A-13: RSR Impervious Surface Review

Date: April 5, 2017

Public Hearing Date: Estimated Date May 3, 2017

Prepared by: Jeremy Davis, Senior Planner

Proponent/Applicant: Thurston County Long Range Planning Division of the Resource Stewardship Department.

Action Requested: Amend Zoning Ordinance to Review Adopted Impervious Surface Limits in the Residential Sensitive Resource 2-4 DU/Acre Zoning District

Set date for public hearing.

☐ Map Changes  ☑ Text Changes  ☐ Both  ☐ Affects Comprehensive  ☐ Plans/documents
☒ Affected Jurisdictions: City of Tumwater

ISSUE
During the implementation of the Low Impact Development Standards, adopted by Ordinance No. 15390 for the Tumwater UGA Zoning Ordinance, it was found that the new standard for the Residential Sensitive Resource 2-4 Dwelling Unit per Acre Zoning District did not account for larger lots.

The City of Tumwater is currently moving forward with a proposed amendment to address this issue, which is scheduled to go to City Council in April 2017.

PROPOSED OPTIONS
Staff has prepared the following three options for the Planning Commission to consider. Options may be modified as desired by the Planning Commission. Public notice for the public hearing will be structured to inform the public of possible changes.

OPTION A: Amend the Tumwater UGA Zoning Ordinance (Title 22) to be consistent with the current City of Tumwater recommendation as outlined above.

OPTION B: Amend the Tumwater UGA Zoning Ordinance (Title 22) to revert back to the previous standard effective prior to December 31, 2016.

OPTION C: Leave the current standard in place.
ANALYSIS

Use of RSR in Tumwater and the Tumwater UGA

The Residential/Sensitive Resource (RSR) designation was created to address environmentally sensitive areas and as a method to preserve open space. It was included in the 1995 Tumwater/Thurston County Joint Plan and Title 22 Tumwater Urban Growth Area Zoning in 1996. The intent is to accommodate low-density residential neighborhoods while still meeting density goals of the Growth Management Act and provide services. The use of this designation in the 1995 Joint Plan was limited to areas that included sensitive wetlands and areas in sensitive watersheds (Percival Creek).

The Thurston County/Tumwater Joint Plan was amended in 2010 to account for surfacing high groundwater flooding issues outlined in the Salmon Creek Basin Plan. The RSR designation was specifically amended in the joint plan in 2010 to apply to environmentally hazardous areas.

Attachment A includes the current Joint Plan Land Use Maps for the unincorporated Tumwater UGA as well as the current City of Tumwater Comprehensive Plan Land Use Map. Please note, the joint plan land use map still includes two large areas that have been annexed by the City of Tumwater.

Also in Attachment A, are maps of the areas zoned RSR 2-4 DU/AC in the unincorporated Tumwater UGA, including:

<table>
<thead>
<tr>
<th>Name</th>
<th>Number of Parcels</th>
<th>Total Acreage</th>
<th>Parcel Size Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Sapp Road</td>
<td>8</td>
<td>51.31</td>
<td>1.18 to 9.82</td>
</tr>
<tr>
<td>2 Sapp Road 2</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>3 Sapp &amp; Linwood</td>
<td>7</td>
<td>10.11</td>
<td>0.44 to 2.46</td>
</tr>
<tr>
<td>4 Linwood Avenue</td>
<td>6</td>
<td>8.99</td>
<td>0.24 to 2.38</td>
</tr>
<tr>
<td>5 Rural &amp; Trosper</td>
<td>1</td>
<td>13.89</td>
<td>13.89</td>
</tr>
<tr>
<td>6 88th Avenue</td>
<td>70</td>
<td>147.07</td>
<td>0.06 to 18.31</td>
</tr>
<tr>
<td>Totals</td>
<td>93</td>
<td>232.37</td>
<td>0.06 to 18.31</td>
</tr>
</tbody>
</table>

The parcel sizes in the zoning district currently range from 0.06 up to 18.31. There are four parcels greater than 10.0 acres, ten parcels between 5.01 and 10.0 acres, 28 parcels between 1.0 and 5.01 acres, with the remaining 51 parcels one acre or less.

Other Critical Areas in the Study Areas:

The RSR designation has also been used for properties with other critical areas such as significant wetlands, riparian areas, and uplands of important streams such as Percival Creek. This designation is used along with the County’s Critical Areas Ordinance to protect sensitive areas.

High Groundwater Flooding and Critical Areas Regulations:

The 88th Avenue area is designated as RSR 2-4 in the southern Tumwater UGA and is subject to periodic surfacing high groundwater flooding. Surfacing high groundwater flood regulations will still limit development in areas prone to this type of flooding. Areas that are subject to high
groundwater flooding were added as a special management area in the Thurston County Critical Areas regulations in 2000 with Ordinance No. 12155. These regulations were updated and amended with the 2012 Critical Areas Ordinance Update. The regulations were the result of the serious groundwater flooding that occurred throughout Thurston County in 1998-1999. This flooding led Thurston County to declare a local emergency in February of 1999 (Resolution No. 11890), which was replaced in May 1999 (Resolution No. 11931), and to adopt a moratorium (Ordinance No. 12010) in August of 1999 suspending the issuance of certain permits, including subdivision and building permits, until high groundwater regulations could be adopted. This flooding also resulted in the Salmon Creek Basin Plan.

High groundwater flooding occurs when subsurface geologic conditions prevent water from moving out of an area either to a deeper aquifer or laterally through the soil as fast as the water enters the groundwater system. Aside from surface flooding, high groundwater can cause the failure of on-site wastewater treatment systems, contamination of drinking water wells, and interfere with surface stormwater facilities.

December 2016 Low Impact Development Amendments

The County adopted new low impact development regulations in the Tumwater UGA with Ordinance No. 15390. Previous to this, there was no stated impervious surface standard for this zoning district. Impervious surfaces were limited by the overall density limitations, building coverage on each lot, and other limits. The new standards changed the lot coverage standards from an overall building coverage limit to an impervious surface coverage limit.

22.08.050 - Density regulations.

Density regulations in the RSR zone district are as follows:

…

G. Lot Coverage, Maximum for All Buildings:impervious surface: forty percent of total area of the lot or seven thousand five hundred square feet, whichever is less;

…

In the past couple of months it has been found this standard does not adequately account for the larger lots found in areas designated as RSR in the unincorporated Tumwater UGA.

City of Tumwater Recommendations

The City of Tumwater began working on the proposed amendment with their planning Commission in February 2017, and is expected to complete their decision in April or May of this year depending on City Council timelines.

The City of Tumwater Planning Commission held a public hearing on March 14, 2017. The written public hearing comments are located in Attachment B.

The current City of Tumwater Planning Commission recommendation to their City Council is included in Attachment C. If there are any changes from the City Council, staff will provide these to the Planning Commission in advance of the public hearing.
Thurston County Code Amendments
The recommended changes for the County’s Tumwater UGA Zoning Ordinance (Title 22), based on the city’s current proposed amendments, would result in the following amendments:

22.08.050 Density Regulations.
...
G. Lot coverage, maximum for all buildings impervious surface:
1. The maximum impervious surface for lots smaller than one acre is forty percent of the total area of the lot or seven thousand five hundred square feet, whichever is less;
2. The maximum impervious surface for lots between one acre and less than five acres is seven thousand five hundred square feet plus an additional two thousand square feet for every additional acre in lot size, rounded to the nearest acre;
3. The maximum impervious surface for lots five acres and larger is fifteen thousand five hundred square feet plus an additional three thousand square feet for every additional acre in lot size, rounded down to the nearest acre.
...

Table 22.08.050(G) LOT COVERAGE IMPERVIOUS SURFACE
Please See 22.08.050(G) for Specific Standards

<table>
<thead>
<tr>
<th>Acres</th>
<th>Max Impervious Surface (in Sq. Ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.25</td>
<td>4,356</td>
</tr>
<tr>
<td>0.50</td>
<td>7,500</td>
</tr>
<tr>
<td>0.75</td>
<td>9,500</td>
</tr>
<tr>
<td>1.00</td>
<td>11,500</td>
</tr>
<tr>
<td>2.00</td>
<td>13,500</td>
</tr>
<tr>
<td>3.00</td>
<td>15,500</td>
</tr>
<tr>
<td>4.00</td>
<td>18,500</td>
</tr>
<tr>
<td>5.00</td>
<td>21,500</td>
</tr>
<tr>
<td>6.00</td>
<td>24,500</td>
</tr>
<tr>
<td>7.00</td>
<td></td>
</tr>
<tr>
<td>8.00</td>
<td>27,500</td>
</tr>
<tr>
<td>9.00</td>
<td>30,500</td>
</tr>
<tr>
<td>10.00</td>
<td>33,500</td>
</tr>
<tr>
<td>11.00+</td>
<td>See 22.08.050(G)</td>
</tr>
</tbody>
</table>

There are also two minor amendments proposed to the definitions for building coverage and lot coverage to correct inconsistencies with the recent low impact development amendments.
Section 22.04.080 Building Coverage.

“Building coverage”. See “lot coverage,” Section 22.04.325, means the amount or percentage of ground area covered or occupied by buildings, usually expressed in square feet or percentage of the lot.

Section 22.04.325 Lot Coverage.

"Lot coverage" means the amount or percentage of ground area covered or occupied by impervious surface(s) building(s) usually expressed in square feet or percentage of land on the lot and measured horizontally at the foundation.

Impervious Surface Coverage for Options:

The three options mentioned above will result in different impervious surface coverage limits. Below are three examples comparing a 12,500 sq. ft. lot, a 2.5 acre lot, and a 10 acre lot under each option. The sizes were selected to compare the three levels of impervious surface coverage in the City of Tumwater proposal with existing and past requirements.

0.25 acre lot:

<table>
<thead>
<tr>
<th>Option</th>
<th>Impervious Surface Limits</th>
<th>Effective % Lot Coverage</th>
<th>Lot Coverage in Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. City of Tumwater Recommendation</td>
<td>7,500 sq. ft or 40% whichever is less</td>
<td>40%</td>
<td>4,356</td>
</tr>
<tr>
<td>B. Current Tumwater UGA Zoning Ordinance</td>
<td>7,500 sq. ft. or 40% whichever is less</td>
<td>40%</td>
<td>4,356</td>
</tr>
<tr>
<td>C. Previous Zoning Ordinance</td>
<td>40% Building Coverage</td>
<td>40% plus driveways and patios</td>
<td>4,356+ (Only Buildings)</td>
</tr>
</tbody>
</table>

3 Acre Lot (130,680 sq. ft.):

<table>
<thead>
<tr>
<th>Option</th>
<th>Impervious Surface Limits</th>
<th>Effective % Lot Coverage</th>
<th>Lot Coverage in Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. City of Tumwater Recommendation</td>
<td>9,500 sq. ft. plus 2,000 sq. ft. per acre for each acre above one acre</td>
<td>10.3%</td>
<td>13,500</td>
</tr>
<tr>
<td>B. Current Tumwater UGA Zoning Ordinance</td>
<td>7,500 sq. ft. or 40% whichever is less</td>
<td>5.7%</td>
<td>7,500</td>
</tr>
<tr>
<td>C. Previous Zoning Ordinance</td>
<td>40% Building Coverage</td>
<td>40% plus driveways and patios</td>
<td>52,272+ (Only Buildings)</td>
</tr>
</tbody>
</table>
10 Acre Lot (435,600 sq. ft.):

<table>
<thead>
<tr>
<th>Option</th>
<th>Impervious Surface Limits</th>
<th>Effective % Lot Coverage</th>
<th>Lot Coverage in Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. City of Tumwater Recommendation</td>
<td>9,500 sq. ft. plus 3,000 sq. ft. per acre for each acre above five acres</td>
<td>7.7%</td>
<td>33,500</td>
</tr>
<tr>
<td>B. Current Tumwater UGA Zoning Ordinance</td>
<td>7,500 sq. ft. or 40% whichever is less</td>
<td>1.7%</td>
<td>7,500</td>
</tr>
<tr>
<td>C. Previous Zoning Ordinance</td>
<td>40% Building Coverage</td>
<td>40% plus driveways and patios</td>
<td>174,240+ (4 acres) (Only Buildings)</td>
</tr>
</tbody>
</table>

DEPARTMENT RECOMMENDATION
Staff recommends Option A, and requests the Planning Commission set a public hearing for, May 3, 2017 at 7:00 p.m. to receive public testimony on proposed amendments to the Tumwater UGA Zoning Ordinance (Title 22) as outlined in the staff report.

SEPA
An environmental determination for the proposed code amendment to amend the Tumwater UGA Zoning Ordinance is required pursuant to WAC 197-11-704. That will be completed following the Planning Commission recommendation on the proposed amendments.

NOTIFICATION
This briefing was posted online and sent to the Resource Stewardship Department Long Range Planning Division’s webmail subscribers. After Planning Commission sets the date for public hearing, notification will be posted online and published in the Olympian and sent to webmail subscribers at least twenty (20) days prior to the scheduled hearing as required by Chapter 2.05 TCC.

PUBLIC COMMENT
Staff has included public comments received by the County and the City of Tumwater Planning Commission at their public hearing. Public comments are supportive of amending the current standards.

ATTACHMENTS
Attachment A: Comprehensive Plan Land Use Maps and Study Area Maps
Attachment B: Public Comments
Attachment C: Current Draft City of Tumwater Ordinance as Recommended by the Tumwater Planning Commission
Attachment D: Draft Options for Thurston County Planning Commission
Attachment A: Maps
Tumwater UGA
Residential Sensitive Resource 2-4 Units Per Acre

<table>
<thead>
<tr>
<th>Map Area</th>
<th># Parcels</th>
<th>Total Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>8</td>
<td>51.31</td>
</tr>
<tr>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>3</td>
<td>7</td>
<td>10.11</td>
</tr>
<tr>
<td>4</td>
<td>6</td>
<td>8.99</td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>13.89</td>
</tr>
<tr>
<td>6</td>
<td>69</td>
<td>147.07</td>
</tr>
<tr>
<td>Total</td>
<td>92</td>
<td>232.37</td>
</tr>
</tbody>
</table>
### Sapp Road

#### Parcels in R/SR Zoning

<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Acres</th>
<th>Parcel Number</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>12828430200</td>
<td>1.18</td>
<td>12833120201</td>
<td>5.07</td>
</tr>
<tr>
<td>12828430300</td>
<td>9.82</td>
<td>12833120300</td>
<td>9.82</td>
</tr>
<tr>
<td>12833110600</td>
<td>1</td>
<td>12833120400</td>
<td>9.82</td>
</tr>
<tr>
<td>12833120200</td>
<td>4.78</td>
<td>12833120500</td>
<td>9.82</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total Acres</strong></td>
<td><strong>51.31</strong></td>
</tr>
</tbody>
</table>

- **Parcels in R/SR Zoning**
- **Urban Growth Area Boundary**
- **R/SR Zoning**
- **City/Town Limits**
Sapp Road

<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>12833110400</td>
<td>1</td>
</tr>
</tbody>
</table>

**Total Acres**: 1

- **Parcels in R/SR Zoning**
- **R/SR Zoning**
- **Urban Growth Area Boundary**
- **City/Town Limits**

**Map Details**:
- **Sapp Road**: 0 200 100 Feet

Page 12 of 51
Sapp & Linwood

<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>12834220200</td>
<td>2.45</td>
</tr>
<tr>
<td>33203900100</td>
<td>1.88</td>
</tr>
<tr>
<td>33203900101</td>
<td>0.99</td>
</tr>
<tr>
<td>33203900102</td>
<td>0.45</td>
</tr>
<tr>
<td>33203900103</td>
<td>2.46</td>
</tr>
<tr>
<td>33203900104</td>
<td>0.44</td>
</tr>
<tr>
<td>33203900600</td>
<td>1.44</td>
</tr>
</tbody>
</table>

**Total Acres** 10.11

- Parcels in R/SR Zoning
- R/SR Zoning
- Urban Growth Area Boundary
- City/Town Limits
Linwood Avenue

Parcels in R/SR Zoning

Urban Growth Area Boundary

R/SR Zoning

City/Town Limits

<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Acres</th>
<th>Parcel Number</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>80700000200</td>
<td>2.12</td>
<td>80700000301</td>
<td>0.24</td>
</tr>
<tr>
<td>80700000201</td>
<td>1.88</td>
<td>80700000302</td>
<td>0.37</td>
</tr>
<tr>
<td>80700000300</td>
<td>2.38</td>
<td>80700000400</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Acres</strong></td>
<td><strong>8.99</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Attachment B: Public Comments
City of Tumwater &
Thurston County Docketing Process
Site Plan A: This site plan represents my current home and pole barn, my proposed ADU and garage, and two future outbuildings—one on each end of my 9.82 acres. This plan reflects the spirit of the Residential/Sensitive Resource Zone as it leaves 92% of my property unusable. This site plan matches the intent of the R/SR by establishing neighborhoods in a manner that is compatible with areas of unique open space character and environmental sensitivity. This measurement of impervious surface would allow for a home, outbuildings, a pole barn, and an ADU structure with farm equipment storage. The future outbuildings could be used for storing hay and providing shelter for my grass fed beef.

Site Plan B: This site plan illustrates the amount of property I could use with the current maximum impervious surface of 7500 sq ft. My property is too large to gain reasonable use of my land when held to this maximum. This measurement leaves 98.25% of my property unusable. As you can see, this is a substantial difference in allowable use compared to the property you see adjacent to mine. This deprives me of my right to enjoy my property to the same extent as others in this district. This unfair limit confers upon my neighbors a special privilege of enjoying their property that I am denied.

Site Plan A I am requesting the Planning Commission to adopt an impervious surface measurement that would allow the structures and driveways as shown. This measurement would be 7500 sq ft plus an additional 2750 sq ft per acre:

\[
9.82 \text{ acres} \times 2750 \text{ sq ft} = 27,005 \text{ sq ft} \\
+ \quad 7,500 \text{ sq ft} \\
\frac{34,505 \text{ sq ft}}{
\]

Site Plan A requires 33,415 sq ft of impervious surface with structures and driveways as shown.

The large size of my parcel, along with many other large parcels in this zoning district, justifies increasing the impervious surface coverage to a measurement that can allow for long driveways and structures that have to be placed in environmentally suitable locations. This measurement would result in the following percentages of impervious surface:
1 acre  17.22% coverage leaving 82.78% protected and unusable
2 acres  14.92% coverage leaving 85.08% protected and unusable
5 acres  9.76% coverage leaving 90.24% protected and unusable
9.82 acres  8.07% coverage leaving 91.93% protected and unusable
20 acres  7.17% coverage leaving 92.83% protected and unusable

These lot coverage maximums are in harmony with the intent of this zone, as they would allow property owners to build necessary structures and driveways yet keep the coverage low. These percentages are significantly below the allowable 40% that smaller lots are allowed in this zone. This formula for large parcels would also provide opportunities for residents to use their land for agricultural purposes as well as enjoy the option of building necessary outbuildings.

Our properties and the sensitive areas within the R/SR zone are already very protected and limited with setbacks already required for critical areas we have on our parcels. Areas such as seasonal streams, wetlands, steep slopes and gopher soils are often all seen on the same property. Adding too limiting of an impervious surface allowance would be an unnecessary burden added on top of already overwhelming barriers. I urge the Planning Commission to adopt the 7500 sq ft plus an additional 2750 sq ft per acre allowance for this zone. I hope you see from my Site Plan that this is not an excessive amount of impervious surface and would allow citizens reasonable freedom in the use of their own property.
Site Plans Reflecting Different Impervious Surface Allowances

Thank you for your work on amending the Tumwater Municipal Code to support agricultural use in the Residential/Sensitive Resource Zone.

The planned changes are a tremendous improvement over the 7500 sq ft maximum impervious surface limit that currently exists. However, the proposed impervious surface measurement of 7500 sq ft + 2000 sq ft for each additional acre is still too limiting for larger parcel owners to gain reasonable use and enjoyment of their property. I am proposing that the limit be increased to a minimum of 7500 sq ft + 2750 sq ft for each additional acre.

I have three illustrations of my property showing how each of these different limits would affect a property owner. The three scenarios include A) A site plan with current and future buildings that would allow reasonable freedoms in the residential and agricultural use of my property. This is an example of my proposed limit of 7500 sq ft + 2750 sq ft for each additional acre. B) A site plan with the 7500 sq ft limit that is currently in place. And C) A site plan showing my current buildings plus the maximum amount of additional impervious surface I would be allowed under the proposal of 7500 sq ft + 2000 sq ft for each additional acre.

**Site Plan A:** This site plan represents my current home and barn, my proposed ADU/equipment garage, and two future outbuildings—one on each end of my 9.82 acres. The two future outbuildings would be used for storing hay and providing shelter for my grass fed beef. This plan of 8.07% impervious surface reflects the spirit of the Residential/Sensitive Resource Zone as it leaves 91.93% of my property protected and unusable. This site plan matches the intent of the Residential/Sensitive Resource district by establishing neighborhoods in a manner that is compatible with areas of unique open space character and environmental sensitivity. As you can see, with 91.93% of the property left unusable, this is well within the parameters of unique open space and environmental protection. It would also provide for necessary structures in pursuing agricultural use as encouraged in the City’s Urban Agriculture Chapter 22.37.

**Site Plan B:** This site plan illustrates the amount of property I could use with the current maximum impervious surface of 7500 sq ft as it stands today. This limit is obviously unrealistic at 1.75% allowable impervious surface and prohibits any meaningful use of larger parcels. The current limit leaves 98.25% of my property unusable. This is a stark difference in allowable use compared to
the property adjacent to mine on the east. A result of this limit is that large property owners are being deprived of their right to enjoy their property to the same extent as others in this district.

**Site Plan C:** This site plan illustrates the maximum amount of impervious surface I would be allowed with the proposed 7500 sq ft + 2000 sq ft for each additional acre. This limit would allow me only 6.34% use of my land and prevent me from using 93.66%. Limiting impervious surface to this degree restricts me from using any of the rest of my land for necessary outbuildings supporting my agricultural use.

This proposal is too limiting to fulfill the purpose of the Urban Agriculture Chapter (22.37.010) where it states that "Urban agricultural activity for personal use on individual single family lots, or on common property for community agricultural use, or in the form of small commercial urban farms, can add to the urban fabric and create a richer context for urban neighborhoods. These beneficial uses can be accommodated without sacrificing the objectives of the state Growth Management Act and designated urban areas."

The difficulty with this small of a limit is, in part, due to the amount of impervious surface needed for driveways. Large lots with environmentally sensitive areas can require more than half of the allowed square footage just for driveways. For instance, this site plan has 17,200 sq ft of gravel driveways which leaves less than 10,000 sq ft for actual useful structures.

I am proposing the Planning Commission adopt an impervious surface measurement that would allow enough square footage for the structures and driveways as shown in **Site Plan A**. At minimum, I believe this measurement would be 7500 sq ft plus an additional 2750 sq ft per acre:

\[
9.82 \text{ acres} \times 2750 \text{ sq ft} = 27,050 \text{ sq ft} \\
+ \quad 7,500 \text{ sq ft}
\]

\[
34,550 \text{ sq ft necessary impervious surface}
\]

Site plan A requires 33,415 sq ft of impervious surface. That total falls just under my proposed limit of 34,505 sq ft by 1090 sq ft.

Using the formula above, my proposal would result in the following percentages of impervious surface:
1 acre  17.22% coverage leaving 82.78% protected and usable
2 acres  14.92% coverage leaving 85.08% protected and usable
5 acres  9.76% coverage leaving 90.24% protected and usable
9.82 acres  8.07% coverage leaving 91.93% protected and usable
10 acres  8.03% coverage leaving 91.97% protected and usable
20 acres  7.17% coverage leaving 92.83% protected and usable

I understand there was a desire to keep the coverage limits to around 6%. However, trying to adjust the additional square footage per acre just to correlate to a 6% measurement is really an artificial procedure. Looking at the real results and consequences of those limits should be the driving factor. We’re talking about approximately a 2% difference. Is it really necessary that I keep 93.66% of my property unusable? Or would 91.93% still be okay? (Keep in mind that my 8.07% of coverage would be severely below the 40% coverage that smaller lots are allowed in this zone.)

This formula for large parcels would provide opportunities for residents to use their land for residential and agricultural purposes as well as build necessary outbuildings. These proposed lot coverage maximums are in harmony with the intent of this zone, as my lot would still leave intact 91% of unique open space.

In conclusion, our properties within the R/SR zone are already very protected and limited with a plethora of setbacks required for critical areas. Conditions such as seasonal streams, wetlands, steep slopes, and gopher soils are often all found on the same property. Adding too limiting of an impervious surface allowance would add an unnecessary burden on top of already overwhelming barriers. I urge the Planning Commission to adopt, at the very least, “7500 sq ft + 2750 sq ft additional per acre”. From my drawings on Site Plan A, I hope you agree that this is not an excessive amount of impervious surface and illustrates the minimum amount needed to allow citizens reasonable freedom in the use of their own property.

Sincerely,

Jorjana Pedersen
2425 Sapp Rd. SW
3-14-2017

Dear Planning Commission,

I have owned approximately 10 acres at 2519 Sapp Rd SW for almost 50 years. I have been using this property very modestly and preserving its natural condition for the benefit of the generations who will come after me. This property was part of the original land grant my husband's grandfather was issued in 1869. My family has continued to be good stewards of this land for 148 years. The time will come when I leave these 10 acres to my own two children. My hopes and dreams for this treasured land is that I can provide each of my children with a building site.

The current limitation of 7500 sq ft of impervious surface has just taken that dream away. My property has so many other critical areas that reaching a building site outside of the seasonal streams, wet areas, and steep slopes would be impossible with only 7500 sq ft allowed. My property is about 1260 feet long and 325 ft wide. A steep slope runs right down the middle with a seasonal stream not too far from it. In order to avoid those areas and meet the existing setbacks, a long driveway would have to be built to reach the back of my property. You can see that reaching 1000 - 1200 feet back with a driveway would take over 10,000 sq ft of impervious surface. That makes it impossible all together.

I don't think the people who wrote the limit of 7500 sq ft really looked to see what that limit would be doing to property owners. I hope you will increase the limits to an amount high enough to build a long driveway and a nice size house with outbuildings. An adequate and reasonable amount of building is what should be allowed.

The extreme limitation that exists now seems to be a regulation for the sake of a regulation. The critical areas are already tremendously protected by setbacks preventing most of our land from being used anyway. The limits already in place are satisfactorily protecting the environment and keeping it safe. Please help change this unfair limit, as we have taken great care of this property over the last 148 years and really don't need ridiculous rules to help us.

Thank you for pursuing this change.

Sincerely,

Rosemary Shattuck
<table>
<thead>
<tr>
<th>Name</th>
<th>Email Address</th>
<th>City/Zip</th>
<th>Street Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tara Schneider</td>
<td><a href="mailto:tsc@newyork.com">tsc@newyork.com</a></td>
<td>NY 10123</td>
<td>245 Kinelsey Lane</td>
</tr>
<tr>
<td>Jordan Redden</td>
<td><a href="mailto:jredden@nyc.com">jredden@nyc.com</a></td>
<td>NY 10123</td>
<td>235 DeGall St</td>
</tr>
<tr>
<td>Mike Stark</td>
<td><a href="mailto:mstark@nyc.com">mstark@nyc.com</a></td>
<td>NY 10123</td>
<td>374 Kinelsey Lane</td>
</tr>
<tr>
<td>Cali Polk</td>
<td><a href="mailto:cpolk@nyc.com">cpolk@nyc.com</a></td>
<td>NY 10123</td>
<td>214 South Rd Sw</td>
</tr>
</tbody>
</table>

Please Print.
City of Tumwater planning Commission

Mike Shattuck

Parcel # 12828430203

I own 3.92 acres now the city. This property was sub divided and acquired prior to annexation and then was required to have minimum access frontage on Sapp Road... This access is approximately 30' wide x 1200' in length to the rear of property. Assuming a single access drive way would acceptable, this could result in 24000 sq. ft. of impervious surface for just the access. Under current plan and the new plan (barring any unknown exceptions) as far as I can see even considering some sort of permeable option this property would not be developable for even one small single home, making the property worthless for my future plans. Consideration or exceptions should be included for access needed to existing unique parcels.
March 14, 2017

Dear Planning Commission and Commissioners,

Our family owns 9.82 acres in Tumwater at 2438 Sapp Road NW.

The current limitation of 7,500 sq ft discriminates against large property owners. I read the code to mean that property owners are allowed 7,500 sq ft of impervious surface or 40%, whichever is less.

This means that 1/2 acre of land is allowed nearly 40% of impervious surface and a 10 acre piece of land would be allowed only 2.5% of impervious surface.

These restrictions could also decrease the value of the land and create a negative point during any potential sale. At this point, we estimate that there is already 4,882 sq ft of coverage occupied by home, garage, and shed and a wild guess that the driveway takes up over 10,000 sq ft. That is approximately 14,882 already in use.

Lastly, in our family’s case, the entire northern portion and much of the eastern portion of our land is Category II wetlands and regulated setbacks. That, alone, greatly reduces our hopes for future development of our land.

Sincerely,

Teresa Shattuck
On behalf of Patricia Shattuck and Family.
I would like you to immediately address the maximum impervious surface limits in the Residential Sensitive Resource District by adding this issue to your 2016-2017 docket. The current 7500 sq ft maximum lot coverage is unnecessarily preventing larger parcel owners from utilizing their property. These limits left unchanged, will unfairly burden a high percentage of land owners in the Residential Sensitive Resource District.

Thank you for giving this issue your attention,
Joel Pedersen

Pedersen Land and Timber Inc.
Tumwater, WA 98512
360-878-1979
Dear Jeremy,

I would like to request the County add the item to amend Tumwater UGA Zoning Ordinance to Review Impervious Surface Coverage in the Residential Sensitive Resource Zoning District to their 2016-17 Docket. I have owned approximately 10 acres at 2519 Sapp Rd SW for almost 50 years. I have been using this property very modestly and preserving its natural condition for the benefit of the generations that will come after me. This property was part of the original land grant my husband's grandfather was issued in 1869. My family has continued to be good stewards of this land for 148 years. The time will come when I leave this 10 acres to my own two children. My hopes and dreams for this treasured land is that I can provide each of my kids with a building site.

The current limitation of 7500 sq ft of impervious surface has just taken that dream away. My property has so many other critical areas that reaching a building site outside of the seasonal streams, wet areas, and steep slopes would be impossible with only 7500 sq ft allowed. My property is about 1260 feet long and 325 ft wide. A steep slope runs right down the middle with a seasonal stream not too far from it. In order to avoid those areas and meet the existing setbacks, a long driveway would have to be built to reach the back of my property. You can see that reaching 1000 - 1200 feet back with a driveway would take over 10,000 sq ft of impervious surface. That makes it impossible all together. I don't think the people who wrote the limit of 7500 sq ft really looked to see what that limit would be doing to property owners. I hope you will add this to your Docket so you can increase the limits to an amount high enough to build a long driveway and a nice size house with outbuildings. This reasonable amount of building is what should be allowed for our freedom in the use of our own property.

This extreme limitation seems to be a regulation for the sake of a regulation. The critical areas are already tremendously protected by setbacks preventing most of our land from being used anyway. The limits already in place are satisfactorily protecting the environment and keeping it safe. Please help change this unfair limit, as we have taken great care of this property over the last 148 years and really don't need ridiculous rules to help us.

Thank you for looking into and pursuing this change.

Sincerely,
Mr. Davis,

I have been made aware of yet another issue regarding the Impervious Surface requirements in the Residential Sensitive Resource Zone District. As a real estate agent for many years in this area, I have had a number of clients and friends who have been affected by these well intentioned rules limited use on large parcels. While intended to protect resources, it seems it has had the un-intended effect of severely limiting the use of properties in an inequitable way with those having large parcels more adversely affected than others. All of the people I know that have been affected have not been trying to do major projects or disruptions, but rather trying to utilize the space in a minimal way. It seems that the current rules as written need to be revisited to perhaps better balance the impact on large and small parcels.

It seems this would be an ideal item to add to the County’s Docket for 2016-17 and I would encourage you to do so.

Thanks for your consideration.

Kelly McNamara, CRS
Coldwell Banker
360 790-8668 Cell
360 352-7651 Office
360 754-8054 FAX
mcnamara@coldwellbanker.com
Dear Jeremy Davis,

I would like to see the item regarding the “40% or 7500 sq ft, whichever is less” impervious surface limit in the RSR district reviewed and added to the Thurston County Docket for 2017. This should be done immediately as it is preventing larger parcel owners, like me, from reasonable use of their property. I have applied for a building permit, and this limit is currently preventing me from being issued a permit to build a necessary structure.

This limit is so restrictive that many property owners in the RSR zone have lost any ability at all to build on their parcels. The land within this zone is inherently restricted from building due to environmentally sensitive areas on these properties. Parcels in the RSR zone have critical areas such as seasonal streams, wetlands, steep slopes, and gopher soils. Just finding a suitable building site can be a challenge considering those parameters. The 7500 sq ft maximum impervious surface limit currently in place does not even allow a driveway long enough to access environmentally suitable building sites on many parcels. Consider a driveway that needs to be 750 ft long in order to reach a buildable site. This, in itself, at 10 ft wide reaches the 7500 sq ft limit. There are at least five 9.82 parcels in my neighborhood where long driveways were/will be necessary, mine included. I have a 1000 ft long driveway and the parcel next to mine has critical areas in every section except for the back of it. This will require at least an 1100 ft long driveway (11,000 total sq ft) to access an environmentally acceptable building site. The 7500 sq ft limit doesn’t even allow enough for completing a driveway.

Additionally, in my case, with a 9.82 acre parcel, imposing a 7500 sq ft limit on 427,759 sq ft of property is an unjustifiable limitation. This limitation results in only 1.75% use of my property. This is an inequitable limitation compared to the 40% coverage (which is a second measurement listed in this provision) allowed on neighboring lots within this RSR zone. This disproportionate limit is outside the original intent of the RSR zone. I was a member of the original committee to establish the RSR zone in 1995, and I recall this 7500 sq ft limit being written as a measurement for small lots within planned residential communities. Its application to larger lots is too limiting and unfair.

Both of these situations illustrate how the current impervious surface limit of “40% or 7500 sq ft, whichever is less” is unsuitable for larger parcels and should be amended as soon as possible. It is an unfair and unnecessary limitation on larger parcel owners and is preventing people from reasonable use and enjoyment of their land. I believe this regulation is posing undue hardship unnecessarily in carrying out the spirit of the RSR designation and request the County to add this item to their 2016-2017 Docket.

Thank you for your time and consideration in amending this,

Jorjana Pedersen
2425 Sapp Rd SW
Olympia, WA 98512
Dear Jeremy,

I would like to request the County add the item to amend Tumwater UGA Zoning Ordinance to Review Impervious Surface Coverage in the Residential Sensitive Resource Zoning District to their 2016-17 Docket. I have owned approximately 10 acres at 2519 Sapp Rd SW for almost 50 years. I have been using this property very modestly and preserving its natural condition for the benefit of the generations that will come after me. This property was part of the original land grant my husband's grandfather was issued in 1869. My family has continued to be good stewards of this land for 148 years. The time will come when I leave this 10 acres to my own two children. My hopes and dreams for this treasured land is that I can provide each of my kids with a building site.

The current limitation of 7500 sq ft of impervious surface has just taken that dream away. My property has so many other critical areas that reaching a building site outside of the seasonal streams, wet areas, and steep slopes would be impossible with only 7500 sq ft allowed. My property is about 1260 feet long and 325 ft wide. A steep slope runs right down the middle with a seasonal stream not too far from it. In order to avoid those areas and meet the existing setbacks, a long driveway would have to be built to reach the back of my property. You can see that reaching 1000 - 1200 feet back with a driveway would take over 10,000 sq ft of impervious surface. That makes it impossible all together. I don't think the people who wrote the limit of 7500 sq ft really looked to see what that limit would be doing to property owners. I hope you will add this to your Docket so you can increase the limits to an amount high enough to build a long driveway and a nice size house with outbuildings. This reasonable amount of building is what should be allowed for our freedom in the use of our own property.

This extreme limitation seems to be a regulation for the sake of a regulation. The critical areas are already tremendously protected by setbacks preventing most of our land from being used anyway. The limits already in place are satisfactorily protecting the environment and keeping it safe. Please help change this unfair limit, as we have taken great care of this property over the last 148 years and really don't need ridiculous rules to help us.

Thank you for looking into and pursuing this change.

Sincerely,
Rosemary L. Shattuck

Affordable Wireless Plans
Set up is easy. Get online in minutes. Starting at only $14.95 per month!
www.netzero.net
Hi Jeremy,

Our family owns approximately 10 acres in Tumwater at 2438 Sapp Road NW.

The current proposal discriminates against large property owners. The proposal says that property owners would be allowed 7,500 sq ft of impervious surface or 40%, whichever is less.

This means that a 1/2 half acre piece of land would be allowed nearly 40% of impervious surface and a 10 acre piece of land would only be allowed 2.5% of impervious surface.

Also, these surface restrictions would very much impact our ability to put a long driveway to any potential building site.

Additionally, the entire northern portion and much of the eastern portion of our land is Category II wetlands and regulated setbacks. That, alone, greatly reduces our hopes for future development of our land.

Thank you for adding this impervious surface issue to the docket on March 14.

Sincerely,

Teresa Shattuck
On behalf of Patricia Shattuck and Family.
Attachment C: City of Tumwater Draft Ordinance
Planning Commission Recommendation
ORDINANCE NO. O2017-003

AN ORDINANCE of the City Council of the City of Tumwater, Washington, amending Section 18.08.050 of the Tumwater Municipal Code to support agricultural uses on large lots in the RSR Residential/Sensitive Resource Zone District.

WHEREAS, Ordinance O95-014 established the RSR Residential/Sensitive Resource Zone District with the intent of accommodating and establishing low density residential neighborhoods in a manner that is compatible with areas of unique open space character and environmental sensitivity; and

WHEREAS, the lot coverage established by Ordinance O95-014, and subsequently modified by Ordinance 2016-037, limits impervious surface on a lot in the zone district to forty percent of the total area of a lot or 7,500 square feet, whichever is less; and

WHEREAS, the Agricultural Lands Chapter in the Conservation Element of the City’s Comprehensive Plan Conservation Element was updated in 2010 to reflect the City of Tumwater Strategic Plan’s goals and policies supporting sustainable urban agriculture; and

WHEREAS, Ordinance O2010-029 established urban agriculture within the RSR zone district provided that it was less than 30 acres in size and met other requirements; and

WHEREAS, the lot coverage requirements for the RSR Residential/Sensitive Resource Zone District have not been updated to reflect the City’s desire to see sustainable urban agriculture and do not allow for a reasonable level of agricultural facilities on parcels larger than five acres in zone district; and

WHEREAS, the City is required to plan under Chapter 36.70A RCW, the Growth Management Act; and

WHEREAS, this Ordinance is consistent with the City’s Comprehensive Plan; and

WHEREAS, this Ordinance meets the goals and requirements of the Growth Management Act; and

WHEREAS, this Ordinance was sent to the Washington State Department of Commerce on January 23, 2017, and accepted for expedited review on February 7, 2017 at least fourteen days before the proposed code amendments were adopted, in accordance with RCW 36.70A.106; and
WHEREAS, a Determination of Nonsignificance for the proposed code amendments was issued on January 31, 2017 in accordance with the State Environmental Policy Act (Chapter 197-11 WAC) and in compliance with Chapter 16.04 of the Tumwater Municipal Code; and

WHEREAS, the Attorney General Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property (Dec. 2015) on takings was reviewed and utilized by the City in objectively evaluating the proposed changes; and

WHEREAS, the Planning Commission received a briefing on the proposed code amendments on February 14, 2017, discussed the proposed code amendments at a work session on February 28, 2017, and held a public hearing on March 14, 2017; and

WHEREAS, following the public hearing and deliberations, the Planning Commission recommended the proposed code amendments to the Tumwater Municipal Code to the City Council; and

WHEREAS, the City Council’s General Government Committee reviewed the proposed code amendment in a briefing on March 7, 2017 and April 4, 2017; and

WHEREAS, the City Council discussed the proposed code amendments in a work session on April 11, 2017; and

WHEREAS, on April 18, 2017, the City Council considered the proposed code amendments; and

WHEREAS, the City Council finds that the provisions of this Ordinance are in the best interest of and protect the health, safety, and welfare of the citizens of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Tumwater Municipal Code Chapter 18.04.020 is hereby amended to read as follows:

“Building coverage.” See “lot coverage,” TMC 18.04.120, means the amount or percentage of ground area covered or occupied by buildings, usually expressed in square feet or percentage of the lot.

Section 2. Tumwater Municipal Code Chapter 18.04.120 is hereby amended to read as follows:
"Lot coverage" means the amount or percentage of ground area covered or occupied by impervious surface(s)building(s), usually expressed in square feet or percentage of land on the lot and measured horizontally at the foundation.

**Section 3.** Tumwater Municipal Code Section 18.08.050 is hereby amended to read as follows:

18.08.050 Density regulations.
Density regulations in the RSR zone district are as follows:

A. Site Area. All land divisions are subject to the lot size provisions of this section, provided that all land divisions must meet the following density requirements:

1. Minimum: two dwelling units per acre;
   a. In situations where density requirements and lot size, shape, topography, or location result in a subdivision that cannot possibly meet the density requirements, a reduction in minimum density (i.e., an increase in maximum lot size) may be granted by the community development director if all of the following criteria can be met:
      i. The lot to be subdivided must be less than or equal to one-half acre in total area.
      ii. The reduction in minimum density may not result in more than one additional single-family dwelling.
      iii. The reduction in density will not result in a density that is less than eighty-five percent of the minimum density required in the applicable zoning district.
      iv. The conditions unique to the site (size, shape, topography, etc.) are not the result of actions by the applicant.
      v. In no event may a reduction in density be granted if it would result in a use that would not be allowed as a permitted use, accessory use, or conditional use in the district in which the property is located.

2. Maximum: four dwelling units per acre, or if a land division is subject to the clustering provisions of subsection E of this section and not subject to the wetland protection standards of TMC Chapter 16.28, the maximum density shall be no greater than one hundred twenty-five percent of the maximum density that would otherwise be allowed.

B. Density Calculation. The calculation of the density requirements in subsection A of this section is based on the portion of the site that contains lots devoted to residential and associated uses (e.g., dwelling units; private community clubs;
stormwater detention, treatment and infiltration). The following land is excluded from density calculations:

1. Land that is required to be dedicated for public use as open space, right-of-way, or land on which development is prohibited by TMC Title 16, Environment, and land that is to be used for private roads. Provided, that portion of open space/park areas that consists of stormwater facilities and that is designed for active and/or passive recreational purposes in accordance with the drainage design and erosion control manual for Tumwater shall not be excluded from density calculations;

2. Land that is intended for future phases of development created in accordance with TMC 18.08.060;

3. Land that consists of lots devoted to uses other than residential and associated uses, including but not limited to churches, schools, and support facilities (except for stormwater detention, treatment and infiltration facilities).

C. Division of Land Not on Public Sanitary Sewer. Division of land in areas without sewer must occur in a manner that maintains long-term potential to achieve minimum required densities and efficient provision of sewer once sewer becomes available. For a proposed division of land not required to be served by the extension of public sewer or a community septic system at the time of approval, a conversion plan shall be submitted in accordance with TMC 18.08.060 for the entire property, and the proposed land division shall be subject to the following:

1. For land division of an existing lot of record created prior to September 15, 1998:
   a. Any division creating two lots shall not be subject to the minimum density requirements of subsection A of this section, provided one of the lots created is at least five acres in size. A note must be included on the recorded land division that future land divisions shall meet minimum density requirements of subsection A of this section in each phase of development.
   b. Any division creating more than two lots shall meet the minimum density requirements of subsection A of this section in each phase of development.

D. Lot Size Requirements.

1. Maximum: no maximum lot size;

2. Minimum: nine thousand five hundred square feet, or if a land division is subject to the clustering provisions of subsection E of this section or the wetland protection standards of TMC Chapter 16.28, the minimum lot size shall be seven thousand six hundred square feet;
3. In the event that the minimum lot size provisions above make it impossible to achieve the minimum density permitted under subsection A of this section, one or more lots may be reduced in size by up to ten percent. This provision may be applied only to the minimum number of lots necessary to allow the minimum density to be achieved.

E. Clustered Subdivision. Any site in this zone district may be subdivided as a clustered subdivision, subject to the following:

1. The portion of the site dedicated for open space use shall be at least thirty percent of the area of the entire site;

2. At least one-half of the area dedicated for open space shall be useful for passive recreational purposes;

3. The area dedicated for open space shall be located so as to include environmentally sensitive areas (e.g., wetlands, riparian areas) to the maximum extent possible;

4. The clustered subdivision must meet all other provisions of this chapter.

F. Lots Located Adjacent to a Wetland. Lots located adjacent to a wetland and/or wetland buffer shall be as large as practicable within the allowances of this section and the physical conditions of the site.

G. Lot coverage, maximum for all buildingsimpervious surface:

1. The maximum impervious surface for lots smaller than one acre is forty percent of the total area of the lot or seven thousand five hundred square feet, whichever is less.

2. The maximum impervious surface for lots between one acre and less than five acres is seven thousand five hundred square feet plus an additional two thousand square feet for every additional acre in lot size, rounded down to the nearest acre.

3. The maximum impervious surface for lots five acres and larger is fifteen thousand five hundred square feet plus an additional three thousand square feet for every additional acre in lot size, rounded down to the nearest acre.

TABLE 18.08.050 LOT COVERAGE, IMPERVIOUS SURFACE

<table>
<thead>
<tr>
<th>Acres</th>
<th>Max Impervious Surface (in Sq. Ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.250</td>
<td>4,356</td>
</tr>
<tr>
<td>0.500</td>
<td>7,500</td>
</tr>
<tr>
<td>0.750</td>
<td>7,500</td>
</tr>
<tr>
<td>1.000</td>
<td>9,500</td>
</tr>
<tr>
<td>2.000</td>
<td>11,500</td>
</tr>
<tr>
<td>Lot Size</td>
<td>Yard Requirement</td>
</tr>
<tr>
<td>----------</td>
<td>------------------</td>
</tr>
<tr>
<td>3,000</td>
<td>13,500</td>
</tr>
<tr>
<td>4,000</td>
<td>15,500</td>
</tr>
<tr>
<td>5,000</td>
<td>18,500</td>
</tr>
<tr>
<td>6,000</td>
<td>21,500</td>
</tr>
<tr>
<td>7,000</td>
<td>24,500</td>
</tr>
<tr>
<td>8,000</td>
<td>27,500</td>
</tr>
<tr>
<td>9,000</td>
<td>30,500</td>
</tr>
<tr>
<td>10,000</td>
<td>33,500</td>
</tr>
</tbody>
</table>

H. Structure height: thirty-five feet, maximum; provided, however, that no structure shall penetrate imaginary airspace surfaces as defined by 14 C.F.R. Part 77. A map that provides detailed information on ground and imaginary airspace surface elevations is available for inspection in the community development department.

I. Yards.*

1. For lots less than nine thousand five hundred square feet in area, yards shall be as follows:
   a. Front: twenty feet minimum from frontage property line on streets interior to a development, twenty-five feet minimum from frontage property line on streets classified in the Tumwater transportation plan as urban collectors, minor arterials, and major arterials;
   b. Side: seven and one-half feet from property line, minimum;
   c. Rear: ten feet, minimum, from rear property line; twenty-five feet minimum from rear property line abutting streets classified in the Tumwater transportation plan as urban collectors, minor arterials and major arterials. Exception: Storage, garden, and tool sheds 200 square feet in area or less may be located a minimum of 10 feet from the property line.

2. For lots greater than or equal to nine thousand five hundred square feet in area, yards shall be as follows:
   a. Front: twenty feet minimum from frontage property line on streets interior to a development, twenty-five feet minimum from frontage property line on streets classified in the Tumwater transportation plan as urban collectors, minor arterials, and major arterials;
   b. Side: ten feet from property line, minimum;
   c. Rear: twenty feet, minimum, from rear property line; twenty-five feet minimum from rear property line abutting streets classified in the Tumwater transportation plan as urban collectors, minor arterials and major arterials.
major arterials. Exception: Storage, garden, and tool sheds 200 square feet in area or less may be located a minimum of 10 feet from the property line.

J. Planned Unit Developments. No development in this zone district shall be permitted using the planned unit development provisions of TMC Chapter 18.36.

*See TMC 18.04.670.


**Section 4. Corrections.** The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 5. Ratification.** Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

**Section 6. Severability.** The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

**Section 7. Effective Date.** This ordinance shall become effective thirty (30) days after passage, approval, and publication as provided by law.

ADOPTED this _____ day of ___________, 2017.

CITY OF TUMWATER

__________________________________________

Pete Kmet, Mayor

ATTEST:

__________________________________________

Melody Valiant, City Clerk

APPROVED AS TO FORM:

__________________________________________

Ordinance No. O2017-003 - Page 7 of 8
Karen Kirkpatrick, City Attorney

Published:____________________

Effective Date: ________________
Attachment D: Draft Options for
Thurston County Planning Commission


Option A:
Amend the Tumwater UGA Zoning Ordinance (Title 22) to make it consistent with the current proposed City of Tumwater draft regulations.

The Tumwater UGA Zoning Ordinance would be amended as follows:

Section 22.04.080 Building Coverage.

“Building coverage” - See “lot coverage,” Section 22.04.325, means the amount or percentage of ground area covered or occupied by buildings, usually expressed in square feet or percentage of the lot.

Section 22.04.325 Lot Coverage.

"Lot coverage" means the amount or percentage of ground area covered or occupied by impervious surface(s), usually expressed in square feet or percentage of land on the lot and measured horizontally at the foundation.

22.08.050 Density Regulations.

... 

G. Lot coverage, maximum for all buildingsimpervious surface:

1. The maximum impervious surface for lots smaller than one acre is forty percent of the total area of the lot or seven thousand five hundred square feet, whichever is less;

2. The maximum impervious surface for lots between one acre and less than five acres is seven thousand five hundred square feet plus an additional two thousand square feet for every additional acre in lot size, rounded to the nearest acre.

3. The maximum impervious surface for lots five acres and larger is fifteen thousand five hundred square feet plus an additional three thousand square feet for every additional acre in lot size, rounded down to the nearest acre.

...
Table 22.08.050(G) LOT COVERGE IMPERVIOUS SURFACE
Please See 22.08.050(G) for Specific Standards

<table>
<thead>
<tr>
<th>Acres</th>
<th>Max Impervious Surface (in Sq. Ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.25</td>
<td>4,356</td>
</tr>
<tr>
<td>0.50</td>
<td>7,500</td>
</tr>
<tr>
<td>0.75</td>
<td>7,500</td>
</tr>
<tr>
<td>1.00</td>
<td>9,500</td>
</tr>
<tr>
<td>2.00</td>
<td>11,500</td>
</tr>
<tr>
<td>3.00</td>
<td>13,500</td>
</tr>
<tr>
<td>4.00</td>
<td>15,500</td>
</tr>
<tr>
<td>5.00</td>
<td>18,500</td>
</tr>
<tr>
<td>6.00</td>
<td>21,500</td>
</tr>
<tr>
<td>7.00</td>
<td>24,500</td>
</tr>
<tr>
<td>8.00</td>
<td>27,500</td>
</tr>
<tr>
<td>9.00</td>
<td>30,500</td>
</tr>
<tr>
<td>10.00</td>
<td>33,500</td>
</tr>
<tr>
<td>11.00+</td>
<td>See 22.08.050(G)</td>
</tr>
</tbody>
</table>
**Option B:**

Amend the Tumwater UGA Zoning Ordinance (Title 22) to revert back to the previous standard effective prior to December 2016.

The Tumwater UGA Zoning Ordinance would be amended as follows:

22.08.050 - Density regulations.  
Density regulations in the RSR zone district are as follows:

...  
G. Lot Coverage, Maximum for All Buildings: impervious surface: forty percent of total area of the lot or seven thousand five hundred square feet, whichever is less;

...

**Option C:**

No Changes would be made to the Tumwater UGA Zoning Ordinance.

The current code reads as follows:

22.08.050 - Density regulations.  
Density regulations in the RSR zone district are as follows:

...  
G. Lot Coverage, Maximum impervious surface: forty percent of total area of the lot or seven thousand five hundred square feet, whichever is less;

...