used or capable of being used for production based on land characteristics, and (c) that has long-term commercial significance for agricultural production, as indicated by soil, growing capacity, productivity, and whether it is near population areas or vulnerable to more intense uses. We further hold that counties may consider the development-related factors enumerated in WAC 365-190-050(1) in determining which lands have long-term commercial significance. Lewis County v. Hearings Bd., 157 Wn2d 488 (2006) at page 502.

Criteria used to designate agricultural land of long-term commercial significance are based on: (1) the Washington State Supreme Court’s Definition of agricultural lands found in *Lewis County v. Hearings Bd.*, 157 Wn.2d 488 (2006); (2) the Washington State Department of Commerce (COM) guidelines for the classification and designation of resource lands; (3) existing Thurston County policies; and (4) an analysis of local conditions. These criteria include:

1. Soil Type:

The classification and identification of agricultural lands of long-term commercial significance is based upon the land capability classification system of the United States Department of Agriculture Handbook No. 210. Those classes of agricultural lands are based upon consideration of growing capacity, productivity, and soil composition. They have been incorporated into map units of the Department’s soil surveys. Thurston County uses prime farmlands as listed in the Natural Resources Conservation Service, United States Department of Agriculture Web Soil Survey (2022). The following list of prime farmland soils in Thurston County is based on the Soil Conservation Service’s Soil Survey of Thurston County, Washington, 1990.

Designated lands should include **predominantly (50% or more)** prime farmland soils. Future designations of agricultural lands of long-term commercial significance should incorporate the most recent soils list from the USDA Natural Resources Conservation Service. The enumerated list of prime farmland soil types below is not intended as exclusive criteria.

| SCS Map Unit # | Soil Description |
|----------------|---|
| 14 | Bellingham silty clay loam (where drained)* |

Commented [MT1]: Baseline: as written
Scenario 1: at least 75% or more prime farmland soils
Scenario 2: at least 75% or more prime farmland soils

Commented [MT2]: Recommendation from stakeholder member to remove list completely or place in an appendix.

Struck from chapter, moved to Appendix C.

Adopted December 2020 DRAFT 2023

| | |
|-----|---|
| 26 | Chehalis silt loam |
| 29 | Dupont muck (where drained)* |
| 31 | Eld loam |
| 36 | Everson clay loam (where drained)* |
| 37 | Galvin silt loam, 0 to 5 percent slope |
| 38 | Giles silt loam, 0 to 3 percent slope |
| 41 | Godfrey silty clay loam (where drained)* |
| 50 | Kapowain silt loam, 0 to 3 percent slope |
| 64 | Maytown silt loam |
| 69 | Mukilteo muck (where drained)* |
| 70 | Mukilteo muck (drained)* |
| 71 | Newberg fine sandy loam |
| 72 | Newberg loam |
| 73 | Nisqually loamy fine sand 0-3 percent slope (where irrigated) |
| 75 | Norma fine sandy loam (where drained)* |
| 76 | Norma silt loam (where drained)* |
| 86 | Prather silty clay loam, 3 to 8 percent slope |
| 88 | Puget Silt loam (where drained)* |
| 89 | Puyallup silt loam |
| 97 | Salkum silty clay loam, 3 to 8 percent slope |
| 100 | Scamman silty clay loam, 0-5 percent slope (where drained)* |
| 104 | Semiahmoo muck (where drained)* |
| 105 | Shalcar muck (where drained)* |
| 106 | Shalcar Variant muck (where drained)* |
| 107 | Skipopa silt loam, 0-3 percent slope |
| 115 | Sultan silt loam |
| 120 | Tisch silt loam (where drained)* |
| 126 | Yelm fine sandy loam, 0 to 3 percent slope |

** Large areas which are known to qualify as Class I wetlands, (wetlands with threatened or endangered species) and which are not already in agricultural use, should be excluded from designation.*

2. The Availability of Public Facilities and Services:

Since lands within Urban Growth Areas, as established within this Comprehensive Plan, are intended to be served by public facilities and services within a twenty-year period, agricultural lands of long-term commercial significance should be located outside of these boundaries.

Commented [MT3]: Not currently applying this criteria when mapping designation. Suggestion is to remove. Wetlands are protected through CAO regulations at site level, through permitting and also under the SMP shoreline designations.

3. Land Capability and Tax Status:

Designated agricultural lands should include only areas that are primarily devoted to the commercial production of agricultural products enumerated in RCW 36.70A.030(2), including land in areas used or capable of being used for production based on land characteristics. Aerial photograph interpretation can identify areas used for agriculture. Historic use information, current use information (including enrollment in the open space tax program) and soil types can help identify lands capable of being used for agriculture; however, these are not the only methods for determining land capability for agriculture.

4. Relationship or Proximity to Urban Growth Areas:

Since lands within Urban Growth Areas, as established within this Comprehensive Plan, are intended to be developed at urban densities over a twenty-year period, agricultural lands of long-term commercial significance should be located outside of those boundaries. Furthermore, designated agricultural lands should be separated from urban residential densities by a natural or man-made feature, (e.g., railroad, road, or river), in order to avoid potential land use conflicts.

5. Predominant Parcel Size:

For Thurston County, the predominant parcel size is 20 acres or more, which, in conjunction with soil type, provides economic conditions sufficient for managing agriculture lands for long-term commercial production.

Commented [MT4]: Baseline: 20 acres
Scenario 1: 20 acres
Scenario 2: 15 acres

6. Land Use Settlement Patterns and Their Compatibility with Agricultural Practices:

Except within urban growth areas, adjacent residential development should be minimal and at rural densities of one unit per five acres. Recent subdivision activity near or adjacent to designated agricultural lands is an indication of settlement patterns that may have an effect on the long-term viability of agriculture. The most compatible land uses within and adjacent to long-term agricultural lands include forestry, mining, parks and preserves, and open space.

7. Proximity of Markets:

Local or regional markets should be available. Designated agricultural lands should have access to road, rail, or air transportation routes to markets.

8. Agricultural Diversity:

A diversity of agricultural activities should exist, or the area should be sufficiently large to support diverse agricultural activities. No single designated agricultural area should be smaller than 320 acres, or 200 acres if near another designated area. This helps assure land use compatibility for long-term resource use, and a diversity of agriculture uses in one area. Boundaries should follow landmarks visible on the ground when possible, to provide visual distinction of land use areas.

Commented [MT5]: Baseline: 320 acres or 200 if nearby
Scenario 1: 100 acres
Scenario 2: 40 acres

9. Environmental Considerations:

Designated agricultural lands should be outside of Natural Shoreline Environments if they are not already being used for agriculture. The Shoreline Master Program regulations

Commented [MT6]: For draft maps, current shoreline environments are used. Mapping drafts will be updated using new designations once the BoCC has taken a final action on the SMP.

Adopted December 2020 DRAFT 2023

severely limit the ability to convert such areas to agricultural uses, and from one agricultural use to another.

The above criteria were applied to all agricultural lands of Thurston County and appropriate areas were designated as areas of long-term ~~agricultural-commercial~~ significance. These lands are shown on Map N-1. ~~Also included on Map N-1 are two areas of designated agricultural lands located in the Nisqually Valley, which merit special consideration due to their contribution to the distinctive character of a picturesque rural setting of the Nisqually Subarea, as highlighted in the Nisqually Subarea Plan.~~ Lands of long-term agricultural significance are also identified as “Long-Term Agriculture” or “Nisqually Agriculture” on future land use map (Map L-1).

~~Future lands that meet these criteria may also be considered for designation at the request of the farmland owner.~~

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~~Also included on Map N-1 are two areas of designated agricultural lands located in the Nisqually Valley. These areas merit special consideration due to the unique values the Nisqually Valley holds. The following excerpt from the Nisqually Subarea Plan highlights those unique values:~~

~~"The Nisqually Planning Area serves as the eastern gateway to Thurston County. The 40 million yearly travelers along the I-5 Corridor will recognize it as one of the few undeveloped river valleys between Olympia and Everett. It is distinguished by the broad open areas of the Nisqually Wildlife Refuge north of I-5 and the rural farms south of the freeway. This picturesque rural setting is framed with a wooded hillside extending the length of the western McAllister Bluff which loops back into the valley. ...It is this combination of farm and forest, hillside and valley, or clusters of development and adjacent open areas which gives this planning area its distinctive character."~~

Commented [MT8]: Shortened, moved above, per stakeholder feedback.

Farmland within the McAllister Springs aquifer recharge area was not found to meet long-term designation criteria due to the proximity of urban land uses to the north and the sensitivity of the aquifer to pesticide and fertilizer use, which may limit the viability of some types of farming operations. Low density zoning is maintained in this area, as are special provisions to protect water quality from the adverse impacts of a variety of land uses.

Table 3-2. Acreages of Long-Term Agriculture designation within Thurston County

| Land Use Designation | Acreage |
|-----------------------|--------------|
| Nisqually Agriculture | 984 acres |
| Long-Term Agriculture | 14,894 acres |

Commented [MT9]: Table numbers would be updated with any changes, corresponding changes made to Chapter 2 numbers as well.

Commented [MT10]: Numbers may change, increase by 12,000-23,000 acres

DATA RETRIEVED FROM: THURSTON COUNTY ASSESSOR'S PARCEL DATA, MARCH 14, 2018

Currently, there are 15,878 acres of designated agricultural lands: 984 acres are designated Nisqually Agriculture, and 14,894 acres are designated Long-Term Agriculture (Table 3-2).

Becoming Designated: Future lands that meet designation criteria for agricultural lands of long-term commercial significance may also be considered for designation at the request of the land

owner. Landowners may apply to voluntarily add individual properties to the designation through a comprehensive plan amendment process. See the Goals, Objectives, and Policies section for specific requirements.

Redesignation of Agricultural Areas: While the emphasis of this Plan is to prevent the loss of agricultural lands, the County is subject to trends and events that it has little ability to control. The process and procedures used to identify and designate agricultural land are based on the best available information, and not site-specific conditions. While the areas designated for long-term agricultural use meet the primarily physical criteria for long-term commercial use, other factors, and site-site-specific conditions may arise that can render commercial agriculture activity completely non-viable. If farming economics changes so as to affect the long-term potential for farming in a substantial portion of an agriculture district, the land use designation should be reconsidered. In addition, if site-specific evidence conclusively indicates that land does not meet the criteria for designation as agricultural land, the land use designation should be reconsidered.

Piecemeal redesignation of lands within the designated agricultural areas should not be allowed. The farm areas designated as agricultural lands of long-term commercial significance were chosen because there was a critical mass of operating farms with significant investments in land, buildings, and other improvements, productive farm soils, and absence of incompatible land uses. The piecemeal redesignation of individual properties from agricultural use to residential use can have a domino effect. Conflicts between new residents and surrounding farmers make it harder for the farms to continue. These conflicts also add pressure to those surrounding farmers to seek redesignation of their land. Therefore, the reevaluation of agricultural land should occur only for whole areas of land designated as agricultural land of long-term commercial significance.

Redesignation of the agriculture areas to other land use designations should be taken up only when changes in economic conditions, surrounding land use or regulatory conditions are negatively affecting farms throughout the district, over a period of several years, or site-specific scientific evidence conclusively indicates the land does not meet the criteria for designation as agricultural land. The losses of an individual farm should not be reason, by itself, for eliminating or endangering the remaining acres of Thurston County's best resources of agricultural land in the future.

The following criteria are provided to capture, in a general way, the limited nature of the circumstances under which the County should reevaluate a whole area designated as agricultural land of long-term commercial significance.

- A. Changes in surrounding land use severely inhibit or severely interfere with continued agriculture use;
- B. Changes in market conditions severely reduce the economic viability of agriculture use; or
- C. Changes in regulatory requirements severely reduce the economic viability of agriculture use; or
- D. Site specific scientific evidence conclusively indicates the land does not meet the criteria for designation as agricultural land.

(...)

Adopted December 2020 DRAFT 2023

development patterns should not result in increased density adjacent to existing farms, and should ensure that resource use parcels intended for agricultural use can be reasonably farmed.

2. Commercial farmland owners should be encouraged to retain their lands in commercial farm production and enroll their land in the Open Space- Farm and Agriculture Tax Program.
3. Farmland owners no longer meeting commercial requirements for current use agriculture should be encouraged to enroll their land in the Open Space Tax Program as Farm and Agricultural Conservation Land.
4. In order to reduce development pressure on the farm and rural areas, future development should be directed toward designated growth areas where existing and planned services can more easily accommodate growth. Outside these growth areas, densities should remain low.

5. For rural residential lands with underlying prime farmland soils and active farms, clustering is encouraged in an effort to conserve underlying prime soils for farming operation.

Commented [MT11]: For Cluster Overlay Concept

- 5.6. Agricultural lands within the Nisqually Valley should be given a high priority for protection by means customized to the Valley's unique characteristics. Agricultural lands within the Nisqually Subarea should be protected from the encroachment of existing and potential residences within the valley and along the adjacent wooded hillsides.

- 6.7. The County should continue to develop innovative strategies for the conservation of farmland. Strategies such as rural cluster subdivisions, Purchase of Development Rights (PDR), Transfer of Development Rights (TDR), conservation easements, and the Voluntary Stewardship Program should continue to be implemented throughout the county.

- 7.8. The County should work with conservation groups and farmland owners to encourage participation in voluntary programs for the conservation of agricultural and working lands.

- 8.9. Purchase of Development Rights (PDR) and Transfer of Development Rights (TDR) Programs should be utilized as incentives for farmers to stay in agriculture on agricultural lands within the County to ensure that agricultural and working lands stay available for such uses.

OBJECTIVE B: Encourage and educate the community about the value of the county's agricultural resources.

POLICIES:

~~Adopted December 2020~~DRAFT 2023

1. The county should encourage the schools and the media to provide more information on the special problems, potential, and importance of local agriculture to all citizens.
2. The county should work with community groups to support the continued viability of agriculture and encourage community support for it.

OBJECTIVE C: Provide regulations that are supportive to long-term agricultural use.

POLICIES:

1. Farmers often need to work with a variety of federal, state, and local government regulations and agencies. Thurston County staff should be trained to assist farmers in working their way through this often time-consuming and complex process.
2. The county should encourage farmer participation in the Voluntary Stewardship Program to promote the long-term viability of agricultural activities in participating watersheds while protecting and enhancing critical areas as so to help relieve the regulatory burden.
3. The County should provide the agricultural community with an advocate, or “agricultural liaison”. The advocate will provide technical assistance, and facilitate objectives of the County’s Working Lands Strategic Plan, as well as the Voluntary Stewardship Program.
4. Noxious weeds pose a significant economic threat to agriculture. The County Noxious Weed Control Board should have the opportunity to recommend control options as part of their integrated pest management program in accordance with the proposed Ground Water Management Plan, the Thurston County Pest and Vegetation Management Policy, and any other applicable county policies.
5. Thurston County shall not be precluded from regulating agricultural chemicals if adequate protection of the resources and public health are not being met by existing regulatory agencies.
6. Within Thurston County, agricultural activities should be given protection from nuisance claims in accordance with State law, RCW 7.48.305.
7. The County should continue to work with flood agencies and neighboring jurisdictions to address ongoing flooding problems of the Chehalis River and other areas that adversely affect agricultural operations.

GOAL 2: CONSERVE AGRICULTURAL LAND OF LONG-TERM COMMERCIAL SIGNIFICANCE.

OBJECTIVE A: Prioritize agricultural lands of long-term commercial significance for conservation.

POLICIES:

Adopted December 2020 DRAFT 2023

1. Designated agricultural lands should be zoned at very low densities to ensure the conservation of the resource for continued agricultural use.
2. Non-agricultural development within designated agricultural areas should be limited to non-prime farmland soils where possible.
3. Non-agricultural development within designated agricultural areas should be compactly developed, in order to conserve the largest area possible for continued agricultural use.
- ~~3.4.~~ The County should provide flexibility for farmers by allowing a variety of associated uses that support agriculture in agriculture zones and within the agritourism overlay district, provided they are located on non-prime farmland soils when possible.
- ~~4.5.~~ The county discourages the establishment or expansion of local improvement districts, utility local improvement districts, or sewer, water or public utility districts into designated agricultural areas of long-term commercial significance.
- ~~5.6.~~ Except within urban growth areas, land uses that are adjacent to long-term commercial agriculture areas should be of compatible use, such as sawmill operations, warehousing, agri-businesses, and low density residential.
- ~~6.7.~~ Adequate water rights should be reserved for designated agricultural land of long-term commercial significance.
- ~~8.~~ The designation of agricultural land of long-term commercial significance should be reevaluated if changes in surrounding land use or farming economics create severe losses lasting several years, covering a wide range of crops or products, and affect a majority of the producers in the area.
- ~~9.~~ A landowner may submit application for inclusion in the Long-Term Agriculture designation outside of the update cycle by filing a comprehensive plan amendment. The landowner shall include:
 - a. Submittal of a master application and comprehensive plan amendment application with associated fees.
 - b. Soil survey and associated maps developed by a qualified soil scientist to provide evidence of prime soils on the property, and
 - c. Information that indicates the property meets the County's adopted designation criteria to determine the appropriateness of the proposed property for designation as an agricultural land of long-term commercial significance.
 - ~~7.d.~~ Environmental review pursuant to the State Environmental Policy Act.

Commented [MT12]: Relates to development code

~~Adopted December 2020~~DRAFT 2023

8.10. A resource use notice should be placed on any new subdivision or residential building permit located within 500 feet of designated agriculture land of long-term commercial significance, which states that a variety of commercial agricultural activities may occur that may not be compatible with residential development. The notice should also state that a person's right to recover under a nuisance claim against agricultural activities may be restricted.

OBJECTIVE B: Provide programs that help farmers of agricultural land of long-term commercial significance realize the capital from the land's development potential without converting it to non-agricultural uses.

POLICIES:

1. Educate and encourage farmers to utilize Transfer of Development Rights (TDR) and Purchase of Development Rights (PDR) programs as economic incentives to stay in agriculture.
2. Educate and encourage farmers to work with land trusts and conservation agencies to use fee simple purchase and conservation easements as economic incentives to stay in agriculture.
3. Encourage farmers to participate in the VSP to maintain and improve the long-term viability of their agricultural operations.

AQUACULTURE RESOURCES – GOALS, OBJECTIVES AND POLICIES

GOAL 3: PROTECT AND PRESERVE AQUACULTURE GROWING AREAS TO ENSURE AN ADEQUATE RESOURCE BASE FOR LONG-TERM USE.

OBJECTIVE A: The County should provide land use and water management programs to conserve and enhance commercial marine aquaculture areas and land based aquaculture for long-term economic use.

POLICIES:

1. Impacts to shellfish growing areas classified for harvest by the Department of Health should be addressed throughout County ordinances.
2. Uses of lands that are near designated marine aquacultural areas should be compatible, such as forestry and low density rural residential. Those uses should not increase stormwater runoff or otherwise degrade water quality for aquacultural use.
3. Facilities for land based and marine aquacultural operations should be protected from incompatible adjacent or nearby land uses.

EXCERPT OF APPENDIX C

Appendix C

THURSTON COUNTY COMPREHENSIVE PLAN

Adopted December 2020 DRAFT 2023

Design guidelines applicable only within the Grand Mound urban growth area were developed through a community workshop process in 1998. The design guidelines apply to commercial, industrial and multifamily developments. The purpose is to encourage the development of visually attractive developments that will give Grand Mound its own cohesive identity and distinguish it from other interchange areas along the I-5 corridor. The guidelines are also intended to promote high quality development that will enhance property values and mitigate the impacts of urban development through enhanced architectural design. (Resolution No. 12108, 12/20/99)

10. 2017 Voluntary Stewardship Work Plan

The Thurston County Voluntary Stewardship Program (VSP) is an alternative approach to protect critical areas on agricultural lands. The VSP allows the County to work closely with stakeholder to develop voluntary, site-specific stewardship plans for agricultural uses in lieu of critical areas regulations. The County submitted a plan that was approved by the Washington State Conservation Commission on April 26, 2017.

11. Natural Resources Conservation Service, United States Department of Agriculture Web Soil Survey (2022)

Thurston County bases classification and identification of agricultural lands of long-term commercial significance upon the land capability classification system of the United States Department of Agriculture Handbook No. 210. Designated agricultural lands are mapped using prime soils as listed in the Natural Resource Conservation Service USDA's Web Soil Survey, 2022 and are listed below.

| SCS Map Unit # | Soil Description |
|----------------|--|
| 1 | Alderwood gravelly sandy loam, 0 to 8 percent slopes (if irrigated) |
| 2 | Alderwood gravelly sandy loam, 8 to 15 percent slopes (if irrigated) |
| 14 | Bellingham silty clay loam (where drained)* |
| 20 | Cagey loamy sand (if irrigated) |
| 26 | Chehalis silt loam |
| 29 | Dupont muck (where drained)* |
| 31 | Eld loam |
| 36 | Everson clay loam (where drained)* |
| 37 | Galvin silt loam, 0 to 5 percent slope |
| 38 | Giles silt loam, 0 to 3 percent slope |
| 41 | Godfrey silty clay loam (where drained)* |
| 46 | Indianola loamy sand, 0 to 5 percent slopes (if irrigated) |
| 47 | Indianola loamy sand, 5 to 15 percent slopes (if irrigated) |
| 50 | Kapowsin silt loam, 0 to 3 percent slope |
| 64 | Maytown silt loam |
| 65 | McKenna gravelly silt loam, 0 to 5 percent slopes (if drained)* |

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Commented [MT1]: Recommendation from stakeholder member to remove list completely from chapter 3 or place in an appendix.

The following are new soils included with this update to LTA. 1, 2, 20, 46, 47, 65, 84, 109, 110, 114, 116, 1100, 1210, 1211, 1212, 1213, 1214, 1221, 1222, 1223, 1224, 1225, 1312, 1325, 3200, 3201, 3203, 3401, 3402

| | |
|------|---|
| 69 | <u>Mukilteo muck (where drained)*</u> |
| 70 | <u>Mukilteo muck (drained)*</u> |
| 71 | <u>Newberg fine sandy loam</u> |
| 72 | <u>Newberg loam</u> |
| 73 | <u>Nisqually loamy fine sand 0-3 percent slope (where irrigated)</u> |
| 75 | <u>Norma fine sandy loam (where drained)*</u> |
| 76 | <u>Norma silt loam (where drained)*</u> |
| 84 | <u>Pilchuck loamy sand (if irrigated)</u> |
| 86 | <u>Prather silty clay loam, 3 to 8 percent slope</u> |
| 88 | <u>Puget Silt loam (where drained)*</u> |
| 89 | <u>Puyallup silt loam</u> |
| 97 | <u>Salkum silty clay loam, 3 to 8 percent slope</u> |
| 100 | <u>Scamman silty clay loam, 0-5 percent slope (where drained)*</u> |
| 104 | <u>Semiahmoo muck (where drained)*</u> |
| 105 | <u>Shalcar muck (where drained)*</u> |
| 106 | <u>Shalcar Variant muck (where drained)*</u> |
| 107 | <u>Skipopa silt loam, 0-3 percent slope</u> |
| 109 | <u>Spana gravelly loam (if drained)*</u> |
| 110 | <u>Spanaway gravelly sandy loam, 0 to 3 percent slopes (if irrigated)</u> |
| 114 | <u>Spanaway-Nisqually complex, 2 to 10 percent slopes (if irrigated)</u> |
| 115 | <u>Sultan silt loam</u> |
| 116 | <u>Tacoma silt loam (if drained or protected from flooding)*</u> |
| 120 | <u>Tisch silt loam (where drained)*</u> |
| 126 | <u>Yelm fine sandy loam, 0 to 3 percent slope</u> |
| 1100 | <u>Steilacoom-Yelm complex, 0 to 2 percent slopes (if drained)*</u> |
| 1210 | <u>Roundtree loam, 0 to 5 percent slopes (if drained and protected from flooding)*</u> |
| 1211 | <u>Fordprairie-Roundtree complex, 0 to 10 percent slopes (if protected from flooding)</u> |
| 1212 | <u>Scatter-Fordprairie-Roundtree complex, 0 to 12 percent slopes</u> |
| 1213 | <u>Elma-Fordprairie complex, 0 to 12 percent slopes</u> |
| 1214 | <u>Fordprairie-Roundtree-Water complex, 0 to 10 percent slopes (if protected from flooding)</u> |
| 1221 | <u>Rennie silty clay loam, 0 to 5 percent slopes (if drained and protected from flooding)*</u> |
| 1222 | <u>Maytown-Rennie complex, 0 to 10 percent slopes (if protected from flooding)</u> |
| 1223 | <u>Maytown-Chehalis-Rennie complex, 0 to 10 percent slopes (if protected from flooding)</u> |
| 1224 | <u>Chehalis-Maytown complex, 0 to 10 percent slopes</u> |
| 1225 | <u>Eld-Fordprairie complex, 0 to 12 percent slopes</u> |
| 1312 | <u>Scatter-Elma complex, 0 to 15 percent slopes</u> |
| 1325 | <u>Eld-Fordprairie-Elma complex, 0 to 15 percent slopes</u> |
| 3200 | <u>Huttula gravelly loam, 0 to 5 percent slopes (if irrigated and drained)*</u> |
| 3201 | <u>Daviscreek-Huttula complex, 0 to 10 percent slopes (if irrigated)</u> |
| 3203 | <u>Grandmound gravelly sandy loam, 0 to 15 percent slopes (if irrigated)</u> |
| 3401 | <u>Rony-Gate complex, 0 to 8 percent slopes (if drained)*</u> |
| 3402 | <u>Gate silty clay loam, 0 to 5 percent slopes</u> |

B. LAND DIVISION:

1980 Thurston County Platting and Subdivision Ordinance

Adopted by the Thurston County Board of Commissioners and updated as needed to provide consistency with the Comprehensive Plan and other development regulations. This document describes the process of platting and land subdivision and states requirements for streets, drainage and utilities. Available for purchase or reference from the Thurston County Development Services Department.

Attachment D

| OVERVIEW OF PROPOSED CHANGES | | |
|------------------------------|--|--|
| Section | Chapter Name | Proposed Update(s) |
| Section I | Chapter 20.03, Structure, Interpretations and Definitions | Add new and revise existing definitions for agricultural uses referenced in rural zoning districts. |
| Section II | Chapter 20.08A, Long-Term Agriculture District (LTA) | Add new permitted uses along with corresponding design standards and review procedures to support long-term economic viability for agricultural sector |
| Section III | Chapter 20.08G, Agritourism Overlay District (AOD) | Repeal and replace chapter with revised language that includes: <ul style="list-style-type: none"> • New provisions for agricultural resource subdivisions (clustering) • Clarified list of permitted uses • Clearer and more objective development standards |
| Section IV | Chapter 20.09, Rural Residential--One Dwelling Unit Per Five Acres (RR 1/5) | Include reference to agricultural resource subdivision (clustering) standards in TCC Chapter 20.08G AOD |
| Section V | Chapter 20.09A, Rural Residential/Resource -One Dwelling Unit Per Five Acres (RRR 1/5) | Include reference to agricultural resource subdivision (clustering) standards in TCC Chapter 20.08G AOD |
| Section VI | Chapter 20.09C, Rural--One Dwelling Unit Per Five Acres (R 1/10) | Include reference to agricultural resource subdivision (clustering) standards in TCC Chapter 20.08G AOD |
| Section VII | Chapter 20.30A, Planned Rural Residential Development | New provisions for agricultural resource subdivisions that require clustering of residential units in order to conserve prime agricultural lands |
| Section VIII | Chapter 20.54, Special Uses | Add new special uses in LTA zoning to support long term economic viability for agricultural sector |
| Section IX | Chapter 20.60, Administrative Procedures | Include reference to agricultural resource subdivision (clustering) project submittal requirements |

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

The proposed amendments contained herein are included on the 2022-2023 Official Comprehensive Plan Docket as Item CPA-16. Comprehensive Plan Docket Item CPA-16 is a legislative proposal to update policies, programs, and related regulations to support agriculture. Specifically, this code package is being reviewed with one component of CPA-16: the Agriculture Zoning Update. This proposal is comprised of one (1) chapter that would be repealed and replaced and eight (8) chapters that would be amended.

I. Thurston County Code Chapter 20.03 TCC (STRUCTURE, INTERPRETATIONS AND DEFINITIONS) shall be amended to read as follows to include new and revised definitions for agricultural uses:

Chapter 20.03 – STRUCTURE, INTERPRETATIONS AND DEFINITIONS

20.03.040 – Definitions

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

...

2.7 “Agricultural accessory use” means a use that shall predominantly serve the principal use of the farm, but may also serve other farms. It shall be considered accessory to an agricultural use if it is located on either the same lot or other lots that collectively or in singular comprise a principal use of a farm or farm held or leased by a farm manager or their immediate family.

2.7.3 "Agricultural composting" means on farm composting of agricultural waste resulting from the production of farm or agricultural products, including but not limited to, wastes from the raising or growing of plants or animals, manure and animal bedding, and feedstock that contributes to the microbial degradation of organic agricultural wastes and the production of a nuisance-free finished product. Natural materials from land clearing activity are permitted feed stocks. Feed stocks used in agricultural composting shall not include wood pieces or particles containing paint, laminates, bonding agents or chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenate.

2.7.6 “Agricultural crop production facility” means the primary processing, packaging, and storage of agricultural products. Examples include fruit and vegetable packing and shipment plants, warehouses, fruit and vegetable cold storage plants, and other uses involved in the harvesting and primary processing of locally grown agricultural products.

2.8 "Agricultural home stay" means a farm or farmhouse that has eight or fewer guest accommodations such as standalone structures, tree houses, and campsites. The agricultural home stay must be located on and be a part of a farm that produces agricultural products as a

primary source of income. Meals and light foods or snacks may be served to registered guests of an agricultural home stay at any time. The maximum length of stay shall be thirty days per visit and the maximum number of overnight guests per day shall be limited to sixteen. means a farm or farm house that has eight or fewer guestrooms. The agricultural home stay must be located on and be a part of a farm that produces agricultural products as a primary source of income. Meals and light foods or snacks may be served to registered guests of an agricultural home stay at any time.

2.9 "Agricultural land" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees, timber and forest products, ~~finish in upland hatcheries~~ agroforestry products, aquaculture, or livestock, and that has long-term commercial significance for agricultural production.

2.9.3 "Agricultural product" means those plants and animals useful to humans and includes, but is not limited to, forages and sod crops, dairy and dairy products, poultry and poultry products, livestock, including breeding, grazing, and recreational equine use, fruits, vegetables, flowers, seeds, grasses, trees, freshwater fish and fish products, apiaries, equine and other similar products, or any other products which incorporates the use of food, feed, fiber, or fur.

2.9.5 "Agricultural services" means uses that support the agricultural industry and operate primarily outside an office setting. Typical uses include soil preparation and soil testing services, farm and farm labor management services, blacksmithing, farriers, landscape and crop fertilizing services, livestock veterinary services, and other commercial services which typically provide the personnel and equipment necessary to maintain agricultural productivity.

2.9.7 "Agricultural supply sales" means retail storage and sale of feed, grain, fertilizers, and small farming equipment sales, service, and repair. Accessory uses may also include retail sales of fencing, small domestic pets and livestock, and livestock and pet supplies and equipment.

3. ~~"Agriculture" means the use of a tract of land for (a) the tilling of the soil; (b) the raising, harvesting and processing of crops or plant growth of any kind, including forest practices; (c) pasturage; (d) horticulture including wholesale greenhouses; (e) dairying; (f) raising of poultry and livestock; (g) shellfish or fish farming, including finfish in upland hatcheries; or (h) raising, harvesting and processing of clams, oysters and mussels.~~ means the current employment of land for the primary purpose of obtaining a profit by raising, harvesting and selling crops or the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. An individual agricultural use on a farm shall have its maximum square footage measured separately, one use to another. Agriculture includes:

- a. preparation, storage and disposal by marketing or otherwise of the products or by-products raised on such land for human or animal use.
- b. current employment of land for the primary purpose of obtaining a profit by stabling or training equines including but not limited to providing riding lessons, training clinics, and boarding.

- c. on-site construction and maintenance of equipment and facilities used for the activities described in this definition.

...

3.3 "Agritourism Overlay District (AOD)" means an overlay zoning district covering an area defined by the official Thurston County Zoning Map, which incorporates the standards of the underlying zoning district. The main goal of the AOD is to support local agriculture and provide alternatives to the conversion of farm land through sustainable rural economic development and empowering farmers to attempt new, entrepreneurial endeavors which augment, support and highlight local agriculture.

~~Uses permitted within the AOD include, but are not limited to agricultural home stays, farm kitchens and bakeries, educational and interpretive seminars, you pick operations (Christmas trees, pumpkin patches, berry picking etc.), day tours, cooking and food preservation classes, elder hostels, petting zoos, horseback riding, zip lines/aerial rope slide courses, photography, nature watching, temporary gatherings, farm weddings and festivals, country inns, small scale wineries, craft distilleries and micro breweries. Non-listed agritourism uses within the AOD are subject to the standards of Chapter 20.08G TCC, unless such uses are specifically exempt from Thurston County review and approval.~~

...

3.4 “Animal Production, Boarding, and Slaughtering” means commercial raising or boarding of animals or production of animal products, such as eggs or dairy products produced on-site, but excluding the slaughtering and processing of animals unless conducted in a mobile slaughter unit which is operated in accordance with local, state and federal regulations. Examples include grazing, ranching, dairy farming, commercial stables, and breeding programs.

3.4.5 “Aquaculture, Fish Processing, and Hatcheries” means the raising, production and processing or sales of finfish, shellfish, or other aquatic or marine animal or plant species.

...

14.5 "Buildings housing animals" means buildings and enclosed areas, such as stables, kennels, catteries, hen houses, barns or other structures or paddocks, that are designed or used to house animals. “Buildings housing animals” shall not include pastures for rotational grazing.

...

31.5 "Country inn" means a restaurant and/or temporary overnight accommodations ~~to be located in a R 1/20, R 1/10, RR 1/5, RRR 1/5, RL 1/2, RL 2/1, or RL 1/1 zone or agritourism overlay districts and~~ which may include a lounge not to exceed twenty-five percent of restaurant area and facilities for banquets, meeting space, weddings, and similar parties and activities.

...

46.2.5 “Farm” means the land and structures used, or capable of being used, for the raising, harvesting or distribution of agricultural products, without regard to whether such lands and structures are contiguous, adjacent, or non-adjacent, provided that such property or properties are under a single ownership, lease agreement, or management agreement. A "farm" is defined as a

~~tract of land cultivated for the purpose of agricultural production devoted to the raising of crops and/or domestic animals and where the farmer or farm family participates in the day-to-day labor and management of the farm, and owns or leases its productive assets.~~

46.2.6 “Farm Kitchen” means a building or portion of a building on a farm used or designated to be used for the baking, cooking or preparation of food for distribution, sale and consumption of agricultural products on or off the farm site, provided that at least one ingredient is grown in Thurston County and the kitchen contains any two of the following: a kitchen-type sink, refrigerator, range, or 220 H2 outlet.

...

51.5 "Forest practice" means any activity conducted on or directly pertaining to forest land and relating to growing, harvesting or processing timber, including but not limited to:

- a. Road and trail construction;
- b. Harvesting, final and intermediate;
- c. Precommercial thinning;
- d. Reforestation;
- e. Fertilization;
- f. Prevention and suppression of diseases and insects;
- g. Salvage of trees;
- h. Brush control;
- i. Scientific research related to forest lands management; and
- j. Agroforestry, silviculture, and the gathering of forest products (e.g., bark, berries, nuts and mushrooms).

"Forest practice" shall not include forest management activities. For purposes of this chapter, "forest practices" includes preparatory work such as tree marking, surveying and road flagging.

...

86.2 Mobile Slaughter Unit means a self-contained slaughter and meat processing facility that meets local, state and federal operating standards that can travel from site to site or be located at an aggregate site.

...

~~115. "Riding stable, arena, academy" means premises where six or more horses are kept for rental purposes, or where six or more horses are used at any one time for prearranged events, such as training classes, exhibitions or shows, five or more times per year. This shall not include stable facilities used solely for boarding or breeding of horses. "Riding arena and event facility" means a facility where equine training clinics, rodeos, or shows are hosted with six or more off-site horses participating in the event. This shall not include stable facilities or arenas used solely for providing riding lessons, horse training, or breeding of horses.~~

127.2 "Slaughter house" means a permanent structure or establishment designed to accommodate the confinement and slaughtering of live animals in accordance with local, state and federal regulations. This includes the assembly, cutting, and packing of meats from carcasses but excludes temporary, mobile or other on-farm systems for dispatching animals.

...

129.7 "Stockyard" means any facility consisting of pens or other enclosures and their appurtenances for the temporary keeping of livestock, in which livestock services such as feeding, watering, weighing, sorting, receiving, shipping, and preparation for slaughter are offered to the public. Stockyards shall not include public livestock auction facilities, feedlots, or quarantine registered feedlots.

II. Thurston County Code Chapter 20.08A (LONG-TERM AGRICULTURE DISTRICT) shall be amended to read as follows:

Chapter 20.08A LONG-TERM AGRICULTURE DISTRICT (LTA)

20.08A.010 Purpose.

It is intended that agriculture be the primary use in this district and that other uses be sited so as to minimize their impact on, or conflicts with, surrounding agricultural uses. This district is not intended to preclude farming in other areas of the county. The purpose of this district is to:

1. Conserve agricultural lands of long-term commercial significance used for the production of crops, livestock, or other agricultural products;
2. Protect agricultural lands from incompatible development;
3. Encourage the continued economic viability of agriculture;
4. Encourage property owners to maintain property in agriculture uses; and
5. Promote and protect agriculture and its dependent rural community through the enhancement, protection, and perpetuation of the ability of the private sector to produce food and fiber.

(Ord. 11398 § 3 (part), 1997; Ord. 10398 § 3 (part), 1993)

20.08A.020 Primary uses.

Subject to the provisions of this title, the following uses are permitted within this district:

1. Agriculture.
2. Agricultural Accessory Uses.
3. Agricultural Composting.
4. Agricultural Services.
5. Animal Production, Boarding, and Slaughtering.
6. Aquaculture, Fish Processing, and Hatcheries.
7. Farm housing accessory to a farm residence to accommodate agricultural workers and their families employed on the premises, as provided:
 - a. For legal lots between five and 19.99 acres in size, as of the effective date of this chapter, one farm housing unit is permitted.
 - b. For legal lots between twenty and 39.99 acres in size, two farm housing units are permitted.
 - c. For legal lots between forty and 59.99 acres in size, three farm housing units are permitted.

- d. For legal lots between sixty and 79.99 acres in size, four farm housing units are permitted.
- e. For legal lots eighty acres or larger in size, additional farm housing units are permitted based on the same formula, subject to approval of a special use permit.
- f. These housing units may only be leased, sold or subdivided subject to the density provision of Section 20.08A.040(1); otherwise, the maximum density provisions of Section 20.08A.020(5)(a) through (e) apply to farm housing units.
- g. The sewage disposal and water supply shall be approved by the environmental health department.
- 8. Farm Kitchen.
- 9. Farm Stand not exceeding four hundred square feet in size
- 10. Forest Practices.
- 11. Mobile Slaughter Unit
- 12. Nurseries/Greenhouses Wholesale.
- 13. Single-family and farm residences, in accordance with Sections 20.08A.035, 20.08A.040, and 20.08.045 (limited to one primary residential structure per lot, not including farm housing).
- ~~1. Agriculture, including forest practices;~~
- ~~2. Single-family and farm residences, in accordance with Sections 20.08A.035, 20.08A.040, and 20.08.045 (limited to one primary residential structure per lot, not including farm housing);~~
- ~~3. Greenhouses — wholesale;~~
- ~~4. Accessory uses and structures including, but not limited to, a farm residence, barns, garages, storage buildings for crops, feed and equipment sheds, nurseries, shipping, receiving and handling facilities, and retail facilities for the sale of agricultural products primarily produced on the premises and related products;~~
- ~~4.5 Farm stands for retail sale of agricultural products grown in the Pacific Northwest are permitted as a matter of right, i.e. no land use approval is required, provided the farm stand is a membranous structure (e.g. tent or canopy), does not exceed four hundred square feet if enclosed on one or more sides, or seven hundred square feet if open on all sides and meets the standards contained in Section 20.54.070(11.7)(a). The stand may not be in place for more than six months out of the year. Wood or metal framed structures meeting all applicable Building Code requirements and the standards contained in this section may operate year around.~~
- ~~4.6 On-site advertising signs of no more than four square feet meeting the standards of TCC Section 20.40.035 are exempt from Thurston County review and approval. Larger signs are permitted pursuant to Chapter 20.40 TCC and may require a building permit.~~
- ~~5. Farm housing accessory to a farm residence to accommodate agricultural workers and their families employed on the premises, as provided:~~

- ~~a. For legal lots between five and 19.99 acres in size, as of the effective date of this chapter, one farm housing unit is permitted.~~
- ~~b. For legal lots between twenty and 39.99 acres in size, two farm housing units are permitted.~~
- ~~c. For legal lots between forty and 59.99 acres in size, three farm housing units are permitted.~~
- ~~d. For legal lots between sixty and 79.99 acres in size, four farm housing units are permitted.~~
- ~~e. For legal lots eighty acres or larger in size, additional farm housing units are permitted based on the same formula, subject to approval of a special use permit.~~
- ~~f. These housing units may only be leased, sold or subdivided subject to the density provision of Section 20.08A.040(1); otherwise, the maximum density provisions of Section 20.08A.020(5)(a) through (e) apply to farm housing units.~~
- ~~g. The sewage disposal and water supply shall be approved by the environmental health department.~~

(Ord. 11804 § 42, 1998; Ord. 11398 § 3 (part), 1998; Ord. 10398 § 3 (part), 1993)

(Ord. No. 14678, § 2, 11-15-2011; Ord. No. 14773, § 7(Att. F), 7-24-2012)

20.08A.022 Secondary uses.

Subject to the provisions of this title, the following uses are permitted on lands with nonprime farmland soils. Up to one acre of prime farmland soils can be converted to accommodate a secondary use if nonprime farmland soils are not present on the property or cannot be readily accessed without adversely impacting the primary agricultural use.

1. Agricultural Crop Production Facility.
2. Agricultural Supply Sales.
3. Biochar Production Facility, Commercial.
4. Home-Based Industry in accordance with the special use specific standards set forth in Section 20.54.070(15)
5. Nurseries/Greenhouses Retail.
6. Renewable Energy Facilities.
7. Stockyard.

20.08A.025 Special uses.

1. Special uses shall only be permitted on nonprime farmland soils, ~~unless the applicant demonstrates that the proposed use cannot be accommodated on such soils.~~ Up to one acre of prime farmland soils can be converted to accommodate a secondary use if nonprime farmland soils are not present on the property or cannot be readily accessed without adversely impacting the primary agricultural use.

2. See Chapter 20.54 for special uses permitted in this district.

(Ord. 11398 § 3 (part), 1997: Ord. 10398 § 3 (part), 1993)

20.08A.030 Family member unit.

1. In addition to the maximum number of dwelling units, excluding farm housing units, permitted on a lot, one temporary mobile/manufactured home or modular home may be located upon a lot for the purpose of housing a person or persons who are family members to a person residing in an existing structure on the lot when application for family unit approval is requested. A person is a family member when related by blood, marriage or adoption.
2. Persons wishing to establish a family member unit shall furnish proof of family member status and shall receive written approval to establish such unit from the department before locating or constructing the unit.
3. Dwelling units placed on a lot pursuant to this section shall be removed when the family member no longer occupies the family member unit.
4. Dwelling units which are located pursuant to this section shall be removed prior to sale of the property, unless the purchaser provides a letter to the county stating the family member unit will be occupied by a family member.
5. A family member unit must have an approved sewage disposal system, adequate water source and all other applicable permits.

(Ord. 11804 § 43, 1998; Ord. 11398 § (part), 1997: Ord. 10595 § 10, 1994: Ord. 10398 § 3 (part), 1993)

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

20.08A.035 Subdivision standards.

Any division of land within this district shall comply with the following requirements:

1. The director or hearing examiner shall find that the proposed subdivision meets the purpose and intent of the long-term agriculture district as a prerequisite to approval.
2. Land may be subdivided for agricultural uses, subject to the following requirements:
 - a. Only primary and secondary uses are permitted on lots created pursuant to this section as long as the lots are within this district.
 - b. Minimum lot size is twenty acres for a farm residence; with no dwelling unit, minimum lot size is five acres.
 - c. All divisions of land approved pursuant to this section shall contain a notice of the restriction described in Section 20.08A.035(2)(a) and (b).
3. Land may be subdivided for nonagricultural uses subject to the following requirements:

- a. The subdivision shall meet the standards established in Chapter 20.30A, Planned Rural Residential Development, to the extent consistent with this chapter. Where the requirements in Chapter 20.30A conflict with the requirements of this chapter, the more restrictive standards shall apply.
- b. There shall be no minimum lot size for nonagricultural-use lots. The lot size must meet the requirements of the Thurston County Sanitary Code to safely accommodate an approved water supply and on-site sewage disposal system, including space for a reserve drainfield.

(Ord. 11398 § 3 (part), 1997; Ord. 10398 § 3 (part), 1993)

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

20.08A.040 Design standards.

The following standards are established as the minimum necessary to ensure that the purpose of this district is achieved and maintained as new lots are created, new uses are established, and new buildings are constructed:

1. Building Type and Size:

- a. New non-residential uses in structure(s) that include between 400 square feet and 8,000 square feet shall be subject to a Ministerial Site Plan Review process (Section 20.60 TCC).
- b. New non-residential uses in structure(s) that include between 8,000 square feet and 20,000 square feet shall be subject to an Administrative Site Plan Review process (Section 20.60 TCC).
- c. New non-residential uses in structure(s) that include more than 20,000 square feet shall be subject to a Special Use Permit process (Section 20.54 TCC).
- d. New non-residential uses may be located within an existing, nonconforming structure that does not meet the minimum lot size or setback requirements if the director determines the use and all related appurtenances can be accommodated on site.

~~42.~~ Maximum Building Height: thirty-five feet

~~23.~~ Minimum Yard Requirements:

- a. Single-Family Residential.
 - i. Front yard—see Chapter 20.07;
 - ii. Side yard—fifteen feet;
 - iii. Rear yard—twenty-five feet;
- b. Single-family residential on lots created in accordance with the planned rural residential development chapter: see Chapter 20.30A,

-
- c. All other commercial, industrial and non-residential structures: see Chapters 20.07 and 20.54. All other structures: see Chapters 20.54 and 20.07

34. Maximum Coverage by Hard Surfaces. Maximum hard surface coverage for new development in this district is as follows (also see Chapter 20.07):

- a. Lots one and one-half acres or greater: Fifteen percent.
- b. Lots less than one and one-half acres: Sixty percent or ten thousand square feet, whichever is less.

(Ord. 11398 § 3 (part), 1997; Ord. 10398 § 3 (part), 1993)

(Ord. No. 14773, § 7(Att. F), 7-24-2012; Ord. No. 15355, 1(Att. A, § P), 10-18-2016)

20.08A.045 Density.

1. The maximum density shall not exceed one unit per twenty acres. For farm housing, see Section 20.08A.020(5); and
2. The maximum number of dwelling units allowed on a site shall be calculated by subtracting all submerged lands as defined in the Shoreline Master Program for the Thurston Region, as amended, from the area of the parcel and, then applying the allowed zoning density in Section 20.08A.045(1).

(Ord. No. 14773, § 7(Att. F), 7-24-2012)

20.08A.060 Additional regulations.

Refer to the following chapters for provisions which may qualify or supplement the regulations presented above:

1. Chapter 20.08G, Agritourism Overlay District;
2. Chapter 20.30A Planned Rural Residential Development;
13. Chapter 20.34, Accessory Uses and Structures;
24. Chapter 20.40, Signs and Lighting;
35. Chapter 20.44, Parking and Loading;
46. Chapter 20.45, Landscaping and Screening; and
7. Chapter 20.54, Special Use.

(Ord. 11398 § 3 (part), 1997; Ord. 10398 § 3 (part), 1993)

III. Thurston County Code Chapter 20.08G (AGRITOURISM OVERLAY DISTRICT (AOD)) shall be repealed and replaced, to read as follows:

Chapter 20.08G AGRITOURISM OVERLAY DISTRICT (AOD)

20.08G.010 Purpose statement.

The purpose of the agritourism overlay district (AOD) is:

1. To preserve working lands and support the agricultural industry of Thurston County as a viable economic activity.
2. To discourage the conversion of lands used for agriculture to other incompatible uses by supporting agricultural viability and economic activity.
3. To provide clear legislative authority for agricultural landowners to launch agritourism activities in specific rural areas of Thurston County to supplement their income, educate visitors about their way of life, and share their agricultural heritage with others.
4. To protect and promote agriculture as an important component of the Thurston County economy.
4. To implement the goals and objectives of the Thurston County Comprehensive Plan, which recognizes the economic, environmental, and cultural benefits of our agricultural and working lands.
5. To empower farmers and other rural landowners to start new, entrepreneurial endeavors that augment, and highlight the importance of local agriculture.
6. To entice visitors to rural Thurston County to see and experience the value of local agricultural lands to our culture, economy, landscape, and local food supply.
7. To boost agricultural commerce in rural Thurston County by establishing a broad overlay district that reduces barriers and inconsistencies among the base zoning districts, while maintaining and promoting the high quality of the environment and the economy in rural

(Ord. No. 14725, § 2(Att. B), 3-13-2012)

20.08G.015 - Conflicts with other regulations.

If a specific AOD standard or regulation conflicts with other specific development standards in the Thurston County Zoning Ordinance (Title 20 TCC), the AOD rules and standards shall apply. Additionally, if any section, subsection, sentence, clause, phrase or other portion of this ordinance or its application to any person is, for any reason declared invalid, illegal or unconstitutional in whole or in part by any court or agency of competent jurisdiction, said decision shall not affect the validity of the remaining portions hereof.

(Ord. No. 14725, § 2(Att. B), 3-13-2012)

20.08G.020 General residential development standards.

Subdivisions for nonagricultural uses in the Agritourism Overlay District shall be clustered in accordance with Chapter 20.30A, Planned Rural Residential Development (PRRD). The planned rural residential development requirements shall apply to all subdivision projects that meet the following criteria:

1. Designated RR 1/5, RRR-1/5 and R 1/10 on the official zoning map; and
2. Located within unincorporated Thurston County and outside designated urban growth area boundaries; and
3. Contains a minimum of 20 acres or more; and
4. Contains 50 percent prime farmland soils or more as identified in the Thurston County Comprehensive Plan and USDA Soil Survey for Thurston County; and
5. Designated as farm and agriculture current use open space or farm and agricultural conservation land open space for county property tax purposes within the past seven years.

The above provisions shall not apply if a landowner provides a site-specific soil survey developed in accordance with the National Resource Conservation Services Soil Survey Manual that confirms the prime farmland soils mapped by the USDA Soil Survey are incorrect or less than what is depicted.

20.08G.020 General AOD use standards.

General use standards for all AOD uses identified in this chapter shall be as follows:

1. Rural theme. AOD uses shall incorporate a rural theme in terms of building style and design. This means that AOD uses involving new structures shall complement or enhance, rather than detract from the rural environment.
2. Agricultural use protections. New AOD uses shall be located, designed, and operated so as not to interfere with normal agricultural practices on and off-site. Where feasible, AOD uses shall be located on lands with non-prime farmland soils.
3. Compliance with other standards. AOD uses shall comply with all other applicable county regulations, including but not limited to health, land use, environmental, building/construction, and public works requirements and standards, as well as any applicable state and federal requirements.
4. Design standards. Unless otherwise authorized by this Chapter, impervious surface coverage, building height and building setback standards for AOD uses shall be the same as the underlying zoning district.
5. Parking, landscaping, and signage standards. Unless otherwise authorized by this Chapter, all AOD uses shall provide parking and loading, landscaping and screening, signs and lighting in accordance with Chapters 20.40, 20.44, and 20.45 TCC.

7. Noise standards. All AOD uses generating noise detectible off-site shall observe Chapter 10.36 TCC, Public Disturbance Noise.

(Ord. No. 14725, § 2(Att. B), 3-13-2012)

20.08G.030 Exempt AOD uses.

Exempt AOD uses are those uses permitted as a matter of right under this chapter subject to the use standards contained in Section 20.08G.020 and any other local, state, or federal permit requirements. Exempt AOD uses are limited to the following except as otherwise authorized by the Director:

1. An accessory commercial or retail use offering direct sale of agricultural products grown and/or produced on-site involving four hundred or less square feet of floor area, subject to all other applicable local, state, and federal requirements. This shall include, but not be limited to roadside farmstands, cottage food operations, and farm bakeries.
2. Manned and unmanned you-pick operations, including, but not limited to vegetable and berry picking, pumpkin patches, and similar uses.
3. Christmas tree sales.
4. Hayrides/sleigh rides.
5. Farm tours and agricultural clinics, seminars or classes, organized group activities such as nature watching or star gazing with no overnight accommodations.
6. Farmers markets operating under the guidelines of the Washington State Farmers Market Association as amended, where no permanent structures are involved.
7. Activities and uses defined as nature tourism, geo-tourism, culinary tourism, art tourism, or eco-tourism, where no permanent structures are involved.
8. Agriculturally related experiences occurring on a farm where no structure is involved. This shall include, but not be limited to corn/crop mazes, hay bale sculptures, and similar crop art installations, animal feeding, petting zoos, archery ranges, fee fishing, and similar low-intensity activities.
9. Short-term, agritourism events including, but not limited to food and wine festivals, art shows, weddings and similar temporary gatherings are permitted subject to the Special Use requirements of TCC Section 20.54.070, subsections 41.5(d). Short-term agritourism events shall be allowed up to twenty-one days per year and shall be limited to three consecutive days per event, with a minimum of ten days between events unless otherwise approved by the Director. For temporary events lasting two or more days with an expected daily attendance exceeding two hundred individuals, the on-site manager or owner shall notify all adjacent neighbors bordering the subject property in writing of the date, time, duration, and description of the event. Notification shall occur at least five business days prior to the beginning of the event.

(Ord. No. 14725, § 2(Att. B), 3-13-2012)

20.08G.040 Permitted uses and siting standards.

The following AOD uses are permitted subject to the development standards contained in Section 20.08G.020 and the requirements provided in this Section.

1. Permitted Uses – General Siting Standards.

- a. Establishment of any permitted use provided for in this section shall be subject to an Administrative Site Plan Review process (Section 20.60 TCC).
- b. Any proposal to increase the allowable square footage of a permitted use provided for in this Section shall be subject to a Special Use Permit process (Section 20.54 TCC).
- c. Permitted uses may be located within an existing, nonconforming structure that does not meet the minimum lot size or setback requirements of the underlying zoning district if the director determines the use and all related appurtenances can be accommodated on site and are compatible with the rural theme of surrounding development.
- d. Permitted uses shall be limited to lands with non-prime farmland soils. Up to one acre of prime farmland soils can be converted for a permitted use if non-prime farmland soils are not present on the property or cannot be readily accessed without adversely impacting a primary agricultural use.
- e. New structures and parking areas shall be located to minimize adverse impacts to adjacent residential uses. In addition to the standards set forth in Chapter 20.44 TCC, parking areas shall be set back a minimum of twenty-five feet from external property lines and landscaped to soften the visual appearance from adjacent residential uses and public rights-of-way.

2. Permitted Uses - Specific Siting Standards

- a. Farmers markets operating under the guidelines of the Washington State Farmers Market Association as amended, where one or more permanent structures are involved totaling less than 8,000 square feet.
- b. Accessory nonagricultural commercial or retail uses involving a building or structure greater than 400 square feet and less than 2,000 square feet in size where the primary use of the property is agriculture.
- c. Small scale wineries, microbreweries, cider mills, craft distilleries, and similar small scale craft beverage production facilities less than 8,000 square feet in size, including any associated tasting room and retail space.
- d. Country inns less than 8,000 square feet in size located a minimum of 100 feet from all property lines. Country inns shall be accessed from a paved road, located a minimum of one-half mile from a county arterial or collector, and spaced a minimum of one air mile from another country inn or neighborhood convenience use.

- e. Agricultural home stays where the size of individual guest accommodations shall be limited to six hundred square feet of area, totaling no more than 2,400 square feet for the entire project site.
- f. Activities and uses defined as nature tourism, geo-tourism, culinary tourism, art tourism or eco-tourism, where there are one or more permanent structures involved totaling less than 8,000 square feet.

(Ord. No. 14725, § 2(Att. B), 3-13-2012; Ord. No. 14985, §§ 2—4(Att. A), 1-28-2014)

IV. Thurston County Code Chapter 20.09 (RURAL RESIDENTIAL-ONE DWELLING UNIT PER FIVE ACRES (RR 1/5) shall be amended to read as follows:

Chapter 20.09 – RURAL RESIDENTIAL-ONE DWELLING UNIT PER FIVE ACRES (RR 1/5)

20.09.042 - Subdivisions within the Agritourism Overlay District.

Subdivisions for nonagricultural uses in the Agritourism Overlay District shall be clustered in accordance with Chapter 20.30A, Planned Rural Residential Development (PRRD). The planned rural residential development requirements shall apply to any RR 1/5 parcel:

1. Located within unincorporated Thurston County and outside designated urban growth area boundaries; and
2. The single parcel is sized a minimum of 20 acres or larger; and
3. Contains 50 percent or more prime farmland soils as identified in the Thurston County Comprehensive Plan and USDA Soil Survey for Thurston County or as identified in a site-specific soil survey developed in accordance with the National Resource Conservation Services Soil Survey Manual; and
4. Contains 50 percent or more land designated as agricultural current use open space for county property tax purposes within the past seven years.

...

20.09.070 - Additional Regulations

Refer to the following chapters for provisions which may qualify or supplement the regulations presented above:

1. Chapter 20.08G, Agritourism Overlay District (AOD);
2. Chapter 20.30A, Planned Rural Residential Development;
- ~~13.~~ Chapter 20.32, Open Space;
- ~~24.~~ Chapter 20.34, Accessory Uses and Structures;
- ~~35.~~ Chapter 20.40, Signs and Lighting;
- ~~46.~~ Chapter 20.44, Parking and Loading;
- ~~57.~~ Chapter 20.45, Landscaping and Screening.

V. Thurston County Code Chapter 20.09A (RURAL RESIDENTIAL/RESOURCE-ONE DWELLING UNIT PER FIVE ACRES (RRR 1/5)) shall be amended to read as follows:

Chapter 20.09A – RURAL RESIDENTIAL/RESOURCE-ONE DWELLING UNIT PER FIVE ACRES (RRR 1/5)

20.09A.055 - Subdivisions within the Agritourism Overlay District.

Subdivisions for nonagricultural uses in the Agritourism Overlay District shall be clustered in accordance with Chapter 20.30A, Planned Rural Residential Development (PRRD). The planned rural residential development requirements shall apply to any RR 1/5 parcel:

1. Located within unincorporated Thurston County and outside designated urban growth area boundaries; and
2. The single parcel is sized a minimum of 20 acres or larger; and
3. Contains 50 percent or more prime farmland soils as identified in the Thurston County Comprehensive Plan and USDA Soil Survey for Thurston County or as identified in a site-specific soil survey developed in accordance with the National Resource Conservation Services Soil Survey Manual; and
4. Contains 50 percent or more land designated as agricultural current use open space for county property tax purposes within the past seven years.

...

20.09A.070 - Additional Regulations

Refer to the following chapters for provisions which may qualify or supplement the regulations presented above:

1. Chapter 20.07, Lot, Yard, Use Aand Structure Regulations;
2. Chapter 20.08G, Agritourism Overlay District (AOD)
23. Chapter 20.30A, Planned Rural Residential Development;
34. Chapter 20.34, Accessory Uses and Structures;
45. Chapter 20.40, Signs and Lighting;
56. Chapter 20.44, Parking and Loading;
67. Chapter 20.45, Landscaping and Screening;
78. Articles III and IV of the Thurston County Sanitary Code;
89. Chapter 15.05, Thurston County Drainage Design and Erosion Control Manual;
910. Chapter 17.15, Agricultural Uses and Critical AreasThurston County Agricultural Activities Critical Areas Ordinance;
1011. Chapter 20.23, McAllister Geologically Sensitive Area District; and
1112. Title 24, Thurston County Critical Areas Ordinance.

VI. Thurston County Code Chapter 20.09C (RURAL-ONE DWELLING UNIT PER TEN ACRES (R 1/10)) shall be amended to read as follows:

Chapter 20.09C – RURAL-ONE DWELLING UNIT PER TEN ACRES (R 1/10)

20.09C.055 - Subdivisions within the Agritourism Overlay District.

Subdivisions for nonagricultural uses in the Agritourism Overlay District shall be clustered in accordance with Chapter 20.30A, Planned Rural Residential Development (PRRD). The planned rural residential development requirements shall apply to any RR 1/5 parcel:

1. Located within unincorporated Thurston County and outside designated urban growth area boundaries; and
2. The single parcel is sized a minimum of 20 acres or larger; and
3. Contains 50 percent or more prime farmland soils as identified in the Thurston County Comprehensive Plan and USDA Soil Survey for Thurston County or as identified in a site-specific soil survey developed in accordance with the National Resource Conservation Services Soil Survey Manual; and
4. Contains 50 percent or more land designated as agricultural current use open space for county property tax purposes within the past seven years.

...

20.09C.070 - Additional Regulations

Refer to the following chapters for provisions which may qualify or supplement the regulations presented above:

1. Chapter 20.07, Lot, Yard, Use And Structure Regulations;
2. Chapter 20.08G, Agritourism Overlay District (AOD)
23. Chapter 20.30A, Planned Rural Residential Development;
34. Chapter 20.34, Accessory Uses and Structures;
45. Chapter 20.40, Signs and Lighting;
56. Chapter 20.44, Parking and Loading;
67. Chapter 20.45, Landscaping and Screening;
78. Articles III and IV of the Thurston County Sanitary Code;
89. Chapter 15.05, Thurston County Drainage Design and Erosion Control Manual; and
910. Chapter 17.15, Agricultural Uses and Critical AreasThurston County Agricultural Activities Critical Areas Ordinance; and
1011. Title 24, Thurston County Critical Areas Ordinance.

VII. Thurston County Code Chapter 20.30A (PLANNED RURAL RESIDENTIAL DEVELOPMENT (PRRD)) shall be amended to read as follows:

Chapter 20.30A PLANNED RURAL RESIDENTIAL DEVELOPMENT (PRRD)

20.30A.010 Purpose.

The purpose of this chapter is to provide for residential development in rural areas in a way that maintains or enhances the county's rural character; is sensitive to the physical characteristics of the site; retains large, undivided parcels of land that provide opportunities for compatible agricultural, forestry and other rural land uses; protects sensitive environmental resources; facilitates creation of open space corridors; and minimizes impacts of road and utility systems.

(Ord. 11398 § 3 (part), 1997: Ord. 10398 § 14 (part), 1993)

20.30A.020 Applicability.

Planned Rural Residential Developments (PRRD) are permitted within the following districts consistent with the development standards in this chapter:

1. Long-Term Agriculture District (Chapter 20.08A);
2. Nisqually Agricultural District (Chapter 20.08C);
3. Long-Term Forestry District (Chapter 20.08D);
4. Rural—One Dwelling Unit per Five Acres (Chapter 20.09);
- ~~45.~~ Rural Residential/Resource—One Dwelling Unit Per Five Acres (Chapter 20.09A);
- ~~56.~~ Rural—One Dwelling Unit per Twenty Acres (Chapter 20.09B);
- ~~67.~~ Rural—One Dwelling Unit per Ten Acres (Chapter 20.09C); ~~and~~
- ~~78.~~ Urban Reserve—One Dwelling Unit per Five Acres (Chapter 20.09D); and
9. Agritourism Overlay District (Chapter 20.08G).

(Ord. 13884 § 8, 2007: Ord. 13834 § 10, 2007: Ord. 11398 § 3 (part), 1997: Ord. 10398 § 14 (part), 1993)

(Ord. No. 15355, 1(Att. A, § KK), 10-18-2016)

20.30A.030 Permitted uses.

Same as the underlying district and any applicable overlay districts, subject to the limitations on land uses within the resource use parcels specified in Sections 20.30A.35(3) and 20.30A.040(3).

(Ord. 11398 § 3 (part), 1997: Ord. 10398 § 14 (part), 1993)

20.30A.031 Minimum and maximum project acreage for PRRD.

1. The minimum project size is twenty acres.
2. The total number of dwelling units permitted is subject to the density of the underlying zoning district.
3. PRRDs which are contiguous are deemed a single project if (a) they are under common ownership, (b) the applicant(s) for PRRD or other development approval are the same or a related person or entity; or (c) the PRDs are being developed as a unified project. For purposes of this section, persons or entities are related if one owns any ownership interest in the other or exercises any legal control or influence in the decisions of the other.

(Ord. No. 14524, § 7, 6-7-2011)

20.30A.035 Agricultural resource use parcel requirements.

1. Establishment of an Agricultural Resource Use Parcel. Each PRRD required pursuant to 20.08G.020 Agritourism Overlay District, General Residential Development Standards shall contain an agricultural resource use parcel comprising a minimum of 75 percent of the subdivision.
2. Ownership. The resource use parcel may be owned by a homeowners association, corporation, partnership, land trust, individual, or other legal entity.
3. Use. The following uses of the agricultural resource use parcel are permitted, subject to any land use limitations in the underlying zoning or overlay districts:
 - i. Agriculture
 - iii. Natural areas including, but not limited to, critical areas and associated buffers, shorelines, and wildlife corridors;
 - i. One farm residence and accessory uses, including a home occupation, pursuant to Chapter 20.54 TCC.
 - ii. Primary and secondary uses identified in the Long-Term Agriculture District (Section 20.08A TCC).
 - iii. Permitted uses identified in the Agritourism Overlay District (Section 20.08G TCC).
4. Farm Residence. A residence within the agricultural resource use parcel shall count toward the total number of residential units allowed.
5. Plat Restrictions. The limitations on the use and subdivision of the agricultural resource use parcel, as provided in Sections 20.30A.035(3) and 20.30A.080(2), shall be noted on the plat. If not all the allowable density is used, the number of lots which may be created in the future shall also be noted on the plat. The limitations noted on the plat shall be effective until annexation to a city or town.

20.30A.040 General resource use parcel requirements.

1. Establishment of a Resource Use Parcel. Each PRRD ~~planned rural residential development~~ shall contain a resource use parcel comprising as a minimum the following percentage of the proposed subdivision:
 - a. Long-term agriculture district—eighty-five percent;
 - b. Nisqually agriculture district—ninety percent;
 - c. Long-term forestry district—seventy-five percent;
 - d. Rural – one dwelling unit per five acres – sixty-five percent;
 - e. Rural residential/resource—one unit per five acres district—sixty-five percent;
 - f. Rural—one dwelling unit per twenty acres—sixty-five percent;
 - g. Rural—one dwelling unit per ten acres—sixty-five percent;
 - h. Urban Reserve—sixty-five percent.
2. Ownership. The resource use parcel may be owned by a homeowners association, corporation, partnership, land trust, individual, or other legal entity.
3. Use. The following uses of the resource use parcel are permitted, subject to any land use limitations in the underlying district:
 - a. Permitted uses:
 - i. ~~Agriculture, including forest~~ Forest practices;
 - ii. Passive recreation;
 - iv. Natural areas including, but not limited to, critical areas and associated buffers, and wildlife corridors;
 - v. Community and individual water systems, sewage system drain fields, and stormwater facilities serving the subdivision, subject to the standards in Section 20.32.070. Such facilities shall not be permitted in agricultural and forestry districts where they would significantly impede the agriculture or forestry use or potential for such use; and
 - vi. One single-family residence and accessory uses, including a home occupation, pursuant to Chapter 20.54, and farm housing pursuant to Chapters 20.08A, 20.08C, or 20.09A.
 - b. Special Uses. Only the following special uses are permitted in resource use parcels created in the rural residential/resource—one unit per five acres district, subject to Chapter 20.54:
 - i. Boat launches;
 - ii. Riding stables and arenas;
 - iii. Golf courses and associated uses;
 - iv. Commercial campgrounds.

4. A residence within the resource use parcel shall count toward the total number of residential units allowed.
5. Plat Restrictions. The limitations on the use and subdivision of the resource use parcel, as provided in Sections 20.30A.040(3) and 20.30A.080(2), shall be noted on the plat. If not all of the allowable density is used, the number of lots which may be created in the future shall also be noted on the plat. The limitations noted on the plat shall be effective until annexation to a city or town.

(Ord. 11539 § 1, 1997: Ord. 11398 § 3 (part), 1997: Ord. 11025 § 19, 1995: Ord. 10398 § 14 (part), 1993)

(Ord. No. 14524, § 8, 6-7-2011; Ord. No. 15355, 1(Att. A, § LL), 10-18-2016)

20.30A.050 Optional open space.

The residential development may also include open space areas in addition to the resource use parcel described in Section 20.30A.040 above, in accordance with Chapter 20.32. Permanent open space may qualify for an exemption from the requirement of a drainage plan, in accordance with Chapter 15.05 TCC.

(Ord. 11398 § 3 (part), 1997: Ord. 10398 § 14 (part), 1993)

(Ord. No. 14524, § 9, 6-7-2011)

20.30A.060 Reserved.

Editor's note(s)—Ord. No. 14524, § 10, adopted June 7, 2011, repealed § 20.30A.060, which pertained to density bonus within rural residential/resource—1/5 district and derived from Ord. 11539 § 2, 1997: Ord. 11398 § 3 (part), 1997: Ord. 10398 § 14 (part), 1993.

20.30A.065 Reserved.

Editor's note(s)—Ord. No. 14524, § 11, adopted June 7, 2011, repealed § 20.30A.065, which pertained to density bonus within rural residential—1/2 district and derived from Ord. 11539 § 3, 1997: Ord. 11398 § 3 (part), 1997: Ord. 10398 § 14 (part), 1993.

20.30A.070 Development standards.

1. Minimum Lot Size. None, subject to compliance with applicable standards for sewage disposal and provision of water contained in Articles III and IV of the Thurston County Sanitary Code;
2. Setbacks. Setbacks from the exterior boundary of the site shall be the same as required in the underlying district. All other setback requirements shall be waived to allow flexibility in site design. However:
 - a. Individual buildings shall be separated by a minimum of ten feet, and

- b. The hearing examiner or administrator may establish setbacks not to exceed one hundred fifty feet, as necessary to buffer agricultural or forestry activities from residential uses;
 3. Maximum Coverage. Individual lots shall not exceed the percentage permitted by the underlying zone.
 4. Maximum Building Height. Same as underlying district;
 5. Subdivision Design—Agricultural Resource Use Parcel.
 - a. Any prime farmland soils as identified in the Thurston County Comprehensive Plan and USDA Soil Survey for Thurston County present within the proposed residential development shall be contained within the resource use parcel unless the applicant demonstrates that the allowable density cannot be accommodated elsewhere within the proposed residential development; and
 - b. Agricultural resource use parcels shall, to the greatest extent possible, be a single contiguous parcel and shaped so as to accommodate a diverse range of agricultural uses; and
 - c. Agricultural resource parcels shall not be bisected by roads or easements where the physical conditions of the site would allow otherwise; and
 - d. Where consistent with other provisions of this chapter, agricultural resource parcels shall be contiguous with any abutting resource use parcel, open space, greenbelt, agricultural lands, commercial forestry lands, public preserves, parks, or schools. Wildlife corridors shall be linked with other wildlife corridors abutting the proposed subdivision; and
 - e. Any single-family residence and accessory uses within the agricultural resource parcel shall be sited to maximize agricultural use on the remainder of the parcel; and
 - f. To the maximum practicable extent, existing historic rural features shall be preserved as part of the residential development. These features include but are not limited to rock walls, fences, functional and structurally safe farm buildings, monuments, and landscape features.
56. Subdivision Design—General Resource Use Parcel.
 - a. ~~Any prime agricultural soils (as identified in the Soil Survey of Thurston County) and Washington State Private Forest Land Grade 2 present within the proposed subdivision shall be contained within the resource use parcel unless the applicant demonstrates that:~~
 - ~~i. The allowable density cannot be accommodated elsewhere within the proposed subdivision; or~~
 - ~~ii. Within the rural residential/resource—1/5 district:~~
 - ~~(A) The size of the potential resource use parcel is not sufficient to sustain an economically viable resource use; or~~
 - ~~(B) The resource use is not compatible with surrounding land uses.~~

- ba. In order to retain large, undivided parcels of land that provide opportunities compatible to forestry uses and protection of sensitive environmental resources, the general resource use parcel shall, to the greatest extent possible, be a single contiguous parcel and shaped so as to be usable for resource uses. Where the resource use parcel is intended for other uses, more flexibility is allowed in the shape of the parcel; however, the resource use parcel may not be narrow strips or small interspersed parcels within the residential cluster(s).
 - be. General ~~r~~Resource use parcels that are used for ~~agriculture~~, forestry or sensitive resource protection shall not be bisected by roads or easements where the physical conditions of the site would allow otherwise.
 - cd. Where consistent with other provisions of this chapter, ~~the~~general resource use parcels shall be contiguous with any abutting resource use parcel, open space, greenbelt, agricultural lands, commercial forestry lands, public preserves, parks, or schools. Wildlife corridors shall be linked with other wildlife corridors abutting the proposed subdivision.
 - de. The subdivision shall be designed, to the extent consistent with other provisions of this chapter, to maximize the visibility of the general resource use parcel and open space areas from adjoining collector roads, arterials, or state highways.
 - ef. Native vegetation shall be retained in the general resource use parcel to the extent that it is compatible with the intended use of the parcel and does not pose a risk to public safety.
 - fg. Any single-family residence and accessory uses within the general resource use parcel shall be sited to maximize resource opportunities on the remainder of the parcel.
7. Subdivision Design—Residential Lots and Development.
- a. The configuration and size of residential lots shall~~may~~ be varied ~~and~~to blend with the natural features of the site and to retain the rural character, particularly as viewed from public roadways.~~in order to retain the natural, rural character of the site, particularly as viewed from public roadways.~~
 - b. The subdivision shall be landscaped to provide a filtered view of the development from public right(s)-of-way. Windfirm trees and other existing vegetation shall be retained where they would screen the residential development from collector roads, arterials or state highways, unless they would unduly impede site development, be incompatible with the intended use of the resource use parcel or pose a risk to public safety for motorists on those roadways and to private utilities.~~Windfirm trees shall be retained where they would screen residences from collector roads, arterials or state highways, unless they would unduly impede site development, be incompatible with the intended use of the resource use parcel, or pose a risk to public safety for motorists on those roadways and to private utilities.~~
 - c. A lot created for any existing residence on the property may be discontinuous from the remaining residential lots in the proposed subdivision

- d. Residential lots shall be grouped and not assembled in a linear configuration to minimize adverse impacts on agricultural or general resource use parcels. A linear configuration refers to a site design for the residential portion of a development which may be described as long and narrow. Exceptions shall be granted at the discretion of the approval authority where unusual site conditions, such as wetlands, steep slopes, shorelines, or very narrow lots, warrant a linear configuration. ~~Residential lots shall be grouped and not assembled in a linear configuration. A linear configuration refers to a site design for the residential portion of a development which may be described as long and narrow. Exceptions shall be granted at the discretion of the approval authority where unusual site conditions, such as wetlands, steep slopes, shorelines, or very narrow lots, warrant a linear configuration.~~

~~Explanatory note: The reasons for minimizing linear configurations are to promote the integrity of the resource use parcel by minimizing the extent of the residential cluster boundary or edge effect, and to retain the natural, rural character of the site, particularly as viewed from public roadways. Both farmers and foresters have long maintained that proximity of residences to their operations is one of the biggest threats to the continued viability of those industries in Thurston County. Impacts to critical areas are also reduced by minimizing residential boundary area.~~

(Ord. 11539 § 4, 1997; Ord. 11398 § 3 (part), 1997; Ord. 11025 § 20, 1995; Ord. 10398 § 14 (part), 1993)

(Ord. No. 14524, § 12, 6-7-2011; Ord. No. 15355, 1(Att. A, § MM), 10-18-2016; Ord. No. 16151, § 1(Exh. A, § IV), 4-19-2022)

20.30A.080 Application and processing requirements.

Planned rural residential developments are subject to the application and processing requirements of Title 18, Thurston County Code.

1. The submission requirements specified in Title 18 TCC shall be supplemented with the information listed in Section 20.60.030.
2. Resubdivision.
 - a. Lands subject to a planned rural residential development may be further subdivided to the extent of the allowable density if in compliance with applicable provisions of the underlying district, this chapter, and Title 18 TCC.
 - b. Once the allowable density is used, the resource use parcel may not be further subdivided.

(Ord. 11398 § 3 (part), 1997; Ord. 10398 § 14 (part), 1993)

20.30A.090 Administration and enforcement.

1. Building permits and other permits required for the construction or development of property under the provisions of this section shall be issued only when in the opinion of the director,

the work to be performed meets the requirements of the final plan of the planned rural residential development.

2. Minor and Major Adjustments.

- a. Minor adjustments may be made and approved by the director when a building permit is issued. Minor adjustments are those which may affect the precise dimensions or siting of buildings, but which do not affect the basic character or arrangement of buildings approved in the final plan, nor the density of the development or the resource use/open space parcel requirements.
- b. Major adjustments are those which, in the opinion of the director, substantially change the basic design, density, resource use/open space parcel or other requirements of the planned rural residential development. When, in the opinion of the director, a change constitutes a major adjustment, no building or other permit shall be issued for such an adjustment without prior review and approval by the original approval authority of the planned rural residential development.

3. If the provisions of this chapter and Title 18 TCC conflict, the provisions of this chapter shall apply.

4. Filing of Applications. See Chapter 20.60.

(Ord. 11398 § 3 (part), 1997: Ord. 10398 § 14 (part), 1993)

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

VII. Thurston County Code Chapter 20.54 (SPECIAL USE) shall be amended to read as follows:

Chapter 20.54 SPECIAL USE*

Table 1

Special Uses—Distribution in County Zoning Districts

Uses listed below are prohibited unless specifically identified as allowable through special use review, or unless listed as a permitted or primary use within an individual zoning district chapter.

| | USE | R 1/20 | R 1/10 | RRR 1/5 | RR 1/5 | UR 1/5 | RL 1/2 | RL 1/1 | RL 2/1 | R 3—6/1 | R 4—16/1 | LI | RRI | PI | NC | RCC | AC | HC | SL ¹ | MGSA ² | LTA | NA | LTF | PP | MR | AOD | MEI |
|---------|--|---------|---------|---------|---------|--------|---------|--------|--------|---------|----------|----|-----|----|----|-----|----|----|-----------------|-------------------|-----|----|-----|----|----|-----|-----|
| 1. | Academic schools* | X | X | X | X | X | X | X | X | X | X | | | | | | | | | X | | | | | | | |
| 1. 5 | Agritourism (see 20.08G TCC) | | | | | | | | | | | | | | | | | | | | | | | | | X | |
| 2. | Airfields and landing strips* | A/ X | A/ X | A/ X | A/ X | | A/ X | | | | | | | | | | | | | | | | | | | | |
| 3. | Animal/bone black, rendering, bone distillations | | | | | | | | | | | X | | | | | | | | | | | | | | | |
| 3. 1 | Asphalt production (outside of a gravel mine)** | | | X | | | | | | | | X | X | | | | | | | | | | | | X | | |
| 3. 1 | Asphalt production (with a gravel mine) | | X | X | X | | | | | | | X | X | | | | | | | | | | | | X | | |
| 3. 5 | Athletic facilities | X | X | X | X | X | X | X | X | X | X | | | | | | | | | | | | | | | | |
| 4. | Boat launch | X | X | X | X | X | X | X | X | X | X | | | | | | | | | X | | | X | | | | |
| 5. | Camp or recreation ground | X | X | X | | | | | | | | | | | | | | | | | | | X | | | | X |
| 6. | Cemeteries | | | X | X | | X | X | X | X | X | | | | | | | | | | | | | | | | |
| 7. | Churches | X | X | X | X | X | X | X | X | X | X | | | | | | | | | X | | | | | | | X |

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| | USE | R 1/20 | R 1/10 | RRR 1/5 | RR 1/5 | UR 1/5 | RL 1/2 | RL 1/1 | RL 2/1 | R 3—6/1 | R 4—16/1 | LI | RRI | PI | NC | RCC | AC | HC | SL ¹ | MGSA ² | LTA | NA | LTF | PP | MR | AOD | MEI |
|------|-----------------------------------|--------|--------|---------|--------|--------|--------|--------|--------|---------|----------|----|-----|----|----|-----|----|----|-----------------|-------------------|-----|-----|-----|----|----|-----|-----|
| 8. | Community center/community club | X | X | X | X | X | X | X | X | X | X | | | | | | | | | X | | | | | | | |
| 9.3 | Commercial Composting facilities | X | X | X | X | | | | | | | X | X | | | | | | | | X | X | X | | | | X |
| 9.5 | Country inns | X | X | X | X | | X | X | X | | | | | | | | | | | | | | | | | | |
| 10. | Day-care center | X | X | X | X | X | X | X | X | X | X | | | | | X | X | X | | X | | | | | | | |
| 11. | Drive-in theaters | | | | | | | | | | | | | | | | | X | | | | | | | | | |
| 11.4 | Family day care provider | A | A | A | A | A | A | A | A | A | A | | | | A | A | A | A | | A | A | A | A | | | | |
| 11.5 | Farm housing (five or more units) | X | X | X | | X | | | | | | | | | | | | | | | X | | | | | | |
| 11.7 | Farm stands (retail) | A/X | A/X | A/X | A/X | A/X | A/X | A/X | A/X | A/X | A/X | | | | | | | | | A/X | A/X | A/X | A/X | | | | |
| 12. | Feed lots | X | X | X | X | | X | X | | | | | | | | | | | | | X | | | | | | |
| 12.2 | Forest management activities | X | X | X | | | | | | | | | | | | | | | | | X | | | | | | X |
| 12.5 | Garages | | | | | | | | | | | | | | | | | | X | | | | | | | | |
| 13. | Golf facilities | X | X | X | X | | X | X | X | X | X | | | | | | | | | | | | | | | | X |
| 14. | Greenhouses—retail | X | X | X | X | X | X | X | X | X | X | | | | | | | | | | X | | | | | | A/X |
| 14.5 | Greenhouses—wholesale | A | A | | | X | | | | | | | | | | | | | | | | X | | | | | X |
| 15. | Home-based industry | X | X | X | X | X | X | X | X | | | | | | | | | | | X | X | X | | | | | |

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| | USE | R 1/20 | R 1/10 | RRR 1/5 | RR 1/5 | UR 1/5 | RL 1/2 | RL 1/1 | RL 2/1 | R 3—6/1 | R 4—16/1 | LI | RRI | PI | NC | RCC | AC | HC | SL ¹ | MGSA ² | LTA | NA | LTF | PP | MR | AOD | MEI |
|------|--|--------|--------|---------|--------|--------|--------|--------|--------|---------|----------|----|-----|----|----|-----|----|----|-----------------|-------------------|-----|----|-----|----|----|-----|-----|
| 16 | Home occupations | A | A | A | A | A | A | A | A | A | A | | | | | | | | | A | A | A | A | | | | |
| 17 | Hospitals | | | | | | | | | X | X | | | | | | X | X | | | | | | | | | X |
| 17.5 | Jails* | | | X | X | | | | | | | X | | X | | X | X | | | | | | | | | | |
| 18 | Junk yards | | | X | X | | X | | | | | X | X | | | | X | | | | | | | | | | |
| 18.5 | Juvenile detention facilities* | | | X | X | | | | | | | X | | X | | X | | | | | | | | | | | |
| 19 | Kennels—11 + dogs | X | X | X | X | | X | X | | | | | | | | | | | | X | X | | | | | | |
| 20 | Major energy trans./generators* | X | X | X | X | X | X | X | X | X | X | | | | | X | X | X | | | X | | X | | X | | |
| 21 | Mineral extraction | X | X | X | X | | X | X | | | | X | X | | | X | | | | | X | X | X | | X | | |
| 21.3 | Mobile or manufactured home parks (two—four mobile/manufactured homes per lot) | | | A | A | | A | A | A | A | A | | | | | | A | | | | | | | | | | |
| 21.6 | Mobile or manufactured home parks (five or more mobile/manufactured homes) | | | X | X | | X | X | X | X | X | | | | | | X | | | | | | | | | | |
| 22 | Neighborhood convenience commercial | | | X | X | X | X | X | X | | X | | | | | | | | | | | | | | | | |
| 23 | Nonprofit handicapped workshop | X | X | X | X | X | X | X | X | X | X | | | | | | | | | | | | | | | | |

| | USE | R 1/20 | R 1/10 | RRR 1/5 | RR 1/5 | UR 1/5 | RL 1/2 | RL 1/1 | RL 2/1 | R 3—6/1 | R 4—16/1 | LI | RRI | PI | NC | RCC | AC | HC | SL ¹ | MGSA ² | LTA | NA | LTF | PP | MR | AOD | MEI |
|----------|--|--------|--------|---------|--------|--------|--------|--------|--------|---------|----------|----|-----|----|----|-----|----|----|-----------------|-------------------|-----|----|-----|----------------|----|-----|-----|
| 23 .5 | Nonresidential use in rural area (expansion) | X | X | X | X | X | X | | | | | | | | | | | | | | | | | | | | |
| 24 . | Nursing/convalescent home* | X | X | | X | X | X | X | X | X | X | | | | | | | | | | | | | | | | |
| 25 . | Off-site treatment and storage facility* | | | | | | | | | | | | X | | X | | | | | | | | | | | | |
| 25 .5 | Parks, trails and preserves (public) ³ | X | X | X | X | X | X | X | X | X | X | | X | | X | | | | | X | | | X | X ₃ | X | | |
| 26 . | Petroleum products/processing storage | | | | | | | | | | | X | | | | | | | | | | | | | | | |
| 27 . | Plastics, paints, commercial, chemical—manufacture | | | | | | | | | | | X | | | | | | | | | | | | | | | |
| 27 .5 | Prison/prerelease* | X | X | X | X | | | | | | | | | | | | | | | | | | X | | | | |
| 29 . | Public facilities (not schools)* | | X | X | X | X | X | X | X | X | X | | X | | X | | | | | X | | | X | X | X | | |
| 30 . | Public utilities* | X | X | X | X | X | X | X | X | X | X | | | | X | | | | | X | X | X | X | | X | | X |
| 32 . | Railroad rights-of-way* | X | X | X | X | X | X | X | X | X | X | | | | | | X | | | X | | | | | X | | |
| 32 .5 | Recycling processing centers | X | X | X | X | | | | | | | | X | | | | | | | | | | | | | | |
| 33 . | RV/boat storage—com. | X | X | X | X | X | X | X | | | | | | | | | | | | | | | | | | | |
| 34 . | Residential care facilities* | | | X | X | X | X | X | X | X | X | | | | | | | | | | | | | | | | |
| 34 .3 | Resorts and retreat facilities | | | X | | | | | | | | | | | | | | | | | | | | | | | |

| | USE | R 1/20 | R 1/10 | RRR 1/5 | RR 1/5 | UR 1/5 | RL 1/2 | RL 1/1 | RL 2/1 | R 3—6/1 | R 4—16/1 | LI | RRI | PI | NC | RCC | AC | HC | SL ¹ | MGSA ² | LTA | NA | LTF | PP | MR | AOD | MEI |
|----|---|---------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------|---------|---------|---------|---------|---------|---------|-----------------|-------------------|---------|---------|-----|----|---------|-----|---------|
| 35 | Riding arena/event facility/stables/arenas/academies | X | X | X | X | | X | X | | | | | | | | | | | | | X | | | | | | X |
| 36 | Rifle/pistol/archery ranges | X | X | X | X | | X | X | | | | | | | | | | | | X | | | | | | | |
| 37 | Sawmills, lumber/planing mills, molding plants | | | | | | | | | | | X | | | | | | | | | X | | X | | | | |
| 38 | Sawmills—large | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| 39 | Sawmills—temporary on-site | X | X | X | X | X | X | X | | | | | | | | | | | | | X | | | | | | X |
| 39 | Secure Community Transition Facilities* | X | X | X | X | | | | | | | X | X | X | | X | X | | | | | | X | | X | | X |
| 40 | Slaughterhouses | | | | | | | | | | | X | X | | | | | | | | | | | | | | |
| 40 | Smokehouse, commercial | X | X | X | X | X | | | | | | X | X | X | X | X | X | X | | | X | | | | | | |
| 41 | Solid waste disposal facilities* | X | X | X | X | | X | X | X | | | X | X | | | | | | | | | | | | | | |
| 41 | Temporary uses | A/ X | A/ X | A/ X | A/ X | A/ X | A/ X | A/ X | A/ X | A/ X | A/ X | A/ X | A/ X | A/ X | A/ X | | A/ X | A/ X | | A/ X | A/ X | A/ X | | | | | A/ X |
| 42 | Travel trailer parks/commercial campgrounds | X | X | X | X | | X | | | | | | | | | | | | | | | | | | | | |
| 43 | Veterinary clinics | X | X | X | X | X | X | X | | X | | | | | | | | | | | | | | | | | X |
| 44 | Wireless communication facilities (WCFs)—attached or co-located | A/ X | A/ X | A/ X | A/ X | A/ X | A/ X | A/ X | | A/ X | | A/ X | A/ X | A/ X | A/ X | A/ X | A/ X | | A/ X | A/ X | A/ X | A/ X | | | A/ X | | A/ X |

| | USE | R 1/20 | R 1/10 | RRR 1/5 | RR 1/5 | UR 1/5 | RL 1/2 | RL 1/1 | RL 2/1 | R 3—6/1 | R 4—16/1 | LI | RRI | PI | NC | RCC | AC | HC | SL ¹ | MGSA ² | LTA | NA | LTF | PP | MR | AOD | MEI |
|------|--|--------|--------|---------|--------|--------|--------|--------|--------|---------|----------|----|-----|----|----|-----|----|----|-----------------|-------------------|-----|---------|-----|----|---------|-----|-----|
| 44.4 | WCFs/antenna support structures-remote freestanding* | | | | | | | | | | | | | | | | | | | | | A/ X | | | A/ X | | |
| 44.6 | (WCFs)/antenna support structures-freestanding* | X | X | X | X | X | X | X | | X | | X | X | X | X | X | X | | X | X | X | X | | | X | | X |
| 45. | Work release* | X | X | X | | | | | | | | | X | | | | | | | | | | | | | | |

X = Special use permit (approval authority is hearing examiner)

A = Administrative special use permit (approval authority is staff)

1 = Summit Lake overlay zone, Chapter 20.30

2 = Except as prohibited or limited in Chapter 20.23

3 = Applies to uses related to public parks, trails and preserves and not otherwise permitted in Chapter 20.08E

* May qualify as an essential public facility; refer to TCC 20.54.065

** = Asphalt batch plants are allowed in these zones only when they have an asphalt plant special use permit.

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.

...

9.3 Commercial Composting Facilities.

- a. Purpose. To allow facilities which import, process, package, and distribute products derived from composting yard wastes, other biosolids, and organic waste;
- b. Standards.
 1. Minimum lot size—twenty acres,
 2. Maximum building site coverage—ten percent,
 3. Minimum structural setback—one hundred feet from property line,
 4. Direct access to the operation shall be from a collector or arterial road,
 5. The entire composting operation must be conducted under a roof,
 6. The operation shall be effectively screened from view by using a solid screen six feet high. Screening may include fences, walls, vegetation, berms with vegetation, combinations of these, or other methods, all of which must provide a permanent solid screen barrier to prohibit visibility from rights-of-way and adjacent and nearby properties. Vegetation used for screening must be of sizes, types, numbers, and siting adequate to achieve one hundred percent opacity within three years. All vegetation used for screening shall be maintained in a healthy condition. Vegetation used for screening that dies shall be replaced within six months. Fences and walls over six feet high require a building permit,
 7. The operation shall meet all state noise and air quality control standards,
 8. The operation shall obtain and maintain a solid waste permit from Thurston County environmental health.

...

35. ~~Riding Stables, Arenas or Academies~~ Riding Arena and Event Facility.

- a. A lot area of not less than ten acres shall be required.
- b. Visual screening, increased setback, increased lot size, and other conditions may be required taking into account safety, noise, and odor factors.
- c. If the facility is to contain food service facilities or is intended to be used for exhibitions or shows, additional parking shall be provided as required.

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

Chapter 20.60 - ADMINISTRATIVE PROCEDURES

20.60.030 - Contents of application.

For an application to be deemed complete for purposes of beginning the formal project review and starting the review clock, the following basic submittal information shall be provided. During project review, additional information or studies may be requested in writing by the department if needed to address particular aspects of the project or site. While the project review clock will formally stop during the time that the additional information is being assembled, department review of other aspects of the project will continue.

If the application is deemed incomplete or if additional information is required, the applicant shall have one hundred eighty calendar days to submit the required information to the department. The department shall notify the applicant as to when the one-hundred-eighty-day period will end. If the applicant does not submit the required information within the one-hundred-eighty-day period, the application shall lapse. Prior to the expiration date, the applicant may request in writing an extension of time. The director may grant an extension if the required studies or information warrant additional time.

...

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):

...

- n. In addition to the information listed in subsections (3)(a) through (l) above, for planned rural residential developments, the following information is required:
 - i. For residential developments with an agricultural resource parcel, the location of prime farmland soils as defined by the identified in the Thurston County Comprehensive Plan and USDA Soil Survey of for Thurston County; Washington, and Washington State's Private Forest Land Grade 2 areas, or as identified in a site-specific soil survey developed in accordance with the National Resource Conservation Services Soil Survey Manual.
 - ii. For residential developments with an agricultural resource parcel, a farm management plan identifying the following:
 - A. Location of existing and ongoing agricultural activities and facilities, including water conveyance systems; and
 - B. Proposed long-term management of the agricultural resource parcel so that it maintains agricultural functions; and
 - C. Provision of water to sustain long-term agricultural functions on the agricultural resource parcel.
 - iii. The approximate location of trees, with the location of any windfirm trees that would screen residences from public roadways specifically identified, and other native vegetation;

- iv. General land uses adjoining the proposed subdivision;
- v. The approximate location of any agricultural or general ~~designated~~ resource use parcels, designated long-term commercially significant agriculture or forest areas, identified critical areas, designated open space, greenbelts, parks, and wildlife corridors adjoining the proposed subdivision;
- vi. Intended use of the resource use parcel, including the siting of any residence, accessory structures, related appurtenances, agricultural facilities, and historic rural features;
- vii. If not all of the allowable density is used, the number of lots which may be created in the future shall also be noted on the plat. The limitations on the use and subdivision of the resource use parcel, as provided in Sections 20.30A.040(3) and 20.30A.080(2), shall be noted on the plat. These limitations shall be effective until such time as the property is annexed into a city or town;
- viii. Proposed ownership of the agricultural or general resource use parcel and open space areas; and;
- ix. Provisions to assure permanence and maintenance of any commonly owned open space through homeowners association formation or other means acceptable;



Current Agriculture Zoning

Location and Spacing



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THURSTON COUNTY LONG-TERM AGRICULTURE

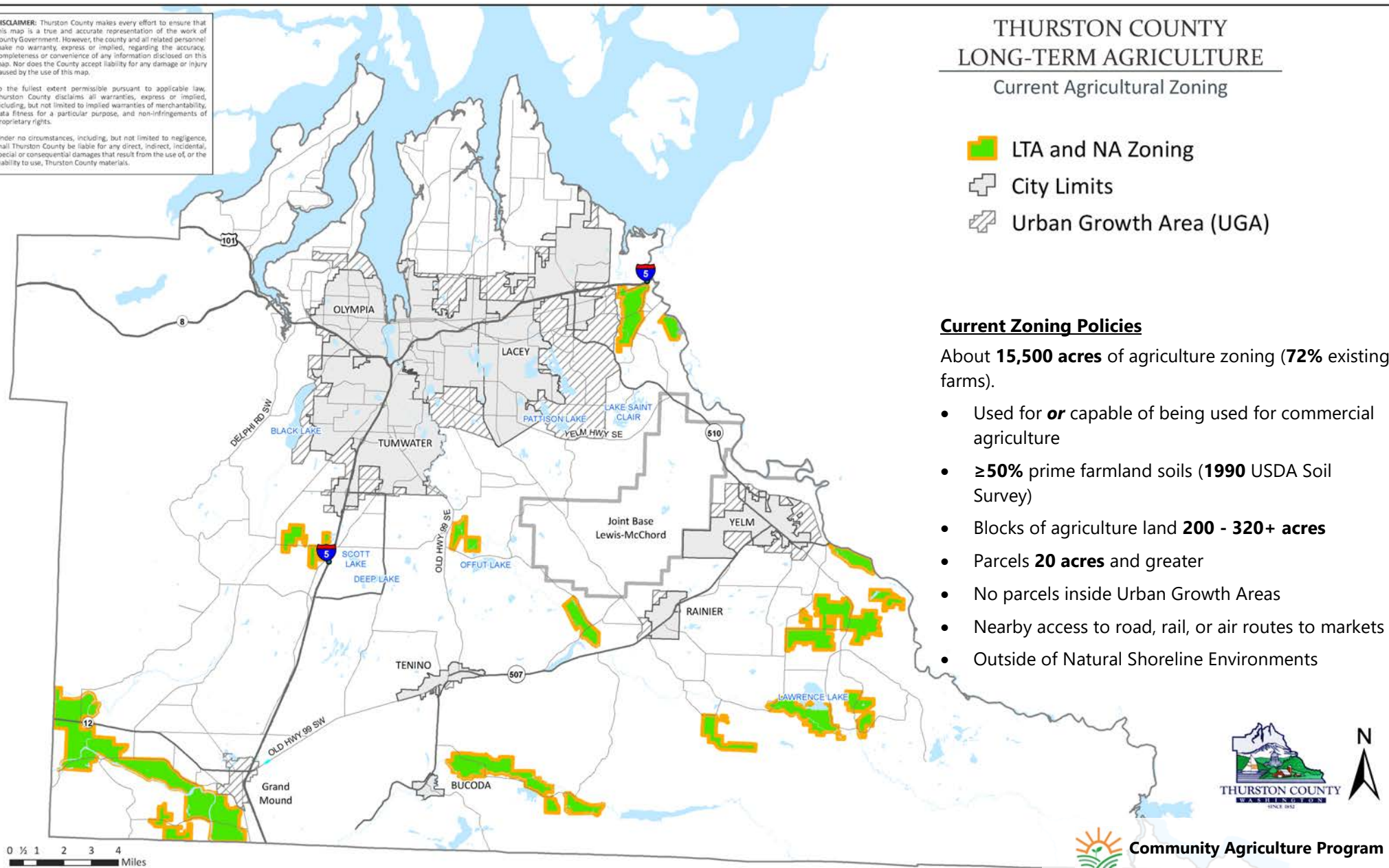
Current Agricultural Zoning

-  LTA and NA Zoning
-  City Limits
-  Urban Growth Area (UGA)

Current Zoning Policies

About **15,500 acres** of agriculture zoning (**72%** existing farms).

- Used for **or** capable of being used for commercial agriculture
- **≥50%** prime farmland soils (**1990** USDA Soil Survey)
- Blocks of agriculture land **200 - 320+ acres**
- Parcels **20 acres** and greater
- No parcels inside Urban Growth Areas
- Nearby access to road, rail, or air routes to markets
- Outside of Natural Shoreline Environments



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Thurston County Prime Farmland Soils

Data from United States Dept. of Agriculture, 2022

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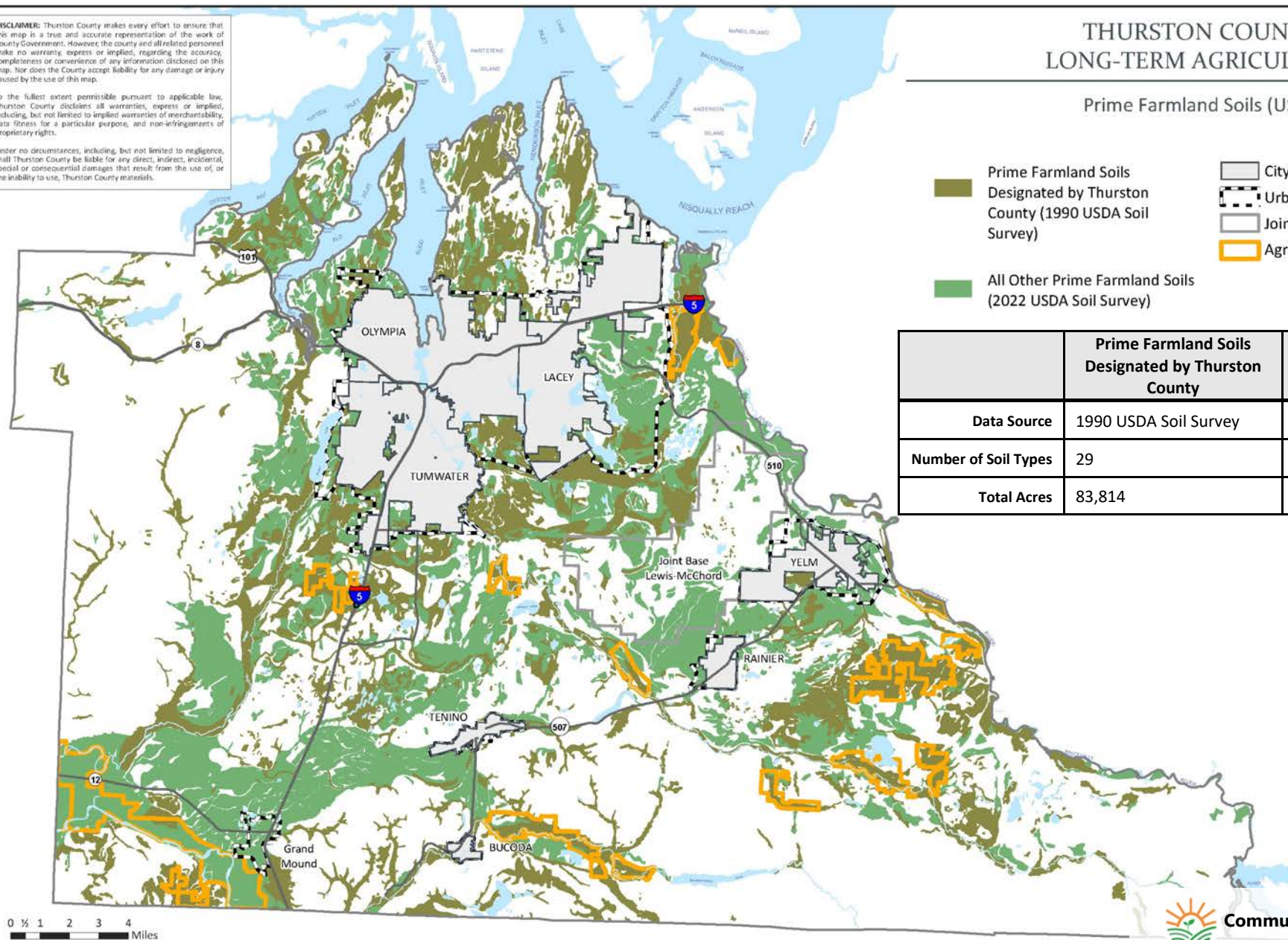
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THURSTON COUNTY LONG-TERM AGRICULTURE

Prime Farmland Soils (USDA)

- Prime Farmland Soils Designated by Thurston County (1990 USDA Soil Survey)
- All Other Prime Farmland Soils (2022 USDA Soil Survey)
- City Limits
- Urban Growth Area (UGA)
- Joint Base Lewis-McChord
- Agriculture Zoning (LTA or NA)

| | Prime Farmland Soils Designated by Thurston County | All Other Prime Farmland Soils |
|----------------------|--|--------------------------------|
| Data Source | 1990 USDA Soil Survey | 2022 USDA Soil Survey |
| Number of Soil Types | 29 | 29 |
| Total Acres | 83,814 | 183,452 |



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Baseline for Agriculture Zoning Expansion Based on Appeal

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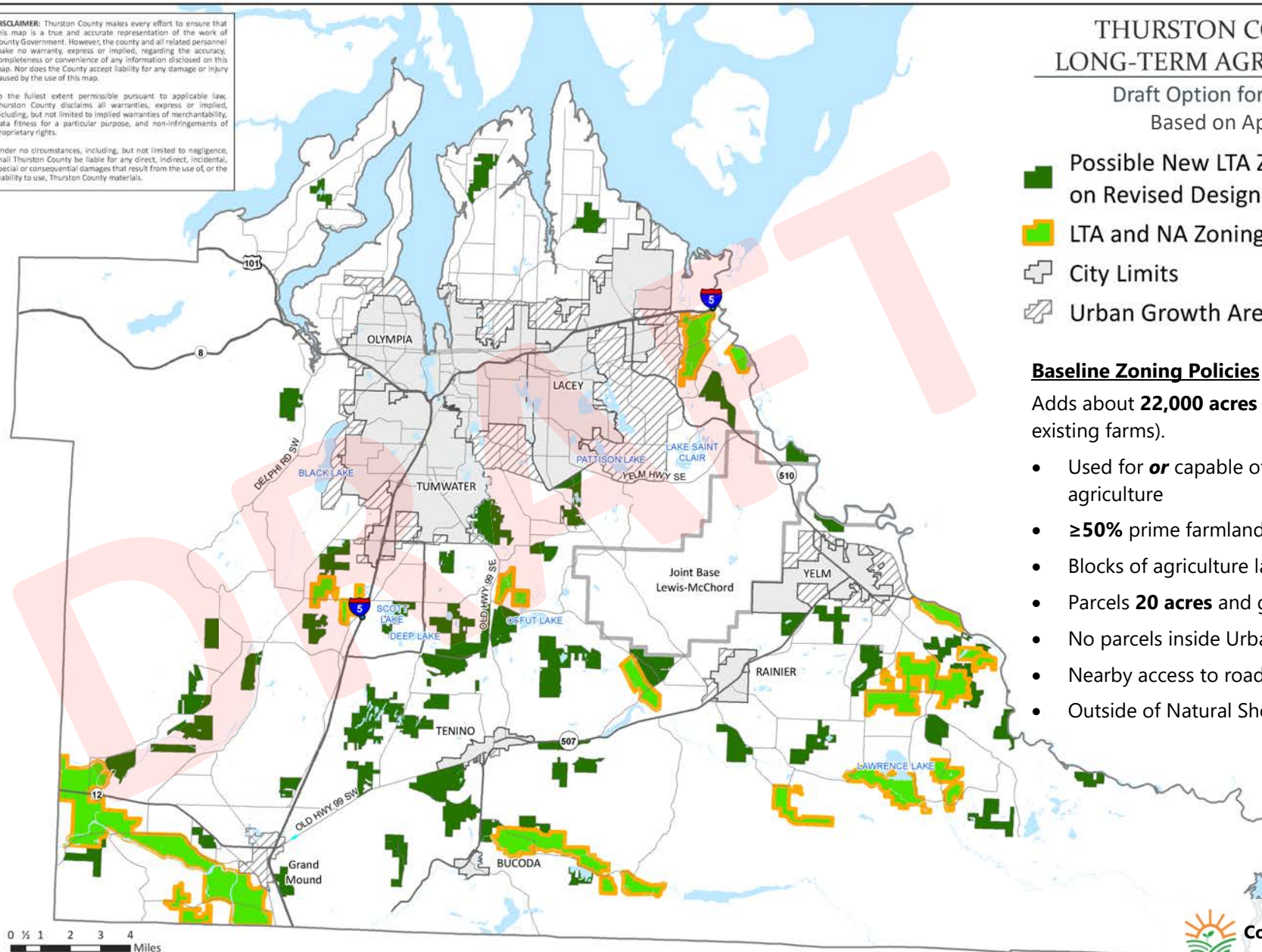
Draft Option for Zoning
Based on Appeal

- Possible New LTA Zoning based on Revised Designation Criteria
- LTA and NA Zoning
- City Limits
- Urban Growth Area (UGA)

Baseline Zoning Policies

Adds about **22,000 acres** to agriculture zoning (**45%** existing farms).

- Used for **or** capable of being used for commercial agriculture
- **≥50%** prime farmland soils (**2022** USDA Soil Survey)
- Blocks of agriculture land **200 - 320+ acres**
- Parcels **20 acres** and greater
- No parcels inside Urban Growth Areas
- Nearby access to road, rail, or air routes to markets
- Outside of Natural Shoreline Environments



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Scenario 1 for Agriculture Zoning Expansion Based on Stakeholder Group Themes





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THURSTON COUNTY LONG-TERM AGRICULTURE

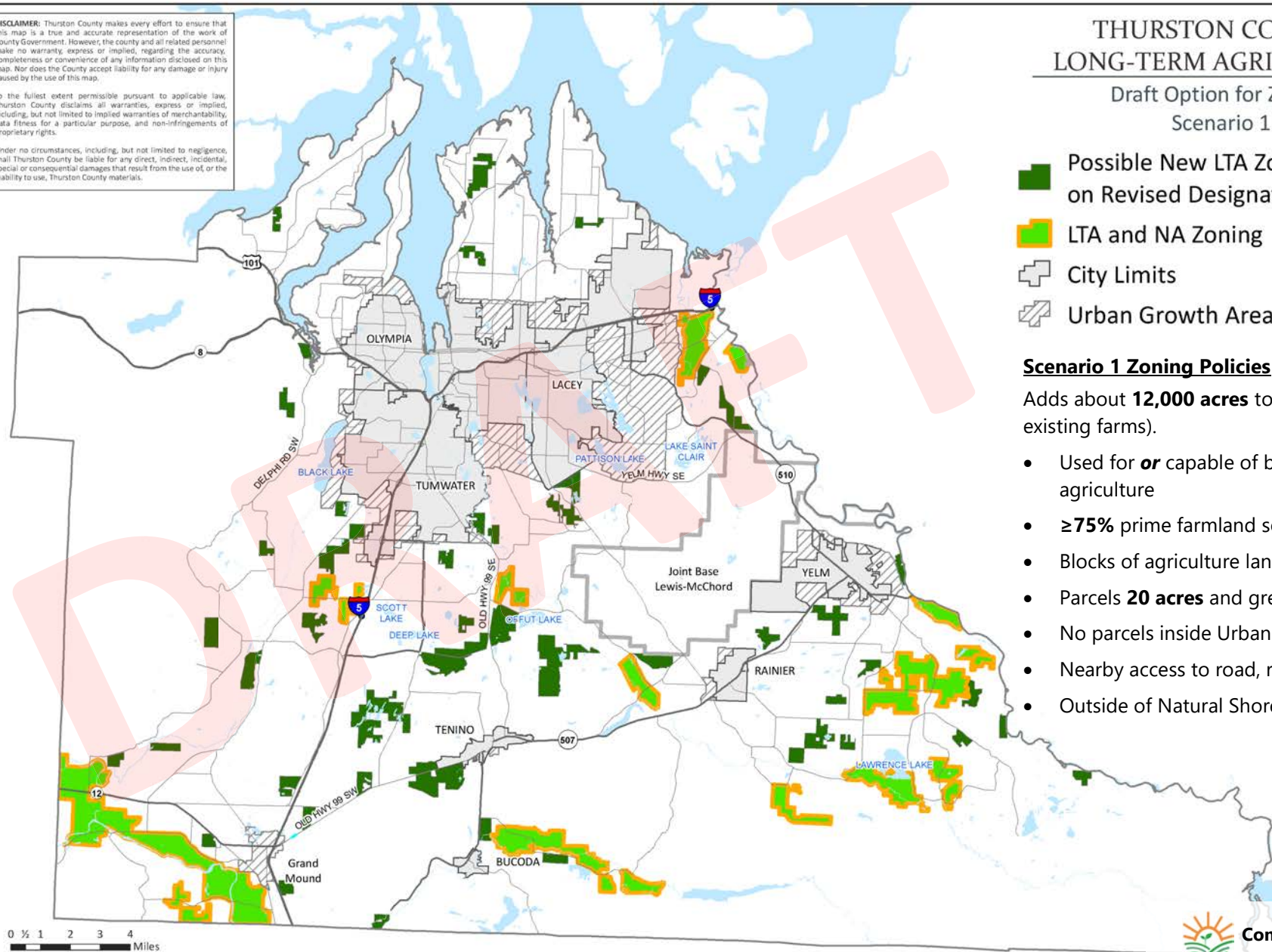
Draft Option for Zoning Scenario 1

-  Possible New LTA Zoning based on Revised Designation Criteria
-  LTA and NA Zoning
-  City Limits
-  Urban Growth Area (UGA)

Scenario 1 Zoning Policies

Adds about **12,000 acres** to agriculture zoning (29% existing farms).

- Used for **or** capable of being used for commercial agriculture
- **≥75%** prime farmland soils (2022 USDA Soil Survey)
- Blocks of agriculture land **100+ acres**
- Parcels **20 acres** and greater
- No parcels inside Urban Growth Areas
- Nearby access to road, rail, or air routes to markets
- Outside of Natural Shoreline Environments



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Scenario 2 for Agriculture Zoning Expansion Based on Stakeholder Group Themes

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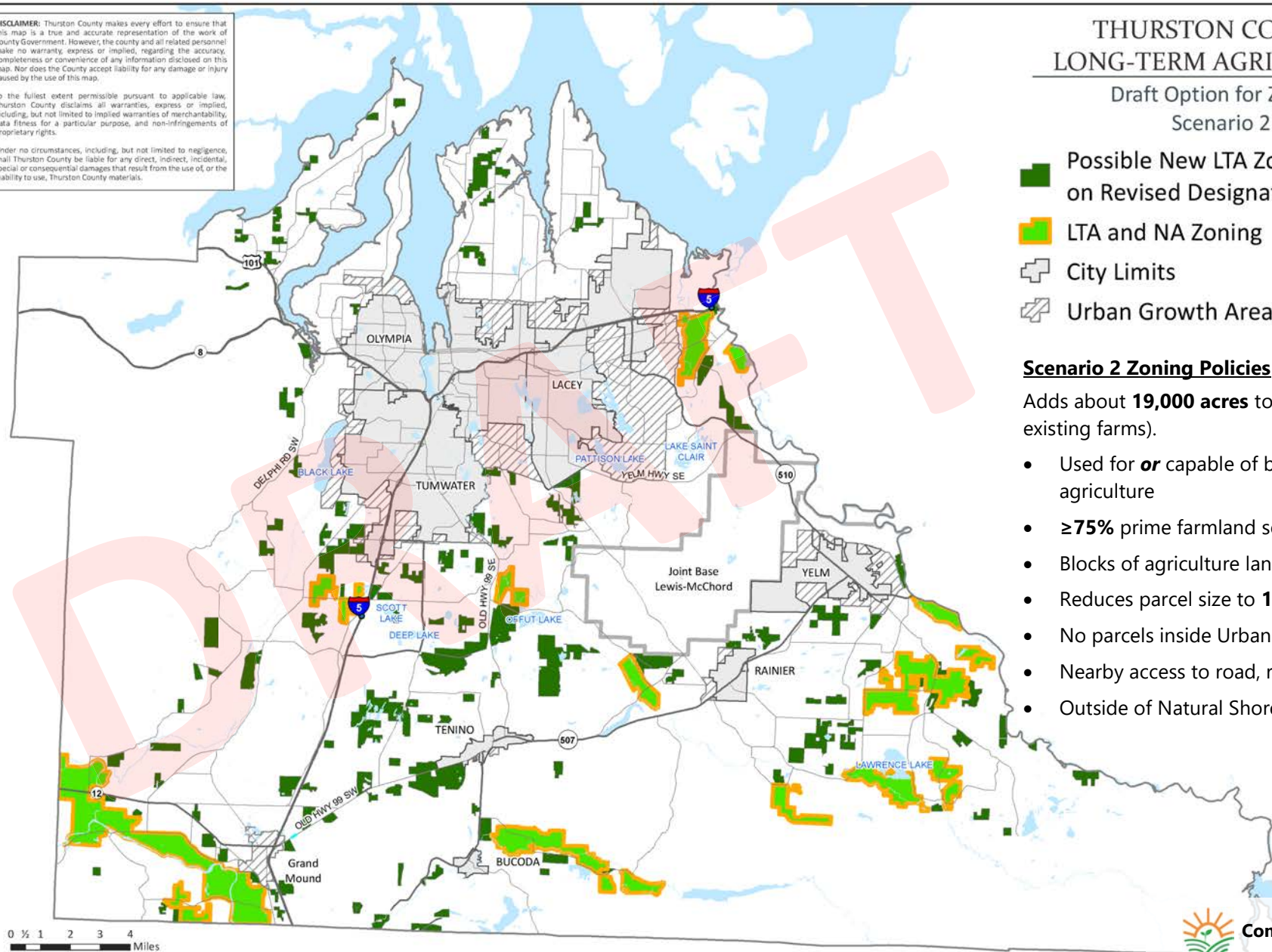
Draft Option for Zoning Scenario 2

- Possible New LTA Zoning based on Revised Designation Criteria
- LTA and NA Zoning
- City Limits
- Urban Growth Area (UGA)

Scenario 2 Zoning Policies

Adds about **19,000 acres** to agriculture zoning (32% existing farms).

- Used for **or** capable of being used for commercial agriculture
- **≥75%** prime farmland soils (2022 USDA Soil Survey)
- Blocks of agriculture land **40+ acres**
- Reduces parcel size to **15+ acres**
- No parcels inside Urban Growth Areas
- Nearby access to road, rail, or air routes to markets
- Outside of Natural Shoreline Environments



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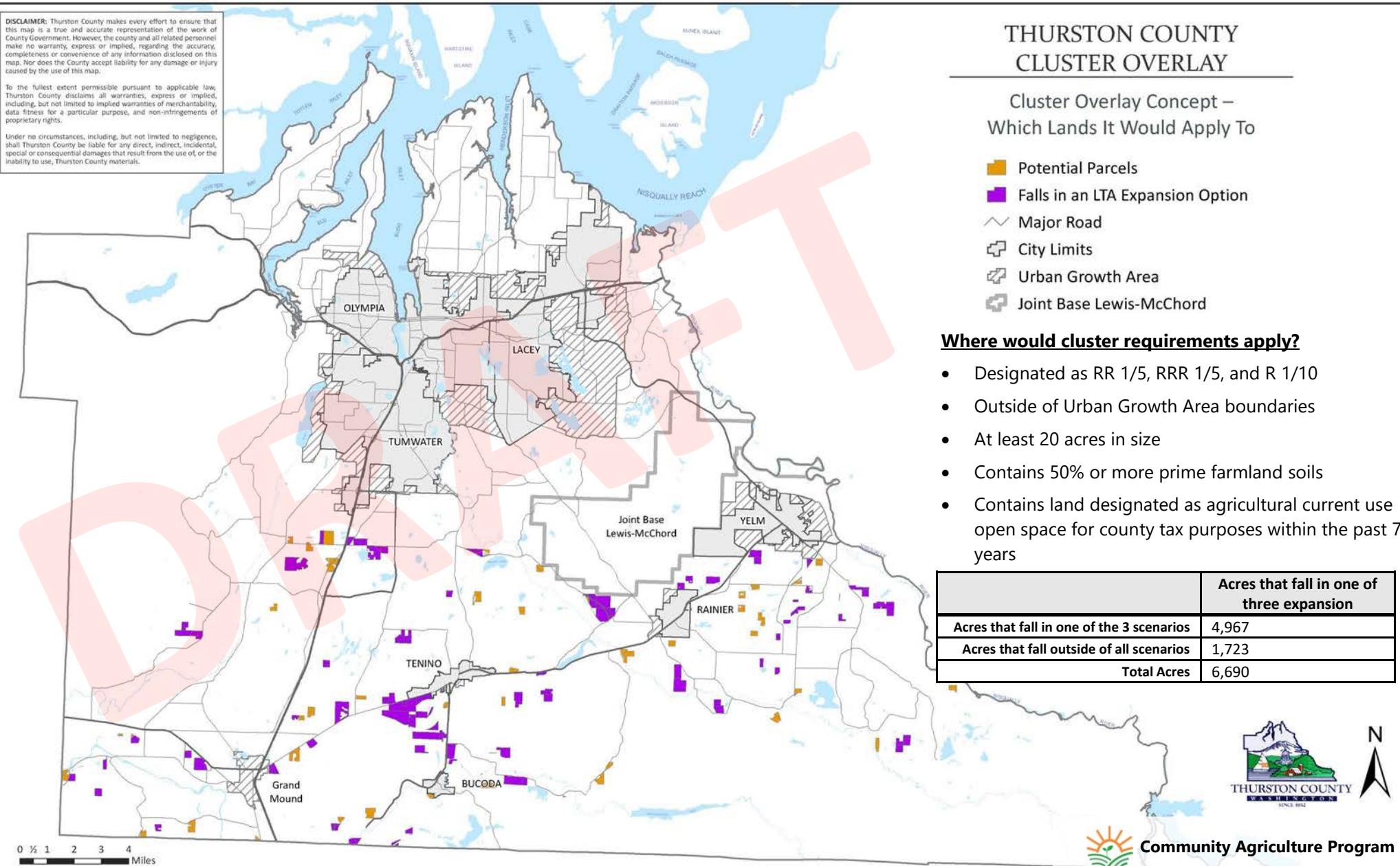
Cluster Overlay Concept

Potential Areas Affected

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THURSTON COUNTY CLUSTER OVERLAY

Cluster Overlay Concept –
Which Lands It Would Apply To

- Potential Parcels
- Falls in an LTA Expansion Option
- Major Road
- City Limits
- Urban Growth Area
- Joint Base Lewis-McChord

Where would cluster requirements apply?

- Designated as RR 1/5, RRR 1/5, and R 1/10
- Outside of Urban Growth Area boundaries
- At least 20 acres in size
- Contains 50% or more prime farmland soils
- Contains land designated as agricultural current use open space for county tax purposes within the past 7 years

| | Acres that fall in one of three expansion |
|---|---|
| Acres that fall in one of the 3 scenarios | 4,967 |
| Acres that fall outside of all scenarios | 1,723 |
| Total Acres | 6,690 |



 **Community Agriculture Program**
Community Planning & Economic Development



816 Second Ave, Suite 200, Seattle, WA 98104
p. (206) 343-0681
futurewise.org



October 11, 2019

The Honorable John Hutchings
The Honorable Gary Edwards
The Honorable Tye Menser
Board of Commissioners for Thurston County
Thurston County Courthouse
Building One, Room 269
2000 Lakeridge Drive SW
Olympia, Washington 98502-1045

Dear Commissioners Hutchings, Edwards, and Menser:

Subject: Comments on the Comprehensive Plan 20-year Periodic Update

Sent via U.S. Mail and email to: kelli.lee@co.thurston.wa.us;
vickie.larkin@co.thurston.wa.us; thomasina.cooper@co.thurston.wa.us;
Maya.Teeple@co.thurston.wa.us; ian.lefcourte@co.thurston.wa.us

Your Tracking Number is 9405511899561901081099 BOCC box
Your Tracking Number is 9405511899561901833025 Planning

Thank you for the opportunity to comment on Thurston County's Comprehensive Plan Update. Futurewise strongly supports the update. We do have several suggestions for improving the update discussed below. This letter first summarizes our recommendations. The letter then provides more detail on the recommendations.

We need to draw your attention to the requirement for an internally consistent comprehensive plan in RCW 36.70A.070. Currently, the county comprehensive plan is internally inconsistent because the soils criterion for designating agricultural lands is inconsistent with future land use map. The map is based on only some of the prime farmland soils while the criteria calls on using all prime farmland soils. This inconsistency must be corrected before the update is adopted.

Futurewise works throughout Washington State to support land-use policies that encourage healthy, equitable, and opportunity-rich communities, that protect our most valuable farmlands, forests, and water resources, and encourage growth in urban growth areas to prevent poorly planned sprawl. Futurewise has members across Washington State including Thurston County.

Summary

- Incorporate the recommendations from Thurston County's reports and other reports to protect rural character. This will better protect water quality and fish and wildlife habitats. Please see page 3 for more information.



- Thurston County should review and update the policies and regulations for the uses and densities allowed in the “Agriculture” designation to better protect working farms. Please see page 5 for more information.
- Thurston County should update its designations of agricultural resource lands of long-term commercial significance using the full list of prime farmland soils. This is needed to better protect working farms and to remedy a conflict between the comprehensive plan designation criteria and the future land use map. It is also necessary to comply with state law. Please see page 6 for more information.
- Futurewise strongly supports the description of the impacts of global climate change on Thurston County and including provisions to address these adverse impacts. Please see page 8 for more information.
- We strongly support the “Twenty-year Generalized Project Projections” in Chapter 6 Capital Facilities but recommend that revenue projections also be included. This will provide a plan to fund these needed facilities. Please see page 9 for more information.
- Futurewise strongly supports the objective and policies providing for increased compatibility with Joint Base Lewis-McChord. Please see page 9 for more information.
- Futurewise strongly supports the fair share affordable housing distributions. Please see page 9 for more information.
- Futurewise strongly supports improving protects for the quality and quantity of groundwater used for public water supplies and the improved ground water provisions in Chapter 9 Environment, Recreation, and Open Space. In addition, we recommend that rural densities match available water resources. This will better protect water quality and water quantity. Please see page 10 for more information.
- Futurewise recommends that the Geologic Hazard Areas goal, policies, and regulations be improved to incorporate the lessons from the Oso landslides. This will better protect people and property from natural hazards. Please see page 11 for more information.
- We support the goal, objectives, and policies to encourage community resilience. This will also improve protections for people and property from natural hazards. Please see page 13 for more information.
- The comprehensive plan should better protect people and property from wildfires. This will save lives and property. Please see page 13 for more information.
- Futurewise supports the improvements to Chapter 10 Archaeological and Historic Resources, but also recommend that the County’s policies and regulations require site investigations for sites that the Washington State Department of Archeology and Historic Preservation predictive model rates as “survey recommended: moderate risk,” “survey highly advised: high risk,” and “survey highly advised: very high risk.” This will reduce costs and delays resulting from the inadvertent discovery of cultural and historic resources. Please see page 14 for more information.



Detailed Recommendations

Incorporate the recommendations from Thurston County's reports and other reports to protect rural character

The rural element must protect rural character.¹ RCW 36.70A.070(5)(c) also requires that:

The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

- (i) Containing or otherwise controlling rural development;
- (ii) Assuring visual compatibility of rural development with the surrounding rural area;
- (iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;
- (iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and
- (v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.

Thurston County has prepared a series of reports analyzing the impacts of the allowed growth in various water basins and recommending measures to protect water quality and habitats including reducing the permitted densities in parts of the basins.² We recommend that those measures be adopted as part of the comprehensive plan update.

The southern resident orcas, or killer whales, are threatened by (1) an inadequate availability of prey, the Chinook salmon, “(2) legacy and new toxic contaminants, and (3) disturbance from noise and vessel traffic.”³ “Recent scientific studies indicate that reduced Chinook salmon runs undermine the potential for the southern resident population to successfully reproduce and recover.”⁴ A 2018 analysis by the National Oceanic and Atmospheric Administration and the State of Washington Department of Fish and Wildlife ranked the Southern Puget Sound fall Chinook stocks that originate in the Nisqually and Deschutes River systems highest in importance as food sources for the southern resident killer whales.⁵

¹ RCW 36.70A.070(5)(b) and (c).

² Thurston Regional Planning Council & Thurston County, *Deschutes Watershed Land Use Analysis: Current Conditions Report* pp. 57 – 58 of 142 (Dec. 29, 2015); Thurston Regional Planning Council & Thurston County, *Guiding Growth – Healthy Watersheds: McLane Creek Basin Water Resource Protection Study* p. 40 (June 2015); Thurston Regional Planning Council & Thurston County, *Guiding Growth – Healthy Watersheds: Black Lake Basin Water Resource Protection Study* p. 39 (June 2015) copies of the reports were enclosed with the paper original of Futurewise’s letter to the Thurston County Long Range Planning Division (March 28, 2018).

³ State of Washington Office of the Governor, Executive Order 18-02 Southern Resident Killer Whale Recovery and Task Force p. 1 (March 14, 2018) last accessed on Oct. 10, 2019 at: https://www.governor.wa.gov/sites/default/files/exe_order/eo_18-02_1.pdf and enclosed with Futurewise’s letter to the Thurston County Community Planning and Economic Development (July 9, 2019).

⁴ *Id.*

⁵ National Oceanic and Atmospheric Administration and the State of Washington Department of Fish and Wildlife, *Southern Resident Killer Whale Priority Chinook Stocks* p. 6 (June 22, 2018) last accessed on Oct. 10, 2019 at:



The Governor's Salmon Recovery Office documents in the *State of Our Salmon in Watersheds 2018* Executive Summary that "[p]rogress in some sectors, such as hatcheries, harvest, and nearshore restoration, are being offset with challenges in other sectors such as general habitat loss, disease, predation, and invasive species."⁶ We are not restoring habitat as fast as we are losing it. This fails to protect rural character.

Land Use Planning for Salmon, Steelhead and Trout has many helpful recommendations to protect salmon and the other fish and wildlife that depend on them such as the orcas. We recommend that those recommendations be adopted as measures to protect rural character and the habitats of Chinook salmon. They include:

- Limiting impervious surfaces and retain native vegetation and native soils.⁷ So we recommend the comprehensive plan and development regulations include provisions requiring the retention of native vegetation and native soils. These measures will protect water quality and quantity, and better protect fish and wildlife habitats, and help assuring visual compatibility of rural development.
- "Discourage new dwelling units or expansion of existing structures within the [channel migration zone] CMZ."⁸ "Allow no development in CMZ plus 50 feet."⁹ Exceptions must be mitigated and not adversely affect water quality, water quantity, flood volumes, flood velocities, spawning substrate, and/or floodplain refugia for listed salmonids. This measure will protect fish and wildlife habitat and people and property.

Thurston County Countywide Planning Policy 3.1g directs the County to "[d]esignat[e] rural areas for low intensity, non-urban uses that preserve natural resource lands, protect rural areas from sprawling, low-density development and assure that rural areas may be served with lower cost, non-urban public services and utilities."¹⁰ County comprehensive plans and development regulations must comply with countywide planning policies (CPPs).¹¹ The countywide planning policies were updated since the last major revision to the comprehensive plan including the rural comprehensive plan designations.¹² But the

<https://www.documentcloud.org/documents/4615304-SRKW-Priority-Chinook-Stocks.html> and enclosed with Futurewise's letter to the Thurston County Community Planning and Economic Development (July 9, 2019).

⁶ Governor's Salmon Recovery Office, *State of Our Salmon in Watersheds 2018* Executive Summary p. 2 last accessed on Oct. 10, 2019 at: <https://stateofsalmon.wa.gov/exec-summary/> and enclosed with Futurewise's letter to the Thurston County Community Planning and Economic Development (July 9, 2019).

⁷ K. Knight, *Land Use Planning for Salmon, Steelhead and Trout* p. 42 (Washington Department of Fish and Wildlife, Olympia, Washington: 2009) last accessed on Oct. 10, 2019 at: <https://wdfw.wa.gov/publications/00033/> and enclosed with the paper original of Futurewise's letter to the Thurston County Long Range Planning Division (March 28, 2018).

⁸ *Id.* at p. 71.

⁹ *Id.*

¹⁰ *Thurston County County-Wide Planning Policies* p. 6 (Nov. 10, 2015) last accessed on Oct. 2, 2019 at: <https://www.thurstoncountywa.gov/planning/planningdocuments/countywide-planning-policies.pdf> and enclosed with the paper original of this letter.

¹¹ *King Cty. v. Cent. Puget Sound Growth Mgmt. Hearings Bd.*, 138 Wn.2d 161, 175 – 768, 979 P.2d 374, 380 (1999) accord RCW 36.70A.210(1).

¹² *Thurston County Comprehensive Plan Chapter Two--Land Use* pp. 2-10 – 2-20 (Revised 05/14) and *Comprehensive Plan Thurston County, Washington M-15 Future Land Use* p. *1 (Amended 2009) both accessed on Oct. 4, 2019 at:

County has not updated its rural comprehensive plan designations and zones to comply with the countywide planning policies. This violates the Growth Management Act and must be corrected.

Futurewise strongly supports reviewing and updating the policies and regulations for the uses and densities allowed in the “Agriculture” designation to better protect working farms

Thurston County Comprehensive Plan Update Scope of Work states that as part of the update to the comprehensive plan the county will “[r]eview and update policies for agriculturally designated lands limiting nonagricultural uses.”¹³ Futurewise strongly supports this aspect of the work plan. As the American Farmland Trust explains:

To make substantial progress protecting farmland in the Puget Sound region, minimum parcel size would be at least 40 acres and preferably larger. This would ensure that parcels will remain large enough to allow commercial agriculture in the future, help prevent residential development of farmland, and keep per-acre land values down to a level affordable to farmers.¹⁴

Professor Arthur Nelson agrees writing that “[l]ot sizing for agriculture at up to 40-acre densities merely causes rural sprawl.”¹⁵ Agricultural zoning should have a minimum lot size and density of one dwelling units per 40 acres like the Nisqually Agricultural District.

The American Farmland Trust also explains that:

Non-agricultural uses of land in agricultural zones can lead to conflicts between farmers and other residents over the sounds, smells, and appearance of normal agricultural activities. However, it is important that farmers be allowed to operate businesses associated with farm production, such as farm stands and processing facilities. In general, a short list of allowable uses restricted to farming, farm-related businesses and other compatible uses is desirable.¹⁶

<https://www.thurstoncountywa.gov/planning/Pages/comp-plan-current.aspx> and enclosed with the paper original of this letter; *Thurston County County-Wide Planning Policies* p. 6 (Nov. 10, 2015).

¹³ *Thurston County Comprehensive Plan Update Scope of Work* p. 5 (Feb. 2017).

¹⁴ Dennis Canty, Alex Martinsons, and Anshika Kumar, *Losing Ground: Farmland Protection in the Puget Sound Region* p. 9 (Jan. 2012) last accessed on Oct. 4, 2019 at: <https://4aa2dc132bb150caflaa-7bb737f4349b47aa42dce777a72d5264.ssl.cf5.rackcdn.com/Losing-Ground-Farmland-Protection-in-the-Puget-Sound-Region.pdf> and enclosed with the paper original of Futurewise’s letter to the Thurston County Long Range Planning Division (March 28, 2018).

¹⁵ Arthur Nelson, *Preserving Prime Farmland in the Face of Urbanization: Lessons from Oregon* 58 JOURNAL OF THE AMERICAN PLANNING ASSOCIATION 467, 471 – 74 (1992) enclosed with Futurewise’s letter to the Thurston County Long Range Planning Division (March 28, 2018). The Journal of the American Planning Association is a peer-reviewed journal. Journal of the American Planning Association Instructions for Authors webpage p. 1 of 8 enclosed with Futurewise’s letter to the Thurston County Long Range Planning Division (March 28, 2018).

¹⁶ Dennis Canty, Alex Martinsons, and Anshika Kumar, *Losing Ground: Farmland Protection in the Puget Sound Region* p. 9 (Jan. 2012).

We support this recommendation. The development regulations should be updated to reflect this recommendation.

Thurston County must update its designations of agricultural resource lands of long-term commercial significance using the full list of prime farmland soils as part of the comprehensive plan update

The list of prime farmland soils on pages 3-10 and 3-11 of the *Thurston County Comprehensive Plan* were the soils that the County used to designate agricultural resource lands of long-term commercial significance.¹⁷ These lands have the “Nisqually Agriculture,” “Long-Term Agriculture,” or “Agriculture” designations and “Long-Term Agriculture (LTA)” zoning. This list, however, is not a complete list of the prime farmland soils in Thurston County. On May 20, 2014, Thurston County adopted Resolution No. 15019 which amended the soils criteria for agricultural lands of long-term commercial significance to provide that “[t]he enumerated list of prime farmland soil types below is not intended as exclusive criteria.”¹⁸ This statement continues to be a part of the Thurston County Comprehensive Plan.¹⁹

There are 29 prime farmland soils in Thurston County that are not listed in the comprehensive plan totaling 95,302 acres.²⁰ These soils are listed in Appendix A of this letter and are shown on the United States Department of Agriculture Natural Resources Conservation Service Web Soil Survey soil maps enclosed with the paper original of this letter. The 29 unlisted prime farmland soils is the same number of prime soils listed in the comprehensive plan.²¹ Based in part of the omission the 29 prime farmland soils, Thurston County has only designated 15,878 acres of agricultural lands of long-term commercial significance.²² The 2017 Census of Agriculture enumerated 62,250 acres of

¹⁷ *Thurston County Comprehensive Plan Chapter Three -- Natural Resource Lands* p. 3-4 (Revised 01/14) last accessed on Aug. 2, 2019 at: <http://www.co.thurston.wa.us/planning/comp-plan/docs/2009/comprehensive-plan-chapter-03.pdf> and enclosed with the paper original of this letter; *Thurston County Comprehensive Plan Chapter 3: Natural Resource Lands, Board of County Commissioners Hearing Draft* pp. 3-10 – 3-11 (October 2019, Redline Version).

¹⁸ Thurston County Resolution No. 15019 Attachment F enclosed with the paper original of this letter. Also please see the findings on pages 9 through 11 of Thurston County Resolution No. 15019. Resolution No. 15019 was also implemented in part by Thurston County Ordinance No. 15020 also enclosed with the paper original of this letter.

¹⁹ *Thurston County Comprehensive Plan Chapter Three -- Natural Resource Lands* p. 3-4 (Revised 01/14); *Thurston County Comprehensive Plan Chapter 3: Natural Resource Lands, Board of County Commissioners Hearing Draft* p. 3-10 (October 2019, Redline Version).

²⁰ Natural Resources Conservation Service, *Farmland Classification--Thurston County Area, Washington* pp. 1 – 9 of 10 (7/8/2019); Natural Resources Conservation Service, *Component Legend--Thurston County Area, Washington* pp. 1 – 14 of 14 (7/8/2019) both documents enclosed with Futurewise’s letter to the Thurston County Community Planning and Economic Development (July 9, 2019).

²¹ *Thurston County Comprehensive Plan Chapter Three -- Natural Resource Lands* p. 3-4 (Revised 01/14) last accessed on Aug. 2, 2019 at: <http://www.co.thurston.wa.us/planning/comp-plan/docs/2009/comprehensive-plan-chapter-03.pdf>; *Thurston County Comprehensive Plan Chapter 3: Natural Resource Lands Board of County Commissioners Hearing Draft* pp. 3-10 – 3-11 (October 2019, Redline Version).

²² *Thurston County Comprehensive Plan Chapter 3: Natural Resource Lands Board of County Commissioners Hearing Draft* p. 3-13 (October 2019, Redline Version).

land in farms in Thurston County, down from 76,638 acres in 2012.²³ There is a large overlap between the prime farmland soils and working farms.²⁴

However, Thurston County has not reanalyzed the designation of agricultural lands using the current list of prime farmland soils. Therefore, there is an inconsistency between the designation criteria in the comprehensive plan which requires consideration of all prime farmland soils and the agricultural lands of long-term commercial significance designated on Thurston County's Future Land Use Map. Thurston County must update the designation of agricultural lands of long-term commercial significance using the full list of prime farmland soils as part of the current comprehensive plan update. Futurewise, as part of a 2013 settlement agreement with Thurston County, agreed not to file an appeal challenging this inconsistency until after June 30, 2016 when the parties anticipated that Thurston County would complete its comprehensive plan update and update the designations of agricultural lands of long-term commercial significance. We respectfully request that this inconsistency be corrected as part of this update. Further, the comprehensive plan should include all prime farmland soils in its listing.

Increasing the designation of agricultural lands of long-term commercial significance is necessary to protect working farms from development. "More than 700 acres of farmland were developed between 2000 and 2011" in the Deschutes Study Area.²⁵ Another 3,726 acres of farmland in the Deschutes Study Area is vulnerable to development under the current comprehensive plan and zoning.²⁶ As the American Farmland Trust concluded:

Based on our estimations, most agricultural land is classified as RRR 1/5, which allows one dwelling unit for every five acres. Farmland in this zone is on smaller property sizes, dispersed among residential properties, and allows for many residential uses. Generally, agriculture in rural residential zones is poorly protected from developmental pressures. With large areas of farmland within the RRR 1/5 zone, the County is apt to experience increased conversion to non-farm uses in the future.²⁷

²³ United States Department of Agriculture National Agricultural Statistics Service, *Washington State and County Data Volume 1 • Geographic Area Series • Part 47AC-17-A47* Table 8. Farms, Land in Farms, Value of Land and Buildings, and Land Use: 2017 and 2012 p. 288 (Issued April 2019) last accessed on Oct. 2, 2019 at: https://www.nass.usda.gov/Publications/AgCensus/2017/Full_Report/Volume_1,_Chapter_2_County_Level/Washington/ and enclosed with Futurewise's letter to the Thurston County Community Planning and Economic Development (July 9, 2019).

²⁴ Thurston Regional Planning Council, *Thurston County 2014 Farmland Inventory* enclosed with Futurewise's letter to the Thurston County Community Planning and Economic Development (July 9, 2019) and last accessed on Oct. 2, 2019 at: <https://www.trpc.org/DocumentCenter/View/2863/TRPC-Farmland-Inventory?bidId=> and United States Department of Agriculture Natural Resources Conservation Service. Web Soil Survey soil maps enclosed with the paper original of this letter.

²⁵ Thurston County and the Thurston Regional Planning Council, *Deschutes Watershed Land Use Analysis: Scenario Development Report* p. 11 (Nov. 2016) enclosed with the paper original of Futurewise's letter to the Thurston County Long Range Planning Division (March 28, 2018).

²⁶ *Id.* at p. 30.

²⁷ Dennis Canty, Alex Martinsons, and Anshika Kumar, *Losing Ground: Farmland Protection in the Puget Sound Region* (Jan. 2012) Appendix B: Thurston County Scorecard p. 21. Appendix B accessed on July 8, 2019 at: <http://extension.wsu.edu/thurston/wp-content/uploads/sites/12/2014/01/Thurston-Co-Agricultural-Protection->



At 19 percent, Thurston County has the second lowest percentage of farmland in agricultural zoning of the eleven Puget Sound counties.²⁸ The Thurston Regional Planning Council has recommended that Thurston County “[a]dd additional lands to the agricultural zoning districts” to make the county’s protection of agricultural lands more effective.²⁹ Increasing the land designated as “Agriculture” and zoning the land “Long-Term Agriculture (LTA)” with a more protective minimum lot size and other improvements can protect the farmland from being paved over for development.

Thurston County Countywide Planning Policy 3.1g directs the County to “[d]esignat[e] rural areas for low intensity, non-urban uses that preserve natural resource lands”³⁰ County comprehensive plans and development regulations must comply with countywide planning policies (CPPs).³¹ The countywide planning policies were updated after the last major revision to the comprehensive plan including the designation of agricultural lands.³² But the County has not updated its designation of agricultural lands to comply with the countywide planning policies. This violates the Growth Management Act and must be corrected.

Futurewise strongly supports the description of the impacts of global climate change on Thurston County and including provisions to address these adverse impacts. See for example *Thurston County Comprehensive Plan Chapter 1 Introduction*, Board of County Commissioner Hearing Draft pp. 1-12 – 1-13 (Oct. 2019 Redline Version)

The comprehensive plan update correctly identifies global climate change as one of the key challenges facing the county, its residents, and its businesses over the next 20 years. We strongly support identifying those challenges and including provisions to address those challenges.

[AFT.pdf](#) and enclosed with the paper original of Futurewise’s letter to the Thurston County Long Range Planning Division (March 28, 2018).

²⁸ American Farmland Trust, *Assessment of Farms and Farmland Protection Programs in Puget Sound Counties – DRAFT* p. 13 (Oct. 2013) and enclosed with the paper original of Futurewise’s letter to the Thurston County Long Range Planning Division (March 28, 2018).

²⁹ Thurston Regional Planning Council, *Farmland Zero Net Loss: Setting the Stage* p. 1 & p. 11 accessed on Oct. 2, 2019 at: <https://www.trpc.org/632/Farmland-Zero-Net-Loss> and enclosed with the paper original of this letter.

³⁰ *Thurston County County-Wide Planning Policies* p. 6 (Nov. 10, 2015).

³¹ *King Cty. v. Cent. Puget Sound Growth Mgmt. Hearings Bd.*, 138 Wn.2d 161, 175 – 768, 979 P.2d 374, 380 (1999); RCW 36.70A.210(1).

³² *Thurston County Comprehensive Plan Chapter Three -- Natural Resource Lands* p. 3-4 (Revised 01/14) accessed on Oct. 2, 2019 at: <https://www.thurstoncountywa.gov/planning/Pages/comp-plan-current.aspx> and enclosed with the paper original of this letter; *Comprehensive Plan Thurston County, Washington M-15 Future Land Use* p. *1 (Amended 2009); *Thurston County County-Wide Planning Policies* p. 6 (Nov. 10, 2015).



Futurewise strongly supports the objective and policies providing for increased compatibility with Joint Base Lewis-McChord. *Thurston County Comprehensive Plan Chapter 2 Land Use*, Board of County Commissioner Hearing Draft pp. 2-49 – 2-50 (Oct. 2019 Redline Version)

We support the new objective and policies providing for increased compatibility with Joint Base Lewis-McChord. This will help maintain the functionality of the base and protect residences and other sensitive uses from locating near the base and being adversely affected by incompatible activities.

Futurewise strongly supports the fair share affordable housing distributions. *Thurston County Comprehensive Plan Chapter 4 Housing*, Board of County Commissioner Hearing Draft pp. 4-32 – 4-33 & p. 4-50 (Oct. 2019 Redline Version)

We strongly support the fair share housing distributions. This is an excellent way to coordinate a regional approach to providing affordable housing. The region, county, and cities are to be commended for preparing and adopting the distributions. We agree with the Housing Chapter that a large part of the rural area distribution should be provided in cities where public facilities, transit, and supportive services for residents are available.

We strongly support the “Twenty-year Generalized Project Projections” in Chapter 6 Capital Facilities but recommend that revenue projections also be included. See *Thurston County Comprehensive Plan Chapter 6 Capital Facilities*, Board of County Commissioner Hearing Draft pp. 6-29 – 6-30 (Oct. 2019 Redline Version)

A twenty-year protection of capital facility costs and revenues is a best practice for capital facility plans.³³ So we strongly support the “Twenty-year Generalized Project Projections” in Chapter 6 Capital Facilities, but recommend that revenue projections also be included.

³³ State of Washington Department of Commerce, *Capital Facilities Planning Guidebook: Comprehensive Planning under the Growth Management Act* p. 1, p. 12, p. 40 (Oct. 2014) last accessed on Oct. 9, 2019 at: <https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/capital-facilities-planning/> and enclosed with Futurewise’s letter to the Thurston County Community Planning and Economic Development (July 9, 2019).

Futurewise strongly supports reviewing provisions for the protection of the quality and quantity of groundwater used for public water supplies and the improved ground water provisions in Chapter 9 Natural Environment, Recreation, and Open Space, but we continue to recommend that rural densities match available water resources. See *Thurston County Comprehensive Plan Chapter 9 Environment, Recreation, and Open Space, Board of County Commissioner Hearing Draft p. 9-1 & pp. 9-9 – 9-10 (Oct. 2019 Redline Version)*

Thurston County Comprehensive Plan Update Scope of Work states that as part of the update to the land use element, the county will “[r]eview provisions for protection of the quality and quantity of groundwater used for public water supplies[.]”³⁴ We strongly support this part of the scope of work.

The Washington State Supreme Court held in the *Kittitas County* decision that “the County must regulate to some extent to assure that land use is not inconsistent with available water resources. The GMA directs that the rural and land use elements of a county’s plan include measures that protect groundwater resources. RCW 36.70A.070(1), (5)(c)(iv).”³⁵

The rural element must also protect rural character.³⁶ “‘Rural character’ refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan ... consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.”³⁷

Much of the water in Thurston County “has already been spoken for.”³⁸ The instream flow rules applicable to the river basins in the county close and partially close numerous rivers and streams to additional water with diversions and withdrawals as well as adopt instream flows for other streams and creeks.³⁹ These rules limit new water uses. New water appropriations need mitigation for the impacts of their use of water will have on surface water bodies and on groundwater.⁴⁰ RCW

³⁴ *Thurston County Comprehensive Plan Update Scope of Work* p. 5 (Feb. 2017) accessed on July 8, 2019 at: <https://www.co.thurston.wa.us/Planning/comp-plan/docs/scope-of-work-2017.pdf>.

³⁵ *Kittitas Cty. v. E. Washington Growth Mgmt. Hearings Bd.*, 172 Wn.2d 144, 178, 256 P.3d 1193, 1209 (2011).

³⁶ RCW 36.70A.070(5)(b) and (c).

³⁷ RCW 36.70A.030(16).

³⁸ State of Washington Department of Ecology Water Resources Program, *Focus on Water Availability Nisqually Watershed*, WRLA 11 p. 1 (Publication Number: 11-11-016: Nov. 2016) last accessed on Oct. 9, 2019 at:

<https://fortress.wa.gov/ecy/publications/summarypages/1111016.html>; State of Washington Department of Ecology Water Resources Program, *Focus on Water Availability Deschutes Watershed*, WRLA 13 p. 1 (Publication Number: 11-11-018: Nov. 2016) last accessed on Oct. 9, 2019 at: <https://fortress.wa.gov/ecy/publications/summarypages/1111018.html>;

State of Washington Department of Ecology Water Resources Program, *Focus on Water Availability Kennedy-Goldsborough Watershed*, WRLA 14 p. 1 (Publication Number: 11-11-019: Nov. 2016) last accessed on Oct. 9, 2019 at:

<https://fortress.wa.gov/ecy/publications/summarypages/1111019.html>; State of Washington Department of Ecology Water Resources Program, *Focus on Water Availability Lower Chehalis & Upper Chehalis Watersheds*, WRLAs 22 & 23 p. 1 (Publication Number: 11-11-027: Nov. 2016) last accessed on Oct. 9, 2019 at:

<https://fortress.wa.gov/ecy/publications/summarypages/1111027.html> and the publications enclosed with the paper original of Futurewise’s letter to the Thurston County Long Range Planning Division (March 28, 2018).

³⁹ *Id.* at pp. 1 – 2.

⁴⁰ *Id.*

19.27.097, RCW 90.94.020, and RCW 90.94.030 require mitigation payments and updated basin plans for Water Resource Inventory Area (WRIA) 11 the Nisqually basin, WRIA 13 the Deschutes basin, WRIA 14 the Kennedy-Goldsborough basin, WRIA 22, the Lower Chehalis basin, and WRIA 23 the Upper Chehalis basin.

As part of the review of the provisions for the protection of the quality and quantity of groundwater, Futurewise recommends that Thurston County adopt densities in its land use element and rural element consistent with available water resources. We also recommend that the update adopt the regulations required by RCW 19.27.097, RCW 36.70A.590, RCW 90.94.020, and RCW 90.94.030.

Please correct the statement about water right permits in *Thurston County Comprehensive Plan Chapter 9 Environment, Recreation, and Open Space*, Board of County Commissioner Hearing Draft p. 9-10 (Oct. 2019 Redline Version)

Small wells serving single-family homes do not require a water right permit from the State of Washington Department of Ecology, but they must comply with the other requirements for perfecting a water right. So we recommend that the following sentence be clarified to state that a water right permit is not required with our recommended addition double underlined.⁴¹

Small wells that serve single-family homes are typically exempt from needing a water right permit under state rules.

We recommend that the Geologic Hazard Areas goal, policies, and regulations be improved to incorporate the lessons from the Oso landslides. See *Thurston County Comprehensive Plan Chapter 9 Environment, Recreation, and Open Space*, Board of County Commissioner Hearing Draft p. 9-25 & pp. 9-37 – 9-38 (Oct. 2019 Redline Version)

Since the Geologic Hazard Areas goal, policies, and regulations were last amended, the March 22, 2014, Oso landslide “claimed the lives of 43 people, making it the deadliest landslide event in United States history. Of the approximately 10 individuals who were struck by the landslide and survived, several sustained serious injuries.”⁴² Landslide hazards are capable of damaging property at significant distances. The 2014 Oso slide ran out for over a mile (5,500 feet) even through the slope

⁴¹ RCW 90.44.050.

⁴² Jeffrey R. Keaton, Joseph Wartman, Scott Anderson, Jean Benoît, John deLaChapelle, Robert Gilbert, David R. Montgomery, *The 22 March 2014 Oso Landslide, Snohomish County, Washington* p. 1 (Geotechnical Extreme Events Reconnaissance (GEER): July 22, 2014) accessed on Oct. 10, 2019 at: http://www.geerassociation.org/index.php/component/geer_reports/?view=geerreports&layout=build&id=30 and enclosed with the paper original of Futurewise’s letter to the Thurston County Long Range Planning Division (March 28, 2018). If the American territories are included, then the Oso landslide is the second deadliest landslide in American history. R.M. Iverson, D.L. George, K. Allstadt, *Landslide mobility and hazards: implications of the Oso disaster* 412 EARTH AND PLANETARY SCIENCE LETTERS 197, 198 (2015).

height was 600 feet.⁴³ Recent research shows that long runout landslides are more common than had been realized.⁴⁴ This research documents that over the past 2000 years, the average landslide frequency of long runout landslides in the area near the Oso landslide is one landslide every 140 years.⁴⁵ The landslides ran out from 787 feet to the 2,000 feet of the 2014 landslide.⁴⁶ The 2013 Ledgewood-Bonair Landslide on Whidbey Island extended approximately 300 feet into Puget Sound.⁴⁷ In a study of shallow landslides along Puget Sound from Seattle to Everett, the average runout length was 197.5 feet (60.2 m) and the maximum runout length was 771 feet (235 m).⁴⁸

In addition to protecting people from natural hazards, updated geologically hazardous regulations also protect a family's largest asset: Their home. Homeowners insurance does not cover the damage from landslides. "Insurance coverage for landslides is uncommon. It is almost never a standard coverage, and is difficult to purchase inexpensively as a policy endorsement."⁴⁹

⁴³ Jeffrey R. Keaton, Joseph Wartman, Scott Anderson, Jean Benoît, John deLaChapelle, Robert Gilbert, David R. Montgomery, *The 22 March 2014 Oso Landslide, Snohomish County, Washington* p. 56 & p. 144 (Geotechnical Extreme Events Reconnaissance (GEER): July 22, 2014).

⁴⁴ Sean R. LaHusen, Alison R. Duvall, Adam M. Booth, and David R. Montgomery, *Surface roughness dating of long-runout landslides near Oso, Washington (USA), reveals persistent postglacial hillslope instability* GEOLOGY pp. *2 – 3, published online on 22 December 2015 as doi:10.1130/G37267.1; Geological Society of America (GSA) Data Repository 2016029, *Data repository for: Surface roughness dating of long-runout landslides near Oso, WA reveals persistent postglacial hillslope instability* p. 4 both enclosed with the paper original of Futurewise's letter to the Thurston County Long Range Planning Division (March 28, 2018). Geology is a peer-reviewed scientific journal. Geology – Prep webpage accessed on Feb. 1, 2018 at: <http://www.geosociety.org/GSA/Publications/Journals/Geology/GSA/Pubs/geology/home.aspx#overview> and enclosed with the paper original of Futurewise's letter to the Thurston County Long Range Planning Division (March 28, 2018).

⁴⁵ Sean R. LaHusen, Alison R. Duvall, Adam M. Booth, and David R. Montgomery, *Surface roughness dating of long-runout landslides near Oso, Washington (USA), reveals persistent postglacial hillslope instability* GEOLOGY p. *2, published online on 22 December 2015 as doi:10.1130/G37267.1.

⁴⁶ Geological Society of America (GSA) Data Repository 2016029, *Data repository for: Surface roughness dating of long-runout landslides near Oso, WA reveals persistent postglacial hillslope instability* p. 4.

⁴⁷ Stephen Slaughter, Isabelle Sarikhan, Michael Polenz, and Tim Walsh, *Quick Report for the Ledgewood-Bonair Landslide, Whidbey Island, Island County, Washington* pp. 3 – 4 (Washington State Department of Natural Resources, Division of Geology and Earth Resources: March 28, 2013) accessed on July 8, 2019 at: http://www.dnr.wa.gov/publications/ger_qr_whidbey_island_landslide_2013.pdf and enclosed with the paper original of Futurewise's letter to the Thurston County Long Range Planning Division (March 28, 2018).

⁴⁸ Edwin L. Harp, John A. Michael, and William T. Laprade, *Shallow-Landslide Hazard Map of Seattle, Washington* p. 17 (U.S. Geological Survey Open-File Report 2006–1139: 2006) accessed on July 8, 2019 at: <http://pubs.usgs.gov/of/2006/1139/> and enclosed with the paper original of Futurewise's letter to the Thurston County Long Range Planning Division (March 28, 2018).

⁴⁹ Robert L. Schuster & Lynn M. Highland, *The Third Hans Cloos Lecture: Urban landslides: socioeconomic impacts and overview of mitigative strategies* 66 BULLETIN OF ENGINEERING GEOLOGY AND THE ENVIRONMENT 1, p. 22 (2007) accessed on March 27, 2018 at: ftp://193.134.202.10/pub/TRAMM/Workshop_EWS/Literature/Schuster_and_Highland_2007_Bulletin_of_Engineering_Geology_and_the_Environment.pdf and enclosed with the paper original of Futurewise's letter to the Thurston County Long Range Planning Division (March 28, 2018). The Bulletin of Engineering Geology and the Environment is peer-reviewed. See the Bulletin of Engineering Geology and the Environment "em Editorial Manager" login page accessed on Jan. 23, 2018 at: <http://www.editorialmanager.com/boeg/default.aspx>



None of the Oso victims' homes were covered by insurance for landslide hazards.⁵⁰ And that is common when homes are damaged by landslides.⁵¹ For example, on March 14, 2011, a landslide damaged the home of Rich and Pat Lord.⁵² This damage required the homeowners to abandon their home on Norma Beach Road near Edmonds, Washington. Because their homeowners insurance did not cover landslides, they lost their home.⁵³ This loss of what may be a family's largest financial asset is common when homes are damaged or destroyed by landslides or other geological hazards.

Landslide buyouts are rare and when they occur the property owner often only recovers pennies on the dollar. The property owners bought out after the Aldercrest-Banyon landslide in Kelso, Washington destroyed their homes received 30 cents on the dollar.⁵⁴ This underlines why preventing development in geologically hazardous areas is just plain ordinary consumer protection.

For these reasons, we recommend that Thurston County update its policies and regulations for geological hazards including landslide hazards. Enclosed with this letter is a *Policy Brief: Landslide Hazards* which includes our specific policy recommendations.

We support the goal, objectives, and policies to encourage community resilience. See *Thurston County Comprehensive Plan Chapter 9 Environment, Recreation, and Open Space, Board of County Commissioner Hearing Draft pp. 9-37 – 9-38 (Oct. 2019 Redline Version)*

As Chapter 9 documents, climate change will have significant adverse impacts on Thurston County, its property owners, residents, and businesses. We support the goal, objectives, and policies to encourage community resilience. We also recommend that objectives 1, 2, and 3 be changed from “should” to “shall” to address the serious nature of these problems.

Better protect people and property from wildfires.

Thurston County averages 63 wildfires per year.⁵⁵ With climate change, fires will increase in size and intensity. We recommend that that Thurston County take steps to better protect people and property from wildfires by requiring defensible space around homes and other buildings and two

⁵⁰ Sanjay Bhatt, *Slide erased their homes, but maybe not their loans* *The Seattle Times* (April 2, 2014) accessed on Jan. 23, 2018 at: http://old.seattletimes.com/html/latestnews/2023278858_mudslidefinancial.xml.html

⁵¹ *Id.*

⁵² Ian Terry, *Abandoned and trashed after mudslide, Edmonds house now for sale* *The Herald* (Feb. 11, 2015). The house is for sale after the bank who held the Lord's mortgage took ownership of the home. *Id.* Accessed on Jan. 23, 2018 at: <http://www.heraldnet.com/article/20150211/NEWS01/150219829> and enclosed with the paper original of Futurewise's letter to the Thurston County Long Range Planning Division (March 28, 2018).

⁵³ *Id.* at p. *6.

⁵⁴ Isabelle Sarikhan, *Sliding Thought Blog, Washington's Landslide Blog* Landslide of the Week – Aldercrest Banyon Landslide July 29, 2009 accessed on Jan. 23, 2018 at: <https://slidingthought.wordpress.com/2009/07/29/landslide-of-the-week-aldercrest-banyon-landslide/>

⁵⁵ Thurston Regional Council, *3rd Edition Hazards Mitigation Plan for the Thurston Region* p. 4.5-6 (The Emergency Management Council of Thurston County: April 2017) last accessed on July 9, 2019 at: <https://www.trpc.org/160/Hazards-Mitigation-Plan>.

ways out from all residential areas in areas identified as being high risk areas on Table 4.5.1 and on Map 4.5.4 of the *3rd Edition Hazards Mitigation Plan for the Thurston Region*.

We support the improvements to Chapter 10 Archaeological and Historic Resources, but also recommend that the County's policies and regulations require site investigations for sites that the Washington State Department of Archeology and Historic Preservation predictive model rates as "survey recommended: moderate risk," "survey highly advised: high risk," and "survey highly advised: very high risk."

Addressing archaeological resources upfront before projects begin can save money. For example, the Jefferson County Public Utility District's (PUD) contractor building a community septic system at Becket Point in Jefferson County encountered human bones and Native American artifacts.⁵⁶ The contractor had to stop construction. An archaeologist was called in and conducted an investigation that allowed the project to be redesigned and to be completed. However, PUD staff "estimated the delays and additional engineering incurred because of the artifacts added about \$90,000 to the project's cost."⁵⁷ At least some of that money could have been saved by an upfront archeological investigation.

The Washington State Department of Archaeology and Historic Preservation has developed an archaeological predictive model that can predict where archaeological resources are likely to be located and where the department recommends archaeological surveys should be completed before earth disturbing activities and other uses and activities that can damage archaeological sites are undertaken.⁵⁸ Many areas in Thurston County and Washington State, are rated "survey recommended: moderate risk," "survey highly advised: high risk," and "survey highly advised: very high risk."⁵⁹ We recommend that the comprehensive plan update should require pre-ground disturbance site investigations for sites that the Washington State Department of Archeology and Historic Preservation predictive model rates as "survey recommended: moderate risk," "survey highly advised: high risk," and "survey highly advised: very high risk." The investigation should be carried out in consultation with affected Native American Tribes and Nations.

Thank you for considering our comments. If you require additional information, please contact me at telephone 206-343-0681 Ext. 102 or email tim@futurewise.org.

⁵⁶ Jeff Chew, *Jefferson PUD sticks with Beckett Point Connections* p. 8 (Washington Public Utility Districts Association [WPUDA]: Winter 2008) last accessed on Oct. 9, 2019 at: <https://www.yumpu.com/en/document/view/46547248/connections-washington-public-utility-district-association/11>.


⁵⁷ *Id.* at p. 9.

⁵⁸ Washington State Department of Archaeology and Historic Preservation WISAARD webpage last accessed on Oct. 9, 2019 at: <https://dahp.wa.gov/historic-preservation/find-a-historic-place>. The results of the predictive model are available for Thurston County to use in planning and project reviews from the Washington State Department of Archaeology and Historic Preservation.

⁵⁹ *Id.*

Board of Commissioners for Thurston County
August 11, 2019
Page 15

Very Truly Yours,

A handwritten signature in blue ink, consisting of two large, stylized, overlapping loops that resemble the letter 'S'.

Tim Trohimovich, AICP
Director of Planning & Law

Enclosures



Appendix A: Prime Farmland Soils in Thurston County Not Listed in the Thurston County Comprehensive Plan

| Map Unit Symbol | Map Unit Name | Rating | Acres |
|-----------------|---|--|--------|
| 1 | Alderwood gravelly sandy loam, 0 to 8 percent slopes | Prime farmland if irrigated | 4,702 |
| 2 | Alderwood gravelly sandy loam, 8 to 15 percent slopes | Prime farmland if irrigated | 25,086 |
| 20 | Cagey loamy sand | Prime farmland if irrigated | 5,485 |
| 46 | Indianola loamy sand, 0 to 5 percent slopes | Prime farmland if irrigated | 5,682 |
| 47 | Indianola loamy sand, 5 to 15 percent slopes | Prime farmland if irrigated | 4,506 |
| 65 | McKenna gravelly silt loam, 0 to 5 percent slopes | Prime farmland if drained | 3,968 |
| 84 | Pilchuck loamy sand | Prime farmland if irrigated | 1,466 |
| 109 | Spana gravelly loam | Prime farmland if drained | 1,387 |
| 110 | Spanaway gravelly sandy loam, 0 to 3 percent slopes | Prime farmland if irrigated | 26,060 |
| 114 | Spanaway-Nisqually complex, 2 to 10 percent slopes | Prime farmland if irrigated | 9,214 |
| 116 | Tacoma silt loam | Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season | 444 |
| 1100 | Steilacoom-Yelm complex, 0 to 2 percent slopes | Prime farmland if drained | 234 |
| 1210 | Roundtree loam, 0 to 5 percent slopes | Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season | 34 |



| Map Unit Symbol | Map Unit Name | Rating | Acres |
|-----------------|---|--|-------|
| 1211 | Fordprairie-Roundtree complex, 0 to 10 percent slopes | Prime farmland if protected from flooding or not frequently flooded during the growing season | 389 |
| 1212 | Scatter-Fordprairie-Roundtree complex, 0 to 12 percent slopes | All areas are prime farmland | 1,360 |
| 1213 | Elma-Fordprairie complex, 0 to 12 percent slopes | All areas are prime farmland | 769 |
| 1214 | Fordprairie-Roundtree-Water complex, 0 to 10 percent slopes | Prime farmland if protected from flooding or not frequently flooded during the growing season | 69 |
| 1221 | Rennie silty clay loam, 0 to 5 percent slopes | Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season | 467 |
| 1222 | Maytown-Rennie complex, 0 to 10 percent slopes | Prime farmland if protected from flooding or not frequently flooded during the growing season | 522 |
| 1223 | Maytown-Chehalis-Rennie complex, 0 to 10 percent slopes | Prime farmland if protected from flooding or not frequently flooded during the growing season | 20 |
| 1224 | Chehalis-Maytown complex, 0 to 10 percent slopes | All areas are prime farmland | 55 |
| 1225 | Eld-Fordprairie complex, 0 to 12 percent slopes | All areas are prime farmland | 1,015 |
| 1312 | Scatter-Elma complex, 0 to 15 percent slopes | All areas are prime farmland | 323 |
| 1325 | Eld-Fordprairie-Elma complex, 0 to 15 percent slopes | All areas are prime farmland | 1,182 |
| 3200 | Huttula gravelly loam, 0 to 5 percent slopes | Prime farmland if irrigated and drained | 11 |
| 3201 | Daviscreek-Huttula complex, 0 to 10 percent slopes | Prime farmland if irrigated | 110 |
| 3203 | Grandmound gravelly sandy loam, 0 to 15 percent slopes | Prime farmland if irrigated | 632 |



| Map Unit Symbol | Map Unit Name | Rating | Acres |
|-----------------|---|------------------------------|---------------|
| 3401 | Rony-Gate complex, 0 to 8 percent slopes | Prime farmland if drained | 34 |
| 3402 | Gate silty clay loam, 0 to 5 percent slopes | All areas are prime farmland | 76 |
| Total | | | 95,302 |

Sources: *Thurston County Comprehensive Plan Chapter 3: Natural Resource Lands*, Board of County Commissioners Hearing Draft pp. 3-10 – 3-11 (October 2019, Redline Version); Natural Resources Conservation Service, *Farmland Classification---Thurston County Area, Washington* pp. 1 – 9 of 10 (7/8/2019) enclosed with Futurewise’s letter to the Thurston County Community Planning and Economic Development (July 9, 2019); Natural Resources Conservation Service, *Component Legend---Thurston County Area, Washington* pp. 1 – 14 of 14 (7/8/2019) enclosed with Futurewise’s letter to the Thurston County Community Planning and Economic Development (July 9, 2019).



Policy Brief: Landslide Hazards

Why protect people and property from landslides?

- According to the State of Washington Department of Natural Resources, “Washington is one of the most landslide-prone states in the country, with hundreds to thousands of events each year.” The direct costs of landslides include damage to roads, property, and the loss of life. Indirect costs include reduced property values, reduced tax revenues, and environmental impacts such “as the degradation of water quality, [which] can exceed direct costs. The Washington Department of Transportation routinely budgets \$15 million a year for cleanup of landslides on highways. Nationally, landslides exceed \$2 billion in loss each year and result in an estimated 25 – 50 deaths (1996 estimate).”¹
- Washington State has experienced deadly landslides over the years, including the Oso landslide in Snohomish County which was the deadliest landslide ever in the United States.²
- Landslides are a statewide problem.³
- Homeowners insurance does not cover the damage from landslides. None of the Oso victims’ homes were insured for landslide hazards. And that is common when homes are damaged by landslides. For example, in 2011, a landslide damaged a home near Edmonds, Washington. Because their homeowners insurance did not cover landslides, the owners lost their home. The loss of what may be a family’s largest financial asset frequently occurs when homes are damaged or destroyed by landslides or other geological hazards. Preventing development in geologically hazardous areas is just plain ordinary consumer protection.
- As the Rattlesnake Hills Landslide in Yakima County shows, landslides and other natural hazards can disproportionately burden disadvantaged populations. The families living at the base of the hill who were asked to evacuate are low-income and lack other options

¹ State of Washington Department of Natural Resources, “Landslides” webpage at:

<https://www.dnr.wa.gov/programs-and-services/geology/geologic-hazards/landslides>

² State of Washington Department of Natural Resources, *Significant Deep-Seated Landslides in Washington State – 1984 to 2014 & Widespread Shallow Landslide and Debris Flow Events in Washington State – 1984 to 2014* pp. 1 – 5 of 5 (2/10/2015) at: https://www.dnr.wa.gov/publications/ger_list_large/landslides.pdf?npckb23; Jeffrey R. Keaton, Joseph Wartman, Scott Anderson, Jean Benoît, John deLaChapelle, Robert Gilbert, David R. Montgomery, *The 22 March 2014 Oso Landslide, Snohomish County, Washington* p. 1 (Geotechnical Extreme Events Reconnaissance (GEER): July 22, 2014) at:

http://www.geerassociation.org/index.php/component/geer_reports/?view=geerreports&layout=build&id=30

³ State of Washington Department of Natural Resources, *Significant Deep-Seated Landslides in Washington State – 1984 to 2014 & Widespread Shallow Landslide and Debris Flow Events in Washington State – 1984 to 2014* pp. 1 – 5 of 5 (2/10/2015).

on where to live. For landslide hazards along Puget Sound and lakes, much of the housing is occupied by higher income families.

- Landslide hazards may expose government agencies to financial liability. The State of Washington paid \$50 million to settle lawsuits brought by victims of the Oso tragedy and their families. A timber company agreed to pay another \$10 million. A judge's order dismissing Snohomish County from the lawsuit is currently under appeal. Island County paid \$1.5 million to settle a lawsuit over another landslide.

What are Landslide Hazards?

A landslide is the downslope movement of soil, rock, and organic materials due, at least in part, to gravity.⁴ The Growth Management Act (GMA) requires all counties and cities in Washington State to designate and “protect critical areas” including landslide hazards.⁵ The GMA defines “geologically hazardous areas” as “areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.”⁶

Landslides can damage properties in many ways. When buildings, streets, and water and sewer lines are constructed on a landslide that moves, the structures can be damaged by the movement of the earth as happened at Kelso, Washington's Aldercrest-Banyon landslide. The Aldercrest-Banyon landslide destroyed an entire subdivision and is considered the second costliest landslide in US history. The Oso landslide also destroyed an entire subdivision. There the landslide debris flow ran out from the slope crushing and bulldozing the buildings, vehicles, and debris across the valley floor for a mile, killing 43 people. Smaller landslides have also been deadly, such as the slope failure at Rolling Bay Walk on Bainbridge Island which killed a family of four in their house at the foot of the slope. When a landslide gives way on a slope, buildings on the side and top can be damaged and destroyed.

The State of Washington Department of Natural Resources is conducting a landslide inventory which began in 2017 in Pierce County. The plan is to conduct the inventory statewide. The Department of Natural Resources has also compiled landslides information from other sources. This data is available at the Washington Geologic Information Portal. A link to the portal provided below under “where to find more information.”

What policy changes can be adopted?

A county or city should adopt policies such as the following:

⁴ Lynn M. Highland and Peter Bobrowsky, *The Landslide Handbook—A Guide to Understanding Landslides* p. 4 (U.S. Geological Survey Circular 1325, Reston, Virginia: 2008) accessed March 6, 2018 at: <http://pubs.usgs.gov/circ/1325/>

⁵ RCW 36.70A.170; RCW 36.70A.060(2); RCW 36.70A.030(5), (9), accessed on March 6, 2018 at: <http://app.leg.wa.gov/rcw/default.aspx?cite=36.70A&full=true>

⁶ RCW 36.70A.030(9).

- Identify and map the location of landslide hazards. Update these designations as new landslide data becomes available from the State of Washington Department of Natural Resources.
- Prohibit new development on landslide hazards including slopes, top of slope and slide slope areas likely to fail during a landslide, and runout areas.
- Prohibit clearing and logging on landslide hazards and upslope areas that may mobilize landslides due to additional water flows or other changes.
- Prohibit removing material from the base of slopes or adding material or excess water to the top or sides of slopes to reduce the potential to mobilize landslides.
- Direct storm water and onsite waste water systems away from areas with the potential for landslides.
- New land development activities, such as subdivisions and building permit applications, must conduct geologic risk assessment studies as part of development permit applications when located in areas that may be affected by geologic hazards.
- Identify landslide hazard areas including runout areas, areas subject to failure at the tops and sides of slopes, and necessary buffers based on site-specific geotechnical studies.
- Provide notices on title and signs to identify landslide hazard areas and buffers so the public is aware of these areas and less likely to take actions such as clearing or diverting water that can mobilize landslides.
- Identify geologic hazards that have the potential to adversely impact existing development. Plan for monitoring and evacuating these areas as needed.

What regulation changes are needed?

The Growth Management Act requires counties and cities to designate and protect critical areas including landslide hazards. The regulations should address the points identified in the policies recommended in the previous section. The following discussion builds on the policies identified above.

Designate all landslide hazards

The State of Washington Department of Commerce (Commerce) is required to adopt minimum guidelines for critical areas regulations. Commerce's minimum guidelines, in WAC 365-190-120(6), identify the types of landslide hazards that should be designated. County and city critical areas regulations should designate all of the landslide hazards identified in WAC 365-190-120(6) that occur within the community.

Require consideration of all landslides with the potential to adversely impact a proposed development

Many critical areas regulations only require consideration of landslide hazards within 300 or 200 feet of a proposed building site. Some require that the hazard must be on the site in

order to be analyzed. Landslide hazards, however, are capable of damaging property much farther away than these distances. The 2014 Oso slide ran out for over a mile (5,500 feet). A 2006 landslide at Oso traveled over 300 feet. The Nile Valley Landslide, in Yakima County, extended more than 5,500 feet from the toe of the slope onto the valley floor. The 2013 Ledgewood-Bonair Landslide on Whidbey Island extended approximately 300 feet into Puget Sound. Jurisdictions should follow the example of Pierce County and designate as critical areas landslide runout areas and other areas such as the tops of slopes and side slopes that may fail during a landslide and require that they be considered when determining if a landslide may affect a proposed development.

Require the identification of landslide runout areas and buffers based site-specific studies

As was noted above, landslide hazards can be damaging at significant distances. After the Oso landslide, Washington State and Snohomish County created a commission to identify the lessons learned from Oso landslide and recovery effort. This commission, the Joint SR 530 Landslide Commission, recommends identifying “[c]ritical area buffer widths based on site specific geotechnical studies” as an “innovative development regulation[]” that counties and cities should adopt.⁷

Prohibit development of dangerous geologically hazardous areas

Do not allow construction on landslides, landslide run-out areas, top of slope and side slope areas subject to sliding, and their buffers even if that means that a lot is unbuildable. As the \$120 million spent on Oso landslide remediation shows,⁸ allowing construction in these areas results in the creation of nuisances and so counties and cities are not legally obligated to allow construction on these areas.⁹ For most landslide hazards it is not possible to overcome the hazard by landslide resistant design and construction, it is only possible to avoid the hazard.¹⁰ In the *Bayfield Resources Co. v. Western Washington Growth Management Hearings Board* decision, the State of Washington Court of Appeals upheld against a substantive due process challenge and other challenges a rural zoning district that required the deduction of landslide hazard areas and certain other critical areas from the land used to calculate the allowed number of housing units.¹¹ The Court of Appeals agreed that landslide hazard areas are not to be built on.

⁷ The SR 530 Landslide Commission, *Final Report* p. 31 (Dec. 15, 2014) accessed on March 6, 2018 at:

https://www.governor.wa.gov/sites/default/files/documents/SR530LC_Final_Report.pdf

⁸ David K. Norman, LHG, LEG, Washington State Geologist, *Division of Geology and Earth Resources Response to the SR 530 Landslide* p. *5 (Sept. 30, 2014) accessed on March 6, 2018 at:

http://www.governor.wa.gov/sites/default/files/documents/SR530LC_20140930_Pres_DNR_Norman.pdf

⁹ *Lucas v. South Carolina Coastal Council*, 505 U.S. 1003, 1029 (1992) accessed on March 6, 2018 at:

<http://www.supremecourt.gov/opinions/boundvolumes/505bv.pdf>

¹⁰ Lynn M. Highland and Peter Bobrowsky, *The Landslide Handbook—A Guide to Understanding Landslides* pp. 14 – 24 (U.S. Geological Survey Circular 1325, Reston, Virginia: 2008).

¹¹ *Bayfield Resources Co. v. Western Washington Growth Management Hearings Bd.*, 158 Wn. App. 866, 883, 244 P.3d 412, 420 (2010).

State and local governments should provide public education on the dangers posed by natural hazards and risks from landslides, debris flows, flooding, volcanic eruptions, and earthquakes and measures that can be taken to reduce these hazards

The SR 530 Commission recommended that once landslide hazards are mapped, counties and cities should inform property owners and the public of these hazards.¹² Recording notices on the title of properties and posting signs on landslide hazards are effective measures of notifying the public of these hazards.

While avoiding development in landslide hazards and buying out buildings and properties are often the most effective strategies, as part of its landslide hazard and risk studies the Oregon Department of Geology and Mineral Industries recommends that residents in landslide hazard areas should participate in a neighborhood risk reduction program to help reduce the overall risk.¹³ The department recommended risk reduction measures include:

- minimizing irrigation on slopes;
- avoiding removing material from the base of slopes;
- avoiding adding material or excess water to top of slopes;
- draining water from surface runoff, down-spouts; and driveways well away from slope[s] and into storm drains or natural drainages; and
- consult[] an expert to conduct a site-specific evaluation if considering major construction.¹⁴

What are the Advantages and Disadvantages?

Key Advantages

- Landslide policies and regulations protect people and property.
- Because homeowners insurance does not cover damages from landslides and other geologically hazardous areas, landslide policies and regulations are just basic consumer protect measures.
- The Growth Management Act requires critical areas regulations including landslide hazard regulations.
- Well done landslide hazard policies and regulations can help local governments reduce liability due to disasters.

¹² *SR 530 Landslide Commission Final Report* p. v (Dec. 15, 2014).

¹³ William J. Burns, Katherine A. Mickelson, Cullen B. Jones, Sean G. Pickner, Kaleena L. B. Hughes, and Rachel Sleeter, *Landslide Hazard and Risk Study of Northwestern Clackamas County, Oregon* p. 36 (Oregon Department of Geology and Mineral Industries Open-File Report O-13-08: 2013) accessed on March 6, 2018 at:

<http://www.arcgis.com/home/item.html?id=e718d541693246598dbd51aff1652e0d>

¹⁴ *Id.*

Key Disadvantages

- Landslide hazard regulations can be controversial.
- Identifying landslide runout areas can be difficult, but mapping past landslide deposits can make the task easier and more accurate. The new State of Washington Department of Natural Resources landslide maps identify landslide deposits.

Where to find more information?

Minimum Guidelines to Classify Geologically Hazardous Areas, WAC 365-190-120 available at: <http://app.leg.wa.gov/wac/default.aspx?cite=365-190-120>

SR 530 Landslide Commission *Final Report* (Dec. 15, 2014) available at: https://www.governor.wa.gov/sites/default/files/documents/SR530LC_Final_Report.pdf

State of Washington Department of Natural Resources Washington Geologic Information Portal click on the single-topic “Natural Hazards” map for the currently identified landslide hazards: <https://www.dnr.wa.gov/geologyportal>

State of Washington Department of Commerce, *Critical Areas Checklist: A Technical Assistance Tool from Growth Management Services* – updated Feb. 2018: https://www.ezview.wa.gov/site/alias_1949/36877/default.aspx

For more Information please contact

Tim Trohimovich, AICP
Director of Planning & Law
Futurewise
816 Second Avenue, Suite 200
Seattle, Washington 98104
Email: tim@futurewise.org
Telephone: 206-343-0681 Ext. 118



Community Planning & Economic Development

3000 Pacific Avenue S.E. Olympia, WA 98501

(360)786-5490 / (360)754-2939 (Fax)

TDD Line (360) 754-2933

Email: permit@co.thurston.wa.us

www.thurstoncountybdc.com

STATE ENVIRONMENTAL POLICY ACT (SEPA) CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact. Find form details and instructions for completing each section on [Department of Ecology’s SEPA website](#). Instructions for each section are linked below.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements—that do not contribute meaningfully to the analysis of the proposal.



THURSTON COUNTY
Community Planning & Economic Development
ENVIRONMENTAL CHECKLIST

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable:

CPA-16, Community Driven Review of Agriculture. Agriculture Zoning Update.

2. Name of applicant:

Thurston County

3. Address and phone number of applicant and contact person:

Maya Teeple, 360-545-2593 3000 Pacific Ave SE, Olympia WA 98501

4. Date checklist prepared:

5/24/2023

5. Agency requesting checklist:

Thurston County

6. Proposed timing or schedule (including phasing, if applicable):

Expected final action Dec. 2023

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

N/A

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Final EIS, Thurston County Comprehensive Plan (1994) and supplements.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None

10. List any government approvals or permits that will be needed for your proposal, if known.

N/A

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

* * * * OFFICIAL USE ONLY * * * *

Folder Sequence # 23-106146

Project # 2023102345

Related Cases: N/A

Date Received: 5/24/2023

By: Maya Teeple, Senior Planner Thurston Co.

* * * * OFFICIAL USE ONLY * * * *

This proposal is a non-project action and considers amendments to the Thurston County Comprehensive Plan, Future Land Use Map, Official Zoning Map related to on what lands long-term agriculture is sited on in Thurston County. The proposal could redesignate and rezone between 10,000 and 24,000 acres of rural residential lands to long-term agriculture. Several chapters within the Thurston County Code include proposed amendments that clarify and streamline permitting processes for agritourism, increase flexibility in agricultural uses in long-term agriculture, and consider an agriculture resource subdivision (cluster requirement) on prime farmlands that are currently used for agriculture.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

This proposal occurs throughout unincorporated rural county.



THURSTON COUNTY
Community Planning & Economic Development
ENVIRONMENTAL ELEMENTS

B. Environmental Elements [\[help\]](#)

1. Earth [\[help\]](#)

a. General description of the site: (check one):

- ☒ Flat
- ☒ Rolling
- ☒ Hilly
- ☒ Steep Slopes
- ☒ Mountainous
- ☐ Other: Varies throughout Thurston County

b. What is the steepest slope on the site (approximate percent slope)?

Non-project action. Slope varies throughout Thurston County.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Non-project action. Soil varies throughout Thurston County. Proposal considers including new soil types within the designation for agriculture of long-term commercial significance.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A, non-project action.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A, non-project action.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A, non-project action.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A, non-project action.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A, non-project action.

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and

maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A, non-project action.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A, non-project action.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A, non-project action.

3. **Water** [\[help\]](#)

- a. Surface Water: [\[help\]](#)

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

N/A, non-project action.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A, non-project action.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A, non-project action.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A, non-project action.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

N/A, non-project action.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A, non-project action.

- b. Ground Water: [\[help\]](#)

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

N/A, non-project action.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (Examples: Domestic sewage; industrial, containing the following chemicals. . .; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A, non-project action.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A, non-project action.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

N/A, non-project action.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

N/A, non-project action.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

N/A, non-project action.

4. Plants [\[help\]](#)

a. Check the types of vegetation found on the site:

- ☒deciduous tree: alder, maple, aspen, other
- ☒evergreen tree: fir, cedar, pine, other
- ☒shrubs
- ☒grass
- ☒pasture
- ☒crop or grain
- ☒Orchards, vineyards or other permanent crops.
- ☒wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☒water plants: water lily, eelgrass, milfoil, other
- ☒other types of vegetation: varies throughout County

b. What kind and amount of vegetation will be removed or altered?

N/A, non-project action.

c. List threatened and endangered species known to be on or near the site.

N/A, non-project action.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the

site, if any:

N/A, non-project action.

- e. List all noxious weeds and invasive species known to be on or near the site.

N/A, non-project action.

5. Animals [\[help\]](#)

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: ☒ hawk, ☒ heron, ☒ eagle, ☒ songbirds, ☐ other: varies throughout county

mammals: ☒ deer, ☒ bear, ☒ elk, ☒ beaver, ☐ other: varies throughout county

fish: ☒ bass, ☒ salmon, ☒ trout, ☒ herring, ☒ shellfish, ☐ other: varies throughout county

- b. List any threatened and endangered species known to be on or near the site.

N/A, non-project action.

- c. Is the site part of a migration route? If so, explain.

N/A, non-project action.

- d. Proposed measures to preserve or enhance wildlife, if any:

N/A, non-project action.

- e. List any invasive animal species known to be on or near the site.

N/A, non-project action.

6. Energy and Natural Resources [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A, non-project action.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A, non-project action.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A, non-project action.

7. Environmental Health [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Click or tap here to enter text.

- 1) Describe any known or possible contamination at the site from present or past uses.

N/A, non-project action.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A, non-project action.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A, non-project action.

- 4) Describe special emergency services that might be required.

N/A, non-project action.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

N/A, non-project action.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

N/A, non-project action.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A, non-project action.

- 3) Proposed measures to reduce or control noise impacts, if any:

N/A, non-project action.

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

N/A, non-project action.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

N/A, non-project action.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

N/A, non-project action.

- c. Describe any structures on the site.

N/A, non-project action.

- d. Will any structures be demolished? If so, what?

N/A, non-project action.

- e. What is the current zoning classification of the site?

Generally, rural residential.

- f. What is the current comprehensive plan designation of the site?

Generally, rural residential.

- g. If applicable, what is the current shoreline master program designation of the site?

N/A, non-project action.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Varies throughout County.

- i. Approximately how many people would reside or work in the completed project?

N/A, non-project action.

- j. Approximately how many people would the completed project displace?

N/A, non-project action.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A, non-project action.

- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Non-project action, proposed options include options compatible with Thurston County Comprehensive Plan

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

N/A, non-project action.

9.Housing [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A, non-project action.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Redesignating and rezoning land from rural residential to long-term agriculture has the possibility to reduce the potential number of housing units by between 600 and 1300. (TRPC Buildable Lands Memo, Thurston County, June 2023)

- c. Proposed measures to reduce or control housing impacts, if any:

N/A, non-project action.

10. Aesthetics [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A, non-project action.

- b. What views in the immediate vicinity would be altered or obstructed?

N/A, non-project action.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

N/A, non-project action.

11. Light and Glare [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A, non-project action.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A, non-project action.

- c. What existing off-site sources of light or glare may affect your proposal?

N/A, non-project action.

- d. Proposed measures to reduce or control light and glare impacts, if any:

N/A, non-project action.

12. Recreation [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity?

N/A, non-project action.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

N/A, non-project action.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A, non-project action.

13. *Historic and Cultural Preservation* [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

N/A, non-project action.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

N/A, non-project action.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

N/A, non-project action.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A, non-project action.

14. *Transportation* [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

N/A, non-project action.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

N/A, non-project action.

- c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

N/A, non-project action.

- d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A, non-project action.

- e. How many vehicular trips per day would be generated by the completed project or proposal? If known,

indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

N/A, non-project action.

- f. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

N/A, non-project action.

- g. Proposed measures to reduce or control transportation impacts, if any:

N/A, non-project action.

15. **Public Services** [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

N/A, non-project action.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

N/A, non-project action.

16. **Utilities** [\[help\]](#)

- a. Check utilities currently available at the site:

☐electricity ☐natural gas ☐water ☐refuse service ☐telephone ☐sanitary sewer ☐septic system

Other: N/A, non-project action.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A, non-project action.

C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Click or tap here to enter text.

Name of signee: Maya B Teeple

Position and Agency/Organization: Senior Planner, Thurston County

Date Submitted: 5 / 2 5 / 2 0 2 3

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

This proposal is a non-project proposal that could rezone lands from rural residential to long-term agriculture. Types of uses permitted within the long-term agriculture zoning district is similar, but more refined, than what would be allowed in the current rural residential zone. Agriculture is already a primary and allowed use in all zones that are considered for rezoning, so it is unlikely that the proposal would increase discharge to water, emissions to air, noise, or toxic substances beyond what is currently allowed.

Proposed measures to avoid or reduce such increases are:

Existing measures are already included in the County Code to regulate existing and new agricultural activities. No new measures are proposed.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

This is a non-project action and is unlikely to affect plants, animals, fish or marine life, since uses allowed within LTA zoning district are generally permitted in rural residential (current zoning). Some new uses are considered under LTA consistent with agricultural uses that are already permitted. Development of land for future project actions could impact plants, animals, fish or marine life but is not expected to increase with this proposal.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Existing measures are already included in the County Code under the Agricultural Activities Ordinance (17.15) and Critical Areas Ordinance (Title 24). No new measures are proposed. Future development activity is subject to additional regulations at the time of permitting.

3. How would the proposal be likely to deplete energy or natural resources?

This non-project proposal is unlikely to deplete energy or natural resources, and is intended to conserve additional soils for future natural resource use.

Proposed measures to protect or conserve energy and natural resources are:

The proposed amendments could result in designation of more land for long-term agriculture, which further protects land for the agriculture resource industry. Other options included in the package of amendments could require clustering, which further protects underlying prime farmland soils for future agricultural use.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers,

threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal is unlikely to impact environmentally sensitive areas, parks, wilderness areas, or endangered species habitat, historic or cultural sites, wetlands, or floodplains. Future project actions could impact these areas and would be subject to regulations at the time of permitting. The proposal would protect additional prime farmland soils.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None proposed. Existing measures are within the Critical Areas Ordinance, Habitat Conservation Plan, Shoreline Master Program, and Agricultural Activities Ordinance.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Natural shoreline environments are not considered for designation as long-term agriculture based on long-term agriculture designation criteria. Proposed amendments are unlikely to encourage land or shoreline uses incompatible with existing plans.

Proposed measures to avoid or reduce shoreline and land use impacts are:

All future project actions will be subject to Critical Areas Ordinance, Habitat Conservation Plan, Shoreline Master Program, and Agricultural Activities Ordinance.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is unlikely to increase demands on transportation or public services. The proposed amendments range from a downzone of 10,000-24,000 acres and an option to require clustering. Both would reduce transportation and utility impacts.

Proposed measures to reduce or respond to such demand(s) are:

No new measures are proposed. Existing measures are within the cluster development regulations (Planned Rural Residential Developments) that limit size of developments to reduce impact on public services, utilities, and preserve rural aesthetics.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

This proposal is consistent with local, state and federal laws.