CP-19 – Up Castle Land Use & Rezone Amendment

Board of County Commissioners Briefing

November 10, 2021

CP-19: Up Castle Land Use & Rezone Amendment

- 2020-21 Official Docket of Comprehensive Plan Amendments
- Background
  - Citizen Request from Ray Schuler, UP Castle and Ryan & Katheryn Hoover
  - Applicants are proposing to amend the land use and appropriately rezone the property from residential to industrial. The land use and zoning would change from Rural Residential/Resource—One Dwelling Unit Per Five Acres (RRR 1/5) to Rural Resource Industrial District (RRI)

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Parcels Information

- 5641 & 5505 222ND Avenue SW
- 5641 222nd Avenue SW is 4.25± acres and 5505 222nd Avenue SW is 28.86± acres
- Each parcel contains a single family structure and accessory structures
- Each parcel contains a well and septic system. Abandoned wells are required to be removed

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Nationally Significant Farmland (American Farmland Trust, 2016)

- Nationally Significant farmland is the land best-suited to long-term, intensive crop production within the conterminous United States; and each state's "best land" is approximately the better half of all agricultural land in each state.

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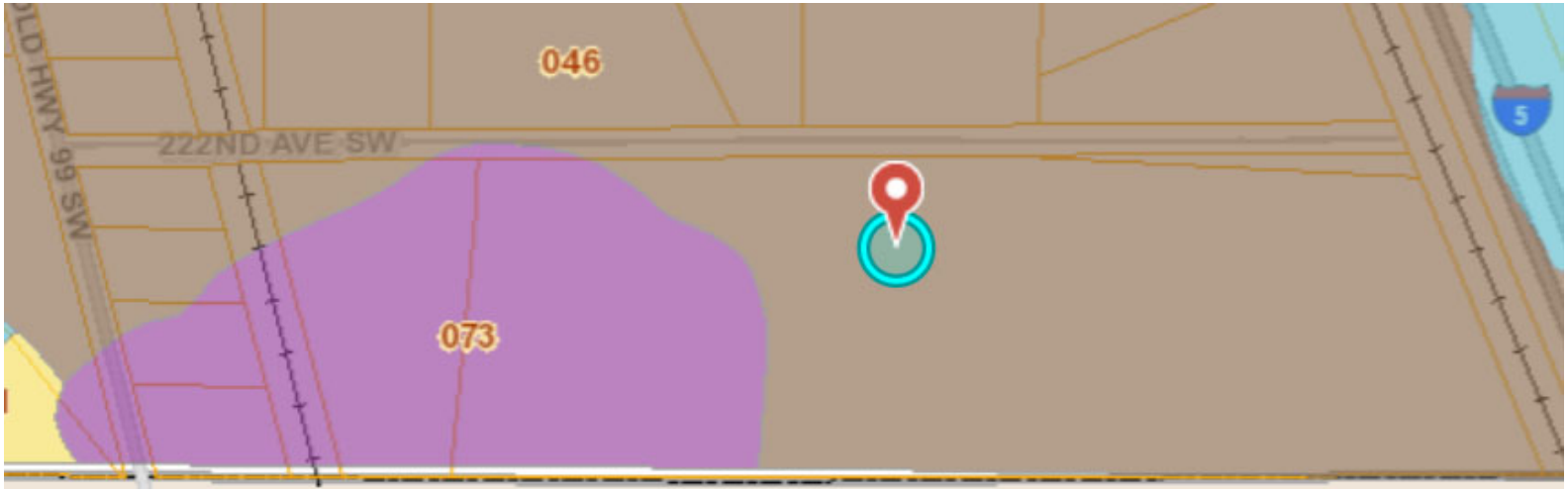
Prime Soils

- Indianola loamy sand, 0 to 3% slope soil (shown as 046 on map) and Nisqually loamy fine sand 0 to 3 % slopes soil (shown as 073 on map)



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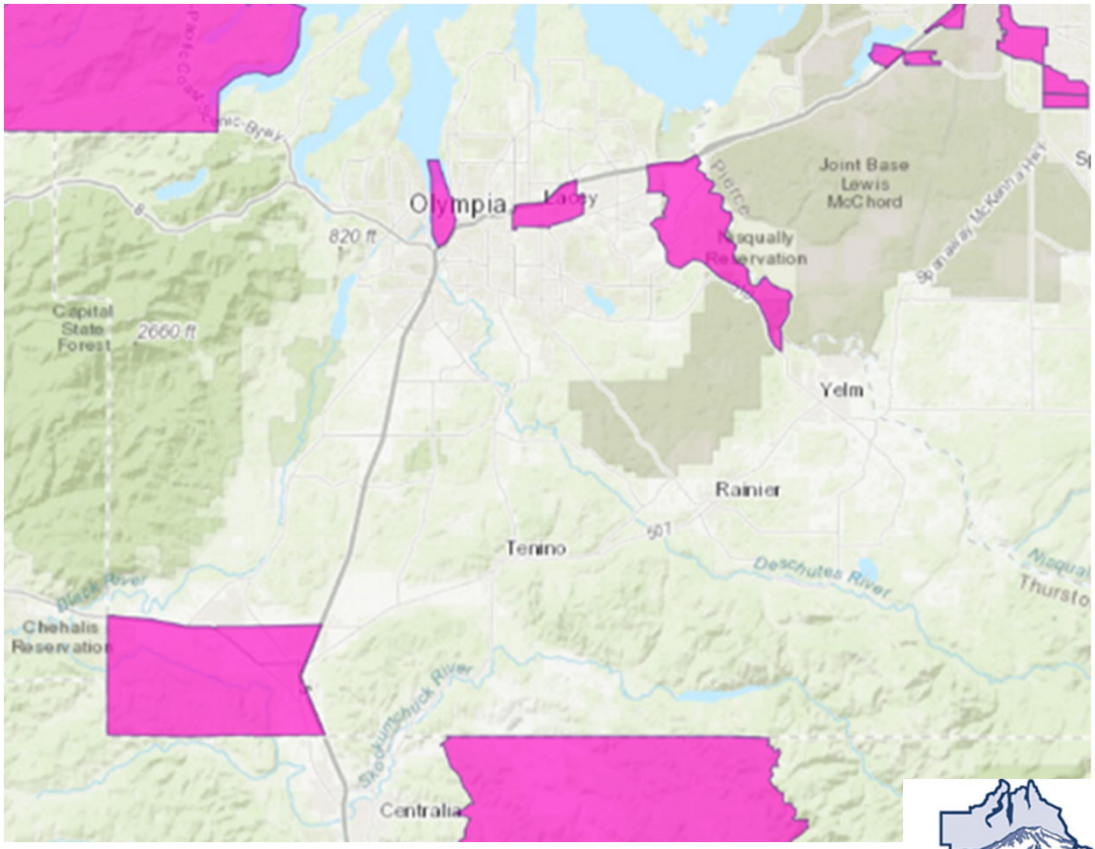
Opportunity Zones

- Opportunity Zones are federal designation enacted in 2017 for distressed communities in need of economic development and job creation. The Opportunity Zone offers a platform where new private investments, under certain conditions, maybe eligible for preferential tax treatment.
- One of five opportunity zones currently mapped in Thurston County



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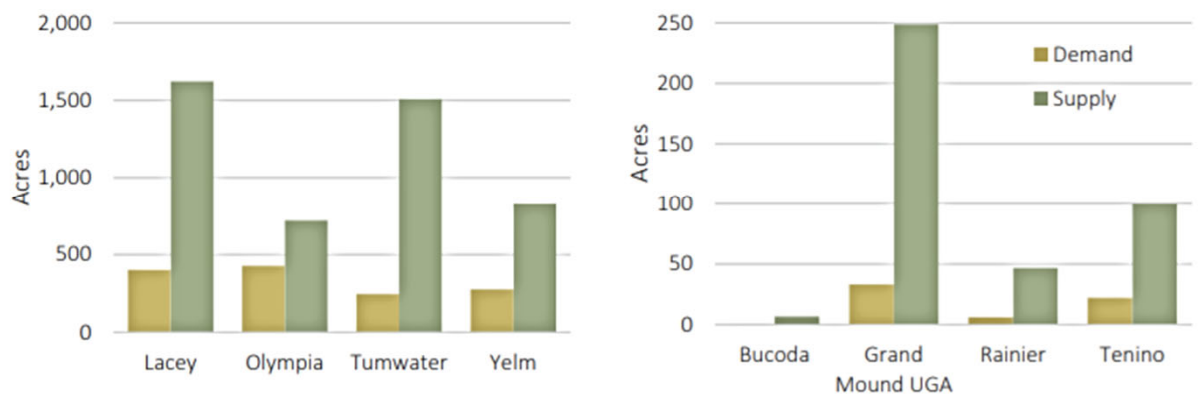
- Is there enough industrial lands to support employment growth over the next 20 years?
  - 2021 Buildable Lands Report indicates **yes**
  - County will accommodate approximately 30,000 new commercial & industrial jobs from 2020 to 2040, requiring an estimated 15 million square feet of building area
  - Report shows that there is enough vacant, partially developed and redevelopable land in the urban areas to support the employment growth forecast to the year 2040
  - Supply varies by jurisdiction

Figure 4-5: Commercial and Industrial Land Supply Compared to Minimum Land Demand, Thurston County Urban Areas



Note: These are "average" conditions. Land may be used more intensively depending on market factors and type of commercial / industrial growth. Supply includes vacant, partially developed, and redevelopable land.

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Table 4-4: Acres of Land Available in Commercial, Mixed Use, and Industrial Zones

Urban Area		Comm. or Mixed-Use Zones	Industrial Zones	Total	Other
Bucoda	Vacant.	6	0	6	
	Redevelopable	1	0	1	
Grand Mound UGA	Vacant	93	122	216	
	Redevelopable	15	18	33	
Lacey	Vacant	799	369	1,168	
	Redevelopable	285	170	455	
Olympia	Vacant	254	102	357	Additional land on Port of Olympia property
	Redevelopable	326	38	363	
Rainier	Vacant	39	1	40	
	Redevelopable	7	0	7	
Tenino	Vacant	84	5	89	Additional land in master planned community
	Redevelopable	9	2	11	
Tumwater	Vacant	297	887	1,184	Additional 1M sq. ft. on Port of Olympia property
	Redevelopable	122	203	325	
Yelm	Vacant	578	169	747	Additional 0.65-1.5M sq. ft. in master planned community
	Redevelopable	73	8	81	
Total	**Vacant**	**2,151**	**1,656**	**3,806**	
	Redevelopable	**837**	**437**	**1,275**	

Note: "Vacant" includes partially developed parcels with buildable, undeveloped area. Table excludes properties owned by schools, churches, college and universities, and other local government.

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Growth Management Act

Planning goals under the Growth Management Act, RCW 36.70A.020

- (1) **Urban growth.** Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
- (2) **Reduce sprawl.** Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.
- (5) **Economic development.** Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

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Growth Management Act

Growth Management Act, RCW 36.70A.030(23) defines 'rural character' as that which "refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:

- In which open space, the natural landscape, and vegetation predominate over the built environment;
- That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- That provide visual landscapes that are traditionally found in rural areas and communities;
- That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- That generally do not require the extension of urban governmental services; and
- That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas."

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Growth Management Act

- Growth Management Act, RCW 36.70A.030(28) defines 'urban growth' as "growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.070(5)(d), is not urban growth."

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Land Use Designation – Rural Resource Industrial

- **Purpose:** to provide areas for natural resource-based industries; to provide areas where industrial uses may locate involving processing, fabrication, wholesaling and storage of products associated with natural resources; to provide areas where industrial uses may locate that are functionally and visually compatible with the character of the rural area.
- **Characteristics:** Industrial areas and development shall be functionally and visually compatible with the surrounding rural area and uses in order to protect the rural character.
- Land should be capable of supporting development with minimal environmental constraints, not detrimentally impact agriculture, forestry, aquaculture or other natural resource uses, have utility services at levels appropriate to serve the rural area and not require public water and sewer, be compatible with rural character, and not disrupt or alter the visual character of the rural landscape.

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Relevant Comp Plan Policies

Relevant Comprehensive Plan Policies are included in detail in Attachment A. They state:

- New industrial uses in rural areas should generally be those appropriate to lower densities and land uses of rural areas;
- Rezoning should only occur when circumstances have substantially changed, the rezone promotes general welfare of the community, the rezone would maintain or enhance environmental quality, or the County pursues a legislative rezone.
- Public services and utilities should be provided in urban growth areas. Extensions beyond UGAs are prohibited except to serve development with health or water quality problems.
- The county should support efforts to diversify the County's economy through encouragement of more manufacturing-based industries and enhancement of other target industry clusters including: information-technology, healthcare, tourism, food production, manufacturing and wood products-forestry.
- The county should designate industrial areas in sufficient quantity and quality to meet current and future needs.

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Chapter 20.29 - Rural Resource Industrial District Code Amendment

20.29.020 - Permitted uses.

5. For sites that meet all of the locational and performance criteria in subsection (5)(a) below, the uses listed in subsection (5)(b) below are also permitted:

a. Locational and performance criteria:

i. Located within one-half mile of an Interstate 5 interchange or adjacent to industrial development as of date;

ii. Vehicular access is from a county arterial or collector road or state highway or adjacent to an existing industrial development utilizing existing county roads and within 500 feet of county arterial or collector road or state highway;

iii. Proposed use will not require urban services or facilities; and

iv. Rail access is available to the site.

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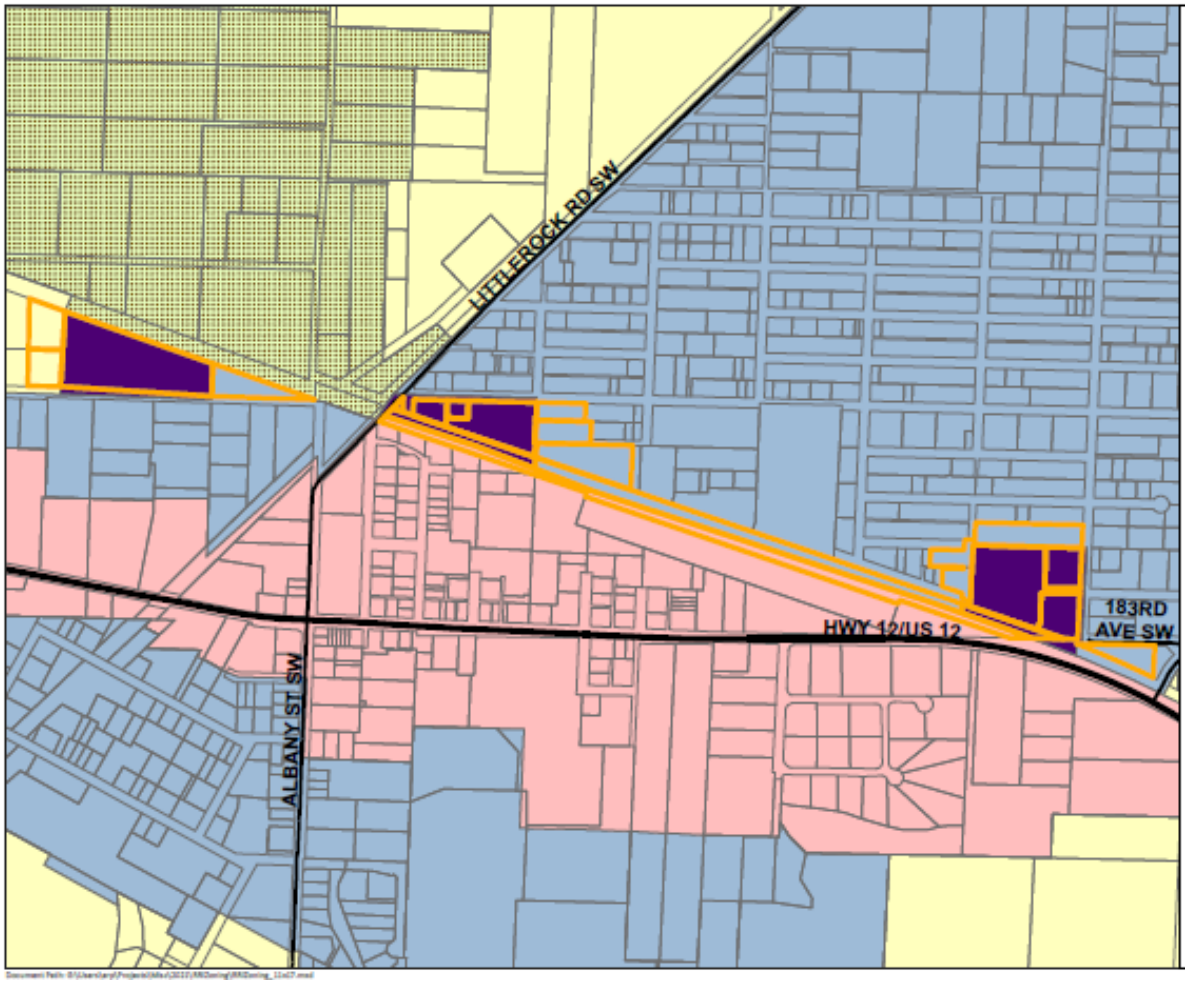
Areas Impacted by Code Change



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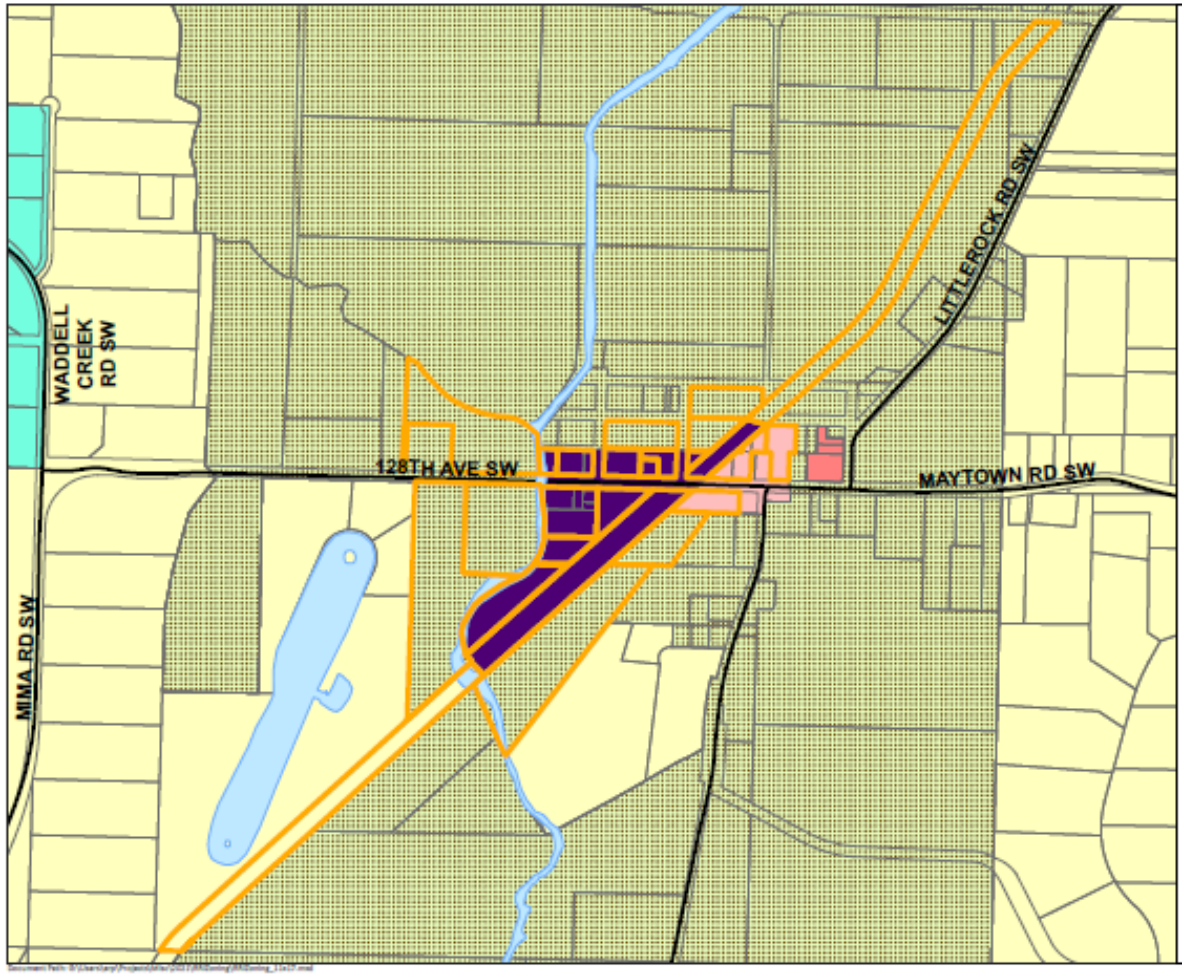

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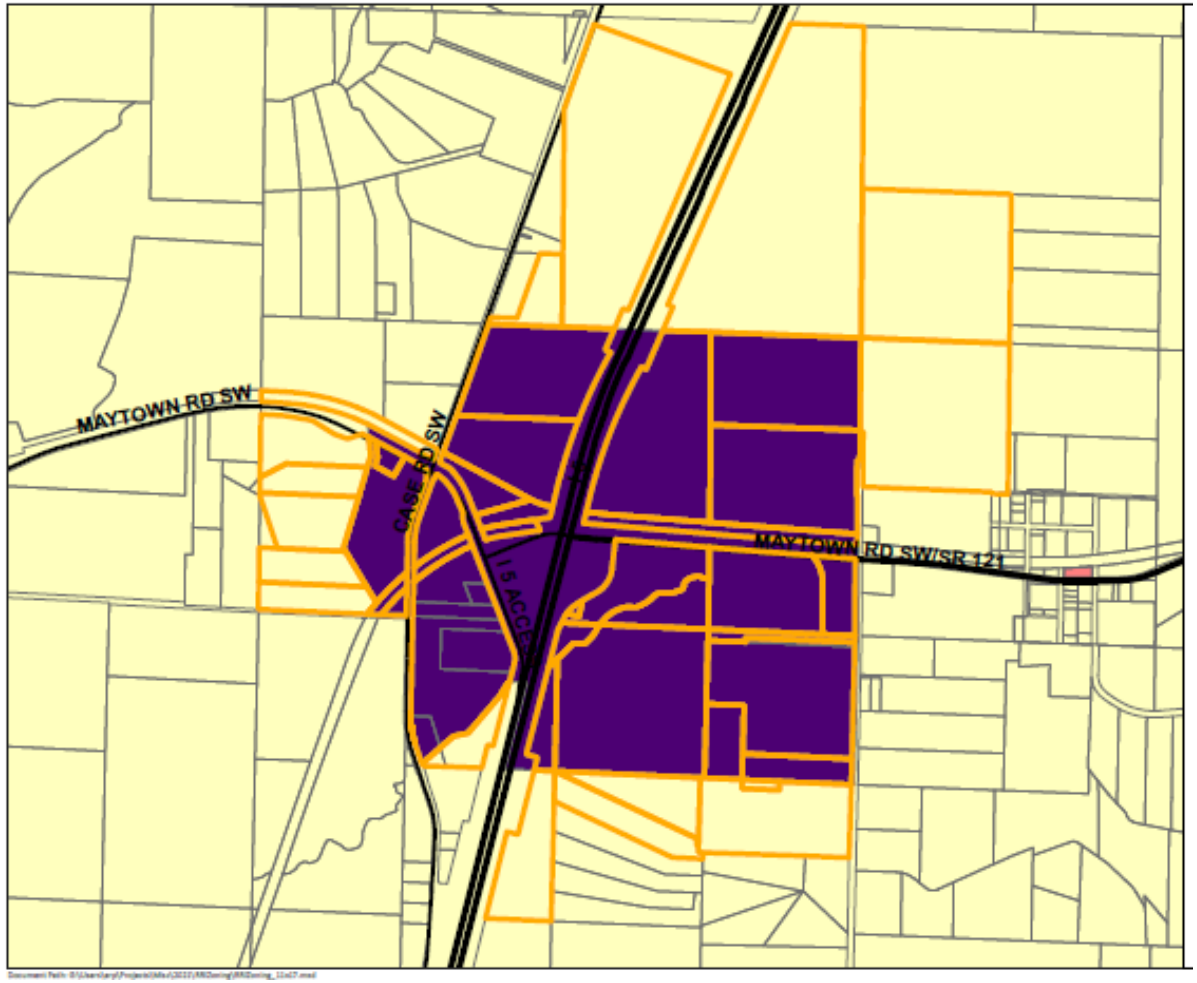

Public Comment

254 Public Comments Received

14 are for the proposal

240 are against the proposal

Comments for the proposal:

- Highlight adjacent industrial uses,
- Locational benefits
- No agriculture practiced in years
- Within the Federal Opportunity zone

Comments against the proposal:

- Loss of agriculture land
- 2021 Buildable Lands Report
- Existing agriculture use on the parcels
- Compliance with the Comprehensive Plan
- Thurston Climate Action Plan
- Belief that the County should docket and conduct a Community-Driven Review of Rural Warehousing in 2022-2023
- CP-16 - Community-Driven Review of Agricultural Policies and Programs should be completed first

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Optional Code Revision: Applicant Public Comment

Chapter 20.29 - Rural Resource Industrial District Code Amendment

20.29.020 - Permitted uses.

5. For sites that meet all of the locational and performance criteria in subsection (5)(a) below, the uses listed in subsection (5)(b) below are also permitted:

a. Locational and performance criteria:

i. Located within one-half mile of an Interstate 5 interchange, or within a Federal Opportunity Zone, South of the Grand Mound UGA, west of I-5, and east of Highway 99;

ii. Vehicular access is from a county arterial or collector road or state highway or, if also situated within a Federal Opportunity Zone, access may be from any county road;

iii. Proposed use will not require urban services or facilities; and

iv. Rail access is available to the site.

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Planning Commission

Planning Commission Recommendations

- **"Move to recommend maintaining the current land use and zoning of the properties as Rural Residential/Resource – One Dwelling Unit per Five Acres (RRR 1/5) and recommend no changes to the existing code criteria under Chapter 20.29 TCC."**
- **"Move to recommend the County conduct a review of industrial lands availability countywide, including within rural and Urban Growth Areas, and if additional industrial lands are needed evaluate siting of new industrial lands with a comprehensive look at the whole County. Further recommend holding review of future individual industrial land use and rezoning requests until completion of study."**

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Project Page

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https://www.thurstoncountywa.gov/planning/Pages/comp-plan-upcastle-rezone.aspx

Thank you!

For questions, contact:

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