



REASONABLE USE EXEMPTION

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Staff Use Only

Label

Date Stamp/Staff Initials

submitted
9/11/23

1. Application Submittal Checklist - All items listed are required at the time of application. Incomplete applications will not be accepted.

- ☐ Master Application
- ☐ Application Fee. Refer to the current fee schedule. *Additional fees may occur if the base hours/fees are exhausted.*
- ☐ One Site Plan - See Site Plan Submittal Requirements on page 4
- ☐ Project Narrative- The narrative should include what is existing and proposed on the subject parcel. Be specific regarding all uses and activities to occur on-site, the critical areas and the specific allowance or reduction requested.
- ☐ Special Reports if applicable. These may include wetland delineation, geotechnical report, mitigation plan, topographic survey or others. All special reports must be submitted as paper documents **and** PDF files on a flash drive

2. Project Description (Attach separate sheet if necessary):

The project is an after-the-fact permit to allow the applicant to utilize an already cleared area for building a 3,000 sq ft single-family home within the inner 25% of a 280-foot buffer. This will require a 58.3% reduction of the wetland buffer from 280 ft to 117 ft from the buffer of Wetland B and a 82% reduction of the 280ft buffer of Wetland C to 51 ft for the home and 49 ft for the septic, which is a 82.5% reduction. The project will also have a drinking water well, 900 sq ft garage, 2,955 sq ft driveway, and an expected 2,620 sq ft for the drainfield and reserve. All the components will require reductions of the buffers. The remaining unused portions of the cleared area will be restored to maintain the overall functions and values of the wetland.

3. Provide answers to the following questions: (Attach separate sheets if necessary)

Pursuant to Thurston County Code 24.45.030, **all** of the following review criteria listed below are used by the Hearing Examiner to approve, or approve with conditions, the reasonable use exception. For each statement, explain how the project will meet the stated criteria. It is the applicant's responsibility to provide complete responses.

a. No other reasonable use of the property as a whole is permitted by this title.

The lot is currently vacant and is zoned 1/5 RRR Rural Residential. The surrounding area is residential and the lot is not big enough to support forestry or agriculture so the applicant would like to use it to house the family, which is a preferred use in this zoning class.

b. No reasonable use with less impact on the critical area or buffer is possible. At minimum, the alternatives reviewed shall include a change in use, reduction in the size of the use, a change in the timing of the activity, and/or a revision in the project design



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This started out as a violation and the applicant has developed a site plan that would reduce the overall impacts to the wetland buffers while still allowing him use of the property. The applicant can think of no other use that would have less impact on the property while allowing him a place for his shop and vehicles on site. They have situated the components of the development as close to the road as possible while still maintaining the ability to use the property for parking and storage of personal items

c. The requested use or activity will not result in any damage to other property and will not threaten the public health, safety or welfare on or off the development proposal site or increase public safety risks on or off the subject property.

No other property will be damaged and the development will not threaten the public health, safety or welfare on or off the development proposal site. It will not increase public safety risks on or off the subject property. A Thurston County approved septic will ensure no dangerous discharge of sewage will occur and the construction and stormwater BMP's will maintain the air and water quality of the area. No wildlife should be harmed and the area should not discharge offsite.

d. The proposed reasonable use is limited to the minimum encroachment into the critical area and/or buffer necessary to prevent the denial of all reasonable use of the property

As we have mentioned the entire property is encumbered by wetland, streams and their buffers. We have limited the driveway to what is required to provide proper access and storage for the families belongings. We have reduced the footprint of the buildings and septic drainfield to approximately 9,715 sq ft. This would represent the smallest development that could support the clients, their children, and the vehicles that they already own and any storage that they require. This utilizes the area of cleared area furthest from the wetlands and streams and a minimum amount of driveway. The septic had to be placed where it is at because the soils there will support it.

e. The proposed reasonable use shall result in minimal alteration of the critical area including but not limited to impacts on vegetation, fish and wildlife resources, hydrological conditions, and geologic conditions

There should be only the 9,715 square feet of development impact after the applicant restores the remaining 19,961 sq ft of disturbed area onsite. There is an 9,715 sq ft of enhancement and invasive removal plan that should result in no-net-loss in functions and values due to the new development.



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f. A proposal for a reasonable use exception shall ensure no net loss of critical area functions and values. The proposal shall include a mitigation plan consistent with this title and best available science. Mitigation measures shall address unavoidable impacts and shall occur on-site first, or if necessary, off-site.

We have provided an analysis of wetland functions and values using a method similar to that for the Wetland Rating System that shows that there will be no-net-loss. This mitigation will be conducted on site where it will have the greatest benefit to the waters onsite which eventually flow offsite down stream. No turbid discharge is expected to any waters of the state. Silt fences and straw wattles will be used where appropriate along with other BMP's. No cement will be discharged onsite and no painting equipment will be cleaned onsite. The applicant has already installed some of the stormwater management devices such as the silt fence.

g. The reasonable use shall not result in the unmitigated adverse impacts to species of concern

No species of concern are found on site and there should be no adverse impacts to any on site as the applicant plans to have normal residential use on the site which should not be a problem to species of concern. No bald eagles, salmonids or threatened or endangered species were found or have been mentioned in the PHS mapper and the WDFW Salmonscape.

h. The location and scale of existing development on surrounding properties shall not be the sole basis for granting or determining a reasonable use exception

We have not used any comparison of surrounding properties to justify the development we are proposing. The applicant has an analysis that supports the use in its own right.

Has the property been subdivided or boundary lines adjusted since February 1, 1994? ☐ YES ☒ NO

If Yes, has the subdivision or boundary line adjustment resulted in the need for this RUE? ☐ YES ☐ NO



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4. Site Plan Submittal Requirements

- Site plan shall be legible and drawn to a standard engineer scale on 11" X 17" or 8 ½" x 11" sheet.
- Example scales include 1" = 30' or 1" = 100'
- Aerial photographs are not accepted as site plans.
- All applicable items noted below shall be addressed on the site plan.

Applicant	Site Plan Checklist	Staff
<input checked="" type="checkbox"/>	a. North arrow, site address, tax parcel number and map scale used	<input type="checkbox"/>
<input checked="" type="checkbox"/>	b. All property line boundaries and dimensions. Property owner is responsible for knowing their property line locations and flagging them onsite if requested.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	c. All existing and proposed structures	<input type="checkbox"/>
	d. Setback distance measurements from all property lines (or road access easements) to all existing and proposed buildings	
<input checked="" type="checkbox"/>	e. All means, existing vehicular and pedestrian ingress and egress to and from the site, such as driveways, streets and fire access roads, including existing road names and existing county and state right-of-way.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	f. All easements encroaching onto the property (for example: utility, road, railroad, etc)	<input type="checkbox"/>
<input checked="" type="checkbox"/>	g. Location of all existing and proposed utilities such as septic tanks, drainfields, reserve drainfield areas, sewer lines, water lines, wells, and springs.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	h. The location of all existing off-site water supplies within 200 feet of the project site with their associated sanitary control radii (100' for wells & 200' for springs).	<input type="checkbox"/>
<input checked="" type="checkbox"/>	i. Square footage of existing and proposed impervious surfaces	<input type="checkbox"/>
<input checked="" type="checkbox"/>	j. Location of any critical areas and buffers (example: wetlands, shorelines, ponds, streams, steep slopes, seasonal drainages, marine bluffs, flood plain, high groundwater, oaks, special habitat, etc)	<input type="checkbox"/>
<input checked="" type="checkbox"/>	k. Topographic information showing two-foot contours for the entire subject parcel or parcels and a minimum of fifty feet into adjacent parcels, based on available county information.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	l. All existing vegetation to remain and all proposed landscaping including location and type	<input type="checkbox"/>
<input checked="" type="checkbox"/>	m. Vicinity Map at a scale of not less than three (3) inches to the mile, indicating the boundary lines and names of adjacent developments, streets and boundary lines of adjacent parcels, and the relationship of the proposed development to major roads and highways.	<input type="checkbox"/>

The project site must be identified in the field by posting an identification sign visible from the access road. The sign and flagging are provided by Thurston County to the applicant at the time of application.

Additional information may be necessary to make a determination. This could include full delineation and analysis of critical areas by a qualified professional at the applicant's expense.

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Since the property is completely encumbered by wetlands and their buffers, all the components will require reductions of the buffers beyond what is allowed in code. Restoration of all remaining unused portions of the cleared area will be restored to maintain the overall functions and values of the wetland. Additional areas will be enhanced to provide species diversity and other buffer functions.

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