

ORDINANCE NO. 16126

AN ORDINANCE RELATING TO PLACES OF WORSHIP, ADOPTING AMENDMENTS TO THURSTON COUNTY CODE, OLYMPIA URBAN GROWTH AREA ZONING TITLE 23, CHAPTER 23.04 – ‘RESIDENTIAL DISTRICTS’ TO EXPAND ZONES ALLOWING FOR DORMITORIES ASSOCIATED WITH PLACES OF WORSHIP, AND INCLUDE STANDARDS REGULATING SIZE AND SCALE OF DORMITORIES ASSOCIATED WITH PLACES OF WORSHIP.

WHEREAS, Thurston County is required to plan under Chapter 36.70A RCW, the Growth Management Act (GMA), which contains fourteen goals intended to guide development and adoption of comprehensive plans and development regulations, which relate to urban growth, rural development, reduced sprawl, transportation, housing, economic development, property rights, permits, natural resource industries, open space, recreation, the environment, citizen participation and coordination, public facilities and services, and historic preservation; and

WHEREAS, Thurston County has performed professional review, provided public notice, and received public comment with respect to these development code amendments; and

WHEREAS, the GMA requires development regulations to demonstrate and uphold the concepts of internal consistency, conformity, and concurrency; and

WHEREAS, the development regulations, including the official zoning maps, in Thurston County adopted under GMA must be consistent with the Thurston County Comprehensive Plan and associated Joint Plans; and

WHEREAS, Thurston County-wide Planning Policy 4.1 states that the County and the cities and towns within its borders will jointly plan the unincorporated portions of urban growth areas; and

WHEREAS, pursuant to RCW 36.70A.130, development regulations shall be subject to continuing review and evaluation by the county; and

WHEREAS, this proposal is a citizen-initiated amendment, and was included by the Board on the 2020-2021 Official Development Code Docket as Docket Item CR-5; and

WHEREAS, the applicant states the existing code language limits their ability to use their property to its full potential to house and train students interested in faith as an associated use to the church; and

WHEREAS, in development of the amendments, staff worked with Development Services to ensure concise code language, and worked directly with the City of Olympia regarding amendments; and

WHEREAS, the amendments are consistent with how other types of associated uses and dwellings permitted in conjunction with places of worship are handled; and

WHEREAS, the City of Olympia recommended making a clear connection to onsite worship facilities to avoid situations where a property is owned by a place of worship but does not have any other affiliated uses other than the residential element; and

WHEREAS, the City of Olympia also recommended considering regulatory language that limits the size and scale of dormitories associated with places of worship; and

WHEREAS, the Comprehensive Plan Chapter 2, Goal 2, Objective B, Policy 5 states “The County should coordinate its planning and development regulations with the cities for urban growth areas”, and Objective C, Policy 6 of the same goal states “Residential development in the UGAs should include a variety of housing types...”; and

WHEREAS, the Comprehensive Plan Chapter 8, Goal 1, Objective B, Policy 3 states that “The county should provide for certainty, consistency, and timely processing of land use permits”, and Policy 13 of the same Goal and Objective states that “The county should review all new development regulations to determine their impact on existing businesses”; and

WHEREAS, pursuant to RCW 36.70A.106, a notice of intent to adopt was sent to the Washington State Department of Commerce on September 24, 2021; and

WHEREAS, the Planning Commission reviewed this proposal at two separate meetings on August 4, 2021 and September 15, 2021, and considered extent of the impact of the code amendment, impacts of water, sewer and traffic on size and scale of dormitories, consistency with other plans including the Thurston County comprehensive plan and Olympia Joint Plan policies, consistency with other Thurston County code regulations, and proposed code options; and

WHEREAS, the Planning Commission held a public hearing on November 3, 2021 to consider three options for proposed amendments to the Thurston County Code, each addressing associated residential uses to places of worship slightly different. Option 1 expands zones where dormitories are permitted to R-4 and R 4-8 zoning districts only with places of worship through a special use permit; option 2 expands zones where dormitories are permitted to R-4 and R 4-8 zoning districts only with places of worship through a special use permit, and also limits size and scale by requiring dormitories be accessory and includes a limit on square footage, bed, and room numbers; and option 3 adds guest houses and single-room occupancies as associated uses to a place of worship, instead of expanding zones where dormitories are allowed with a place of worship; and

WHEREAS, the Planning Commission voted unanimously to recommend approval (5-0, 4 absent) of a modified Option 2 on November 3, 2021. The Planning Commission modified Option 2 to further clarify that size and scale of dormitories be regulated by requiring they be accessory in nature to the place of worship on site, and removed previous language in the option that limited size of dormitories by square footage, bed and room numbers; and

WHEREAS, the Planning Commission recommendation of a modified Option 2 is consistent with previous recommendations from the City of Olympia; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA) and WAC 197-11, a non-project Determination of “Non-Significance” (DNS) was issued on November 8, 2021; and

WHEREAS, the previous options and the Planning Commission’s recommendation were reviewed by the Board on December 1, 2021 at a regularly scheduled briefing, and the Board directed staff to set a public hearing on the Planning Commission recommendation only; and

WHEREAS, the Board held a public hearing with notice requirements consistent with the Thurston County Code and state law on January 18, 2022 to take public testimony on the proposed Places of Worship ordinance; and

WHEREAS, the Board agrees with the findings of the Thurston County Planning Commission and has determined that the amendments contained in this ordinance are consistent with the Thurston County Code (TCC) and other titles, chapters, and sections of the TCC; and

WHEREAS, the Board believes adopting the amendments will allow for additional flexibility for places of worship within the Olympia Urban Growth area and includes the appropriate regulatory standards necessary for the preservation of the public health, safety, and general welfare of Thurston County residents.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THURSTON COUNTY, AS FOLLOWS:

SECTION 1. TITLE 23 OLYMPIA URBAN GROWTH AREA ZONING. The Thurston County Code, Title 23 ‘Olympia Urban Growth Area Zoning’, Chapter 23.04 ‘Residential Districts’ is hereby amended as shown in Attachment A.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, phrase or other portion of this Ordinance or its application to any person is, for any reason, declared invalid, illegal or unconstitutional in whole or in part by any court or agency of competent jurisdiction, said decision shall not affect the validity of the remaining portions hereof.

SECTION 3. CORRECTIONS. Upon approval of the Prosecuting Attorney's Office, the Clerk of the Board is authorized to make any necessary corrections to any section, subsection, sentence, clause, phrase or other portion of this Ordinance for scrivener or clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect *immediately upon adoption.*


ADOPTED: January 18, 2022

ATTEST:


Clerk of the Board

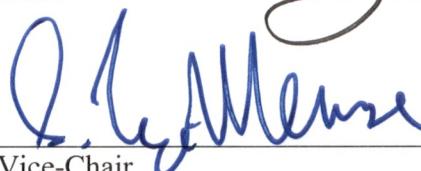
APPROVED AS TO FORM:

JON TUNHEIM
PROSECUTING ATTORNEY


Travis Burns
Deputy Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington


Chair


Vice-Chair

 1-19-22
Commissioner

5.5.81-1 B. m. f. m. d.

ATTACHMENT – A: PLACES OF WORSHIP ORDINANCE (Title 23)

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

I. Thurston County Code Chapter 23.04 TCC (Residential Districts) shall be amended to read as follows:

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23.04.040 – Permitted, special and prohibited uses.

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Table 4.01
Permitted and Special Uses

District	RI/5	RLI 2-4	R- 4	R 4- 8	R 6- 12	MR 7-13	MR 10-18	RM 18	Applicable Regulations
District-Wide Regulations						23.04.060(17)	23.04.060(17)	23.04.060(14)	
...									
2. Multifamily Housing									
...									
Dormitories	P	P	<u>S*</u>	<u>S*</u>			P	P	
...									

Legend:

P = Permitted use

R 4-8 = Residential 4-8

MR 10-18 = Mixed residential
10-18

S = Special use

R 6-12 = Residential 6-12

RM 18 = Residential multifamily 18

R-4 = Residential 4

MR 7-13 = Mixed residential 7-13

Note S*: Permitted through a special use permit and only when in conjunction with a Place of Worship under 23.04.060(21).

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23.04.060 - Residential districts' use standards.

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21. Places of Worship. The following requirements apply to all places of worship subject to special use approval:

- a. Location. Before a place of worship may be located in an R-4, R 4—8, R 6—12, MR 7—13 or MR 10—18 district, at least one of the following locational criteria shall be met:
 - i. The proposed place of worship shall be located within three hundred feet of an arterial street, major collector street, or an access point on a highway; or
 - ii. The site is within three hundred feet of a school and/or park.
- b. Plan Review. Plans showing the site layout and design of proposed buildings shall be submitted for approval as part of site plan review by the department, in accordance with Chapter 23.72.
- c. Size. The minimum lot size shall be twenty thousand square feet.
- d. Dwelling Units. Any dwelling in conjunction with a place of worship shall comply with the provisions governing residential uses in the district where it is located.
 - i. In addition to the provisions governing the use for the district where it is located, the following provisions also apply to dormitories permitted in conjunction with a place of worship:
 - (A) Dormitories must be accessory in size, scale, and function to the principal worship facility on site.
- e. Conversion. No existing building or structure shall be converted to a place of worship unless such building or structure complies or is brought into compliance with the provisions of this code and any other applicable county regulations.
- f. Screening. There shall be sight-obscuring screening along the perimeter of parking lots adjunct to a place of worship which are located across the street from or abutting a residential use. (See Chapter 23.36, Landscaping and Screening.)
- g. Associated Uses. Uses sponsored by a place of worship such as day-schools, auditoriums used for social and sports activities, health centers, convents, preschool facilities, convalescent homes and others of similar nature shall be considered separate uses subject to the provisions of the district in which they are located. (See Section 23.04.060(4) which provides for child care centers as accessory uses.)

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