

A-17-1: Development Code Amendments  
2018 To 2019  
Amend Preliminary Plat Extension of  
Time  
(Title 18)

**Date:** September 4, 2019  
**Public Hearing Date:** October 16, 2019, 7:00 p.m.  
**Prepared by:** Ian Lefcourte, Associate Planner  
**Proponent/Applicant:** Thurston County Long Range Planning  
Division of the Community Planning and  
Economic Development Department  
**Action Requested:** Amend updates to Chapter 18.12 –  
“PRELIMINARY PLAT” to increase the  
length of time for approval extensions.  
  
Amend updates to Chapter 18.08 –  
“DEFINITIONS” to change the  
“department” definition.

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

1 **TOPIC**

2 *Item (#A-17) on the “2018-19 OFFICIAL DOCKET OF PROPOSED DEVELOPMENT CODE*  
3 *AMENDMENTS”* requests that the county change the method for approving extensions of time  
4 for preliminary plats (subdivisions) and modify the duration of extensions in Section 18.12.150  
5 TCC. The proposal would increase the number of extensions for all preliminary plats. The  
6 hearing examiner provisional approval, for up to ten years of extensions beyond the initial five-  
7 year approval for Planned Rural Residential Developments, is proposed to be consolidated with  
8 other extension of time processes and repealed.

9  
10 The amendment would also modify 18.08.133 “Department” to change the definition from  
11 “resource stewardship” to “community planning and economic development”. This would update  
12 the code to make the definition of the long-range planning department congruent with its current  
13 title.

14  
15 **WHAT IS THE ISSUE BEING ADDRESSED?**

16 The number of years that the preliminary plat approval is valid. The purpose of the review is to  
17 determine if the platting process can be simplified and more cost effective. The County is  
18 following RCW 58.17.140, which defines rules for the time limitations to submit final plats after  
19 preliminary plat approval.

20

1 The criteria for approving an extension is not proposed to change. Current criteria require  
 2 consistency with the comprehensive plan, applicable public health and safety standards, and no  
 3 emerging adverse environmental issues.

#### 4 **BACKGROUND**

6 Thurston County evaluated the methods for approving extensions of time for preliminary plats  
 7 and modifying the duration of the extension in Section 18.12.150 TCC. Congruent with RCW  
 8 58.17.140, Section 18.12.150 TCC states that applicants have five years to submit a final plat for  
 9 preliminary plats. However, RCW 58.17.140 also allows local jurisdictions to adopt procedures  
 10 which allow extensions of time for plat approvals. Thurston County has created and adopted  
 11 such extension procedures in 18.12.150 TCC.

13 The amendment proposal would change the length and amount of allowed extensions. The  
 14 criteria for approving an extension is not proposed to change. Current criteria require consistency  
 15 with the comprehensive plan, applicable public health and safety standards, and no emerging  
 16 adverse environmental issues.

#### 18 **ANALYSIS**

19 The subdivision of land into lots and tracts is governed by chapter 58.17 of the Revised Code of  
 20 Washington (RCW) and by Thurston County Code (TCC) Title 18 – PLATTING AND  
 21 SUBDIVISIONS. Subdivisions are defined in 18.08.310 TCC as “the division or redivision of  
 22 contiguous land, for purposes of sale, lease, or transfer of ownership into five or more lots, any  
 23 one of which is smaller than five acres or one-one hundred twenty-eighths of a section of land.”

25 Plats are the maps of subdivisions that show the division of land into lots with associated public  
 26 improvements (streets, dedications, easements). Preliminary (long) plats are defined in 18.08.230  
 27 TCC as a “neat and approximate drawing of a proposed subdivisions showing the general layout  
 28 of streets and alleys, lot, blocks and other elements of a subdivision consistent with the  
 29 requirements of this title. The preliminary plat shall be the basis for the approval or disapproval  
 30 of the general layout of the subdivisions.” Final plats are defined in 18.08.160 TCC as the “final  
 31 drawing of the subdivision and dedication prepared for filing for record with the county Auditor  
 32 and containing all elements and requirements set forth in Chapter 58.17 RCW and in this title  
 33 adopted pursuant thereto.”

35 Land divisions have a three-step approval process prior to the creation and sale of the lots:

- 36 • Preliminary plat approval: The approval of the general layout of the streets, lots, and  
 37 verification of water availability, sewage disposal, Fire Department approval, and other  
 38 requirements of Title 18 and the RCWs.
- 39 • Construction plan approval: The approval and construction of site improvements (if  
 40 required), including but not limited to clearing and grading for the installation of  
 41 stormwater facilities, streets, water lines, and sewage disposal systems.
- 42 • Final plat approval: Upon completion of the improvements, the final plat document is  
 43 recorded and the lots are eligible for use, development, and sale.

#### 45 Preliminary Plat (Subdivision) Review and Approval

46 Plats in Thurston County are reviewed under a Type III procedure and must comply with SEPA.  
 47 A Type III procedure involves an application that is subject to standards which require the  
 48 exercise of substantial discretion and about which there may be a broad public interest. A Type

1 III procedure is a quasi-judicial decision and requires a hearing examiner public hearing. The  
 2 review time can be up to 148 days.

3  
 4 After all applicable review comments have been received by Planning, a public hearing will be  
 5 scheduled before the Thurston County Hearing Examiner. After approval of the preliminary plat  
 6 by the Hearing Examiner, all conditions outlined in the Examiner’s decision must be satisfied  
 7 prior to final plat approval.

8  
 9 Duration of Approval

10 Once preliminary approval has been issued, the land division must be recorded within five years  
 11 for a plat. An extension may be granted for plats upon request prior to expiration. For plats the  
 12 request must be submitted at least 30 days prior.

13  
 14 RCW 58.17.140 establishes the time period for an applicant to submit a preliminary plat for final  
 15 plat approval. The general rule is that the applicant has five years after preliminary plat approval  
 16 in which to submit the plat for final approval. Counties may adopt procedures by ordinance for  
 17 extensions of these time periods.

18  
 19 Final Plat (Subdivision) Approval

20 After all conditions of preliminary approval have been satisfied, the final map documents must  
 21 be submitted by the applicant to Planning, along with the applicable review fee. Final map  
 22 review takes approximately four weeks. After all County departments recommend final approval,  
 23 the applicant will be contacted for the final map and recording fee. The final map will be  
 24 recorded with the Thurston County Auditor’s Office. For plats, the staff recommendation is  
 25 submitted to the Board of County Commissioners who make the final approval. Thus, the  
 26 timeline may be longer.

27  
 28 Preliminary Plat Extensions in Thurston County

29 When a preliminary plat project struggles to meet the final plat approval deadlines, Thurston  
 30 County has the discretion to offer extensions of the approval period. An extension may be  
 31 granted if the department finds that the extension request is consistent with the adopted  
 32 comprehensive plan, is consistent with applicable public health and safety standards, and there  
 33 are no emerging adverse environmental issues relevant to the project. If the department finds that  
 34 the extension request does not meet those conditions, the department shall schedule a public  
 35 hearing before the hearing examiner to consider the extension request.

36  
 37 The County provides different extension regulations for three different types of preliminary  
 38 plats, defined in 18.12.150 TCC (Duration of Approval).  
 39

Type of Plat Project	Conditions for Extension	Extensions and Length
Planned Rural Residential Development (18.12.150(D) TCC)	400+ units, and Phased Development between 6-15 years	Up to 10, 1-year extensions
Large, non-PRRD (18.12.150(B) TCC)	200+ units, and 50% of lots finalized	Up to 5, 1-year extensions
All other Plats (18.12.150(A) TCC)		Up to 1, 1-year extension

1 **WHAT ARE OTHER COUNTIES ARE DOING?**

2 Staff reviewed seven other Washington counties to provide a regional context for preliminary  
 3 plat extension regulations; Kitsap, Lewis, Skagit, Snohomish, Spokane, Whatcom, and Yakima.  
 4 The counties established a five-year approval period for the initial preliminary plat, consistent  
 5 with the requirements of RCW 58.17.140. Some of the counties defined the amount of years  
 6 allowed for approval in their county code while others simply stated that approval must be  
 7 compliant with RCW 58.17.140, such as Lewis County;

8  
 9 Lewis County (17.05.140 LCC): “Preliminary approval of land divisions shall be valid  
 10 for the period specified in RCW 58.17.140, after which it shall expire. Prior to expiration,  
 11 a complete application for final plat approval meeting all the legal requirements and  
 12 conditions of approval shall be made.

13  
 14 Thurston County has three different sets of extension regulations for three different types of  
 15 preliminary plats. All seven of the other counties had fewer sets of extension regulations. For  
 16 example, Yakima County had one set of extension regulations for all types of preliminary plats.

17  
 18 Kitsap County

- 19 • Nonphased Development: One, one-year extension.
  - 20 ○ 21.04.270(B)(2) KCC
- 21 • Phased Development: Multiple, two-year extensions (a phase must have been given final  
 22 approval within two years prior to each subsequent extension request).
  - 23 ○ 21.04.270(B)(1) KCC

24  
 25 Lewis County

- 26 • Nonphased Development: One, one-year extension.
  - 27 ○ 17.05.140(2)(b) LCC
- 28 • Phased Development: Multiple, two-year extensions (a phase must have been given final  
 29 approval within two years prior to each subsequent extension request).
  - 30 ○ 17.05.140(2)(a) LCC

31  
 32 Skagit County

- 33 • No extensions (for projects after April 1, 2014).
  - 34 ○ 14.18.100(6)(f) SCC

35  
 36 Snohomish County

- 37 • One or more extensions, not to exceed a total extension time of two years.
  - 38 ○ 30.70.140 SCC

39  
 40 Spokane County

- 41 • Unlimited three-year extensions.
  - 42 ○ 12.100.118 SCC

43  
 44 Whatcom County

- 45 • Nonphased Development: One, one-year extension.
  - 46 ○ 21.05.039(2) WCC
- 47 • Phased Development: De facto built-in one-time five-year extension.

- 1           ○ 21.05.039(3) WCC

2  
3 Yakima County

- 4           • One, up to five-year extension.
- 5           ○ 19.34.050(10)(c) YCC

6  
7 **WHAT ARE SELECT THURSTON COUNTY CITIES DOING?**

8 Tumwater

- 9           • Three, one-year extensions.
- 10          ○ 17.14.080 (A), (B) TMC

11  
12 Olympia

- 13          • No extensions.
- 14          ○ 17.20.30 OMC – mentions extensions but there is no other language in code that
- 15            specifies extensions for preliminary plat removal.

16 Lacey

- 17          • Unlimited one-year extensions.
- 18          ○ 15.10.140 (C) LMC

19  
20 **CONSISTENCY WITH OTHER REGULATIONS, PLANS, AND POLICIES**

21 In order to better serve the public good, the proposed regulatory modification and proposed  
22 alternatives are consistent with Chapter 36.70A RCW, the Comprehensive Plan for Thurston  
23 County, and the Thurston County Countywide Planning Policies.

24  
25 RCW 36.70A

26 Per article XI, section 11 of the Washington State Constitution, “Any county...may make and  
27 enforce within its limits all such local police, sanitary and other regulations as are not in conflict  
28 with general laws”. The County, in the interest of serving the public health, safety, and general  
29 welfare may set additional standards to those of the state in relation to permitting certain uses by  
30 zoning district and their accompanying controls, such as: bulk regulations, i.e.- height, minimum  
31 setbacks, which then would influence minimum lot size, and development coverage

32  
33 Applying development regulations is guided by WAC 365-197-040, and refers to “project  
34 consistency” as a matter of definition. Per RCW 36.70A.030, “Development regulations” means  
35 “controls placed on land use activities”. RCW 36.70B.020, defines “Project permit application”  
36 as essentially the mechanism necessary to engage in those activities “authorized by a  
37 comprehensive plan.”

38  
39 Together these defined terms encapsulate the purpose of development standards as necessary to  
40 protect the environment and culminate in a permit evaluated by criteria substantiated by a  
41 community’s comprehensive plan, defines application types, and is outlined in the content of the  
42 applications for both building permits and various land use approvals.

43  
44 Consistency with the Comprehensive Plan:

45 Staff identified the following Comprehensive Plan Goals, and associated Objectives and Policies  
46 to be applicable, and did not find the proposed regulations to be inconsistent with the goals and  
47 policies in the Thurston County Comprehensive Plan:

- 1 • Chapter 2 – Land Use
  - 2 ○ Goal 3: Land use planning and decisions making should ensure the highest degree
  - 3 of public health, safety, and general welfare within a quality living environment
  - 4 without unduly jeopardizing the rights of the individual.
    - 5 ▪ Objective C: Implementation of the Comprehensive Plan - Implement the
    - 6 Comprehensive Plan through county programs and regulations
      - 7 • Policy 3: Certainty, understanding, and efficiency of the permitting
      - 8 process should be promoted.
      - 9 • Policy 5: Regulations should be monitored to determine whether
      - 10 they are accomplishing their intended purposes.
- 11 • Chapter 4 – Housing
  - 12 ○ Goal 1: Enough housing should be available to meet the housing needs of the
  - 13 existing and projected population of the county.
    - 14 ▪ Objective C: The County should work to reduce barriers to affordable
    - 15 housing for low and moderate-income households.
      - 16 • Policy 1. The County should reduce, where appropriate, regulatory
      - 17 barriers and other requirements which add unnecessary costs and
      - 18 thereby discourage affordable housing construction.

### 19 Countywide Planning Policies

20 The County, in association with its seven cities and towns, developed and adopted GMA-  
 21 required County-Wide Planning Policies. These now provide the planning framework that allows  
 22 community individuality while ensuring regional consistency on major policy issues.  
 23

24  
 25 Staff found the proposed amendment to be consistent with the following Countywide Planning  
 26 Policies:

- 27 • I. General Policies:
  - 28 ○ 1.6 - Translate vision to policy and act on adopted local plans and policies.
  - 29 Consider the effects of decisions on achieving this vision, while balancing
  - 30 individual property rights with broader community needs and goals.
  - 31 ○ 1.10 - Meet basic human needs of clean water and air, healthy food, adequate
  - 32 housing, quality education, public safety, and equal access, regardless of socio-
  - 33 economic status.
- 34 • III. Promotion of Contiguous and Orderly Development, Provision of Urban Services,  
 35 and Protection of Rural Areas:
  - 36 ○ 3.4 – Provide capacity to accommodate planned growth
- 37 • VIII. Affordable Housing:
  - 38 ○ 8.3 – Explore ways to reduce the costs of housing.
  - 39 ○ 8.6 – Regularly examine and modify policies that pose barriers to affordable
  - 40 housing.

### 41 **FINANCIAL IMPACT**

42 No quantifiable financial impacts have been identified at this time. Minimal staff time and  
 43 resources are required to process preliminary plat extensions.  
 44

### 45 **SUMMARY**

1 The development code amendment updates Chapter 18.12 “PRELIMINARY PLAT” to update  
 2 County regulations for preliminary plat extensions (18.12.150 TCC). The development code  
 3 amendment also updates Chapter 18.08 “DEFINITIONS” to update the definition of  
 4 “Department” (18.08.133 TCC). The proposed amendment provides time and flexibility for  
 5 developers to complete their projects in compliance with Thurston regulations.

## 6 7 **OPTIONS**

8 Staff has developed two options for consideration to modify the plat extension process. Details  
 9 for the options can be found in Attachments B and C, which are attached to the staff report. The  
 10 following are the pros and cons for the proposed options.

11 **A:** Do not amend Chapters 18.08 and 18.12 with the proposed code language.

12 **Pros:** No further staff time incurred for this project.

13 **Cons:** Larger subdivision projects may not be able to be completed within the current  
 14 timeframes allowed.

15  
 16 **B:** Amend Chapters 18.08 and 18.12 with proposed code language from Option B (Attachment  
 17 B).

18 **Pros:** Simplifies regulations for extensions, provides more time for extensions, lowers  
 19 thresholds for larger preliminary plat projects to qualify for extensions. Updates  
 20 definition of “department” from “resource stewardship” to “community planning and  
 21 economic development”.

22 **Cons:** The streamlined extension process could incentivize more development, which could  
 23 add demand for County infrastructure.

24  
 25 **C:** Amend Chapters 18.08 and 18.12 with proposed code language from Option C (Attachment  
 26 C).

27 **Pros:** Simplifies regulations for extensions by classifying projects as either  
 28 phased/nonphased development, provides more time for extensions. Updates definition  
 29 of “department” from “resource stewardship” to “community planning and economic  
 30 development”.

31 **Cons:** The streamlined extension process could incentivize more development, which could  
 32 add demand for County infrastructure.

## 33 34 **DEPARTMENT RECOMMENDATION**

35 Staff recommends Option C, and requests the Planning Commission set a public hearing for,  
 36 October 16, 2019 at 7:00 p.m. (or soon thereafter) to receive public testimony on proposed  
 37 amendments regulating Chapter 18.12 “PRELIMINARY PLAT” and Chapter 18.08  
 38 “DEFINITIONS”.

## 39 40 **SEPA**

41 An environmental determination for the proposed code amendment to sections related to signage  
 42 in unincorporated Thurston County is required pursuant to WAC 197-11-704; and, will be  
 43 completed prior to a public hearing on the amendments before the Board of County  
 44 Commissioners.

## 45 46 **NOTIFICATION**

1 This briefing was posted online and sent to the Community Planning and Economic  
2 Development Department Community Planning Division’s webmail subscribers, and interested  
3 parties on file with this action.

4  
5 After Planning Commission sets the date for a public hearing, notification will be posted online  
6 and published in *the Olympian* and sent to webmail subscribers at least twenty (20) days prior to  
7 the scheduled hearing.

8  
9 **PUBLIC COMMENT**

10 None at this time.

11  
12 Public comment will also be requested when a public hearing is set for the Planning  
13 Commission, and for the Board of County Commissioners.

14  
15 **SOURCES**

16 The following organizations were sourced for this report; Thurston Long Range Planning,  
17 Thurston Current Planning, Municipal Research and Services Center, and Various Local  
18 Jurisdictions in Western Washington.

19  
20 **ATTACHMENTS**

21 Attachment A: RCW 58.17.140 Time limitation for approval or disapproval of plats—  
22 Extensions.

23 Attachment B: Proposed Amendment Draft Code Option B – Bill Format

24 Attachment C: Proposed Amendment Draft Code Option C – Bill Format

25  
26 Q:\LONG RANGE PLANNING\DEV CODE AMENDMENTS 2018 TO 2019\A -17 Plat Extension

**RCWs > Title 58 > Chapter 58.17 > Section 58.17.140**

**58.17.130** << 58.17.140 >> **58.17.150**

**RCW 58.17.140**

**Time limitation for approval or disapproval of plats—Extensions.**

(1) Preliminary plats of any proposed subdivision and dedication shall be approved, disapproved, or returned to the applicant for modification or correction within ninety days from date of filing thereof unless the applicant consents to an extension of such time period or the ninety day limitation is extended to include up to twenty-one days as specified under RCW **58.17.095**(3): PROVIDED, That if an environmental impact statement is required as provided in RCW **43.21C.030**, the ninety day period shall not include the time spent preparing and circulating the environmental impact statement by the local government agency.

(2) Final plats and short plats shall be approved, disapproved, or returned to the applicant within thirty days from the date of filing thereof, unless the applicant consents to an extension of such time period.

(3)

(a) Except as provided by (b) of this subsection, a final plat meeting all requirements of this chapter shall be submitted to the legislative body of the city, town, or county for approval within seven years of the date of preliminary plat approval if the date of preliminary plat approval is on or before December 31, 2014, and within five years of the date of preliminary plat approval if the date of preliminary plat approval is on or after January 1, 2015.

(b) A final plat meeting all requirements of this chapter shall be submitted to the legislative body of the city, town, or county for approval within ten years of the date of preliminary plat approval if the project is not subject to requirements adopted under chapter **90.58** RCW and the date of preliminary plat approval is on or before December 31, 2007.

(4) Nothing contained in this section shall act to prevent any city, town, or county from adopting by ordinance procedures which would allow extensions of time that may or may not contain additional or altered conditions and requirements.

[ **2013 c 16 § 1; 2012 c 92 § 1; 2010 c 79 § 1; 1995 c 68 § 1; 1986 c 233 § 2; 1983 c 121 § 3; 1981 c 293 § 7; 1974 ex.s. c 134 § 8; 1969 ex.s. c 271 § 14.**]

**NOTES:**

**Applicability—1986 c 233:** See note following RCW **58.17.095**.

**Severability—1981 c 293:** See note following RCW **58.17.010**.

**Thurston County Community Planning and Economic Development  
Department**

**Community Planning Division**

**THURSTON COUNTY PLANNING  
COMMISSION DRAFT**

**CHAPTERS: 18.08 and 18.12**

September 4<sup>th</sup>, 2019

**PLAT EXTENSIONS.**

**Chapter:**

**18.08.133 (attachment-A)  
18.12.150 (attachment-B)  
(Amended)**

Deleted Text:        ~~Strikethrough~~        Proposed Changes:        Underlined  
Staff Comments:        *Italics*        Unaffected Omitted Text        ...

*Development Docket Item A-17 (Preliminary Plat Extension of Time) proposes to change the method for approving extensions of time for preliminary plats (subdivisions) and modify the duration of the extension in Section 18.12.150 TCC. This development code update creates amends 18.08.133 TCC (Definitions) and 18.12.150 (Preliminary Plats).*

Title 18 – PLATTING AND SUBDIVISIONS  
 AMENDED Chapter 18.08 – DEFINITIONS  
 AMENDED Chapter 18.12 – PRELIMINARY PLAT  
**ATTACHMENT B: DELIBERATIVE STRIKETHROUGH DRAFT – OPTION B**

## **ATTACHMENT – A: AMENDED CHAPTER, Platting and Subdivisions, Definitions (Title 18)**

### Chapter 18.08 - DEFINITIONS

#### **Sections:**

#### 18.08.133 - Department.

"Department" means the ~~resource stewardship~~ community planning and economic development department, its director, or its designee, unless, otherwise specified in this title.

## **ATTACHMENT – B: AMENDED CHAPTER, Platting and Subdivisions, Preliminary Plat (Title 18)**

### Chapter 18.12 – PRELIMINARY PLAT

#### **Sections:**

#### 18.12.150 – Duration of approval.

The following definitions shall be used in the interpretation and administration of this title. The definition of various terms as presented in this section does not necessarily represent the same definitions as may be found for the same terms in other chapters of the Thurston County Code.

- A. Approval of the preliminary plat shall be effective for five years from the date of approval, during which time a final plat or plats may be submitted. During this time the terms and conditions upon which the preliminary approval was given will not be changed without the applicant's consent. A final plat meeting all requirements of this title shall be submitted to the board of county commissioners for approval within five years of the date of preliminary plat approval. An applicant who files a written request with the department at least thirty calendar days before the expiration of this five-year period shall be granted a up to three one-year extensions of the approval period by the department; provided, that the department finds that the preliminary plat is consistent with the adopted comprehensive plan, is consistent with applicable public health and safety standards, and there are no emerging adverse environmental issues relevant to the project. If the department cannot make the above findings, the department shall schedule a public hearing before the hearing examiner to consider the requested one-year extension of time, in accordance with the procedures of this title and Chapter 2.06 TCC.
- B. If the preliminary plat consists of more than ~~two~~ one hundred living units or lots and ~~one-half~~ ten percent of the total lots have received final plat approval, an applicant who files a written request with the department at least thirty calendar days before the expiration of the five-year approval period may be granted up to five ~~one~~ two-year extensions of the

Title 18 – PLATTING AND SUBDIVISIONS  
 AMENDED Chapter 18.08 – DEFINITIONS  
 AMENDED Chapter 18.12 – PRELIMINARY PLAT

**ATTACHMENT B: DELIBERATIVE STRIKETHROUGH DRAFT – OPTION B**

approval period by the department; provided, that a final plat has been filed during each two-year extension. The department shall grant the extension of time upon finding that the preliminary plat is consistent with the adopted comprehensive plan, is consistent with applicable public health and safety standards and there are no emerging adverse environmental issues relevant to the project. If the department cannot make the above findings, the department shall schedule a public hearing before the hearing examiner to consider the requested ~~one-year~~ extension of time, in accordance with the procedures of this title and Chapter 2.06 TCC.

- C. ~~The provisions of subsection B of this section above shall apply to extensions of preliminary plats that have not expired prior to the effective date of this ordinance, with more than two hundred lots applied for or approved prior to the effective date of the ordinance codified in this section.\*~~
- D. ~~The hearing examiner may approve a preliminary plat with a provisional extended approval clause, allowing sequential one-year extensions of the preliminary approval by the department, for up to ten years beyond the initial five-year approval, for a total of fifteen years, subject to all of the following conditions and Section 18.12.150(E), below:~~
- ~~1. The preliminary plat meets the requirements of Chapter 20.30A, Planned Rural Residential Development;~~
  - ~~2. The preliminary plat includes four hundred or more residential units;~~
  - ~~3. The preliminary plat reflects phased development over a period that is between six and fifteen years; and~~
  - ~~4. The terms and conditions of preliminary approval may be changed if the legislative authority finds that a change of conditions creates a serious threat to the public health or safety in the subdivision.~~
- E. ~~The department may grant up to ten one-year extensions of preliminary approval for a preliminary plat that has been granted a provisional extended approval clause pursuant to Section 18.12.050(D), above, provided the following conditions are met:~~
- ~~1. The applicant files a written request with the department at least thirty calendar days before the expiration of the most recent preliminary approval period;~~
  - ~~2. The department finds that the preliminary plat is consistent with the adopted comprehensive plan, is consistent with applicable health and safety standards, and there are no emerging adverse environmental issues relevant to the project; and~~
  - ~~3. A final plat has been filed each year for all previous one-year extensions.~~

~~If the department cannot make the findings noted above, the department shall schedule a public hearing before the hearing examiner to consider the requested one-year extension of time, in accordance with the procedures of this title and Chapter 2.06 TCC.~~

- FD. Knowledge of the expiration date and initiation of a request for extension of approval time is the responsibility of the applicant. Thurston County is not responsible for providing notification prior to expiration.

**Thurston County Community Planning and Economic Development  
Department**

**Community Planning Division**

**THURSTON COUNTY PLANNING  
COMMISSION DRAFT**

**Chapters: 18.08 AND 18.12**

September 4<sup>th</sup>, 2019

**PLAT EXTENSIONS.**

**Chapter:**

**18.08.133 (attachment-A)  
18.12.150 (attachment-B)  
(Amended)**

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Title 18 – PLATTING AND SUBDIVISIONS  
 AMENDED Chapter 18.08 – DEFINITIONS  
 AMENDED Chapter 18.12 – PRELIMINARY PLAT  
**ATTACHMENT C: DELIBERATIVE STRIKETHROUGH DRAFT – OPTION C**

## **ATTACHMENT – A: AMENDED CHAPTER, Platting and Subdivisions, Definitions (Title 18)**

Chapter 18.08 - DEFINITIONS

### **Sections:**

18.08.133 - Department.

"Department" means the ~~resource stewardship community planning and economic development~~ department, its director, or its designee, unless, otherwise specified in this title.

## **ATTACHMENT – B: AMENDED CHAPTER, Platting and Subdivisions, Preliminary Plat (Title 18)**

Chapter 18.12 – PRELIMINARY PLAT

### **Sections:**

18.12.150 – Duration of approval.

The following definitions shall be used in the interpretation and administration of this title. The definition of various terms as presented in this section does not necessarily represent the same definitions as may be found for the same terms in other chapters of the Thurston County Code.

- A. Approval Length. Approval of the preliminary plat shall be effective for five years from the date of approval, during which time a final plat or plats may be submitted. During this time the terms and conditions upon which the preliminary approval was given will not be changed without the applicant's consent. A final plat meeting all requirements of this title shall be submitted to the board of county commissioners for approval within five years of the date of preliminary plat approval. ~~An applicant who files a written request with the department at least thirty calendar days before the expiration of this five year period shall be granted a one year extension of the approval period by the department; provided, that the department finds that the preliminary plat is consistent with the adopted comprehensive plan, is consistent with applicable public health and safety standards, and there are no emerging adverse environmental issues relevant to the project. If the department cannot make the above findings, the department shall schedule a public hearing before the hearing examiner to consider the requested one year extension of time, in accordance with the procedures of this title and Chapter 2.06 TCC.~~
- B. Extensions.

Title 18 – PLATTING AND SUBDIVISIONS  
 AMENDED Chapter 18.08 – DEFINITIONS  
 AMENDED Chapter 18.12 – PRELIMINARY PLAT

**ATTACHMENT C: DELIBERATIVE STRIKETHROUGH DRAFT – OPTION C**

1. Phased Development Extensions. Approved phased development may receive one two-year extension for each phase of the development, in accordance with the criteria in (C) of this section.
2. Nonphased Development Extensions. Except as otherwise provided in code, approved permits may receive one three-year extension in accordance with the criteria in subsection (C) of this section.

~~If the preliminary plat consists of more than two hundred living units or lots and one-half the total lots have received final plat approval, an applicant who files a written request with the department at least thirty calendar days before the expiration of the five year approval period may be granted up to five one year extensions of the approval period by the department; provided, that a final plat has been filed each year. The department shall grant the extension of time upon finding that the preliminary plat is consistent with the adopted comprehensive plan, is consistent with applicable public health and safety standards and there are no emerging adverse environmental issues relevant to the project. If the department cannot make the above findings, the department shall schedule a public hearing before the hearing examiner to consider the requested one year extension of time, in accordance with the procedures of this title and Chapter 2.06 TCC.~~

- ~~C. The provisions of subsection B of this section above shall apply to preliminary plats with more than two hundred lots applied for or approved prior to the effective date of the ordinance codified in this section.\*~~
- ~~D. The hearings examiner may approve a preliminary plat with a provisional extended approval clause, allowing sequential one year extensions of the preliminary approval by the department, for up to ten years beyond the initial five year approval, for a total of fifteen years, subject to all of the following conditions and Section 18.12.150(E), below:~~
- ~~1. The preliminary plat meets the requirements of Chapter 20.30A, Planned Rural Residential Development;~~
  - ~~2. The preliminary plat includes four hundred or more residential units;~~
  - ~~3. The preliminary plat reflects phased development over a period that is between six and fifteen years; and~~
  - ~~4. The terms and conditions of preliminary approval may be changed if the legislative authority finds that a change of conditions creates a serious threat to the public health or safety in the subdivision.~~
- ~~EC. The department may grant up to ten one year extensions of preliminary approval for a preliminary plat that has been granted a provisional extended approval clause pursuant to Section 18.12.050(D), above, provided the following conditions are met Criteria for Extensions:~~
- ~~1. The applicant files a written request with the department at least thirty calendar days before the expiration of the most recent preliminary approval period;~~
  - ~~2. The department finds that the preliminary plat is consistent with the adopted comprehensive plan, is consistent with applicable health and safety standards,~~

Title 18 – PLATTING AND SUBDIVISIONS  
AMENDED Chapter 18.08 – DEFINITIONS  
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and there are no emerging adverse environmental issues relevant to the project;  
~~and~~

3. Phased developments have submitted a phased development plan with their preliminary plat application; and A final plat has been filed each year for all previous one year extensions.
4. The department finds that the extension for a preliminary plat does not exceed ten total years of extensions.

If the department cannot make the findings noted above, the department shall schedule a public hearing before the hearings examiner to consider the requested ~~one year~~ extension of time, in accordance with the procedures of this title and Chapter 2.06 TCC.

FD. Knowledge of the expiration date and initiation of a request for extension of approval time is the responsibility of the applicant. Thurston County is not responsible for providing notification prior to expiration.