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COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

Creating Solutions for Our Future

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THURSTON COUNTY COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

HEARING EXAMINER STAFF REPORT

[Revised: 04.26.2024]

For: PUBLIC HEARING

Conducted: 11:00 AM, Tuesday, April 23, 2024

Project No.: 2023100649, West Olympia 24th Ave Plat - Planned Residential Development (PRD)

Sequence Nos: 23-111907 ZH - Planned Residential Development (PRD)

23-111910 ZJ - ZJ Preliminary Plat
23-111912 XA - SEPA
23-111914 ZQ - Variance
23-111916 ZB - Design Review
23-111920 XB - Forest Land Conversion
23-101694 XD - CAD >5ac

2022 Aerial Photo



Request: The applicant requests approval of a Preliminary Plat through a Planned Residential Development (PRD) process, to develop 34 detached single-family homes

General Information

- A. Applicant / Owner: RJ Development
Attn: Caleb Perkins
401 Central Street SE
Olympia, WA 98501
Phone – (360) 810-8356
Email – Caleb@rjdevelopment.com
- B. Property Owner: Tamara M. Brathovde and Jeffrey C. Schwab
2000 24th Ave. NW
Olympia, WA 98502

- C. Point of Contact: Same as Applicant
D. Legal Description: Section 10 Township 18 Range 2W Quarter NW NW Donation Land Claim
PLUM DLC; BLA11105686TC TR A Document #4217456
E. Land Area: 11.27 acres
F. Parcel No.: 09750029001

PROJECT DESCRIPTION

The Applicant proposes to subdivide 11.27 acres zoned Residential 4 to 8 Units Per Acre (R 4-8) into 34 single-family (SFR) lots utilizing the Planned Residential Development (PRD) process and standards. The applicant also requests a forest land conversion to harvest 0.92 acres of timber. Additionally, the Applicant seeks a variance to deviate from setback standards and would affect a limited number of parcels.

ZONING & VICINITY MAP



BACKGROUND

The property is situated in the Olympia Urban Growth Area (UGA), and zoned Residential 4 to 8 Units Per Acre (R 4-8), and subject to the standards of Chapter 23.04 Residential Districts. The district is consistent with the 'Official Zoning Map for Thurston's North County Urban Growth Area', the Olympia-Thurston County Joint Comprehensive Plan, and the 'Future Land Use Map'.

The Planned Residential Development (PRD) is proposed under the provisions of the, Chapter 23.56 PRD. The intent of the PRD Chapter is to:

- A. The intent of the PRD regulations is to permit greater flexibility and, consequently, more creative and imaginative design as required for the development within the MR 7—13, MR 10—18, urban village (UV), neighborhood villages (NV), and neighborhood center (NC) and community-oriented shopping center (COSC) districts, and co-housing residential areas than generally is possible under conventional zoning regulations.
- B. It is further intended to promote urban infilling and more economical and efficient use of the land, while providing a development which is compatible with the surrounding neighborhood, a harmonious variety of housing choices, a higher level of urban amenities, and preservation of natural topography, unique geological features, and open space.
- C. It is also intended to encourage the provision of more usable and suitably located recreation facilities and other public and common facilities than would otherwise be provided under conventional land development procedures.
- D. Additionally, it is the purpose of this chapter to *enable clustering* of development in order to preserve the significant wildlife habitat located in certain land use districts as depicted in the Olympia Joint Plan and take the greatest possible advantage of existing topography and other natural features to promote environmental and aesthetic goals by optimizing siting, orientation, layout and design of structures to protect natural vegetation, wetlands, drainage areas, slopes and other natural features. The applicant's Project Narrative (Attachment e) states that create 34 lots through the County's Planned Residential Development (PRD) regulation process. The parcels of land in the PRD are intended to be fee simple, saleable lots. The applicant has elected to apply for review for adherence to PRD standards and regulations in order to provide a finished neighborhood for eventual residents that benefits from the intents of PRD as listed in section 23.56.020 Thurston County Code ("TCC").

PUBLIC NOTICE

Written notice of the public hearing (Attachment a) was sent to all property owners within 300-feet of the site on April 12, 2024, and was published in The Olympian, at least ten (10) days prior to the hearing. A Notice of Application was sent to property owners within 300-feet informing them of the proposed project on November 17, 2023 (Attachment p).

STATE ENVIRONMENTAL POLICY ACT REVIEW

The application was reviewed pursuant to State Environmental Policy Act (SEPA) requirements. A Mitigated Determination of Non-Significance (MDNS) was issued on March 15, 2024 (Attachment x). This determination was not appealed and became final on April 5, 2024. Based on "Worksheets" prepared by the City of Olympia, the MDNS established conditions and impact mitigation, and states in part:

DEPARTMENT ANALYSIS

23.04.040 Permitted, special, and prohibited uses.

- A. ...Table 4.01, Permitted and Special Uses, identifies land uses in the residential districts which are permitted outright (P) or subject to a special use permit (S)...

Table 4.01 - Permitted and Special Uses		
District	R 4-8	Applicable Regulations
District-Wide Regulations		
1. Single-Family Housing		

Accessory dwelling units	P	23.04.060(1)
Single-family residences	P	

Staff Comment: “Single-family residences” and “Accessory dwelling units” are proposed and permitted in the R 4-8 zoning district subject to Ch. 23.04.060(1) (OMC).

23.04.060 - Residential districts' use standards.

1. Accessory Dwelling Units (ADU). Accessory dwelling units (ADU) are permitted in all residential districts subject to the following requirements:
 - a. Number. One ADU shall be allowed per residential lot in conjunction with any detached single-family structure. (See Section 23.04.080A3 regarding ADUs in new subdivisions.)
 - b. Location. The ADU shall be permitted as a second dwelling unit added to, created within, or detached from the original dwelling. The ADU shall be oriented in a way that maintains, to the extent practical, the privacy of residents in adjoining dwellings.
 - c. Size. The ADU shall have a gross floor area of no more than eight hundred square feet, except as authorized by [Section 23.04.060\(1\)\(g\)](#).
 - d. Ownership. The property owner (i.e., title holder and/or contract purchaser) must live on-site when applying for an ADU permit and for six months after completion of the second unit. Owners shall sign an affidavit attesting to their occupancy upon permit application. This requirement does not apply to ADUs built prior to the initial sale of the primary unit on the lot. (See Section 23.04.080A3.)
 - e. Occupancy. No more than one family (as defined in Chapter 23.02, General Provisions) shall be allowed to occupy an ADU.

Staff Comment: This element is addressed below in Section 23.04.080(a)(3) and the PRD analysis.

23.04.080 Residential districts' development standards.

Table 4.04 identifies the basic standards for development in each residential district and may contain “Additional Regulations” as noted (Attachment z).

A. Maximum Housing Densities.

1. Calculation of Maximum Density.

- a. The maximum housing densities specified in Table 4.04 are based on the entire site, except for specified critical areas including streams, wetlands, landslide hazard areas, riparian areas, fish and wildlife conservation areas, and/or wetland (acres) as defined in Title 24 TCC, and land to be dedicated or sold for public parks, schools or similar nonresidential uses. The maximum housing densities shall be determined by subtracting these areas from the total site area, and then multiplying the result by the maximum dwelling units per acre for each district in Table 4.04 as shown in the following formula:

Total site area- (acres)	Area of specified critical× area and other lands in 18.04.080(A)(1)(a) (acres)	Maximum dwelling= units/acre by zoning in Table 4.04	Maximum dwelling unit potential
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Staff Comment: 11.28 acres (total site) - 4.48 acres (wetlands and buffers) = 6.8 acres =
Minimum (4 units per acre) = 27 lots,
Maximum (8 units per acre) = 54 lots; and,
Density at 7 units per acre = 48 units
Density at 6 units per acre = 41 units

Proposed (5 units per acre) = 34 lots.

Applicant intends to provide Accessory Dwelling Units (ADU) within primary units prior to sale; therefore, the applicant is limited to seven ADUs when combined the primary structure. Additional ADUs would count toward the overall density for the site.

- b. Convalescent Homes. Convalescent homes and nursing homes containing dwelling units which rely on shared cooking/dining facilities shall count as one dwelling unit for purposes of the maximum density calculation. Independent dwelling units (i.e., containing a bed, bathroom and a kitchen with a sink, stove, and refrigerator) in convalescent/nursing homes, however, shall be counted as individual dwelling units in the density calculation. The density for a site or parcel containing a convalescent/nursing home which is part of a larger project shall be calculated separately from other portions of the site under development (i.e., density shall not be transferred from a site occupied by a nursing home to another portion of the development).

Staff Comment: Applicant is not proposing to construct Convalescent Homes.

2. Mixed Residential and Multifamily Districts. The maximum housing densities shown in the top row of Table 4.04 refer to the maximum density of individual project components. The housing density for the overall project, however, (e.g., all of property subject to an approved subdivision plat or master planned development) shall not exceed the maximum average density for the applicable district as specified in the second row of Table 4.04. For example, a development in the MR 7-13 district may contain an apartment complex with twenty-four dwelling units per acre, provided that the average density for the entire development does not exceed thirteen units per acre (consistent with other applicable provisions of this code).

Staff Comment: The proposal is not situated within a Mixed Residential or Multifamily District.

3. Accessory Dwelling Units. Accessory dwelling units built subsequent to the initial occupancy of the primary residence on a lot are not subject to the maximum density limits specified in Table 4.04. In addition, accessory units built on a maximum of twenty percent of a subdivision's lots prior to the time the primary unit on the lot is initially sold are not subject to the maximum density limitations.

Staff Comment: Applicant intends to provide Accessory Dwelling Units (ADU) within primary units prior to sale; therefore, the applicant is limited to twenty percent of the proposed 34 units; or, seven ADUs total when combined with primary structures prior to initial sa.

4. Mobile Homes. No more than ten mobile homes or manufactured homes shall be installed on any one acre of land.

Staff Comment: Mobile homes are not proposed.

5. Density Bonuses. The maximum housing densities identified in Table 4.04 may be increased as follows: a. through d.

Staff Comment: Applicant has not requested a density bonus.

B. Minimum Housing Densities.

1. Calculation of Minimum Density.

Note: Table 4.04 in Chapter 23.04 includes those areas proposed to be devoted to residential and associated uses (e.g., lots or tracts to be occupied by dwellings; private community clubs, tot lots, recreation areas, and greenbelts; and street rights-of-way).

- a. The entire site shall be included in the minimum density calculation except for specified critical areas including streams, wetlands, landslide hazard areas, flood hazard area, high groundwater hazard areas, riparian areas, and fish and wildlife conservation areas as defined in Title 24 TCC and their associated buffers; tracts accommodating stormwater facilities required in compliance with the Drainage Manual; tracts required for tree retention pursuant to Chapter 17.25 TCC and/or Section 23.04.080(J), existing, opened street rights-of-way and land to be sold or dedicated to the public (e.g. school sites and public parks, but not street rights-of-way to be dedicated as part of the proposed development). The minimum housing densities shall be determined by subtracting these areas from the total site area, and then multiplying the result by the minimum dwelling units per acre for each district identified in Table 4.04 as shown in the following formula:

Total site area- (acres)	Area of specified critical× area and other lands in 18.04.080(B)(1)(a) (acres)	Minimum dwelling= units/acre by zoning in Table 4.04	Minimum dwelling unit potential
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Staff Comment: Applicant has not requested a density bonus.

- b. All dwelling units in convalescent homes/nursing homes and accessory dwelling units count toward the minimum density required for the site by Table 4.04.

Staff Comment: Applicant is limited to seven ADUs combined when the primary structure before initial sale.

2. Average Density. A housing project may contain a variety of housing densities (consistent with Table 4.04) provided that the average density for the entire development (e.g., all of the property subject to a single subdivision, site plan or PRD approval) is neither less than the minimum density nor more than the maximum average density established for the applicable district in Table 4.04.

Staff Comment: Applicant is not proposing a mix of housing types and is not applicable to project as proposed.

3. Allowance for Site Constraints. At the request of the applicant, the director may reduce the minimum density required in Table 4.04, to the extent s/he deems warranted, to accommodate site constraints which make development at the required minimum density impractical or inconsistent with the purposes of this chapter. Factors which may warrant a density reduction include poor soil drainage, the presence of springs, topography exceeding twenty percent slope, rock outcrops, sensitive aquifers used as a public water source or wellhead protection areas). As a condition of granting a density reduction, the applicant must demonstrate that the minimum density cannot be achieved by clustering the housing on the buildable portions of the site (see Section 23.04.080F).

Staff Comment: Applicant has not requested a density bonus.

4. Natural Features/Habitat Protection. At the request of the applicant, the director may also authorize a reduction in the minimum density requirements in order to retain significant wildlife habitat identified on Map 2-4 in the Olympia Joint Plan.

Staff Comment: Applicant has not requested a reduction in the minimum density requirements.

5. Allowance for Small, Odd Shaped or Partially Developed Sites. The director may authorize a reduction in the minimum density requirements as s/he deems necessary to enable development of small (i.e., less than six acres in size), oddly shaped or partially developed parcels if the site's configuration or constraints (e.g., existing structures) preclude development at the minimum density specified in Table 4.04.

Staff Comment: Applicant has not requested a reduction in the minimum density requirements.

6. Allowance for Transitional Housing and Mixed Residential Projects. The director may reduce the minimum densities required by Table 4.04 to enable provision of lower density housing along the perimeter of multifamily housing projects, as required by Section 23.04.060(14) or as necessary to accommodate the mix of housing types required by Section 23.04.060(17)(a).

Staff Comment: Applicant has not proposed Transitional Housing or Mixed Residential development.

C. Minimum Lot Size.

1. Nonresidential Uses. The minimum lot size for nonresidential uses (e.g., places of worship and schools) is larger than the minimum lot size identified in Table 4.04. Refer to Table 4.01 and Section 23.04.060 for regulations pertaining to nonresidential uses. Also see Section 23.04.060(11) for the lot size requirements for group homes.

Staff Comment: Applicant has not proposed any nonresidential uses.

2. Undersized Lots. Undersized lots shall qualify as a building site if such lots were recorded prior to June 19, 1995 or they were approved as part of a planned residential development, master planned development (see Chapter 23.56) or clustered housing development, consistent with Section 23.04.080F; provided, however, that any lot of record which does not comply with the width requirements of this code shall not be constructed upon unless (a) it is legally combined with undeveloped contiguous land in the same ownership which in combination create a lot of the size specified in Table 4.04 (or as modified by other provisions of this title); or (b) it is approved by the department during site plan review and design review, at which time an architectural review of the proposal shall be conducted for compliance with the criteria specified in Chapter 23.04A, Residential Districts Design Guidelines, if applicable.

Staff Comment: This element is addressed as part of the PRD analysis.

3. Clustered Lots. Lot sizes as specified in Section 23.04.080F, Clustered Housing.

Staff Comment: See Section 23.04.080F

D. Transitional Lots.

1. Lot Size. The square footage and width of lots in developments larger than five acres located in the MR 7-13, MR 10-18, or RM-18 districts, which immediately abut an R-4, R 4-8 or R 6-12 district, shall be no less than eighty-five (85) percent of the minimum lot size and width required in the adjoining lower density district.
2. Setbacks. The minimum rear yard building setback for lots in the MR 7-13, MR 10-18, and RM-18 districts which share a rear property line with a parcel in an R-4, R 4-8, or R 6-12 district shall be no less than the setback required for the adjoining lower density district.

Staff Comment: The proposal is not situated in MR 7-13, MR 10-18, or RM-18 districts

E. Developments without Sewer Service. Residential developments which rely on on-site sewage disposal or water systems are subject to the following requirements [Text Omitted]

1. a. and b.
2. a. and b.

Staff Comment: Applicant proposes to provide city sewer.

F. Clustered Housing.

1. Mandatory Clustering. The director or hearing examiner may require that the housing units allowed for a site be clustered on a portion of the site in order to protect ground water used as a public water source (e.g., wellhead protection areas), to enable retention of windfirm trees (which are appropriate to the site and designated for retention), to preserve significant wildlife habitat identified on Map 2-4 of the Olympia Joint Plan, to accommodate urban trails identified on map designated for retention), to preserve significant wildlife habitat identified on Map 7-1 of the Olympia Joint Plan, to preserve scenic vistas pursuant to Sections 23.20.070, Site design-View preservation and Section 23.50.100, Scenic vistas, or to enable creation of buffers between incompatible uses (also see Chapter 23.36, Landscaping and Screening).

Staff Comment: This element is addressed as part of the PRD analysis as PRDs is a form of clustering.

The director or hearing examiner may allow up to a twenty percent reduction in lot dimensions, sizes, and setback requirements, consistent with the Building Code as adopted by Thurston County (Title 14), to facilitate the clustering of the permitted number of dwelling units on the site. However, in the R 1/5 District, lots may be reduced to a minimum of ½ acre to enable clustering of dwellings and creation of tree tracts consistent with this Chapter and Chapter 17.25. The required clustering shall not result in fewer lots than would otherwise be permitted on the site (at the minimum density specified in Table 4.04), without written authorization by the applicant.

Staff Comment: This element is addressed as part of the PRD analysis.

2. Optional Clustering. Applicants for housing projects may request up to twenty percent reduction in lot sizes, dimensions, and building setback requirements in order to cluster housing and retain land serving the purposes listed in subsection F1 above; or to avoid development on slopes steeper than twenty percent; or to preserve natural site features such as rock outcrops; or otherwise enable land to be made available for public or private open space. Applicants proposing to place sixty-five percent or more of a development site within a tree or vegetation protection or critical areas tract or tracts and not exceed ten percent overall impervious coverage may request approval of housing forms not otherwise permitted in the zoning district so long as

the number of resulting residential units does not exceed the standard maximum by more than twenty percent. Such alternative housing forms may exceed height and story limits otherwise applicable in the district, except for height and story limits specifically intended to soften transitions between zoning districts. For example, three-story multi-family housing may be approved in a two-story single-family housing district. However, in the R 1/5 District, lots may be reduced to a minimum of ½ acre to enable clustering of dwellings and creation of tree tracts consistent with this Chapter and Chapter 17.25. The director or hearing examiner, as applicable, may grant such requests only if s/he determines that the development would not have a significant adverse impact on public facilities and surrounding land uses.

Staff Comment: Clustering is a mandatory element of PRDs allowing for reductions of lot dimensions. This element is addressed as part of the PRD analysis.

G. Lot Width.

1. Measurement. The minimum lot width required by Table 4.04 shall be measured between the side lot lines at the point of intersection with the minimum front setback line.
2. Varied Lot Widths. The width of lots in new subdivisions and planned residential developments with more than ten lots shall be varied to avoid monotonous development patterns.
 - a. No more than three consecutive lots, uninterrupted by a street, shall be of the same width. This requirement does not apply to townhouses.
 - b. Lot widths shall be varied by a minimum of six-foot increments.
 - c. The minimum lot widths specified in Table 4.04 may be reduced by up to six feet for individual lots, provided that the average lot width for the project is no less than the minimum lot width required by Table 4.04 and Section 23.04.080G3 below.

Staff Comment: This requirement will affect lots 2 through 8, and 19 through 24

3. Minimum Street Frontage.

- a. Each residential lot, other than in townhouse, cottage and co-housing projects, shall have a minimum of thirty feet of frontage on a public street. However, the department may allow the street frontage to be reduced (creating a flag lot) to the minimum extent necessary to enable access to property where public street access is not feasible (e.g., due to physical site conditions or preexisting development) or to protect environmentally critical areas.

Staff Comment: All lots meet the minimum requirement.

- b. Subdivisions, short subdivisions, binding site plans, and lot line adjustments creating flag lots (with street frontages of less than thirty feet) are subject to the following conditions.
 - i. The project shall be designed to minimize the creation of flag lots;
 - ii. Adjoining flag lots shall share a common driveway wherever possible;
 - iii. All driveways accessing flag lots shall be designed to allow fire truck access to within one hundred fifty feet of the residence(s) on the lot(s), unless alternate forms of fire protection approved by the fire district are provided (e.g., sprinkler systems).
 - iv. The area of a flag lot which is less than thirty feet in width shall not be considered part of the minimum lot area required in Table 4.04.

Staff Comment: Not applicable to project as proposed.

4. Narrow Lots. The length of the primary structure on a lot of forty feet or less in width shall not exceed three times the structure's width or seventy feet, whichever is less. This provision does not apply to attached housing units (e.g., townhouses).

Staff Comment: As proposed a majority of lots are forty feet in width by one hundred feet in depth, resulting in a building envelope of thirty by sixty feet. The Applicant is requesting a fifty percent reduction of the twenty foot rear yard setback. The proposed dimensions would result in a structure three times its width. A fifty percent reduction in the rear yard may result in a structure seventy feet long. The requested variance conflicts with the requirement of Sec. 23.04.080(G)(4).

H. Setbacks.

1. Measurement. The required setback area shall be measured from the outermost edge of the building foundation to the closest point on the applicable lot line.

Staff Comment: Noted.

2. Reduced Front Yard Setbacks. Front yard setbacks in the R-4, R 4-8, R 6-12, MR 7-13 and MR 10-18 districts may be reduced to a minimum of ten feet under the following conditions:
 - a. When garage or parking lot access is from the rear of the lot;
 - b. When the garage is located at least ten feet behind the front facade of the primary structure on the lot; or
 - c. When the driveway will be aligned to provide at least a twenty-foot long parking space between the sidewalk edge (closest to lot) and the garage.
 - d. Such setback reductions shall not be allowed where they would result in a setback of fifty percent or less than the setback of an existing dwelling on an abutting lot fronting on the same street.

Staff Comment: Applicant is not requesting a front yard reduction at this time, and not applicable to project as proposed.

3. Rear Yard Setbacks. See Section 23.04.080H5, Encroachments into Setbacks, Section 23.04.080D2, Transitional Lots, and Table 4.04.

Staff Comment: Not applicable to project as proposed.

4. Side Yard Setbacks.

- a. Reduced Side Yard Setbacks. A side yard building setback shall not be required for a lot served by an alley (such alley shall be open, improved and accessible, not solely a right-of-way) provided it meets the following conditions:
 - i. Provision for reduced or zero setbacks shall specifically appear upon the face of a final short or long plat. Such plat shall provide that the minimum distance between residences will be six feet. If the distance between the proposed dwelling and a property line is less than three feet, the applicant shall provide evidence of a maintenance easement, at least three feet in width, which provides sufficient access for the owner of the dwelling to maintain the applicable exterior wall and roof of the dwelling. (Except as expressly provided, any reduced side yard provision appearing

- on a final plat shall withstand later amendments of this Title and shall be considered conforming.)
- ii. Side yard setbacks shall not be less than five feet along a property line adjoining a lot which is not developed or approved for reduced setbacks (e.g., a conventional lot with two five-foot wide side yard setbacks). Side yard setbacks shall not be less than ten feet along property lines which abut a public right-of-way.
 - b. The minimum side yard setback from bike paths and walkways shall comply with the side yard setback from the lot line as specified for the district in Table 4.04.

Staff Comment: Not applicable to project as proposed.

- 5. Encroachment Into Setbacks. Required setback (yard) areas shall be kept free of any building or structure taller than thirty inches in height, except that the buildings and projections listed below shall be allowed outside of utility, access or other easements.
 - a. Except for accessory dwelling units, any accessory structures may be located in a required rear yard and/or in the rear twenty feet of a required interior side yard; however, if a garage entrance faces a rear or side property line, it shall be setback at least ten feet from that property line. Accessory dwelling units may not encroach into required side yard setbacks. Accessory dwelling units may encroach into rear yards, however, if the rear yard does not abut an alley, the accessory unit must be set back ten feet from the rear property line. Further, any garage attached to any accessory dwelling unit shall conform with this section;
 - b. Cornices, window sills, bay windows, flues, chimneys, planters, and roof eaves may project two feet into the required yard area;
 - c. Marquees and awnings for commercial uses;
 - d. Fences in compliance with the fence height requirements specified in Section 23.40.060D;
 - e. Swimming pools, hot tubs and satellite dish antennas for single-family residences, duplexes, and triplexes may be placed in the rear or side yard setback area. Antennas for multifamily residences with four or more units and nonresidential uses may be located in rear yards (see Section 23.04.060(24)(b)(vi).
 - f. Up to fifty percent of a rear yard's width may be occupied by a dwelling (primary residence or ADU) provided that the structure (foundation) is located at least ten feet from the rear property line. For purposes of this section the rear yard's width shall be measured in a straight line between the side property lines at the point of intersection with the rear property line.

Staff Comment: These standards are typically administered at time of building permit application; therefor, not applicable to project at this time.

I. Height.

- 1. Roof Projections. The following structures may exceed the height limits specified for the district in Table 4.04 by eighteen feet, provided that such structures do not contain floor space: roof structures housing elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building; fire or parapet walls; skylights; towers; flagpoles; chimneys; smoke stacks; wireless masts; television antennas; steeples; and similar structures.

Staff Comment: These standards are typically administered at time of building permit application; therefor, not applicable to project at this time.

2. Places of Worship. Places of worship may exceed the height limits specified in Table 4.04, provided that the side yard width equals at least fifty percent of the building's proposed height (including spires and towers).

Staff Comment: Not applicable to project as proposed.

3. Radio, Television and other Communication Towers. The height of radio, television, and other communication towers may exceed the maximum building height allowed in the district, subject to approval of the hearing examiner consistent with [Section 23.04.060](#)(23) and (24).

Staff Comment: Not applicable to project as proposed.

4. Tall Buildings in the MR Districts. Buildings between thirty-five and forty-five feet in height are permitted in the MR 7-13 and MR 10-18 districts, subject to compliance with the following requirements:
 - a. The proposed building will not be located within one hundred feet of the boundary of the property under development (this may include several parcels under a single development proposal). Exceptions to this requirement shall be granted where topography, stands of trees (deemed appropriate for retention by the county), or other site features block the visibility of the section of the building above thirty-five feet in height from existing or potential residential areas (zoned and available for residential use) adjoining the site; and
 - b. Existing evergreen trees, which the county deems are appropriate to the site (e.g., which do not pose significant risks for proposed site improvements or public safety), are retained where possible to help screen the building from the view of residents of dwellings abutting the property.

Staff Comment: Not applicable to project as proposed.

5. Water Towers. Water towers may exceed the height limits specified in Table 4.04.

Staff Comment: Not applicable to project as proposed.

J. Private and Common Open Space.

1. Development of Open Space. Open space (e.g., private yard areas and common open space) required by Table 4.04 shall be devoted to undisturbed native vegetation, landscaping (consistent with [Chapter 23.36](#), Landscaping and Screening), and/or outdoor recreational facilities. Driveways, loading areas, maneuvering space and parking lots shall not be considered open space. Required open space shall not be covered with impervious surfaces, except for walkways, tennis courts, swimming pools, or similar recreational uses which require an impervious surface. Up to a five percent increase in impervious surface coverage may be allowed to accommodate such hard surfaced recreational facilities. The requirements in section J 1 do not apply to open space required in 5 and 6 below.

Staff Comment: Not applicable to project as proposed.

2. Cottage Housing Developments. Cottage housing developments shall provide open space as follows:
 - a. A minimum of two hundred square feet of private, contiguous, usable, open space shall be provided adjacent to each dwelling unit. No dimension of this open space area shall be less than ten feet.

- b. A minimum of fifteen hundred square feet or two hundred square feet per unit, whichever is more, shall be provided in common open space (e.g., available for the use of all residents of the development). This open space shall be contained in a contiguous area with no dimension less than thirty feet. A substantial portion of such open space shall be sufficiently level (e.g., less than five percent slope) and well drained to enable active use in summer provided that at least fifty percent of such open space shall comply with soil and vegetation protection area standards.

Staff Comment: Not applicable to project as proposed.

3. Mixed Density Districts. Parcels or sites accommodating multifamily housing (e.g., triplexes, fourplexes, and larger apartment buildings) in a MR 7-13 or MR 10-18 district shall contain at least thirty percent open space. At least fifty percent of such open space must be available for the common use of the residents of the multifamily housing. Such open space shall be developed consistent with Section 23.04.080J1 above. This open space requirement shall be reduced to twenty percent if the multifamily housing adjoins a park, school or open space site of at least ten thousand square feet in size. Impervious surface coverage limits specified in Table 4.04 shall be adjusted accordingly.

Staff Comment: Not applicable to project as proposed.

4. Manufactured or Mobile Home Parks. At least five hundred square feet of common open space shall be provided per dwelling unit (see [Section 23.04.060\(16\)\(h\)](#)). At least fifty percent of such open space shall comply with soil and vegetation protection area standards.

Staff Comment: Not applicable to project as proposed.

5. R1/5; District.
 - a. In the R1/5 District, subdivisions, short subdivisions, large lot subdivisions and other developments, except construction of dwellings on individual lots/parcels, shall preserve existing vegetation on site as follows:
 1. Retain at least 60% of the site within tree tract(s) held in common ownership by the homeowner's association or comparable entity. (See [23.04.080\(F\)](#), Clustered Housing); or
 2. Retain existing vegetation on 60% of each lot. Vegetation in these areas shall be preserved, with the exception of nonnative, invasive plants and hazard trees that pose an imminent risk of damaging a structure, as determined by the approval authority. Authorized removal of vegetation from the protected portion of the site shall be accomplished by the least disruptive methods available, as determined by the approval authority.
 - b. Existing stands of healthy trees on the site shall be included within the tracts/vegetation protection areas required by 5a above to the greatest extent practical, as determined by the approval authority.
 - c. Critical Areas and associated buffers may comprise all or part of the tree tracts/vegetation protection areas required by 5a above.
 - d. Tree/vegetation retention, replacement, and maintenance shall comply with TCC [17.25.400](#). Where conflicts occur between the provisions of [Chapter 17.25](#) and this section, the provisions of this section shall prevail.

Staff Comment: Not applicable to project as proposed.

6. RLI 2-4 District.

- a. In the RLI 2-4 District, subdivisions, short subdivisions, large lot subdivisions and other developments, except construction of dwellings on individual lots/parcels, shall retain at least 60% of the site within tree tract(s) held in common ownership by the homeowner's association or comparable entity.
- b. Existing stands of healthy trees on the site shall be included within the tracts required by 6a above to the greatest extent practical, as determined by the approval authority.
- c. Existing stands of healthy trees on the site shall be included within the tracts required by 6a above to the greatest extent practical, as determined by the approval authority.
- d. Critical Areas and associated buffers may comprise up to 50% of the tree tracts required by 6a above.
- e. Tree/vegetation retention, replacement and maintenance shall comply with TCC [17.25.400](#). Where conflicts occur between the provisions of [Chapter 17.25](#) and this section, the provisions of this section shall prevail.

Staff Comment: Not applicable to project as proposed.

23.04.085 - Ken Lake Impervious Surface Overlay District.

- A. Purpose. The purpose of the Ken Lake Impervious Surface Overlay District is to lessen stormwater impacts to downstream properties from development.
- B. Map. The Ken Lake Overlay District Map shall include all lands depicted on the map named "Ken Lake Overlay District." A copy of this map shall be on file with the department. This shall indicate the boundaries of the overlay district. The overlay district may also be depicted on the official zoning map in lieu of maintaining a separate map.
- C. Standards. The maximum building coverage, hard surface coverage, and impervious surface coverage limits shall be the same as the Residential One Unit per Five Acre (R-5) zoning district.

Staff Comment: Not applicable.

23.04.090 Additional regulations. Refer to the following chapters for additional related regulations:

- A. **Chapter 23.04A, Residential Districts Design Guidelines;**

Staff Comment: Not applicable to project as proposed. The proposal is not located in a multifamily or commercial district, does not propose commercial or nonresidential uses, does not propose a mix of housing types or townhouses.

- B. **Chapter 23.20, Olympia UGA Design Guidelines;**

Staff Comment: Not applicable to project as proposed. The proposal is not located in a multifamily or commercial district, does not propose commercial or nonresidential uses, does not propose a mix of housing types or townhouses.

- C. **Chapter 23.26, Archaeological and Historic Sites;**

Staff Comment: Not applicable to project as proposed.

- D. **Chapter 23.36, Landscaping and Screening;**

Staff Comment: These standards are met as conditioned.

E. Chapter 23.38, Parking and Loading;

Staff Comment: These standards are met as conditioned.

F. Chapter 23.40, Property Development and Protection Standards;

Staff Comment: These standards are met as conditioned.

G. Chapter 23.42, Signs;

Staff Comment: Not applicable to project as proposed. Any signs will be reviewed at time of building permit per this code.

H. Chapter 23.48, Special Uses;

Staff Comment: No special uses are proposed and is not applicable to project.

I. Chapter 23.50, Design Review;

Staff Comment: Not applicable to project as proposed.

J. Chapter 23.56, PRD-Planned Residential Development;

Staff Comment: Applicant has requested proposal be reviewed under these standards.

K. Chapter 23.60, Site Plan Review;

Staff Comment: Review of individual lots will be reviewed at time of building permit application.

L. Chapter 23.64, Townhouses;

Staff Comment: Not applicable to project as proposed.

M. Chapter 23.90, Transfer of Development Rights.

Staff Comment: Not applicable to project as proposed.

Chapter 23.56 PRD—PLANNED RESIDENTIAL DEVELOPMENT

23.56.020 Purpose.

- A. The intent of the PRD regulations is to permit greater flexibility and, consequently, more creative and imaginative design as required for the development within the MR 7—13, MR 10—18, urban village (UV), neighborhood villages (NV), and neighborhood center (NC) and community-oriented shopping center (COSC) districts, and co-housing residential areas than generally is possible under conventional zoning regulations.
- B. It is further intended to promote urban infilling and more economical and efficient use of the land, while providing a development which is compatible with the surrounding neighborhood, a harmonious variety of housing choices, a higher level of urban amenities, and preservation of natural topography, unique geological features, and open space.

- C. It is also intended to encourage the provision of more usable and suitably located recreation facilities and other public and common facilities than would otherwise be provided under conventional land development procedures.
- D. Additionally, it is the purpose of this chapter to enable clustering of development in order to preserve the significant wildlife habitat located in certain land use districts as depicted in the Olympia Joint Plan and take the greatest possible advantage of existing topography and other natural features to promote environmental and aesthetic goals by optimizing siting, orientation, layout and design of structures to protect natural vegetation, wetlands, drainage areas, slopes and other natural features.

Staff Comments: The Applicant has stated their choosing the PRD process as a matter of, “Efficiency and flexibility in placement and size of home lots, use types, roadways, common spaces, off-street parking, etc. is made possible by way of PRD review. The efficiencies created during this phase of the project will allow for further efficiencies to be realized at later stages of civil and home construction. As collaborative efforts are made to meet the intents of the PRD, the end result should be a comfortable, well-designed neighborhood that is accessible to those from a broad range of lifestyles and incomes.” (Attachment e).

23.56.040 General requirements.

- A. Land Use Districts. Planned residential development may be permitted in R-4, R 4—8, R 6—12, MR 7—13, MR 10—18, NC, NV and UV zoning districts;

Staff Comment: The proposed development is situated within the R 4 - 8 zoning district.

- B. Minimum site area: none

Staff Comment: The Applicant’s revised proposal is comprised of 34-single-family residential lots ranging in lot size 3,719 sq. ft. to 5,018 sq. ft.
Average lot size = Sum/Count = 141,817 of all S.f. lots/34 = 4,171.09 per lot

- C. Permitted Uses. Permitted uses are as follows:
 - 1. Residential uses and other permitted uses within the underlying use district,

Staff Comment: “Single-family residences” and “Accessory dwelling units” are proposed and permitted in the R 4-8 zoning district subject to Ch. 23.04.060(1) (OMC).

Table 4.01 - Permitted and Special Uses		
District	R 4-8	Applicable Regulations
District-Wide Regulations		
1. Single-Family Housing		
Accessory dwelling units	P	23.04.060(1)
Single-family residences	P	

- 2. Accessory uses to the above,

Staff Response: Accessory structures are not proposed with this application; however, the Applicant has indicated intention to incorporate “Accessory Dwelling Unit” (Attachment e, g1) within some if not all single-family residential structure. These units will be

subject to conditions as noted above in Ch. 23.04.060, subsections: (a), (b), (c) and (e). Subsections (d), (f) and (g) are not applicable.

3. Uses that may be allowed by special use permit in the underlying zone, subject to the requirements of Section 23.56.140F, Nonresidential Uses;

Staff Comment: Special nor Non-residential uses are proposed with this application.

D. Density. The density requirements of the underlying use district shall apply;

Staff Comment: According to Ch. 23.04.080(A)(1)(a) Maximum Housing Densities and Ch. 23.04.080(B)(1)(a) (OMC), both minimum and maximum densities within the R 4-8 district are based on square footage of the entire site except for specified critical areas such as, wetlands and their associate buffers then multiplying the result by the minimum dwelling units per acre as shown below.

Total site area (acres)	-	Area of specified critical area and other lands in 18.04.080(B)(1)(a) (acres)	×	Minimum dwelling units/acre by zoning in Table 4.04	=	Minimum dwelling unit potential
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However, in the R 4-8 zoning district development rights must be obtained from an eligible property owner in a Thurston County transfer of development rights (TDRs) sending zone. Without TDRs densities within the district are limited to a minimum of 5 and a maximum of 7 units per acre. As proposed the applicant meets minimum density of 5 units per acre. See calculation below.

11.28 acres (total site) - 4.48 acres (wetlands and buffers) = 6.8 acres =
Minimum (4 units per acre) = 27 lots,
Maximum (8 units per acre) = 54 lots; and,
Density at 7 units per acre = 48 units
Density at 6 units per acre = 41 units
Proposed (5 units per acre) = 34 lots.

Therefore, without obtaining TDRs, the current proposal meets minimum densities requirements at 5 units per acre for a total of 34 single-family residential lots.

- E. Platting Requirements. When any parcel of land in a PRD is intended for individual ownership or sale, the platting and procedural requirements of the Thurston County Subdivision Ordinance, Title 18 of the Thurston County Code, and applicable state laws pertaining to the subdivision and conveyancing of land and the preparation of maps shall be followed. Applications for preliminary or short plat approval should be submitted simultaneously, and processed concurrently, with applications for PRD approval.

Staff Comment: Applicant submitted preliminary subdivision and PRD applications under one project number.

23.56.060 Preliminary approval process.

- A. Presubmission Conference. Prior to making application, the developer shall meet with the department for an initial discussion of the proposal.

Staff Comment: A presubmission conference was conducted March 16, 2023 (Attachment l).

B. Application For Preliminary Approval. An application for a PRD may be filed only by a person having a legal interest in the property.

1. The applicant shall complete and submit to the department a PRD application in accordance with the submittal requirements in Section 23.72.060.

Staff Comment: A complete PRD application was received by Thurston County's Community Planning and Development Department September 22, 2023 (Attachment a, b, c, d).

2. Each and every PRD application submitted to the department shall comply with the county's SEPA regulations, TCC Chapter 17.09, adopted in compliance with the State Environmental Policy Act, Chapter 43.21C RCW.

Staff Comment: A complete Environmental Checklist was received by Thurston County's Community Planning and Development Department September 22, 2023. Subsequently, a SEPA Mitigated Determination of Non-significance (MDNS) was issued March 15, 2024 (Attachment o, x).

1. Accuracy for all data and information submitted on or with a preliminary development plan shall be the responsibility of the applicant. Any proposed plan found to be inaccurate or misleading as to hamper the decision of the hearing examiner shall be returned to the applicant with a letter stating that the plan or application must be corrected and returned to the department.

Staff Comment: The Applicant's materials were evaluated by appropriate agencies and members of Thurston County staff as noted in the Notice of Application (Attachment p). A Communication Matrix requesting additional and revised information was issued, 03.14.2024 (Attachment r) and was responded to by the Applicant, 04.08.2024 (Attachment t, u, v, w, z, a1, b1, c1, d1, g1)

4. An application for preliminary approval shall be reviewed in accordance with the procedures in Section 23.72.040C.

Staff Comment: A complete application for (Preliminary) "Division of Land" was received by Thurston County's Community Planning and Development Department September 22, 2023 (Attachment c) and subsequently reviewed as a Type III Quasi-judicial process.

- Notice of Application was issued on November 17, 2023, with a 20-day comment period that expired, December 7, 2023 (Attachment r), public comments were received and made an element of this report for review by the Examiner and members of the public (Attachment q)
- A SEPA MDNS was issued on March 15, 2024, the comment period expired March 29, 2024, and appeal period expired, April 5, 2024 (Attachment i1). No appeals were filed.
- Notice of public Hearing was issued on April 12, 2024 (Attachment a)

- Per subsection (8) of Section 23.72.040C, with few exceptions' application should be reviewed within 120-days. As of the hearing date ,except for the time between March 14th and April 8, when the project was with the applicant for revision, the project stands at 162 days.

C. An approved PRD, or subsequent revision thereto, shall be binding as to the general intent and apportionment of land for buildings, stipulated use and circulation pattern. The terms and conditions upon which approval was given shall not be changed except as provided in Section 23.56.120B, Minor and Major Adjustments of the Final Plan.

Staff Comment: A complete PRD application was received by Thurston County's Community Planning and Development Department September 22, 2023 (Attachment a, b, c, d).

D. Permits.

1. Permits. The department may issue permits within a PRD prior to the approval of the final plat, provided that:
 - a. The improvements will be consistent with the approved preliminary PRD.
 - b. The county has reviewed the application and determined that the improvements are to be constructed in conformance with the Thurston County Code.
 - c. All required improvements have been completed or arrangements or contracts have been entered into to guarantee that such required improvements will be completed for the phase of the project involved.
 - d. Partial or complete construction of improvements shall not relieve the developer from, nor impair county enforcement of, conditions of preliminary PRD approval.

Staff Comment: A complete PRD application was received by Thurston County's Community Planning and Development Department September 22, 2023 (Attachment a, b, c, d).

2. Building Permits. Building permits may be issued for any structure within a PRD prior to the approval of the final PRD, provided that:
 - a. The construction will be consistent with the approved preliminary PRD.
 - b. The building permit application must identify the location and dimensions of the proposed building in relation to all lot lines for the site and must provide proposed building elevations.
 - c. No vertical construction may take place until the necessary fire flow and emergency vehicle access have been provided to the building(s).
 - d. All required improvements have been completed or arrangements or contracts have been entered into to guarantee that such required improvements will be completed for the phase of the project involved.
 - e. Partial or complete construction of structures shall not relieve the developer from, nor impair county enforcement of, conditions of PRD approval.
 - f. Units may not be rented or sold until final PRD approval.

Staff Comment: A complete PRD application was received by Thurston County's Community Planning and Development Department September 22, 2023 (Attachment a, b, c, d).

23.56.080 Final PRD approval.

A. Application. Application for final PRD approval:

1. For any portion of the PRD which is to be platted, approval of the final plat by the board of county commissioners shall constitute final development plan approval for the platted portion

of the PRD. Application requirements shall be as provided for final plat approval under county ordinance.

Staff Comment: A complete PRD application was received by Thurston County's Community Planning and Development Department September 22, 2023 (Attachment a, b, c, d).

2. For any portion of the PRD which is not to be platted, approval of a binding site plan shall constitute final development plan approval. The department may attach terms and conditions to the approval of the site plan if necessary to ensure compliance with the preliminary PRD. Review of the site plan shall be as provided for site plan review in Chapter 23.72.

Staff Comment:

- B. Phasing. If a proposed PRD is to be developed in phases, the project as a whole shall be portrayed on the preliminary PRD, and each phase shall individually receive final development plan review and approval according to the procedures established herein. Those portions of the PRD which have received preliminary approval but which have not yet received final approval shall be subject to the provisions of Section 23.56.100, Expiration and extensions.

Staff Comment: The Applicant has noted that construction shall occur in "tranches" but has not proposed a phasing plan.

23.56.100 Expiration and extensions.

- A. If a final PRD is not approved within five years from the date of preliminary PRD approval, and an extension of time has not been granted, the preliminary PRD approval shall expire and the land and the structures thereon shall be used only for a lawful purpose permissible within the underlying zone.
- B. Knowledge of expiration date and initiation of a request for extension of approval time is the responsibility of the applicant. The county shall not be held accountable for notification of expirations. All requests for an extension of time must be submitted to the department at least thirty days prior to expiration of preliminary PRD approval. The department may grant a single extension for no more than one year. If an extension of time is granted, the PRD shall be subject to all new and amended regulations, requirements, policies or standards which are adopted after the original date of approval unless there has been substantial on-site work completed.

Staff Comment: This requirement is noted and made a condition of approval.

23.56.120 Administration and enforcement.

- A. Building Permit. Building permits and other permits required for the construction or development of property under the provisions of this chapter shall be issued only when the work to be performed meets the requirements of the final plan and program elements of the PRD, except as provided in Section 23.56.060E.

Staff Comment: This requirement is noted and made a condition of approval.

- B. Minor and Major Adjustments of the Final Plan.

1. Minor adjustments may be made and approved when a building permit is issued. Any such alteration must be approved by the department. Minor adjustments are those which may affect the precise dimensions or siting of buildings (i.e., lot coverage, height, setbacks), but which do

not affect the basic character or arrangement and number of buildings approved in the preliminary or final plan, nor the density of the development or the amount and quality of open space and landscaping. Such dimensional adjustments shall not vary more than ten percent from the original, nor shall they permit development which would conflict with Section 23.56.140.

Staff Comment: Community Planning and Economic Development staff will determine the

2. Major adjustments are those which substantially change the character, basic design, density, open space or other requirements and conditions of the planned residential development. When a change constitutes a major adjustment, no building or other permit shall be issued without prior approval of such adjustment by the hearing examiner.

Staff Comment: A complete PRD application was received by Thurston County's Community Planning and Development Department September 22, 2023.

23.56.140 Development and design standards.

A. General Criteria.

1. All requirements of the underlying use district and other county ordinances, including but not limited to urban design guidelines, connecting streets, tree protection and drainage design and erosion control shall apply within the PRD unless specifically modified pursuant to the provisions of this chapter. For urban villages, neighborhood villages, and neighborhood centers the applicable goals and policies contained within the Olympia Joint Plan shall be applied.

Staff Comment: Noted. The underlying use district is R 4-8.

2. Any action to approve a preliminary development plan for a proposed PRD shall be based upon the following findings:
 - a. That the proposed development is in conformance with the Olympia Joint Plan;
 - b. That exceptions from the standards of the underlying district are warranted by the design and amenities incorporated in the development plan and program;
 - c. That the system of ownership and means of developing, preserving and maintaining open space are suitable, as provided in Section 23.56.140D.
3. The department may require the proposed development to be clustered on a portion of the site in order to preserve significant wildlife habitat (see Map 2-4 in the Olympia Joint Plan) and well-head protection areas.
4. If a plat is involved, the county shall issue no building permit for vertical construction for a multifamily structure in a PRD until final plat approval has been granted for the single-family lots in the PRD, if any. If the PRD is to be built in phases, this requirement shall apply to the development in each phase.

Staff Comment: Noted, and conditioned that no building permits may be issued until all public improvement have been installed and accepted by the county or bonded for. The Applicant has not requested phasing of the plat.

- B. Minimum Lot Size. The hearing examiner may allow lot sizes to be reduced (provided that the applicable setback requirements are met) to enable creation of common open space or allow preservation of significant wildlife habitat or a wellhead protection area.

Staff Comment: As noted above, the applicant has chosen to be reviewed under the standards of a Planned Residential Development for the purpose of design flexibility including lot size and dimensions. The R 4-8 district has a minimum lot requirement of forty five feet. Most of the lots are proposed to be forty. In addition most the lots are approximately four thousand square feet.

- C. Maximum Coverage. Building coverage and development coverage of individual parcels may exceed the percentage permitted by the underlying zone, provided that the overall coverage of the project as a whole does not exceed the percentage permitted by the underlying zone.

Staff Comment: The R 4-8 district has a limit of forty five percent. As noted in the stormwater plan the proposal will have an overall impervious surface coverage of little more than twenty percent. Much of the site will be kept in open space protecting the adjacent wetland.

D. Open Space.

1. Common open space, if any, may contain such structures and improvements as are necessary and appropriate for the out-of-doors enjoyment by residents of the PRD.
2. The developer shall provide a bond or other assurance acceptable to the prosecuting attorney that any improvements made in the common open space will be completed. The county shall release the bond or other assurance when the improvements have been completed in accordance with the development plan.
3. Before approval of the final development plan may be granted, the developer shall submit to the county covenants, deeds and/or homeowners' association bylaws and other documents guaranteeing maintenance, construction, common fee ownership, if applicable, of open space, community facilities, stormwater facilities, private roads and drives, and all other commonly owned and operated property. These documents shall be reviewed and approved by the county staff to ensure that they comply with the requirements of this chapter prior to approval of the final development plan by the county. Such documents and conveyances shall be accomplished and be recorded, as applicable, with the county auditor as a condition of any final development plan approval.
4. All common open space shall be landscaped in accordance with the landscaping plan submitted by the applicant and approved by the county. Natural landscape features which are to be preserved, such as existing trees, drainage ways, rock outcroppings, etc., may be accepted as part of the landscaping plan.
5. That portion of the open space which is to be available for the common use of the residents of the PRD shall be either:
 - (1) Conveyed to a public agency which will agree to maintain the common open space and any buildings, structures, or improvements which have been placed on it; or
 - (2) Owned in common by the property owners within the PRD or a homeowners' association.

Staff Comment: Noted the open space tract will be held in common ownership and maintained by a Home Owners Association.

E. Perimeter Treatment.

1. Relationship of PRD Site to Adjacent Area. The design of a PRD shall take into account the relationship of the site to the surrounding areas. The perimeter of the PRD shall be so designed

- as to minimize undesirable impact of the PRD on adjacent properties and, conversely, to minimize undesirable impact of adjacent land use and development characteristics on the PRD.
2. Structures located on the perimeter of the development shall be set back in accordance with the front yard setback of the underlying zone.

Staff Comment: Noted. The underlying use district is R 4-8. Perimeter of property to the east and a portion of the northeast are landscaped with a 30 foot buffer.

F. Nonresidential Uses.

1. Nonresidential uses are permitted in a PRD as specified in Section 23.56.040C, provided that such uses are primarily for the service and convenience of the residents of the development.
2. Uses permitted by special use permit in the underlying zone shall conform to standards as provided in Chapter 23.48, Special Uses.
3. Permitted uses shall conform to the standards of that use district, and to the following additional requirements:
 - a. Building permits or occupancy permits for such uses shall not be issued until completion of one-half of the total dwelling units.
 - b. Screening and landscaping shall be provided adequate to protect all neighboring uses from potential adverse effects.
 - c. All sides of the proposed buildings shall be finished in a style which is harmonious with the development as a whole and with neighboring uses.
4. Accessory uses such as storage of boats, campers and recreational vehicles shall be permitted only if visual screening is provided. This same provision shall apply to garbage storage, recycling and collection areas.

Staff Comment: Applicant is not proposing any nonresidential uses.

Chapter 23.66 VARIANCES AND UNUSUAL USES

The applicant has requested a variance from the rear yard setback.

23.66.010 When granted.

If, because of special circumstances applicable to subject property due to size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of rights and privileges enjoyed by other properties in the vicinity and under identical zone classification, the hearing examiner may grant a variance in accordance with the provisions for variances in Chapter 20.52 of the Thurston County Code and the application and review procedures in Chapter 23.72.

23.66.020 - Front, side and rear yard setback variance.

The department may grant a modification of up to fifty percent from the front, side and rear setback requirements in residential zones provided the findings can be made and conditions met as listed in Section 20.07.050 of the Thurston County Code. This does not preclude other variances from being considered as provided in Section 23.66.010.

Staff Comment: Applicant is requesting a variance from the twenty foot rear yard setback.

Revised Variance Requests – April 2024 (Attachment y and z)

Per Thurston County Code (TCC) Section 18.12.170, “any subdivider may make application to the hearing examiner for a variance from the development standards where it appears there exist extraordinary

conditions such as topography, access, location, shape, size, drainage or other physical features of the site or other adjacent development. Such application shall accompany the proposed division.”

Moreover, TCC Sec. 20.52 states that the hearing examiner may grant a variance after showing from findings of fact that the following circumstances exists:

Building Setbacks Variance

The applicant is seeking a variance of the front and rear setback requirement for the subject property’s underlying zoning. The current rear setback requirement for the underlying zoning is 20’-0”. The applicant is seeking to reduce the rear setback to 10’-0”. Per TCC Sec. 23.66.010, the hearing examiner may grant a variance “if, because of special circumstances applicable to the subject property due to size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of rights and privileges enjoyed by other properties in the vicinity...” Further, Sec. 23.66.020 specifically addresses front, side, and rear yard setback variances. Section 23.66.020 states “[t]he department may grant a modification of up to fifty percent from the front, side, and rear setback requirements in residential zones provided...conditions met as listed in Sec. 20.07.050.” We believe a variance is justified for the following reasons:

TCC Sec. 20.52

- a. That the granting of the proposed variance will not result in the allowance of a use which is not classified as a permitted or special use in the district wherein the use would be located.
 - i. This is not applicable here as use is not at issue. We are proposing permitted residential uses in a residential zone.
- b. That special conditions and circumstances exist which are peculiar to the land, such as size, shape, topography or location, not applicable to other lands in the same district and that literal interpretation of the provisions of this title would deprive the property owner of rights commonly enjoyed by other properties similarly situated in the same district under the terms of this title.
 - i. Special conditions peculiar to the land exist on the subject parcel. There are four wetlands affecting the subject parcel. Three of the wetlands impacting the subject parcel most significantly occupy approximately 190,355 square feet (4.37 acres) of the subject parcel. The smaller wetland in the northeast corner of the subject parcel occupies approximately 2,745 square feet. The presence of these wetland areas creates challenging conditions that deprive the property owner of rights commonly enjoyed by other properties similarly situated when literal interpretation of the TCC is applied because of a much more limited ability to create subdivided lots throughout the subject parcel. But for the large size of the wetlands, we could have created lots that maintained the required 20’-0” rear setbacks.
- c. That the special conditions and circumstances are not the result of the actions of the applicant.
 - i. The special conditions and circumstances present on the subject parcel are naturally occurring (presence of wetlands) and not the result of any actions of the applicant.
- d. That granting of the variance requested will not confer a special privilege to the property that is denied other lands in the same district.
 - i. The granting of the variance for the subject parcel will not confer a special privilege to the property that is denied other lands in the same district. The applicant is unaware of any denied variance requests for this same issue, but it is the applicant’s opinion that others may also apply for a variance of the same issue if and when they decide to apply for a subdivision of their property.

- e. That the granting of the variance will not be materially detrimental to the public welfare or injurious to other land or improvements in the vicinity and district in which the property is situated.
 - i. The granting of the variance for the subject parcel will not be materially detrimental to the public welfare or injurious to other land or improvements in the vicinity. The granting of this variance will have no affect on other land or improvements in the vicinity or district the subject parcel is located. Granting this variance will, however, allow greater flexibility in each lot's design once the project moves into construction. Due to the size and location of the wetlands, the road standard for the project, and the required vegetated buffer along the perimeter of the subject parcel, there are numerous lots throughout the subject parcel that need additional space within the lot to place a structure. This variance request also falls within the scope of the Planned Residential Development (PRD) sections of the TCC. Section 23.56.020 states that "the intent of the PRD regulations is to permit greater flexibility and, consequently, more creative and imaginative design as required within...residential areas than generally is possible under conventional zoning regulations." The applicant here believes that granting this particular variance achieves the code's intent of a PRD by utilizing greater flexibility with the reduction of the rear setback.
- f. That the reasons set forth in the application justify the granting of the variance, and that the variance, if granted, would be the minimum variance that will make possible the reasonable use of the land.
 - i. The reasons set forth here do justify this variance request. As noted above, due to the size and location of the wetlands, the road standard for the project, and the required vegetated buffer along the perimeter of the subject parcel, there are numerous lots throughout the subject parcel that need additional space within the lot to place a structure.
- g. That the granting of the variance will be in harmony with the general purpose and intent of this title and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
 - i. The granting of this variance will be in harmony with the general purpose and intend of this title and will not be injurious to the neighborhood or detrimental to the public welfare. As previously noted, the applicant is utilizing the PRD sections of the TCC. The applicant here believes that granting this particular variance achieves the code's intent of a PRD by utilizing greater flexibility with the reduction of the rear setback.

Staff Comment: OMC - 18.040.080(G)(4), states, "Narrow Lots. The length of the primary structure on a lot of forty feet or less in width shall not exceed three times the structure's width or seventy feet, whichever is less...". Twenty-eight of the proposed lots are approximately forty feet in width and one hundred in depth. The resulting building envelope would result in a structure three time longer than the lots buildable area potentially resulting in a structure seventy feet long. This would appear to conflict with the standard noted above.

TCC Sec. 20.07.050

- a. Administrative Front Yard Variance to Block Average. In any residential district, where a front yard less than that required by this title has been maintained on lots having fifty percent or more of the total frontage of the block, each structure built after the effective date of this title may maintain a front yard the same size as the average front yard of such existing structures. The applicant shall request such variance from the department and shall provide setback measurements for the subject block or group of lots.
 - i. This does not appear to apply to the subject parcel because there are no existing structures that occupy at least 50% of the total frontage of the block. There is one existing single-family home

on the subject parcel, which will be removed, but all proposed structures will be new construction.

- b. Administrative Variance to All Yard Requirements. A reduction in yard requirements shall be permitted after department review and approval when:
 - i. Such variance for a structure, including any porch, deck or stairway over thirty inches above grade, will not reduce any required yard by more than fifty percent and no roof overhang will extend more than thirty-three percent into the reduced setback.
 - 1. The variance requested will not reduce any required yard by more than 50%. The porch designed for the homes shown on the plans will not exceed 30" above finished grade and therefore should not be included in the determination of this variance.
 - ii. Special conditions and circumstances exist which are peculiar to the land, such as size, shape, topography or location, or which are created by public action such as condemnation, not applicable to other lands in the same district and that literal interpretation of the provisions of this title would result in a practical difficulty, as described in subsection (3) below, for the property owner not commonly experienced by other properties similarly situated in the same district under the terms of this title.
 - 1. There are four wetlands affecting the subject parcel. Three of the wetlands impacting the subject parcel most significantly occupy approximately 190,355 square feet (4.37 acres) of the subject parcel. The smaller wetland in the northeast corner of the subject parcel occupies approximately 2,745 square feet. The presence of these wetland areas creates challenging conditions that result in practical difficulties not commonly experienced by other properties similarly situated in the same district. But for the large size of the wetlands, we could have created lots that maintained the required 20' - 0" rear setback.
 - iii. The special conditions and circumstances are not the result of deliberate actions of the applicant.
 - 1. The special conditions and circumstances present on the subject parcel are naturally occurring (presence of wetlands) and not the result of any actions of the applicant.
 - iv. Granting of the variance request will not confer a special privilege to the property that is denied other lands in the same district.
 - 1. The granting of the variance for the subject parcel will not confer a special privilege to the property that is denied other lands in the same district. The applicant is unaware of any denied variance requests for this same issue, but it is the applicant's opinion that others may also apply for a variance of the same issue if and when they decide to apply for a subdivision of their property.
 - v. Granting of the variance will be in harmony with the general purpose and intent of this title and will not be materially detrimental to the public welfare or injurious to other land or improvements in the vicinity and neighborhood in which the property is situated.
 - 1. The granting of the variance for the subject parcel will not be materially detrimental to the public welfare or injurious to other land or improvements in the vicinity. The granting of this variance will have no affect on other land or improvements in the vicinity or district the subject parcel is located. Granting this variance will, however, allow greater flexibility in each lot's design once the project moves into construction. Due to the size and location of the wetlands, the road standard for the project, and the required vegetated buffer along the perimeter of the subject parcel, there are numerous lots throughout the subject parcel that need additional space within the lot to place a structure. This variance request also falls within the scope of the Planned Residential Development (PRD) sections of the TCC.

Section 23.56.020 states that “the intent of the PRD regulations is to permit greater flexibility and, consequently, more creative and imaginative design as required within...residential areas than generally is possible under conventional zoning regulations.” The applicant here believes that granting this particular variance achieves the code’s intent of a PRD by utilizing greater flexibility with the reduction of the rear setback.

- vi. The reasons set forth in the application justify the granting of the variance, and that the variance, if granted, would be the minimum variance that will make possible the reasonable use of the land.
 - 1. The reasons set forth here do justify this variance request. As noted above, due to the size and location of the wetlands, the road standard for the project, and the required vegetated buffer along the perimeter of the subject parcel, there are numerous lots throughout the subject parcel that need additional space within the lot to place a structure.
- c. Practical Difficulty. A practical difficulty is present where the harm to the applicant denied a variance will be greater than the probable effect on neighboring properties if the variance is granted. The department shall consider the following factors in making a determination of practical difficulty: the nature of the zone in which the property lies, the character of the immediate vicinity and the uses intended therefor, and whether, if restrictions were removed, neighboring property would be seriously affected, and whether, if restrictions were not removed, they would create unnecessary hardship for the owner in relation to efforts to make normal improvements given the property's permitted use. An applicant's mere desire for a variance, even when motivated by economic reasons, does not constitute a practical difficulty.
 - i. Practical difficulty is present here due to the applicant’s limited ability to utilize the subject parcel more fully because of the considerable size of the wetlands, road design standards, and required vegetated buffer around the perimeter of the subject parcel. The applicant here has made great effort to dedicate as much area as possible to maintain the nature of the zone in which the property lies. The applicant has designed a subdivision at the lower end of the allowed density range in order to preserve more area for the wetlands. The applicant has also taken into account the character of the immediate vicinity and uses intended therefore by, again, maintaining a lower density for the subdivision while preserving ample acreage for the wetlands. Neighboring property would not be seriously affected by the granting of this variance. Neighboring properties to the east would benefit from the project with the added vegetated buffer not currently in existence, thereby providing additional privacy and landscaping that could enhance their desirability. If the variance here was not granted, it would create unnecessary hardship for the owner in relation to efforts to make normal improvements given the property’s permitted use. The proposed project meets all TCC requirements subject to the approval of this variance. Due to the unique conditions of the subject parcel, as previously mentioned, denial of this variance request would cause great hardship upon efforts to reexamine the project’s design.
- d. Minimum Setback. No portion of any structure over thirty inches above finished grade shall be closer than two feet from any property line.
 - i. No portion of any structure over 30” above finished grade will be closer than 2’-0” to any property line.

Staff Comment:

Standards for the Olympia UGA must be applied. The variance request should be modified to address, OMC - 18.040.080(G)(4), which states, “Narrow Lots. The length of the primary structure on a lot of forty feet or less in width shall not exceed three times the structure's width or seventy feet, whichever is less...”. Twenty-eight

of the proposed lots are approximately forty feet in width by one hundred feet deep and showing twenty foot front and rear yard setbacks along with five foot setbacks on the sides. The building envelope would allow thirty feet for a structures width and the length being three times or sixty feet. Granting of a variance would result in a single structure of seventy feet.

Chapter 24 - CRITICAL AREA ORDINANCE– Chapter 24 (Attachment o1 and s1)

The Applicant has proseed buffer averaging and seeks a determination to reduce standard buffer for an off-site wetland. A Critical Area Review Permit Application was submitted February 14, 2023. However, a determination has not yet been made. The County’s Biologist has reviewed the applicant’s materials and provided an analysis to the Examiner post hearing.

The recently submitted critical area report was turned in on April 8, 2024 (Attachment v), and County staff initiated a quick review turnaround, providing comments by April 11, 2024, thus there was no delay in this most recent review. No prior critical area report had been accepted, and County staff have made similar revision requests during the review time period, please see attached email chronology. Elements within this latest report were never included in any of the prior reports, such as the proposed “temporary impact area”, and the new restoration mitigation plan for this new impact area. These are newly proposed impacts and mitigation, and they are now being reviewed to the current code. As you have referenced the standard wetland buffer table in the email below (Attachment t1), you will note the minimum allowance for buffer reduction as the “buffer width with mitigation”. This is what is considered the administrative buffer reduction. When I refer to the “inner” buffer area, it is the area of intrusion further into the wetland buffer than what would be administratively allowed. The maximum allowed reduction using buffer averaging for the wetlands is based on the code within TCC 24.30.060 (B), specifically 7.) “The reconfigured buffer shall be no less than one hundred feet wide at any point, or no less than seventy-five percent of the standard buffer, whichever is more. The reconfigured buffer shall contain the same square footage as the standard buffer. It shall not exceed one hundred percent of square footage of the standard buffer, as modified pursuant to TCC 24.30.050(B) or 24.30.055, without the landowner's consent.”

Since we cannot “reduce” a wetland buffer for the plat development, the offsite wetland buffer must be represented as the standard wetland buffer, unless it is to be reconfigured. Per TCC 24.30.045: “Table 24.30-1 identifies the standard buffer widths. Buffer widths are specified for both water quality and habitat protection. The widest of the applicable buffers under habitat and water quality applies.” Therefore, the minimum buffer required for the offsite wetland is 100 feet.

Finally, the proposed impact area within the inner wetland buffer area is for the development of the plat. Impacts within the inner portion of the wetland buffer, beyond what can be administratively allowed through buffer reconfiguration, are not permitted for the plat.

Chapter 17 - FOREST LAND CONVERSION [Sec. 17.25.400]

The applicant is requesting approval to harvest approximately 0.92 acres of timber. The proposed conversion is for single-family use. Per TCC 17.25.400.B, an application for forest land conversion must be accompanied by and considered concurrent with a development proposal for the subject property.

Staff Comments: The proposed development and Forest Lands Conversion application has met the requirements of TCC 17.25.400.

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

1. Title 24 of the Thurston County Code otherwise known as the Thurston County Critical Areas Ordinance and Chapter 17.15 of the Thurston County Code, otherwise known as the Thurston County Agricultural Activities Critical Areas Ordinance;
2. Chapter 19.04 of the Thurston County Code, otherwise known as the Thurston County Shoreline Master Program;
3. Chapter 15.05 of the Thurston County Code, otherwise known as the Drainage Design and Erosion Control Manual for Thurston County;
4. Chapter 15.04 of the Thurston County Code, otherwise known as the Minimum Design Standards for Urban and Rural Street Construction in New Developments;
5. Residential Subdivisions. Applications for residential subdivisions submitted to the resource stewardship department after September 29, 1997 are subject to the following:
 - a. Except in the R 1/5 and RLI 2-4 districts (Olympia Urban Growth Area, TCC 23.04), at least five percent of the property being subdivided must be preserved or planted with new trees and dedicated as a separate tract(s). Critical areas and their required buffers may be applied toward this five-percent requirement, but only the portion that contains trees to be preserved. The director may waive the dedication requirement if some other equivalent means of retention or replanting is provided by the development proposal.

Staff Comments: Approximately 5.52 acres of the site will be undisturbed critical area. The required five percent for tree tracts is approximately .56 of an acre. As noted in Ch. 20.32.030(2) at least thirty percent of open space must be held in its natural state and remainder may be used for recreation. The Applicant has not proposed recreation for any open spaces. However, all residents must have access to these open spaces (TCC 20.32.030(1)(b)(i)).

- b. Any part of a tree tract located outside of critical areas and their associated buffers shall count toward open space required for the development by TCC 18.47 Open Space Standards, and 20.32 Open Space, consistent with the provisions of those chapters.

Staff Comments: The Applicant has stated that the required tree tract would be made a part of the open space.

- c. The plan shall identify what site development safeguards shall be employed to protect trees and ground cover proposed to be retained with the development of the site.

Staff Comments: Prior to final plat approval, the applicant will be required to submit an irrigation plan. Prior to final plat approval, the applicant will be required to submit a maintenance assurance device equal to at least 120% of the replacement cost of the landscape materials to be utilized by the county to perform any necessary maintenance.

- d. Where sites proposed for subdivision do not contain healthy trees that can be incorporated in the project and remain windfirm following development, the tree tract shall be planted with trees. The trees to be planted shall be of a type and spacing that, upon maturity, will provide a canopy spanning at least seventy-five percent of the tract. At the time of planting, evergreen trees shall be at least four feet tall and deciduous trees shall be at least one and one-half-inch caliper.

Staff Comments: The landscape plan (Attachment b1) identifies the type and spacing of trees to be planted.

- e. Where disturbed, critical area buffers may be planted with trees as necessary to improve the buffers for slope stability, wildlife habitat, wetland improvement, screening, etc.

Staff Comments: The critical areas and buffers on the subject parcel are subject to review of the Critical Areas Review Permit for parcels greater than 5 acres.

- f. All common areas not is critical areas or in residential subdivisions shall be landscaped or planted with new trees.

Staff Comments: The landscape plan (Attachment b1) identifies the type and spacing of new trees to be planted in open spaces outside of undisturbed critical areas and associated buffers.

- g. The retention of existing trees or the planting of new trees on individual residential lots shall be required at a rate of one tree for every four thousand square feet of lot area.

Staff Comments: The landscape plan (Attachment b1 identifies the type and spacing of new trees to be planted. The forest land conversion site plan (Attachment m) shows tree areas to be removed and preserved. A condition of approval has been provided below which states that “The retention of existing trees or the planting of new trees on individual residential lots shall be required at a rate of one tree for every four thousand square feet of lot area.”

- h. Street trees shall be installed per the applicable street development standards as stated in Chapter 15.04 of the Thurston County Code.

Staff Comments: This has been made a condition of approval.

- i. A bond or other such method of financial security in an amount equal to one hundred twenty-five percent of the cost to purchase and install the required trees, based upon a contractor's estimate accepted by the county, shall be provided to the county to secure the successful establishment of newly planted trees. The county shall draw upon this surety as needed to replace any trees that die, upon failure of the developer or other responsible party to do so within the time period specified by the county. The developer shall not be required to replant trees which die or suffer severe degradation as a result of a water purveyors' failure to supply adequate water, acts of vandalism or other actions of unrelated third parties acting beyond the developer's control. Such financial security shall be effective for a two-year period following completion of the planting.

Staff Comments: As a condition of approval, “Prior to final plat approval, a maintenance assurance device and a performance device must be submitted to the county”.

**Thurston County Public Health and Social Services Environmental Health Department
ANALYSIS & FINDINGS:**

1. Proposed Land Use: This project is proposing to subdivide a 11.28-acre parcel into 34 residential lots with open space, stormwater, and tree preservation. The project is proposing to harvest 0.92 acres of forest land and is seeking a variance from the rear setback requirement of 20' for the property's underlying zoning to 10'. The property is currently developed with an existing residence and several outbuildings utilized for a small livestock operation. The remaining portion of the parcel is naturally vegetated and contains a wetland. All existing structures will be removed prior to development. The property is located within Olympia's Urban Growth Area.

2. **Soil Permeability and Classifications:** The soils on the property are mapped by the Soil Conservation Service as Alderwood gravelly sandy loam, 3 to 30% slopes. Soil evaluations were not conducted by this office as the project is proposing to connect to City of Olympia sanitary sewer. Documentation has been submitted to this office confirming the City has adequate capacity to provide sewer service to the subdivision.
3. **Existing and Proposed Water Supply:** The existing residence is currently served by City of Olympia water. This project is proposing to connect all lots within the subdivision to City of Olympia water. Documentation has been submitted to this office confirming the City has adequate capacity to provide water service to the subdivision.
4. **Protection of Ground & Surface Waters:** The property is located within a Category II Aquifer Recharge Area Areas as defined by the Thurston County Critical Areas Ordinance. Based on the scope of the project, an Integrated Pest Management Plan (IPMP) has been prepared outlining landscape management practices to help reduce impacts to surface and ground water. The IPMP has been reviewed and accepted by Environmental Health. The applicant has not identified existing off-site wells within 200-feet of the property as required by Environmental Health. Public comment was received identifying existing off-site wells on adjacent tax parcels 83012300600 and 83012200100. Revised application materials dated April 4, 2024, responding to Environmental Health's requirement, noted the applicant has been in contact with the property owner of parcel 83012300600 and are in the process of locating any potential wells and will update plans if wells are found to be within 200 feet of the proposed development.

COMMENTING AGENCIES

Olympia School District

The project is located within the Olympia School District (OSD) District. In order to approve the subdivision, RCW 58.17.110 requires that a finding be made by the permitting jurisdiction that there are adequate school facilities to accommodate the students generated by the proposed subdivision.

Staff Comments: School impact fees will be paid per the current Thurston County mitigation fee schedule in place when final building approvals are requested. The internal public road within the plat provides sidewalks, which will provide safe passage for the children to the bus waiting area. Staff has provided a condition of approval that requires the applicant to designate a bus waiting area and shelter, acceptable to the School District prior to final plat approval.

Nisqually Tribe has requested a cultural resource survey of the site.

Public Comment (Attachment i1).

Public comments were received in response to the Notice of Application.

Local Ordinances

Appropriately conditioned, the proposed subdivision will conform to the requirements of the Zoning Ordinance, PRD Ordinance, and Platting and Subdivision Ordinance, Forest Conversion Ordinance. As proposed and conditioned the subdivision is consistent with the Thurston County-Olympia Joint Comprehensive Plan for the Urban Growth Areas and the Thurston County-Olympia Urban Growth Area Zoning Ordinance.

Appropriate Provisions

Revised Codes of Washington (RCW) 58.17.110 requires that findings be made to approve a preliminary plat as follows:

Appropriate provisions must be made for the public health, safety and general welfare and such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary waste, parks and recreation, playgrounds, schools and school grounds and all other relevant facts including sidewalks and other planning features that assure safe walking conditions for students that only walk to and from school.

Staff Comments: Public Works requirements will ensure that appropriate provisions are made for streets and stormwater facilities for this urban area plat. The plat must comply with the Health Code, thereby assuring adequate provision for domestic water supply and sanitary waste disposal. The project will extend City of Olympia sanitary sewer and water to serve the lots. Transit service is available within the vicinity and school children will be bussed to Olympia School District school sites. Mitigation will ensure that adequate school facilities are available. All findings can be made for the public health safety and general welfare. The proposed plat in conjunction with the recommended conditions complies with RCW 58.17.110.

R. TCC 18.12.090 - Hearing Examiner Action:

- A. At the public hearing, the hearing examiner shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. The hearing examiner shall determine:
 - 1. If appropriate provisions are made for, but not limited to, the public health, safety and general welfare for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary waste, parks, and recreation, playgrounds, schools and school grounds and shall consider all other relevant facts including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and
 - 2. Whether the public interest will be served by the subdivision and dedication.
- B. A proposed subdivision and dedication shall not be approved unless the hearing examiner makes written findings that:
 - II. Appropriate provisions are made for the public health, safety, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; an
 - III. The public use and interest will be served by the platting of such subdivision and dedication. If the hearing examiner finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the hearing examiner shall approve the proposed subdivision and dedication. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. The county shall not as a condition to the approval of any subdivision require a release from damages to be procured from other property owners.

DEPARTMENT RECOMMENDED CONDITIONS of APPROVAL

If the examiner finds that the criteria are met for approval of a Preliminary Plat through a Planned Residential Development (PRD) and permit for Forest Land Conversion, staff recommends the following conditions to ensure compliance with applicable development standards and other land use regulations:

SEPA CONDITIONS FROM THE MDNS (issued on March 15, 2024) (Attachment x)

This project is subject to City of Olympia Parks SEPA Mitigation costs of development as a condition of final approval.

PLANNING

- A. Street addresses, lot size and dimensions for each lot shall be shown on the final map.
- B. The final design of this subdivision and future development of lots shall conform with the standards of the PRD Zoning Ordinance (i.e.- lot size, lot dimension, setbacks, etc.) and presented as designed in the Platting and Subdivision Ordinance.
- C. Required incompatible use buffer may be designated as open space or tree tract and must meet the standards per Sec. 23.36.190 OMC.
- D. Landscape plans shall be prepared by a registered landscape architect or certified Washington state landscaper or nurseryman. Plans prepared by others shall have their design plans certified by one of the aforementioned groups, attesting that all requirements of this chapter have been met or exceeded.
- E. Tree Preservation
 - 1. New trees on individual residential lots shall be planted at a rate of (1) tree for every four thousand (4,000) square feet of lot area at the time of building permit application.
 - 2. Any conditions, improvements or maintenance requirements associated with the landscaping plan shall be shown on the final plat map.
 - 3. The developer shall provide a bond or other assurance acceptable to the prosecuting attorney that any improvements made in the common open space will be completed. The county shall release the bond or other assurance when the improvements have been completed in accordance with the development plan.
 - 4. Prior to final plat approval, the applicant shall submit a revised final landscape plan. The revised landscape plan shall be submitted to Thurston County Community Planning and Economic Development Department for review and approval. All landscaping shall be in compliance with the Thurston County Subdivision Ordinance (Title 18), Thurston County Zoning Ordinance (Title 23), and the Thurston County Critical Area Ordinance.
- F. Prior to final plat approval, a maintenance assurance device or a performance device must be submitted to the county accompanied with a final landscape plan (TCC 23.36.200 or TCC 23.36.220).
- G. Prior to final plat approval, an irrevocable notarized agreement granting the county and its agents the right to enter the property and perform any necessary landscaping work must be provided.
- H. Prior to issuance of the certificate of occupancy, the required landscaping must be installed. In no case may the property owner/developer delay performance for more than one year after occupancy.
- I. Prior to final plat approval, the applicant shall submit evidence to the Thurston County Community Planning and Economic Development Department that adequate capacity exists in affected School District schools or that the applicant has entered into an agreement with Olympia School District to

mitigate the impact the plat will have on the district schools. If the agreement requires payment of mitigation fees or other actions such as impact fees after the final plat is recorded, then such conditions shall be noted on the final plat map.

- J. Prior to final plat approval, evidence that parks mitigation fees and if applicable any public school, and roads mitigations have been paid and shall be submitted to Thurston County Community Planning and Economic Development.
- K. Prior to final plat approval, applicant and the Olympia School District shall agree to an acceptable designated school bus waiting area.
- L. Before approval of the final development plan may be granted, the developer shall submit to the county covenants, deeds and/or homeowners' association bylaws and other documents guaranteeing maintenance, construction, common fee ownership, if applicable, of open space, community facilities, stormwater facilities, private roads and drives, and all other commonly owned and operated property. These documents shall be reviewed and approved by the county staff to ensure that they comply with the requirements of this chapter prior to approval of the final development plan by the county. Such documents and conveyances shall be accomplished and be recorded, as applicable, with the county auditor as a condition of any final development plan approval.
- M. The proposed project is subject to compliance with the following policies and regulations, including any applicable mitigation requirements: Thurston County Comprehensive Plan, Zoning Ordinance (TCC 23), Critical Areas Ordinance (TCC 24), Stormwater Drainage Design and Erosion Control Manual (TCC 15.05), Uniform Building Code (TCC 14), State Environmental Policy Act (SEPA) Ordinance (TCC 17.09.).
- N. Two off-street parking spaces are to be provided per dwelling unit (TCC 23.38.100). Dwelling units with an Accessory Dwelling Unit shall provide one additional off-street parking space (Table 38-1).

General Plat Notes for the Final Plat Map

- O. All development on the site shall be in substantial compliance with the approved plat. Any alteration of this proposed subdivision will require approval of a new or amended plat. The Thurston County Community Planning and Economic Development Department will determine if any proposed amendment is substantial enough to require Hearing Examiner approval. Additionally, any dimensional adjustments proposed before final plat approval shall not vary more than ten percent from the original, nor shall they permit development which would conflict with Section 23.56.140.
- P. Prior to final plat approval, a note shall be incorporated on the face of the final plat memorializing that the common open space will be owned and maintained by an HOA.
- Q. Once the preliminary development plan is approved, all persons and parties, their successors, heirs, or assigns, who own, have, or will have by virtue of purchase, inheritance or assignment, any interest in the real property within the proposed PRD, shall be bound by the conditions attending the approval of the development and the provisions of this title.
- R. the Applicant has indicated that ADUs will be incorporated with some units at time of initial construction and is limited to seven ADUs combined when the primary structure.
- S. Varied Lot Widths. The width of lots in new subdivisions and planned residential developments with more than ten lots shall be varied to avoid monotonous development patterns.

- i. No more than three consecutive lots, uninterrupted by a street, shall be of the same width.
 - ii. Lot widths shall be varied by a minimum of six-foot increments for each three lots.
- T. Prior to any ground disturbing activity a cultural resource survey shall be completed for the site.

GENERAL NOTES:

1. An application for final review and approval may be filed for part of a PRD area for which preliminary approval has been granted by the county. A final plan for a part of a PRD shall provide the same proportion of open space and the same overall dwelling unit density as the overall preliminary plan. If that portion of the PRD for which final approval is requested does not provide such open space, the developer shall file in escrow a quit-claim deed in favor of the county for such additional land area adjacent and accessible to the site, and of sufficient size to provide the open space required to meet the standards of this title. In the event that the developer abandons the remaining portions of the PRD, the escrow agent shall deliver the quit-claim deed to the county or to such other public or private entity as the county may direct.

Note: Final approval of a PRD development plan shall not be construed to be final plat approval. Plat approval is a separate action and shall follow state and local subdivision and platting regulations (as stated in Title 18, Section 23.56.080 and Ch. 23.72).

Construction of the PRD project shall begin within one year from the date of the final approval of the plan. An extension of time for beginning construction may be requested in writing by the applicant, and such extension not exceeding six months may be granted by the county. If construction is not begun within one year or within the time for which an extension has been granted, the plan shall be considered abandoned, and the development of the property shall be subject to the normal requirements and limitations of the underlying zone and the Subdivision Ordinance.

2. This project may require a construction stormwater permit from the WA State Dept. of Ecology (also known as National Pollution Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Stormwater Discharges Associated with Construction). It is the applicant's responsibility to obtain this permit if required.

One or more acres of soil surface area will be disturbed by construction activities. The site already has offsite discharge to waters of the state or storm drains or will have offsite discharge during construction. Information about the permit and the application can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/permit.html>

CONDITIONS OF APPROVAL FOR FOREST LAND CONVERSION

- P. Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or storm drains that lead to waters of the state. Sand, silt, clay particles, and soil will damage habitat and are considered to be pollutants. To the extent possible, land-disturbing activities associated with the project should be performed during dry weather to reduce opportunities for erosion to occur.
- Q. Activity shall be limited to the hours of 7:00 a.m. to 7:00 p.m. to minimize associated noise. All activities onsite shall fully comply with noise limitations outlined in WAC 173-60.

- R. Provision shall be made to minimize the tracking of sediment by construction vehicles onto paved public roads. If sediment is deposited, it should be cleaned every day by shoveling or sweeping. Water cleaning should only be done after the area has been shoveled out or swept.
- S. Clearing limits and/or any easements or required buffers should be identified and marked in the field, prior to the start of any clearing, grading, or construction. Some suggested methods are staking and flagging or high visibility fencing. A permanent vegetative cover should be established on denuded areas if not otherwise permanently stabilized.
- T. Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington and is subject to enforcement action.
- U. Street trees shall be installed per the applicable street development standards as stated in Chapter 15.04 of the Thurston County Code.
- V. The project shall comply with the Thurston County Critical Areas Ordinance, the Thurston County Forest land conversion Ordinance, Zoning, and all required local, state, or federal permits and/or exemptions.
- W. All work shall be in substantial compliance with the plans included in the project application.

CRITICAL AREA ORDINANCE – Chapter 24 (Attachments o1 and t1)

The recently submitted critical area report was turned in on April 8, 2024 (Attachment v), and County staff initiated a quick review turnaround, providing comments by April 11, 2024, thus there was no delay in this most recent review. No prior critical area report had been accepted, and County staff have made similar revision requests during the review time period, please see attached email chronology. Elements within this latest report were never included in any of the prior reports, such as the proposed “temporary impact area”, and the new restoration mitigation plan for this new impact area. These are newly proposed impacts and mitigation, and they are now being reviewed to the current code. As you have referenced the standard wetland buffer table in the email below (Attachment t1), you will note the minimum allowance for buffer reduction as the “buffer width with mitigation”. This is what is considered the administrative buffer reduction. When I refer to the “inner” buffer area, it is the area of intrusion further into the wetland buffer than what would be administratively allowed. The maximum allowed reduction using buffer averaging for the wetlands is based on the code within TCC 24.30.060 (B), specifically 7.) “The reconfigured buffer shall be no less than one hundred feet wide at any point, or no less than seventy-five percent of the standard buffer, whichever is more. The reconfigured buffer shall contain the same square footage as the standard buffer. It shall not exceed one hundred percent of square footage of the standard buffer, as modified pursuant to TCC 24.30.050(B) or 24.30.055, without the landowner's consent.”

Since we cannot “reduce” a wetland buffer for the plat development, the offsite wetland buffer must be represented as the standard wetland buffer, unless it is to be reconfigured. Per TCC 24.30.045: “Table 24.30-1 identifies the standard buffer widths. Buffer widths are specified for both water quality and habitat protection. The widest of the applicable buffers under habitat and water quality applies.” Therefore, the minimum buffer required for the offsite wetland is 100 feet.

Finally, the proposed impact area within the inner wetland buffer area is for the development of the plat. Impacts within the inner portion of the wetland buffer, beyond what can be administratively allowed through buffer reconfiguration, are not permitted for the plat..

PUBLIC WORKS CONDITIONS (Attachment q1)

The intent of this review is to make a determination as to whether or not the proposed project can meet Thurston County's requirements for approval. The information submitted for review is preliminary in nature and is not the final design for construction purposes. The final design (construction drawings) shall remain in compliance with the Thurston County Road Standards, the Drainage Design and Erosion Control Manual, and the City of Olympia Development Guidelines in effect at the time of the complete application submittal.

It appears all of the preliminary requirements outlined in the Road Standards and the Drainage Design and Erosion Control Manual can be satisfied. Please note the following recommendation for approval does not relieve the Applicant from compliance with all other local, state and/or federal approvals, permits, and/or laws necessary to conduct the development activity for which this permit is issued. Any additional permits and/or approvals shall be the responsibility of the Applicant. Based on the referenced project documents, Thurston County Public Works – Development Review Section is recommending preliminary approval of the project subject to the following conditions:

CONDITIONS OF PRELIMINARY APPROVAL

ROADS

1. The proposed roadway in concept and design shall conform to the Road Standards and the City of Olympia standards and development guidelines and the Thurston County Drainage Design and Erosion Control Manual.
2. A construction permit shall be acquired from the Thurston County Public Works – Development Review Section prior to any construction.

TRAFFIC CONTROL DEVICES

3. All traffic control devices shall be designed, located, manufactured, and installed in accordance with the Road Standards, Manual of Uniform Traffic Control Devices and applicable WSDOT Standards & Specifications. A sign and striping plan shall be incorporated into the construction drawings for the project. Please contact Thurston County Public Works – Development Review Section Staff to obtain the most current Thurston County guidelines.
4. County forces may remove any traffic control device constructed within the County right-of-way not approved by this division and any liability incurred by the County due to non-conformance by the applicant shall be transferred to the applicant.

DRAINAGE

5. The storm water management system shall conform to the Drainage Design & Erosion Control Manual.
6. All drainage facilities outside of the County right-of-way shall remain private and be maintained by the developer, owner and/or the property owners association.
7. Storm water runoff shall be controlled through all phases of the project by facilities designed to control the quality and quantity of discharges and shall not alter nor impact any existing drainage or other properties.
8. Because proper landscaping is vital to the performance of the stormwater system, the Landscape Plan (if required) shall be signed/sealed by a WA licensed civil engineer (preferably the engineer who designed the stormwater system).

UTILITIES

9. The proposed water and sewer system shall be designed in accordance with the standards and specification of the respective utility purveyor. All water and sewer plans are subject to review and acceptance by the respective utility purveyor.
10. Proposed utility work within the Thurston County Right of Way shall conform to the Road Standards and Chapter 13.56 Thurston County Code. These standards do not address specific city design requirements but rather only items such as restoration of the County right of way and traffic control.
 - a. Placement of utilities within the County right of way will require a Franchise Agreement with Thurston County pursuant to Title 13.56 TCC. This agreement shall be executed with Thurston County prior to final approval.
 - b. Please note all utilities placed parallel to and within the pavement structure are required to rebuild a minimum of half the road, to include grinding and replacement of a minimum of 0.17' of asphalt concrete pavement.

RIGHT-OF-WAY & SURVEY

11. Permanent survey control need to be placed to establish all public street centerlines, intersections, angle points, curves, subdivision boundaries and other points of control.
12. Permanent survey control monuments shall be installed in accordance with the standards provided by the Thurston County Public Works – Survey Division. The Survey Division can be reached at 360-867-2378.

GENERAL CONDITIONS

13. No work shall take place until a construction permit has been issued by Thurston County Public Works – Development Review Section.
14. Development within the City of Olympia urban growth boundary, requiring review by both Thurston County and the corresponding city jurisdiction, shall be designed to the more stringent standards of the two jurisdictions.
15. The proposed grading or site work shall conform to Appendix J of the International Building Code, Title 14.37 of the Thurston County Code and Drainage Design & Erosion Control Manual.
16. When all construction/improvements have been completed, contact the Thurston County Public Works – Development Review Section for a final inspection.
17. This approval does not relieve the Applicant from compliance with all other local, state and/or federal approvals, permits, and/or laws necessary to conduct the development activity for which this permit is issued. Any additional permits and/or approvals shall be the responsibility of the Applicant. One permit that may be required is a Construction Stormwater Permit from the Washington State Department of Ecology. Information on when a permit is required, and the application can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/permit.html>. Any additional permits and/or approvals shall be the responsibility of the Applicant.

PROJECT SPECIFIC CONDITIONS

18. Once the planning department has issued the official preliminary approval, submit two complete full size sets of construction drawings, the final drainage and erosion control report and all applicable checklists along with an electronic copy to Thurston County Public Works – Development Review Section for review and acceptance.

19. PRIOR to construction, the applicant shall:

- a. Pay outstanding construction review and inspection fees*
- b. Receive an erosion and sediment control permit
- c. Have the erosion and sediment control inspected and accepted
- d. Receive a construction permit
- e. Schedule a pre-construction conference with county staff.

* The current fee schedule can be found online at Thurston County Permit Assistance Center webpage or the Thurston County Public Works – Development Review Section by phone at (360) 867-2050 or by e-mail at devrev_tech@co.thurston.wa.us.

GENERAL INFORMATION

FINAL REVIEW

20. Prior to receiving final approval from this department, the following items shall be required:

- a. Completion of all roads and drainage facilities.
- b. Final inspection and completion of all punch list items.
- c. Record drawings submitted for review and acceptance. The record drawings shall include street names and block numbers approved by Addressing Official.
- d. Receive and accept Engineer's Construction Inspection Report Form (Appendix I-C, Volume I of the Drainage Design and Erosion Control Manual).
- e. Receive and accept Maintenance Agreement Form (Appendix I-E, Volume I of the Drainage Design and Erosion Control Manual).
- f. Execute an agreement with financial security for the maintenance and operation of the right-of-way improvements in accordance with Thurston County Code 18.24.010.
- g. Execute an agreement with financial security for the maintenance and operation of the drainage facilities in accordance with Thurston County Code 15.05.040.
- h. Approve the Final Plat Map.
- i. Property owner's articles of incorporation and covenants in accordance with Volume I, Section 2.4.11 of the Drainage Design and Erosion Control Manual.
- j. Completion of required frontage improvements.
- k. Completion of required signing and striping.
- l. Payment of any required permitting fees.
- m. Payment of any required mitigation fees.
- n. Complete the right-of-way dedication process.

21. The final plat map shall note or delineate the following:

Required Plat Notes:

- a. "ATTENTION": Thurston County has no responsibility to build, improve, maintain or otherwise service private roads, alleys or driveways within or providing access to property described in this plat. The building, maintenance, repair, improvement, operation or servicing of the storm water facilities outside the county rights of way are the responsibility of the property owner(s).
- b. Increased storm water runoff from the road(s), building, driveway and parking areas shall be retained on site and shall not be directed to roadway ditches adjacent to 24th Avenue NW.
- c. The Homeowner's Association is responsible for maintenance of alleys and private road areas within the subdivision. Maintenance not only includes road surfaces but also stormwater systems supporting these areas.
- d. Thurston County has no responsibility to control road runoff that flows down driveways that are constructed below road grade. Homeowners are responsible for grading their access point and adjacent property to manage any runoff from the roadway.

- e. If seasonal drainage crosses subject property, no filling or disruption of the natural flow shall be permitted.
- f. Private roads are required to remain open at all times for emergency and public service vehicle use. Any future improvements (gates, fencing, etc.) that would not allow for "open" access will need to be approved by all applicable departments of Thurston County.
- g. The owner and/or Homeowners Association shall be responsible to operate and maintain the streetlights until such time the property is annexed to the city.
- h. Development of the lots within this development is subject to the payment of impact fees required pursuant to TCC Title 25 at the time of building permit issuance or at such other time as authorized by law.
- i. This plat is subject to the RESIDENTIAL AGREEMENT TO MAINTAIN STORMWATER FACILITIES AND TO IMPLEMENT A POLLUTION CONTROL PLAN", as recorded under Auditor's File No. _____.
- j. Easements are hereby granted for the installation, inspection, and maintenance of utilities and drainage facilities as delineated on the plat for subdivision _____ including unrestricted access for Thurston County staff to any and all storm water system features for the purpose of routine inspections and/or performing maintenance, repair and/or retrofit as may become necessary. No encroachment will be placed within the easements shown on the plat which may damage or interfere with the installation, inspection, and maintenance of utilities. Maintenance and expense thereof of the utilities and drainage facilities shall be the responsibility of the Property Owners' Association as established by covenant recorded under Auditor's file number _____.
- k. The area or areas shown on the plat as "Stormwater Easement" shall remain unimproved at all times and be maintained by the homeowner's association or Owners of the lot or lots that are traversed by, or adjacent to the said Stormwater Easement. No obstruction to the natural flow of storm water shall be permitted by construction of any type within the Stormwater Easement unless approved by the County. Each property owner shall keep the portion of the Stormwater Easement traversing or adjacent to his property clean and free of debris, silt, and any materials that would result in unsanitary conditions, or obstruct the flow of water. The County shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owners.
- l. The property described herein is required to accommodate storm water runoff from frontage improvements to 24th Avenue NW and all natural tributary areas abutting said property.
- m. Maintenance of the landscaping, trees, sidewalk, planter strips and roadside drainage and stormwater facilities such as ditches, swales, bioretention and ponds within the public right of way is the sole responsibility of the (property owners) or (homeowners association) within this subdivision. Thurston County has no responsibility to maintain, or service said landscaping, trees, sidewalk, planter strips, irrigation or roadside stormwater facilities and the property owner(s) adjacent to the Right of Way shall be responsible for maintaining the planter strip and street trees (weeding, pruning, irrigating, mowing, etc.) in a healthy and growing manner in perpetuity.

Delineate on the Plat.

- n. Provide language on the plat describing the drainage design requirements for all projected hard surfaces and lawn/landscape areas within individual building lots (drywell design/sizing, storm drain connection points, incorporated into pond design, etc.).
- o. Please clearly label all public and private roads.

ENVIRONMENTAL HEALTH PROJECT CONDITIONS (Attachment r1)

- 1. There shall be no sanitary sewer lines located within 50 feet of any existing well.

2. There shall be no stormwater infiltration within 100 feet of any existing well.
3. All existing off-site wells within 200-feet of the property must be identified and accurately shown on the final map with their associated 100-foot sanitary control radii.
4. Restrictive covenants are required for any off-site well located within 100 feet of the project site. Covenants must be submitted to Environmental Health for review prior to being recorded with the Thurston County Auditor's Office. The covenants must be referenced on the final map.
5. The Integrated Pest Management Plan (IPMP) must be updated to reflect the current project description. The applicant must provide the proposed method of distribution of the IPMP to future homeowners within the subdivision. This is typically done by incorporating a copy of the accepted IPMP into the subdivision CC&Rs. Other methods may be allowed provided they assure future property owners will receive a copy of the IPMP at the time of sale.
6. City of Olympia water and sewer utilities must be extended through the subdivision prior to final approval. Confirmation of final water and sewer construction approval from the City of Olympia must be submitted to Environmental Health.

CITY OF OLYMPIA REQUIREMENTS (Attachment s1)

The preliminary plat plans seal stamped, signed and date 04/02/2024 by Professional Engineer Ross D. Jarvis were used for the review of this project. Additional comments can be anticipated with further engineering design.

Design review, approval, permitting, and subsequent improvements installed shall be in conformance with the current Engineering Design and Development Standards (EDDS) of the City of Olympia. Following Land Use Approval and prior to construction, the applicant shall submit detailed engineered design drawings to the Community Planning and Development Department for detailed technical review, approval, and permitting EDDS (2.030).

The City of Olympia Engineering Division's review of the Land Use Application is complete and preliminary approval can be recommended subject to the conditions listed in the comments below.

Please include the following comments in your review letter to the applicant with your report for Land Use Approval.

General:

The City will review for approval and permitting the Water, Sanitary Sewer, and Street Lighting Systems for this project.

Water Mains (2.060.B):

The City of Olympia water system has capacity for this proposed residential development project. Water is currently available to the site from an 8-inch PVC water main at the intersection of 24th Ave and Milroy St and an 8 inch PVC water main stub in 24th Ave coming from Lenox Ct. In compliance with the Water Comprehensive Plan and the current Engineering Design and Development Standards to supply water to this project will require the following improvements:

1. Following Preliminary Plat Approval, show on engineering plans for review and permitting; fire hydrant(s) at the appropriate spacing for adequate fire suppression needs complete with valve

configurations, size and type of pipe for all water main sections, services and meter(s), and plan profiles.

2. As part of the extension, a connection to the 8-inch stub that extends into 24th Ave from Lenox Ct is required for looping.
3. Water meters for all lots will be applied for and paid for at the time of building permit.
4. A 20 ft easement centered around the water utility granted to the city will be required for the portions of water main contained within the private access road coming off the cul-de-sac.

Sewer (2.060.A):

The City of Olympia's sanitary sewer system has capacity for this proposed project. Sewer is currently available to the site from an 8-inch PVC sewer main in 24th Ave. In compliance with the Sewer Comprehensive Plan and the current Engineering Design and Development Standards to supply sewer to this project will require the following improvements:

1. Following Preliminary Plat Approval, show on engineering plans for review and permitting all associated sewer infrastructure including size and type of pipe for all sewer main sections and plan profiles.
2. At the time of civil engineering permit application, the maintenance hole where the force main discharges and the next maintenance hole downstream will be PVC lined to prevent corrosion.
3. A pig port will be provided at the end of the force main.
4. Sewer within the private access road will be privately owned and maintained. Add an in-line valve at the edge of the right-of-way.

Streets and Alleys (2.040.B.3):

The subject property is within the City of Olympia's Urban Growth Area therefore any frontage improvements and internal streets are to be constructed to standards set forth in the current City of Olympia Engineering Design and Development Standards.

1. Frontage improvements along 24th Ave NW are to be done to the Local Access standard.
2. On Milroy St. and Burbank Ave, the civil engineering plans need to show traffic calming locations. The speed cushion on 24th Ave shown adjacent to Road A is to be removed.
3. At a minimum on the private access lane, provide a 5 foot wide sidewalk adjacent to the curb. Provide a private street light similar to the City of Olympia standard 12-foot ornamental pole and 60 watt acorn fixture adjacent to the sidewalk. In lieu of extending the public cul-de-sac or providing a full residential block, provide a recreational pedestrian trail (EDDS standard drawing 4-2L) with a public access easement between Lots 20 and 21. See EDDS 2.040.B.3e "Where larger blocks are necessary due to topography, existing development, or other constraints, intervening public cross-block pedestrian, bicycle and emergency access will be provided."
4. Since driveways are less than 12 feet provide "No Parking" signs on both sides of the street.
5. To accommodate frontage improvements along 24th Avenue a dedication of a minimum of 11 feet of right of way is required. The ROW dedication will need to be on the final plat map or can recorded separately, after city review and approval, and referenced with the AFN on the final plat map.

Additional Conditions of Project Approval:

1. Grant to the City a Special Power of Attorney Agreement to Annex, for non-protest of future annexation of the subject property into the City of Olympia. This should be on the face of the approved final plat or a separately recorded document that should be referenced with the AFN on the final plat.
2. Additional urban forestry requirements for work in any unopened portions of 24th Ave right-of-way to accommodate road paving/extension will be required at the time of civil engineering permit. This may include a tree risk assessment prepared by a TRAQ Arborist. Further guidance will be provided at the time of engineering review by the City of Olympia.
3. Hard surfaces on 24th Ave need to be modeled and considered in the sizing of the treatment and detention facilities to be reviewed by Thurston County. This is to be reflected in the drainage report reviewed by Thurston County.
4. Off-site improvements in city limits, including but not limited to speed cushions on Milroy St and Burbank Ave must meet the requirements of the City's Drainage Design and Erosion Control Manual (DDECM) at the time of application submission. If off-site improvements trigger a threshold for a CSWPPP and/or drainage report, those documents will be required at the time of engineering permit submission.

Parks Mitigation Fees: (Attachment t1)

Through the State Environmental Policy Act (SEPA), this project is subject to City of Olympia parks mitigation costs of development, as a condition of final plat approval. Such fees would mitigate the impact of increasing demands upon the existing and future parks, recreation, and open space facilities of the municipal area. An analysis of this development proposal has been reviewed for all City of Olympia parks that are or may be impacted by this project. An analysis has been done and worksheets are being provided indicating the required fee schedule of \$249,779.64 for the proposed development.

Kraig Chalem, Senior Planner

EXHIBIT #1 - LIST OF ATTACHMENT

Attachment	a.	Legal Notice of Public Hearing Published, 04.12.2024
Attachment	b.	Master Application Form EXECUTED, 09.21.2023
Attachment	c.	Division of Land Application, 09.21.2023
Attachment	d.	West Olympia - Plan Set (Division of Land), 09.21.2023
Attachment	e.	West Olympia Narrative, 09.21.2023
Attachment	f.	West Olympia Program for Development, 09.21.2023
Attachment	g.	West Olympia Trip Generation, 2023-08-23
Attachment	h.	August 2023 Revised Critical Areas Study, 09.21.2023
Attachment	i.	West Olympia Geotech Report, 03.03.2023
Attachment	j.	Insight Geologic - West Olympia Geotech Report Revised, 06.05.2023
Attachment	k.	West Olympia Cut-Fill Exhibit, 2023-08-22
Attachment	l.	Presubmission Materials, 03.16.2023
Attachment	m.	Forest Land Conversion Map (Sheet EX-01), 09.21.2023
Attachment	n.	Forest Land Conversion Application, 09.21.2023
Attachment	o.	Environmental Checklist - SEPA, 09.21.2023
Attachment	p.	Notice of Application & SEPA Checklist, 11.17.2023
Attachment	q.	Email transmitting Notice of Application, 11.17.2023
Attachment	r.	Communication Matrix, transmitted, 03.14.2024
Attachment	s.	Email transmitting West Oly Plat PRD Comms Matrix w/ E.H. Comments, 03.14.2024
Attachment	t.	Comment MATRIX Response Letter (Revision Submitted, 04.08.2024)
Attachment	u.	Narrative of Changes (Revision Submitted, 04.08.2024)
Attachment	v.	Wetland Report (Revision Submitted, 04.08.2024)
Attachment	w.	Preliminary Plat Drawings (Revision Submitted, 04.08.2024)
Attachment	x.	SEPA - M.D.N.S. - Issued, 03.15.2024
Attachment	y.	Variance Application Submitted, 09.21.2023
Attachment	z.	Variance Request (Revision Submitted, 04.08.2024)
Attachment	a1.	IPMP (E.H. comments incorporated Revision Submitted, 04.08.2024)
Attachment	b1.	Preliminary Landscape Plans (Revision Submitted, 04.08.2024)
Attachment	c1.	Preliminary Drainage Report (Revision Submitted, 04.08.2024)
Attachment	d1.	Traffic Memo (Revision Submitted, 04.08.2024)
Attachment	e1.	Design Review Application, 09.21.2023
Attachment	f1.	Design Review Oly UGA Questions, 09.21.2023
Attachment	g1.	Building Elevations, (Revision Submitted, 04.08.2024)
Attachment	h1.	Table 4.04 - Residential Development Standards
Attachment	i1.	Public-Comments-
Attachment	j1.	Agency-Comments—Nisqually Tribe, 11.27.2023
Attachment	k1.	Agency-Comments—Olympia School District, 03.13.2024
Attachment	l1.	Agency-Comments—Department of Ecology, 12.6.2023
Attachment	m1.	Agency-Comments—Addressing Comments, 2.12.2024
Attachment	n1.	Agency-Comments—Wetland Review, 12.11.2023
Attachment	o1.	Agency-Comments—ORCAA Comment, 11.20.23
Attachment	p1.	Agency-Comments-T.C.P.W. Recommendation for Preliminary Plat, 04.18.2024
Attachment	q1.	Agency-Comments-T.C.E.H. Recommendation for Preliminary Plat, Pending
Attachment	r1.	Agency-Comments-Letter-Olympia P.W. Project Conditions, 04.19.2024
Attachment	s1.	Agency-Comments-Letter-Olympia O.P.A.R.D. Project Conditions, 04.19.2024