

**Comprehensive Plan Amendments: 2020-2021 Docket (CP-19)  
Up Castle Land Use & Rezone Amendment**

**Date:** August 4, 2021  
**Prepared by:** Andrew Boughan, Associate Planner

**Proponent/Applicant:** Ray Schuler, UP Castle  
Ryan & Katheryn Hoover

**Action Requested:** Amend the Land Use Plan and change the land use (Comprehensive Plan Map L-1) from Rural Residential/Resource—One Dwelling Unit Per Five Acres (RRR 1/5) to Rural Resource Industrial District (RRI) and rezone appropriately

**Location:** 5641 & 5505 222<sup>ND</sup> Avenue SW, bordered by 222<sup>nd</sup> Avenue SW to the north and train tracks to the west

**APN:** 13524430400,13524430500  
**Acres:** 33.11± acres total  
**Current Land Use and Zoning:** Single family structure and accessory structures, RRR 1/5

Map Changes    Text Changes    Both    Affects Comprehensive Plans/documents  
 Affected Jurisdictions

**BACKGROUND**

**Application:**

The applicant requests approval of a site-specific Comprehensive Plan amendment and associated rezoning for two (2) contiguous parcels totaling 33.11± acres located at 5505 & 5641 222<sup>nd</sup> Avenue SW and due east to the intersection of 222<sup>nd</sup> Avenue SW and Old Highway 99 SW. Parcel 13524430400 is 4.25± acres and parcel 13524430500 is 28.86± acres. The request would change the land use and associated zoning from Rural Residential/Resource—One Dwelling Unit Per Five Acres (RRR 1/5) to Rural Resource Industrial District (RRI).

The amendment would amend Map L-1 Future Land Use in the Thurston County Comprehensive Plan. The “Official Zoning Map, Thurston County Washington” would also be amended to be consistent with the Comprehensive Plan future land use map.

A proposed code change is also included as part of this amendment, since the Rural Resource Industrial development standards (TCC 20.29.040 - Development standards) would need to be amended in order to allow for the applicant’s desired use, warehousing and manufacturing, at the properties.

### Property Details:

The property addressed as 5505 222<sup>nd</sup> Avenue SW has one single family structure that was constructed in 1927 and is currently vacant. Also located on the property are 3± accessory structures. The site was used as a Christmas tree farm, however it stopped serving that purpose within the last ten years. The property addressed as 5641 222<sup>nd</sup> Avenue SW has one single family structure that was constructed in 1964 and one accessory structure.



Figure 1. Aerial photo of 5505 & 5641 222<sup>nd</sup> Avenue SW

Both properties are located within an Opportunity Zone, which is a 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. The opportunity zone located in the southwest corner of Thurston County is one of five opportunity zones currently mapped in Thurston County, according to the U.S. Department of Housing and Urban Development’s website.

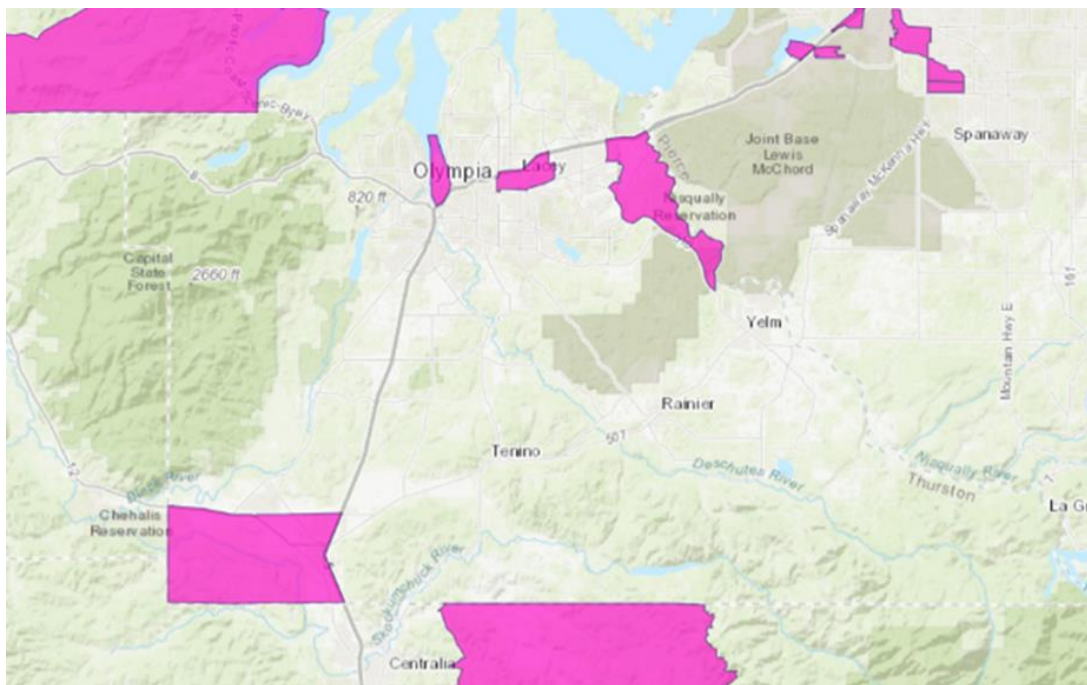


Figure 2. Map of Opportunity Zones in Thurston County

## DEPARTMENT ANALYSIS

The applicant's request for an amendment to the Future Land Use map and associated zoning map change contends that the proposed change will improve the community and provide economic development in this portion of rural Thurston County. Because this is a comprehensive plan amendment (non-project application), no specific site plan is proposed as part of this Land Use Plan amendment request. Any future development will be required to go through the permitting process and is subject to county regulations.

- **Sewer and Water:**

- The property addressed at 5505 222<sup>ND</sup> Avenue SW has no permit records on file for any on-site septic system located on the property. The Assessor's Office notes the main residence was built in 1927. Records on file indicate a milk house was converted into a second dwelling unit on the site. A complaint filed in 2010 identified surfacing sewage on the site. Records indicate the property was vacated shortly after. The Assessor's Office notes the property sold in 2017. There are no records on file indicating a Time of Transfer application was completed. Article IV of the Thurston County Sanitary Code requires a Time of Transfer Evaluation before a property served by an on-site septic system is sold or transferred in order to identify the permit status and functionality of the system.
- The property addressed at 5641 222<sup>ND</sup> Avenue SW septic system was installed in 1987 to serve a 3-bedroom residence and the water supply was identified as a single-family well. Thurston County has an approved permit on file for this system but no record drawing. Systems installed after 1978 without an accepted record drawing on file are considered non-conforming.
- All future development must comply with the Thurston County Sanitary Code. Proposed changes in land use designation do not alter or eliminate any Environmental Health requirements, including approved drinking water supplies, sewage disposal, solid waste and hazardous materials, and food service permits. Any well that is abandoned, not intended for future use, is an environmental, safety or public health hazard, or would be adversely impacted by proposed development is required to be properly decommissioned by a licensed well driller.
- Minimum land area requirements for development served by a septic system are outlined in Article IV of the Thurston County Sanitary Code, and are dependent upon soil type and water supply type. Thurston County Environmental Health permits on-site septic systems treating sewage synonymous with domestic wastewater. Industrial wastewater is regulated by Washington State Department of Ecology under Chapter 173-240 WAC. The proposed industrial use and wastewater generated from the activities would determine the permitting agency.
- A hydrogeological report may be required when an on-site septic system is proposed based on the density or if the system has a design flow of 1000 gallons per day or more. Hydrogeological reports are also required if a project's size or scope represent a potential risk to water resources or if the project will result in the use, handling, storage or disposal of substantial amounts of hazardous materials.

- **Environmental Concerns:**

- The first soil designation located on the parcels is mapped with Indianola Loamy Sand, 0 to 3% slopes soils, indicating a more preferred (high priority) habitat for the Mazama Pocket Gopher (MPG).
- The second soil designation located on the parcels is mapped with Nisqually loamy fine sand, indicating a more preferred (high priority) habitat for the Mazama Pocket Gopher (MPG).
- Both glacial outwash soil's are known to support rare prairie plants protected in the Thurston County Critical Areas Ordinance (CAO), Tables 24.25-7 and 24.25-8, Appendix 24.25-1 in Chapter 24.25 Thurston County Code. According to the CAO, the presence of at least three of the listed prairie plant species indicates prairie habitat on a property. A site-specific analysis according to the most current prairie review process would be performed after a specific development application is submitted.
- A portion of both parcels contain the Rural Shoreline Environment Designation, as designated under the current Thurston County Shoreline Master Program. Areas within a Rural Shoreline Environment designation will be required at the time of development to comply with use and development regulations.
- No wetlands or floodplain designations are noted on the property.

- **Access:**

- Sole access to properties is provided by 222<sup>nd</sup> Avenue SW. The western parcel is ±365 feet from the intersection of 222<sup>nd</sup> Avenue SW and Old Highway 99 SW.
- 222<sup>nd</sup> Avenue SW is classified as a Local road with 402 average daily trips as of 2010. Minimum access spacing is 130 feet.
- Old Highway 99 SW is classified as a Minor Arterial road, with 10,137 average daily trips as of 2010. Minimum access spacing is 500 feet. The parcels are not contiguous to Old Highway 99 SW and therefore access to the parcels directly from Old Highway 99 SW is not possible.

- **Surrounding Land Use and Zoning:**

**East:** The property to the east is Tacoma Rail railroad right-of-way and Interstate 5 right-of-way.

**Land Use Designation and Zoning:** (RRR 1/5) Rural Residential/Resource—One Dwelling Unit Per Five Acres (Title 20 Thurston County Zoning Ordinance)

**West:** The adjacent property to the west is the Puget Sound & Pacific Railroad right-of-way.

**Land Use Designation and Zoning:** Residential LAMRID—One Dwelling Unit Per Acre RL 1/1 (Title 20 Thurston County Zoning Ordinance)

**North:** There are five (5) parcels with approximately three (3) residential structures on varying sized lots.

Land Use Designation and Zoning: Rural Residential/Resource—One Dwelling Unit Per Five Acres RRR 1/5 (Title 20 Thurston County Zoning Ordinance)

South: To the south is a retail distribution center on a parcel of approximately 22 acres.

Land Use Designation and Zoning: Port Master Plan District PMP (Title 20 Lewis County Zoning Ordinance)



Figure 3. Aerial of the current zoning of the parcel and surrounding areas

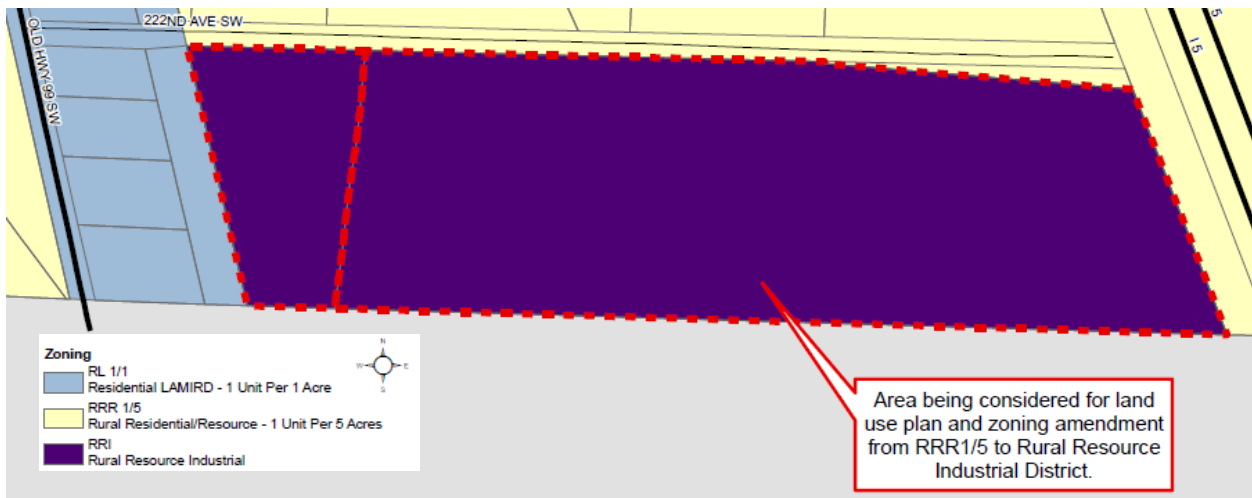


Figure 4. Map of the proposed zoning of the parcel and surrounding areas

- **Relevant Comprehensive Plan Policies**

An amendment to the land use could potentially impact the surrounding residential uses and rural character (traffic increases, noise, sound, lights). However, there is already an existing industrial use (warehouse) on the properties to the south of the subject property, located in Lewis' County Urban Growth Area. Expansion of industrial uses adjacent to existing industrial uses could provide for a diversification of these uses in southern Thurston County.

## **Chapter 2—Land Use**

- **Goal 1, Objective A, Policy 8:** New industrial uses in rural areas (other than small scale home-based industries) should generally be those appropriate to the lower densities and land uses of rural areas, such as:
  - b. Industries that are functionally and visually compatible with the character of the rural area and dependent upon a rural setting
- **Goal 1, Objective B, Policy 10:** Rezoning of any parcel with a rural designation to a different designation should only occur when:
  - a. Circumstances have substantially changed since the current land use designation/zoning was adopted and the definition, characteristics or locational guidelines for the current district no longer apply;
  - b. The rezone would promote the general welfare of the affected community;
  - c. The rezone would maintain or enhance environmental quality; or
  - d. Thurston County pursues a legislative rezone.

## **Chapter 8—Economic Development**

- **Goal 1, Objective A, Policy 11:** The county should support efforts to diversify Thurston County’s economy through the 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.
- **Goal 1, Objective D, Policy 3:** The county should designate industrial areas in sufficient quantity and quality to meet current and future needs.

## **OPTIONS FOR CONSIDERATION**

### **Option 1:**

No change: maintain the current future land use and zoning.

#### **Considerations:**

- Maintains the RRR 1/5 zone on the two properties.
- Limits the introduction of new industrial uses in the southern portion of Thurston County.
- Limits industrial uses on the property to those that are currently allowed under RRR 1/5 or by special use permit in that zoning district.
- Does not meet the applicant’s request.

**Option 2:**

Amend the Comprehensive Plan Future Land Use Map to change the designation and associated zoning of two parcels to create a 33± acre of RRI zone, as requested by the applicant.

**Considerations:**

- Location is surrounded by primarily residential land uses, except for to the south in Lewis County’s Urban Growth Area which has industrial uses.
- May impact rural character through introduction of new industrial uses that could cause additional light, noise, and traffic in the area.
- Provides for economic development in this portion of Thurston County.
- Creates additional future taxable business and revenue for the County.
- Residential will no longer be permitted on the parcel.
- Potential impact to identified critical areas and habitat, which would be reviewed at the time of a development application.

**ATTACHMENTS**

Attachment A: Map of Proposed Land Use and Zoning Amendment

Attachment B: Proposed Code Amendments to Chapter 20.29

Attachment C: Application Materials

Attachment D: Environmental Checklist