

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE RELATING TO LOW IMPACT DEVELOPMENT;  
ADOPTING THE THURSTON COUNTY DRAINAGE DESIGN AND  
EROSION CONTROL MANUAL (2016) AND AMENDING TITLE 14,  
TITLE 15, TITLE 18, AND TITLE 20 OF THE THURSTON COUNTY  
CODE.**

**WHEREAS**, the Federal Clean Water Act sets a national goal to “restore and maintain the chemical, physical, and biological integrity of the nation’s water” and prohibits the discharge of pollutants from any point source; and

**WHEREAS**, the U.S. Environmental Protection Agency delegates administration of the National Pollutant Discharge Elimination System (NPDES) Permit to the state Department of Ecology under the federal Clean Water Act; and

**WHEREAS**, the Washington Department of Ecology issued the Western Washington Phase II Municipal Stormwater Permit for smaller Western Washington municipalities (Phase II Permit) in 2007 with the most recent permit issuance in 2013; and

**WHEREAS**, the Washington Department of Ecology, as authorized by chapter 90.48 RCW (Washington State Water Pollution Control Act), also takes action through the Phase II Permit to control impacts of stormwater discharges to all waters of Washington State, including ground waters, unless the discharges are authorized by another regulatory program; and

**WHEREAS**, the Phase II Permit requires permittees to “review, revise and make effective their local development-related codes, rules, standards, or other enforceable documents to incorporate and require Low Impact Development (LID) principles and LID BMPs” no later than December 31, 2016; and

**WHEREAS**, the intent of that review “shall be to make LID the preferred and commonly-used approach to site development;” and

**WHEREAS**, the Phase II Permit also requires the adoption of a Drainage Manual that is consistent with the Department of Ecology’s *2012 Stormwater Management Manual for Western Washington, as Amended in December 2014*; and

**WHEREAS**, Thurston County staff conducted a multiyear process to revise Thurston County’s development standards to support low impact development approaches and techniques; and

**WHEREAS**, Thurston County is required to plan under chapter 36.70A RCW, the Growth Management Act (GMA), and has performed professional review, public notice and comment with respect to these development code amendments; and

**WHEREAS**, the GMA requires a process of early and continuous citizen participation for amending the development regulations; and

**WHEREAS**, an open house was advertised and held on June 15, 2016, and a technical workshop was held on July 19, 2016; and

**WHEREAS**, the Thurston County Planning Commission held a duly noticed public hearing on June 15, 2016 and recommended the development code amendments to the Board of County Commissioners (Board) following a work session on August 3, 2016, to discuss changes made to the proposal in regards to public comments and input; and

**WHEREAS**, the Board held a duly noticed public hearing on September 27, 2016, to receive comments on the proposed amendments; and

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

**WHEREAS**, pursuant to 36.70A.106, the State of Washington Department of Commerce was notified on August 11, 2016; and

**WHEREAS**, a determination of non-significance was issued by Thurston County under the State Environmental Policy Act (chapter 43.21C RCW) for the changes contained in this ordinance on August 26, 2016 becoming final on September 16, 2016.

**WHEREAS**, this ordinance implements changes to Title 14, 15, 18, and 20 of the Thurston County Code.

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

**SECTION 1. AMENDMENTS TO THURSTON COUNTY CODE.** The Thurston County Code is hereby amended as shown in Attachment A. Affected titles include Title 14 TCC Buildings and Construction, Title 15 TCC Public Works, Title 18 TCC Platting and Subdivisions, and Title 20 TCC Zoning.

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

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall take effect on December 31, 2016.

ADOPTED: \_\_\_\_\_

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
Thurston County, Washington

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Chair

APPROVED AS TO FORM:

JON TUNHEIM  
PROSECUTING ATTORNEY

\_\_\_\_\_  
Vice-Chair

\_\_\_\_\_  
Rick Peters  
Deputy Prosecuting Attorney

\_\_\_\_\_  
Commissioner

Attachment A:

Amendments in this attachment include changes to the following Titles: 14, 15, 18, and 20 of the Thurston County Code.

A. Section 14.37.010 TCC is hereby amended to read as follows:

**14.37.010 - International Building Code, Appendix J—Administration.**

International Building Code, Appendix J shall be known as and entitled: Appendix J Grading and shall apply as modified by this chapter. Appendix J Grading shall be administered by the Public Works Engineering Services Development Review Unit.

B. Section 14.37.020 TCC is hereby amended to read as follows:

**14.37.020 - Section J102 amended—Definitions.**

International Building Code section J102.1 Definitions is amended by adding the following definitions:

CLEARING. The destruction, removal, or disposal of vegetation by manual, mechanical, or chemical methods. Clearing includes logging, even when the understory of vegetation is not being removed.

LAND DISTURBING ACTIVITY. Any activity that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to clearing, grading, filling, grubbing, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices, including landscape maintenance and gardening, are not considered land-disturbing activity. Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures as detailed in the Thurston County Drainage Design and Erosion Control Manual (TCC 15.05).

C. Section 14.37.030 TCC is hereby amended to read as follows:

**14.37.030 - Section J103 amended—Permits required.**

International Building Code sections J103.1 and J103.2 are amended to read as follows; and new section J103.3 is added to read as follows:

J103.1 Permits required. Except as exempted in Section J103.2, no grading land disturbing activity shall be performed without first having obtained a grading land disturbing activity construction permit therefor from the County engineer. A separate permit shall be obtained for each site, and for grading activity may cover both excavations and fills. A grading land disturbing activity construction permit does not include the construction of retaining walls or other structures. Clearing land in preparation for grading is Additional requirements related to clearing and grading may be included ~~covered~~ under the Thurston

County Drainage and Erosion Control manual (TCC 15.05) or the Thurston County Critical Areas Ordinance (TCC 24 or TCC 17.15).

J103.2 Exemptions. A ~~grading land disturbing activity construction~~ permit shall not be required for the following:

~~1. Grading in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not adversely affect adjoining properties.~~

~~21. Excavation for construction of a structure permitted under this code.~~

~~32. Cemetery graves.~~

~~43. Refuse disposal sites controlled by other regulations.~~

~~54. Excavations for wells, or trenches for utilities.~~

~~65. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.~~

~~76. Exploratory excavations performed under the direction of a registered design professional.~~

~~87. Commercial Existing and ongoing agriculture practices, as defined in TCC 17.15, involving working the land for production are is generally exempt unless a critical area review and/or permit is required provided that critical areas are not significantly affected. Activities that convert an area of one acre or less into agricultural use and will not result in a discharge to surface waters of the State or County municipal stormwater facilities are exempt, unless a critical area review and/or permit is required. However, In both cases, the conversion from timberland to agriculture is not exempt.~~

~~98. Maintenance work within public rights-of-way by local municipalities, and county, state, and federal entities, provided that best management practices are used.~~

~~109. Work that involves less than fifty cubic yards of excavation or fill provided that critical areas and neighboring properties are not affected and Best Management Practices are used.~~

~~10. Grading that is in an isolated, hydrologically self-contained area, provided there is no danger to the public, and that such grading is not within a critical area or critical review area as identified in TCC 24 or TCC 17.15, and will not adversely affect adjoining properties.~~

~~11. Cumulative clearing of less than seven thousand square feet annually. However, this exception shall not apply to development proposals:~~

~~a. regulated as a Class IV forest practice conversion under TCC 17.25.~~

~~b. within one of the following critical area or critical area review areas under TCC 24 or 17.15.~~

~~i. Erosion, landslide, or marine bluff hazard areas and their buffers;~~

ii. Frequently flooded areas, including floodplains;

iii. Fish and wildlife habitat conservation areas and associated buffers;

iv. Wetlands and associated buffers.

c. within shoreline jurisdiction under TCC 19.

11. Forest practices regulated under WAC Title 222, including approved conversion option harvest plans, except for Class IV general forest practices that are conversions from timber land to other uses.

12. Site investigative work necessary for land use application submittals such as surveys, soil borings and test pits, soil logs and other related activities, provided the land-disturbing activity is no greater than is necessary to accomplish the work.

13. Maintenance of lawn, landscaping and gardening for personal consumption, provided the maintenance does not expand the roadway, lawn, landscaping, ditch, culvert, or other improved area being maintained.

14. Removal of noxious weeds, as defined by Chapter 16-750 WAC, or invasive plants, as defined in TCC 24.03.010.

15. Emergency tree removal, when required to prevent imminent danger to persons or structures.

16. Hazard tree removal outside of critical areas and their buffers, as regulated under TCC 24 and TCC 17.15.

17. Maintenance of outdoor public park facility, trail or publicly improved recreation area, in conjunction with normal and routine maintenance activities.

Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

D. Section 14.37.040 TCC is hereby amended to read as follows:

**14.37.040 - Section J104 amended—Permit application and submittals.**

International Building Code sections J104.3 and J104.4 are amended to read as follows; and new section J104.5 is added to read as follows:

J104.5 Environmental Considerations. Unless exempt from a grading land disturbing activity construction permit under section J103 or exempt under Title 17.09 Environment Title 24 or Chapter 17.15 Thurston County Code (Critical Areas), land development projects, including clearing and grading activities, must have a State Environmental Policy Act (SEPA) checklist completed by the applicant. Permits, project acceptance, and/or approvals shall not be issued until an environmental determination has been issued and the SEPA appeal period has passed.

E. Section 14.37.050 TCC is hereby amended to read as follows:

**14.37.050 - Section J105 amended—Inspections.**

International Building Code section J105.2 is amended to read as follows; and new sections J105.3, J105.4 and J105.5 are added to read as follows:

J105.2 Special inspections. The special inspection requirements of Section 1704.7 shall apply to work performed under a ~~grading~~ land disturbing activity construction permit where required by the County engineer or designee.

F. Section 14.37.060 TCC is hereby amended to read as follows:

**14.37.060 - Section J107 amended—Fills.**

International Building Code section J107.4 is amended to read as follows:

J107.4 Fill Material. Fill material shall not include organic, frozen or other deleterious materials. Except as permitted by the County engineer or designee, no rock or similar irreducible material with maximum dimensions greater than twelve inches (305 mm) in any dimension shall be buried or placed in fills.

Exception: The County engineer or designee may permit placement of larger rock when the soils report properly devises a method of placement, and the inspector certifies fill stability during placement. The inspection shall be performed by a registered design professional. The following conditions shall also apply to oversize material:

1. Prior to issuance of the ~~grading~~ land disturbing activity construction permit, potential rock disposal areas shall be delineated on the grading plan.
2. Rock sizes greater than twelve inches (305 mm) in maximum dimensions shall be ten feet (3048 mm) or more below grade, measured vertically.
3. Rocks shall be placed to assure filling of all voids with well-graded soil.

Prohibited Fill Materials. Materials not defined as earth material under J102 of this Appendix shall not be permitted in fills. These prohibited materials include, but are not limited to, concrete greater than twelve inches (305 mm) in maximum dimensions, asphalt, kitchen appliances, plastic materials, automotive parts, roofing material, tree stumps, wood debris and machinery of any kind.

G. Section 14.37.070 TCC is hereby amended to read as follows:

**14.37.070 – Other Standards**

Land disturbing activity subject to this section, and not exempt under 14.37.030, shall meet the following standards:

1. Site clearing shall be limited to the areas of approved buildings, hard surfaces, replacement landscaping, recreation space, utilities, agriculture, and a working envelope around such areas of not greater than 15 feet in depth. The clearing limitations shall apply until such time as the issuance of a building permit occurs for the parcel or lot being cleared. Where site clearing is proposed independent of a Building Permit, Use Permit, or other specific land use activity, such clearing shall be limited to a maximum of thirty-five percent of the total site within a two year period. The thirty-five percent limitation shall be calculated on a cumulative basis for all site development permits affecting the site.
2. Clearing, grading, filling and vegetation removal shall be prohibited until a land disturbing activity construction permit has been issued.
3. Clearing in areas encumbered by a utility corridor, or easement for a public road or trail rights-of-way or an access easement shall not be counted toward the cleared area limit.
4. Before approving a development permit application for a parcel that has been cleared in violation of the clearing standards in effect at the time of the clearing, the department shall require the applicant submit to the department and implement a restoration plan to restore trees, understory vegetation and soil to support and maintain the native vegetative cover on the percentage of the site that was to remain uncleared under this section. If the clearing is in violation of a six-year moratorium on permitting established in TCC 17.25.700, the department may determine whether the restoration plan is sufficient to mitigate for the impacts resulting from the clearing violation.

H. Section 15.05.010 TCC is hereby amended to read as follows:

**15.05.010 - Drainage Design and Erosion Control Manual for Thurston County.**

This section consists of the Drainage Design and Erosion Control Manual on file in the Water Resources Program Manager's office as amended.

The ~~2009~~ 2016 Edition of the Drainage Design and Erosion Control Manual for Thurston County ("manual") is adopted by reference as though set forth herein in full.

I. Section 18.47.030 TCC is hereby amended to read as follows:

**18.47.030 Exemptions.**

A. Redivision of lots created under the standards of Section 18.47.040A are exempt from any further dedications of open space provided that future lots have access, as required by Section 18.47.040A2, to the open space areas dedicated in the original plat.

B. Chapter 18.47 does not apply where a city/county joint comprehensive plan makes provisions for neighborhood parks to be provided, through the imposition of fees.

C. Planned residential developments are subject to open space standards of 20.30.060.

D. Planned rural residential developments are subject to open space standards of 20.30A.

J. Section 18.47.040 TCC is hereby amended to read as follows:

**18.47.040 Standards for dedication.**

A. Outside the Lacey and Tumwater Urban Growth Areas. An area greater than or equal to ten percent of the gross land area to be divided shall be dedicated for the open space and recreational needs of its residents. This does not require the installation of recreational facilities. Land proposed for dedication shall meet the following additional criteria in TCC 20.32.030:

~~1. Location.~~

~~a. The area proposed for dedication may be located within or outside the subject subdivision, but if outside the subdivision, the area must be within reasonable walking distance (e.g., ¼ mile) of the subdivision.~~

~~b. Where practical, the proposed dedicated property shall be located adjacent to other established or planned park and recreational areas in adjacent subdivisions, schools, or public parks; provided, that such dedication would increase the overall benefit to the residents of the subject subdivisions and conform to other criteria in this section.~~

~~2. Access.~~

~~a. All lots within the subject subdivision must have legal access to the proposed area for dedication at the time of final plat approval. Private or access roads, trees or other landscaping may separate the area proposed for dedication. However, access should not be blocked by major obstacles such as arterials or collectors, canyons or ravines.~~

~~b. Areas dedicated for active recreational open space shall have reasonable access from street frontages. Design measures should accomplish the purposes of access and security.~~

~~3. Types of Open Space.~~

~~a. Land dedicated for open space shall be usable for either: (i) greenbelts that serve as a buffer between incompatible land uses by preserving existing vegetation or by providing an aesthetic amenity such as boulevard trees; (ii) active recreational activities; (iii) protecting critical areas or environmentally sensitive areas such as significant wildlife habitat; or (iv) tree tracts in compliance with TCC 17.25. The open space area may also include stormwater facilities that are designed for active and/or passive recreation in accordance with this chapter and Chapter 15.05 TCC (Thurston Region Drainage Design and Erosion Control Manual, 8.1).~~

~~Any portion of tree tracts in compliance with TCC 17.25 located outside of critical areas and their associated buffers shall count toward the open space required by this chapter, provided that active recreation is accommodated consistent with subsections (A)(3)(b) — (d) of this section.~~

~~b. Except as provided in subsection (A)(3)(e) or (A)(3)(d) of this section, thirty percent of the dedicated open space area shall be suitable for active recreation. The topography, soils, hydrology and other physical characteristics of the area proposed for active~~

~~recreation shall be of such quality as to provide a dry obstacle free space, during the dry season, in a configuration which is suitable for active recreation.~~

~~e. The percentage of active recreational areas may be increased to as high as fifty percent if it is determined that anticipated recreational needs will require a larger percentage. In increasing this percentage, the following standard should be used: the ratio of one acre to one hundred twenty five units.~~

~~d. For project sites comprised of at least thirty percent critical areas, the percentage of active recreation area required in the open space portion of the site may be decreased to an appropriate level as determined by the department, if it is determined that: (i) inclusion of more critical areas in the required open space would better meet the needs of the subdivision residents; or (ii) meeting the standard would require detrimental grading or other disturbance of the natural setting.~~

~~4. Exceptions. Proposed open space areas which do not meet the size or other criteria of this subsection, except areas within the Lacey and Tumwater urban growth areas, may be considered under Section 18.47.070, Equivalent facilities.~~

K. Section 18.47.080 TCC is hereby amended to read as follows:

**18.47.080 Stormwater ~~detention~~ facilities.**

Stormwater ~~detention/retention~~ flow control and treatment facilities may be allowed as open space subject to the provisions of this chapter and the criteria contained in Section 20.32.070 TCC. In the event of a stormwater system failure subsequent to final plat approval, the department may authorize, with the consent of the affected property owner(s) and consistent with Section 18.04.060, necessary stormwater facilities in designed open space. Also, the department may authorize new or expanded stormwater facilities in open space tracts to accommodate stormwater generated by a federal, state or county project if there is no other reasonable alternative.

The design of such facilities shall minimize adverse impacts on the function (e.g., tree preservation, play area) and quality of the open space. If the pond must have steep side slopes (greater than 3H:1V) to provide needed capacity, thorny vegetation or fencing shall be used to restrict access (per TCC 15.05 Thurston County Region Drainage Design and Erosion Control Manual 8.3.3, pond safety). ~~Thorny or other impenetrable vegetation is an preferred and is an acceptable alternative to fencing.~~ Thorny or other impenetrable vegetation shall be at least a 10-foot wide strip that will provide a barrier to entry of small children or others who may be incapable of climbing out of the facility. Vegetation type shall be approved by the jurisdiction and shall be in place within one growing season of facility excavation. Thorny or other impenetrable vegetation is preferred, rather than fencing unless the approval authority determines that it would not adequately protect public safety.

Prior to authorizing use of established open space to accommodate stormwater facilities in a manner that would significantly diminish its function or aesthetic quality, all viable alternatives must be explored and be found to be impractical or cost prohibitive (taking into account initial construction cost and long term maintenance cost). Prior to authorizing use of such open space, the approval authority must determine that, overall, the use of the open space to accommodate stormwater facilities is beneficial to the affected neighborhood or the general public. Not more than 25 percent of designated open space outside of critical area buffers may be used for stormwater facilities, except that areas used for dispersion will not count toward the 25 percent limit.

The approval authority may allow the following types of stormwater facilities, if aesthetically designed and/or to allow for either passive or active recreation, to be considered for open space use:

- Bioretention facilities and Rain Gardens
- Constructed treatment wetlands
- Wetponds
- Sheet flow and concentrated flow dispersion areas
- Retention Ponds
- Detention Ponds
- Bioswales and filter strips.

Aesthetic design of stormwater facilities includes provisions such as curvilinear design, landscaping, amphitheater design, water features and shallow slopes throughout the majority (50 percent) of the facility.

Active recreation design of stormwater facilities includes facilities that are designed to provide play areas (including but not limited to a soccer field or volleyball court) that are usable during portions of the year.

Passive recreation design of stormwater facilities includes facilities that are shaped aesthetically, where wildlife habitat has been planned (e.g. nesting areas provided) or water features provided and reasonable passive viewing facilities are provided (e.g., trails, picnic facilities).

L. Section 18.47.090 TCC is hereby amended to read as follows:

**18.47.090 Rights and duties.**

The owners of open space shall have the following rights which may be exercised in respect of such land, subject to restrictive covenants or other restrictions:

- A. The right to locate recreational facilities, such as tennis courts, swimming pools, picnic tables and fireplaces accessory to picnic tables designed to be used exclusively for the use of residents of the development and their guests;
- B. The right to locate pedestrian paths, bicycle paths and bridle paths;
- C. The right to cover up to but not exceeding ten percent of the land with impervious ~~substance~~ surfaces reasonably necessary to exercise the rights provided in subsections A and B of this section unless additional impervious surface is needed to comply with Section 18.47.040C. The development and location of impervious surfaces requires compliance with the Drainage Design and Erosion Control Manual, Chapter 15.05 TCC, the Thurston County Critical Areas Ordinance, Title 24 TCC, and the Thurston County Agricultural Activities Critical Areas Ordinance, Chapter 17.15 TCC;
- D. The right to take whatever measures are reasonably necessary to protect and maintain such land, or land or property adjacent thereto, or to correct a hazardous condition posing a threat to life or limb;
- E. The right to conduct agricultural activities, including the selective harvesting of mature trees, except as provided in Section 18.47.040B, 18.47.040C, and in tree tracts in compliance with TCC 17.25; and
- F. The right to regulate access to or entry on the open space land and duty to maintain such land.

M. Section 20.03.040 TCC is hereby amended to read as follows:

**20.03.040 - Definitions.**

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.

- 3.8.5. “Approval authority” means the director of the Thurston County Resource Stewardship Department, or his/her designee, for administrative permits.
62. “Hard surface” means an impervious surface, a permeable pavement, or a vegetated roof, in contrast with vegetated permeable soils.
- 68.2 “Impervious surface” means ~~pavement (e.g., compacted gravel, asphalt and concrete), roofs, revetments, or any other manmade surface which substantially impedes the infiltration of precipitation~~ a non-vegetated surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.
- 86.6 “Native vegetation” means vegetation or plant species, other than noxious weeds, which are indigenous to the area or habitat in question and which reasonably could have been expected to naturally occur on the site.
- 86.7 “Natural condition” means that the topography and vegetation of an area is unaltered by clearing and grading during construction and protected in perpetuity.
- 101.4 “Permeable pavement” means pervious concrete, porous asphalt, permeable pavers or other forms of pervious or porous paving material intended to allow passage of water through the pavement section. It often includes an aggregate base that provides structural support and acts as a stormwater reservoir.
- 102.5 “Pervious surface” means any surface material that allows stormwater to infiltrate into the ground. Examples include lawn, landscape, pasture, native vegetation areas, and permeable pavements.

N. Section 20.07.030 TCC is hereby amended to read as follows:

**20.07.030 - Minimum yards required for building setbacks.**

1. General Requirements. Except where specifically provided in this title, all structures over ~~one~~ two hundred ~~twenty~~ square feet in floor area shall meet the following minimum yard (setback) requirements:

Front Yards

Building Type	Arterial, State Highway and RR ROW	Collector, Local and Private Roads	Side Yard	Rear Yard
a. Commercial, industrial and other nonresidential	<del>35</del> 20' from right-of-way easement or property line; 10' from right-of-way of a flanking street	<del>25</del> 10' from right-of-way easement or property line; 10' from right-of-way of a flanking street	<del>10</del> 5'	<del>10</del> 5'
b. Residential exceeding two units per structure	<del>30</del> 25'; 10' from right-of-way of a flanking street	20'; 10' from right-of-way of a flanking street	<del>10</del> 5'	<del>10</del> 5'
c. Single-family and two-family structures	<del>30</del> 25'; 10' from right-of-way of a flanking street	20'; 10' from right-of-way of a flanking street	<del>6</del> 5'	<del>10</del> 5'
d. Buildings housing animals	50'	50'	35'	35'

2. Yard Regulations for Through Lots. For through lots, minimum front yard requirements shall apply to the yard oriented to the structure's front door. The opposing yard shall be deemed to be the rear yard.

3. These provisions shall not apply in those instances where a lot has been recorded prior to the enactment of this title where the enforcement of this regulation would negate the use of the lot in accordance with the provisions of the zoning district in which it is located and an appropriate variance has been granted.

O. Section 20.07.090 TCC is hereby amended to read as follows:

**20.07.090 – Hard and Impervious Surface Limits**

1. General standards. In addition to the hard surface coverage limits specified in this title, the following standards shall apply:

a. The total area of hard surfaces shall not include access easements serving neighboring property and driveways to the extent that they extend beyond the street setback due to location within an access panhandle or due to the application of requirements to locate features over which the applicant does not have control.

b. Pervious surfaces may be calculated at 75 percent area for the purpose of calculating total hard surface area.

c. On any lot over 2.5 acres in area, an additional 5 percent of the lot area may be used for buildings related to agricultural or forestry practices.

d. Hard surfaces rendered nonconforming by the coverage limits of this title may be replaced within the existing footprint, but not expanded.

e. The hard surface coverage area for any lot may be increased beyond the total amount permitted in this chapter subject to approval of a special use permit under Chapter 20.54.

## 2. Credits.

a. Credits apply only to lots 2.5 acres or larger in the following zones: LTA, LTF, RR 1/5, RRR 1/5, R 1/10, R 1/20, UR 1/5, RL ½, RL 1/1, RL 2/1, R 3-6/1, R 4-16, MGSA.

b. Hard surface coverage limits specified in this title may be increased by 50 percent under any one of the following circumstances:

i. Soils on the site allow for, and site design utilizes, full dispersion of stormwater runoff, done in accordance with the Thurston County DDECM, Chapter 15.05.

ii. A minimum of 30 percent of trees or native vegetation is retained on the site as shown in a landscape plan, as specified in Chapter 20.45. A maximum of 20 percent of this retained vegetation may be within a critical area or critical area buffer. Retained trees shall be recorded on the final plat and in the abbreviated drainage plan.

iii. The development is a Planned Residential Development (PRD), TCC 20.30, or a Planned Rural Residential Development (PRRD), TCC 20.30A.

b. Hard surface coverage limits specified in this title may be increased by 100 percent under the following circumstances:

i. A minimum of 65 percent of trees or native vegetation is retained on the site as shown in a landscape plan, as specified in Chapter 20.45. Retained trees shall be recorded on the final plat and in the abbreviated drainage plan.

c. An additional one thousand square feet of hard surface area may be permitted above the coverage limit for each six thousand five hundred square feet of retained trees and native vegetation that are outside of any designated critical area or buffer. Retained trees shall meet the standards of 20.45.020 and be recorded on the final plat and in the abbreviated drainage plan.

d. An additional one thousand square feet of hard surface area may be permitted above the coverage limit for each three thousand two hundred fifty square feet of retained trees and native vegetation that are outside of but connected to any designated critical area or buffer. Retained trees shall meet the standards of 20.45.020 and shall be recorded on the final plat and in the abbreviated drainage plan.

e. An additional one thousand square feet of hard surface area may be permitted above the coverage limit for each three thousand two hundred fifty square feet of trees and native vegetation that are replanted within any degraded riparian habitat area, as specified in Chapter 24.35, or wetland buffer, as specified in Chapter 24.30. A restoration plan must be prepared by a qualified biologist or other qualified professional, as specified in Chapter 24.35.310. At the time of

planting, evergreen trees shall be at least four feet tall and deciduous trees shall be at least one and one-half-inch caliper. New plantings shall consist of tree species native and appropriate to the area, and shall be planted between October to February. Restored areas and replanted trees shall be recorded on the final plat and in the abbreviated drainage plan. The county may also require that a watering, maintenance and monitoring plan be submitted to ensure their survival.

P. Section 20.08A.040 TCC is hereby amended to read as follows:

**Chapter 20.08A - LONG-TERM AGRICULTURE DISTRICT (LTA)**

**20.08A.040 - Design standards.**

The following standards are established as the minimum necessary to ensure that the purpose of this district is achieved and maintained as new lots are created and new buildings are constructed:

3. Maximum Coverage by Hard Surfaces. Maximum hard surface coverage for new development in this district is as follows (also see Chapter 20.07):

- a. Lots 1.5 acres or greater: Fifteen percent.
- b. Lots less than 1.5 acres: Sixty percent or ten thousand square feet, whichever is less.

Q. Section 20.08D.040 TCC is hereby amended to read as follows:

**Chapter 20.08D - LONG-TERM FORESTRY DISTRICT (LTF)**

**20.08D.040 - Design standards.**

5. Maximum Coverage by Hard Surfaces. Maximum hard surface coverage for new development in this district is as follows (also see Chapter 20.07):

- a. Lots 2.5 acres or greater: Ten percent.
- b. Lots less than 2.5 acres: Sixty percent or ten thousand square feet, whichever is less.

R. Section 20.09.040 TCC is hereby amended to read as follows:

**Chapter 20.09 - RURAL RESIDENTIAL—ONE DWELLING UNIT PER FIVE ACRES (RR 1/5)**

**20.09.040 - Design standards.**

The following standards are established as the minimum necessary to insure that the purpose of this rural residential, one unit per five acre district is achieved and maintained as new lots are created and new buildings are constructed:

3. Minimum Yard Requirements:

~~a. Single family and two family residential:~~

- ~~i. Front yard—twenty feet from right of way easement or property line and thirty feet from right of way easement or property line on arterials, except ten feet from right of way of a flanking street;~~
- ~~ii. Side yard—six feet;~~
- ~~iii. Rear yard—ten feet;~~

~~b. All other structures: See Section 20.07.030 (required minimum yards);~~

4. Maximum Coverage by Hard Surfaces. Maximum hard surface coverage for new development in this district is as follows (also see Chapter 20.07):

- a. Lots 2.5 acres or greater: Ten percent.
- b. Lots less than 2.5 acres: Sixty percent or ten thousand square feet, whichever is less.

S. Section 20.09A.050 TCC is hereby amended to read as follows:

**Chapter 20.09A - RURAL RESIDENTIAL/RESOURCE—ONE DWELLING UNIT PER FIVE ACRES (RRR 1/5)**

**20.09A.050 - Design standards.**

The following standards are established to insure that the purpose of this district is achieved and maintained as new lots are created and new buildings are constructed:

5. Minimum Yard and Setback Requirements. See Chapter 20.07.030.

6. ~~Impervious~~ Maximum Surface Coverage by Hard Surfaces. Maximum impervious hard surface coverage for new development in this district is as follows (also see Chapter 20.07):

- ~~a. Maximum impervious hard surface coverage, including structures, w~~Within the Green Cove Creek Drainage Basin, is as follows:
  - ~~i. Lots up to but not including .23 less than four acres (ten twenty two thousand nineteen six hundred fifty one square feet)—forty five percent or 10,000 square feet, whichever is less.~~
  - ~~ii. Lots .23 four acres to one acre or more — twenty five percent. Six percent~~
  - ~~iii. Lots 1.01 acres or more — six percent.~~

Where only a portion of a parcel is located within the basin, the ~~impervious~~ hard surface limits are applied to that portion of the parcel only. For example, if two acres of a five-acre parcel lie within the basin, then up to ~~six percent~~ 10,000 square feet of the two-acre portion may be covered with ~~impervious~~ hard surfaces. The provisions of the Drainage Design and Erosion Control Manual (Chapter 15.05 TCC) may further limit the amount of ~~impervious~~ hard surfaces.

b. For all other subdivisions, large lot subdivisions, short plats and new construction:

i. Lots 2.5 acres or greater: Ten percent.

ii. Lots less than 2.5 acres: Sixty percent or ten thousand square feet, whichever is less.

~~on lots five or more acres in size that are primarily (i.e., more than fifty one percent) on hydrologic soil groups C or D, as defined in the Thurston County Drainage Design and Erosion Control Manual (Chapter 15.05 of this code) — ten percent, except as provided in subsection (6)(a) of this section;~~

c. ~~For subdivisions, large lot subdivisions, short plats and new construction on lots less than five acres in size that are primarily (i.e., more than fifty one percent) located on hydrologic soil groups C or D, as defined in the Thurston County Drainage Design and Erosion Control Manual (Chapter 15.05 of this code) — forty five percent, except as provided in subsection (6)(a) of this section; and~~

d. ~~For all other subdivisions, large lot subdivisions, short plats and new construction — sixty percent.~~

T. Section 20.09B.050 TCC is hereby amended to read as follows:

### **Chapter 20.09B - RURAL—ONE DWELLING UNIT PER TWENTY ACRES (R 1/20)**

#### **20.09B.050 - Lot size and design standards.**

All divisions of land, construction of structures, and other development in this district shall comply with the following standards:

3. Maximum Building Coverage. Building coverage for fire district facilities shall be specified through the special use permit process and/or SEPA environmental review process as applicable. ~~For all other special uses with no maximum building coverage specified in Chapter 20.54 TCC, the maximum building coverage shall be six thousand square feet for parcels five to ten acres in size and twenty thousand square feet for parcels over ten acres in size.~~

5. Minimum Yard and Setback Requirements. See Chapter 20.07.030.

6. Maximum Coverage by Hard Surfaces. Maximum hard surface coverage for new development in this district is as follows (also see Chapter 20.07):

a. Lots 2.5 acres or greater: Ten percent for the first five acres; five percent for remaining area.

b. Lots less than 2.5 acres: Sixty percent or ten thousand square feet, whichever is less.

U. Section 20.09C.050 TCC is hereby amended to read as follows:

**Chapter 20.09C - RURAL—ONE DWELLING UNIT PER TEN ACRES (R 1/10)**

**20.09C.050 - Lot size and design standards.**

All divisions of land, construction of structures, and other development in this district shall comply with the following standards:

3. Maximum Building Coverage. Building coverage for fire district facilities shall be specified through the special use permit process and/or SEPA environmental review process as applicable. ~~For all other special uses with no maximum building coverage specified in Chapter 20.54 TCC, the maximum building coverage shall be six thousand square feet for parcels five to ten acres in size and twenty thousand square feet for parcels over ten acres in size.~~

5. Minimum Yard and Setback Requirements. See Chapter 20.07.030.

6. ~~Impervious Surface~~ Maximum Coverage by Hard Surfaces. Maximum impervious surface coverage for new development in this district is as follows (also see Chapter 20.07):

a. Lots 2.5 acres or greater: Ten percent for the first five acres; five percent for remaining area.

b. Lots less than 2.5 acres: Sixty percent or ten thousand square feet, whichever is less.

~~a. For subdivisions, large lot subdivisions, short plats and new construction on lots five or more acres in size that are located primarily (i.e., more than fifty one percent) on hydrologic soil groups C or D, as defined in the Thurston County Drainage Design and Erosion Control Manual (Chapter 15.05 of this code) — ten percent;~~

~~b. For subdivisions, large lot subdivisions, short plats and new construction on lots less than five acres in size that are located primarily (i.e., more than fifty one percent) on hydrologic soil groups C or D, as defined in the Thurston County Drainage Design and Erosion Control Manual (Chapter 15.05 of this code) — forty five percent; and~~

~~e. For all other subdivisions, large lot subdivisions, short plats and new construction — sixty percent.~~

V. Section 20.09D.050 TCC is hereby amended to read as follows:

**Chapter 20.09D - URBAN RESERVE—ONE DWELLING UNIT PER FIVE ACRES (UR 1/5)**

**20.09D.050 - Lot size and design standards.**

The following standards are established to insure that the purposes of this district are achieved and maintained as lots are created and buildings are constructed:

3. Maximum Building Coverage. Building coverage for fire district facilities shall be specified through the special use permit process and/or SEPA environmental review process as applicable. For all other special uses with no maximum building coverage specified in chapter 20.54 TCC, the maximum building coverage shall be six thousand square feet for parcels five to ten acres in size and twenty thousand square feet for parcels over ten acres in size.

5. Minimum Yard and Setback Requirements. See Chapter 20.07.030.

6. ~~Impervious Surface~~ Maximum Coverage by Hard Surfaces. Maximum hard surface coverage for new development in this district is as follows (also see Chapter 20.07):

a. Lots 2.5 acres or greater: Ten percent.

b. Lots less than 2.5 acres: Sixty percent or ten thousand square feet, whichever is less.

~~Subdivisions, large lot subdivisions, short plats and new construction on lots five or more acres in size that are located primarily (i.e., more than fifty one percent) on hydrologic soil groups C or D, as defined in the Thurston County Drainage Design and Erosion Control Manual (Chapter 15.05 of this code), ten percent;~~

a. ~~For subdivisions, large lot subdivisions, short plats and new construction on lots less than five acres in size that are located primarily (i.e., more than fifty one percent) on hydrologic soil groups C or D, as defined in the Thurston County Drainage Design and Erosion Control Manual (Chapter 15.05 of this code) — forty five percent; and~~

b. ~~For all other subdivisions, large lot subdivisions, short plats and new construction — sixty percent.~~

W. Section 20.10A.040 TCC is hereby amended to read as follows:

**Chapter 20.10A - RESIDENTIAL LAMIRD—ONE DWELLING UNIT PER TWO ACRES (RL 1/2)**

**20.10A.040 - Design standards.**

The following standards are established as the minimum necessary to ensure that the purpose of this rural residential, one dwelling unit per two acre district is achieved and maintained as new lots are created and new buildings are constructed:

3. Minimum yard requirements:

a. ~~Single family and two family residential:~~

i. ~~Front yard — twenty feet from right of way easement or property line and thirty feet from right of way easement or property line on arterials, except ten feet from right of way of a flanking street;~~

ii. ~~Side yard — six feet; and~~

~~iii. Rear yard—ten feet.~~

~~b. Other uses: See Section 20.07.030 (required minimum yards).~~

4. ~~Building and Impervious Surface Maximum Coverage Limits by Hard Surfaces. Maximum coverage by structures—sixty percent, except~~ Maximum hard surface coverage for new development in this district is as follows (also see Chapter 20.07):

~~a. w~~Within the Green Cove Creek Drainage Basin, where the maximum impervious hard surface coverage, including structures, is as follows:

~~i. Lots up to less than four acres~~ ten thousand square feet—forty-five percent or 10,000 square feet, whichever is less;

~~Lots ten thousand one square feet to one acre—twenty five percent; and~~

~~ii. Lots 1.01 4 acres or more—six percent.~~

Where only a portion of a parcel is located within the basin, the impervious surface limits are applied to that portion of the parcel only. For example, if two acres of a five-acre parcel lie within the basin, then up to six percent of the two-acre portion may be covered with impervious surfaces.

~~b. For all other development: Sixty percent or twenty-thousand square feet, whichever is less~~

X. Section 20.11A.040 TCC is hereby amended to read as follows:

**Chapter 20.11A - RESIDENTIAL LAMIRD—ONE DWELLING UNIT PER ACRE (RL 1/1)**

**20.11A.040 - Design standards.**

The following standards are established as the minimum necessary to insure that the purpose of this rural residential, one dwelling unit per acre district is achieved and maintained as new lots are created and new buildings are constructed:

3. Minimum Yard Requirements:

~~a. Single family and two family residential:~~

~~i. Front yard—twenty feet from right of way easement or property line and thirty feet from right of way easement or property line on arterials, except ten feet from right of way of a flanking street;~~

~~ii. Side yard—six feet; and~~

~~iii. Rear yard—ten feet.~~

~~b. All other structures: See Section 20.07.030 (required minimum yards).~~

4. ~~Building and Impervious Surface~~ Maximum Coverage Limits by Hard Surfaces. ~~Maximum coverage by structures—sixty percent, except~~ Maximum hard surface coverage for new development in this district is as follows (also see Chapter 20.07):

~~a. w~~ Within the Green Cove Creek Drainage Basin, where the maximum impervious ~~hard~~ surface coverage, including structures, is as follows:

~~i. Lots up to less than four acres~~ ten thousand square feet—forty-five percent or 10,000 square feet, whichever is less;

~~Lots ten thousand one square feet to one acre—twenty five percent; and~~

~~ii. Lots 1.01 4 acres or more—six percent.~~

Where only a portion of a parcel is located within the basin, the impervious surface limits are applied to that portion of the parcel only. For example, if two acres of a five-acre parcel lie within the basin, then up to six percent of the two-acre portion may be covered with impervious surfaces.

~~b. For all other development: Sixty percent or twenty-thousand square feet, whichever is less~~

Y. Section 20.13A.030 TCC is hereby amended to read as follows:

**Chapter 20.13A - RESIDENTIAL LAMIRD—TWO DWELLING UNITS PER ACRE (RL 2/1)**

**20.13A.030 - Design standards.**

The following standards are established as the minimum necessary to insure that the purpose of this rural residential, two dwelling units per acre district is achieved and maintained as new lots are created and new buildings are constructed:

5. Minimum yard requirements:

~~a. Single family and two family residential:~~

~~i. Front yard—twenty feet from right of way easement or property line and thirty feet from right of way easement or property line on arterials, except ten feet from right of way of a flanking street;~~

~~ii. Side yard—six feet; and~~

~~iii. Rear yard—ten feet.~~

~~b. All other structures: See Section 20.07.030 (required minimum yards);~~

6. Maximum coverage by Hard Surfaces. ~~structures—sixty~~ Maximum hard surface coverage for new development in this district is as follows (also see Chapter 20.07): Sixty percent or twenty-thousand square feet, whichever is less

Z. Section 20.15.060 TCC is hereby amended to read as follows:

**Chapter 20.15 - RESIDENTIAL—THREE TO SIX DWELLING UNITS PER ACRE (R 3—6/1)**

**20.15.060 - Design standards.**

The following standards are established as the minimum necessary to ensure that the purpose of this district is achieved and maintained as new lots are created and new buildings are constructed:

5. Minimum yard requirements:

a. Residential structures:

- i. ~~Front yard—twenty feet from right-of-way easement or property line and thirty feet from right-of-way easement or property line on arterials, except ten feet from right-of-way of a flanking street.~~
- ii. ~~Side yard—six feet; and ten feet for structures exceeding two units;~~
- iii. ~~Rear yard—ten feet;~~

b. ~~All other structures: See Section 20.07.030 (required minimum yards);~~

6. Maximum coverage by Hard Surfaces. buildings—sixty percent; Maximum hard surface coverage for new development in this district is as follows (also see Chapter 20.07): Sixty percent or twenty-thousand square feet, whichever is less

AA. Section 20.21A.060 TCC is hereby amended to read as follows:

**Chapter 20.21A - RESIDENTIAL—FOUR TO SIXTEEN DWELLING UNITS PER ACRE (R 4—16/1)**

**20.21A.060 - Design standards.**

The following standards are established as the minimum necessary to insure that the purpose of this residential four to sixteen units per acre district is achieved and maintained as new lots are created and new buildings are constructed:

5. Minimum yard requirements:

a. ~~Residential structures:~~

- i. ~~Front yard—twenty feet from right-of-way easement or property line and thirty feet from right-of-way easement or property line on arterials, except ten feet from right-of-way of a flanking street.~~

ii. Side yard—~~six feet; and ten feet for structures exceeding two units;~~

iii. Rear yard—ten feet;

b. All other structures: See Section 20.07.030 (~~required minimum yards~~);

6. Maximum coverage by ~~structures~~—Hard Surfaces: ~~s~~Seventy-five percent (also see Chapter 20.07).

BB. Section 20.22.040 TCC is hereby amended to read as follows:

### **Chapter 20.22 - NEIGHBORHOOD CONVENIENCE DISTRICT (NC)**

#### **20.22.040 - Design standards.**

The following standards are established as the minimum necessary to ensure that the purpose of this neighborhood convenience district is achieved and maintained:

4. Minimum yard requirements:

a. Commercial structures:

i. Front yard—~~twenty five~~ ten feet from right-of-way easement or property line and ~~thirty five~~ twenty feet from right-of-way easement or property line on arterials, except ten feet from right-of-way of a flanking street;

ii. Side yard—~~ten~~ five feet;

iii. Rear yard—~~ten~~ five feet;

b. All other structures: See Section 20.07.030 (~~required minimum yards~~);

5. Maximum floor area ratio—~~one-fourth~~;

6. Maximum coverage by ~~impervious~~ Hard surfaces:— ~~eighty-five percent (also see Chapter 20.07).~~

7. Open space—~~fifteen percent~~;

8. Landscaping as required by Section 20.45.040.

CC. Section 20.23.030 TCC is hereby amended to read as follows:

### **Chapter 20.23 - McALLISTER GEOLOGICALLY SENSITIVE AREA DISTRICT (MGSA)**

#### **20.23.030 - Design standards.**

4. Minimum Yard Requirements:

~~a. Residential uses:~~

~~i. Front yard: twenty feet from right of way easement or property line and thirty feet from right of way easement or property line on arterials, except ten feet from right of way of a flanking street.~~

~~ii. Side yard: six feet;~~

~~iii. Rear yard: ten feet;~~

~~b. All other structures shall have minimum yards in accordance with See Section 20.07.030;~~

5. Maximum Lot Coverage by ~~Impervious~~ Hard Surfaces:

- a. ~~Parcels of~~ Lots five acres or greater: five percent. For those uses allowed with a special use permit, the approval authority may grant additional lot coverage by ~~impervious~~ hard surfaces, of up to a maximum of ten percent, provided that conditions are also imposed to mitigate potential contamination of groundwater and to ensure the maintenance of adequate stormwater infiltration rates,
- b. ~~Lots and parcels of~~ less than five acres: sixty percent or ten thousand square feet, whichever is less;
- c. Also see Chapter 20.07.

DD. Section 20.24.040 TCC is hereby amended to read as follows:

**Chapter 20.24 - RURAL COMMERCIAL CENTER DISTRICT (RCC)**

**20.24.040 - Design standards.**

The following standards are established as the minimum necessary to insure that the purpose of this rural commercial center district is achieved and maintained and shall apply to nonresidential uses only:

6. Minimum yard requirements:

a. Commercial uses:

i. Front yard: ~~twenty five~~ ten feet from right-of-way easement or property line and ~~thirty five~~ twenty feet from right-of-way easement or property line on arterials, except ten feet from right-of-way of a flanking street.

ii. Side yard: ~~ten~~ five feet,

iii. Rear yard: ~~ten~~ five feet,

b. All other structures: see Section 20.07.030 (~~required minimum yards~~);

7. Maximum coverage by ~~impervious~~ Hard surfaces: seventy-five percent (also see Chapter 20.07).

8. Landscaping: a minimum of ten percent of the gross area shall be landscaped.

EE. Section 20.25.040 TCC is hereby amended to read as follows:

**Chapter 20.25 - ARTERIAL COMMERCIAL DISTRICT (AC)**

**20.25.040 - Design standards.**

The following standards are established as the minimum necessary to insure that the purpose of this arterial commercial district is achieved and maintained and shall apply to nonresidential uses only:

6. Maximum coverage by ~~structures—sixty~~ Hard Surfaces: eighty-five percent (also see Chapter 20.07).

FF. Section 20.26.040 TCC is hereby amended to read as follows:

**Chapter 20.26 - HIGHWAY COMMERCIAL DISTRICT (HC)**

**20.26.040 - Design standards.**

The following standards are established as the minimum necessary to insure that the purpose of this highway commercial district is achieved and maintained:

6. Maximum coverage by ~~structures—sixty~~ Hard Surfaces: eighty-five percent (also see Chapter 20.07).

GG. Section 20.27.040 TCC is hereby amended to read as follows:

**Chapter 20.27 - PLANNED INDUSTRIAL PARK DISTRICT (PI)**

**20.27.040 - Development standards.**

Site development plans shall conform with the following standards:

2. Minimum Yards.

- a. ~~Front—twenty-five ten feet from right-of-way easement or property line, except 20 feet from right-of-way easement line or property line on arterials;~~
- b. Side:
  - i. Interior side—~~fifteen~~ ten feet;
  - ii. Interior abutting residentially-zoned property—thirty feet;
  - iii. Side, street (flanking)—~~twenty-five~~ ten feet;
- c. Rear:

- i. Twenty-five feet;
  - ii. Rear abutting residentially-zoned property—fifty feet;
  - d. Exception: Two adjoining lots which have a common side lot line and which are developed concurrently may be developed with zero side yards on the common side lot line, provided that the opposite side yard is not less than thirty feet if it is an interior side yard, or not less than forty feet if it is a street side yard;
3. ~~Lot Maximum Coverage by Hard Surfaces: The total lot coverage of all structures and buildings shall not exceed sixty percent of such lot~~ eighty-five percent (also see Chapter 20.07).

HH. Section 20.28.040 TCC is hereby amended to read as follows:

**Chapter 20.28 - LIGHT INDUSTRIAL DISTRICT (LI)**

**20.28.040 - Development standards.**

Site development plans shall conform with the following standards:

2. Minimum Yards Measured from Property Line.

- a. Front—~~fifty~~ ten feet from right-of-way easement or property line, except 20 feet from right-of-way easement line or property line on arterials,
  - b. Side:
    - i. Interior—ten feet,
    - ii. Abutting residentially-zoned property—thirty feet,
    - iii. Street (flanking)—~~twenty five~~ ten feet,
  - c. Rear:
    - i. Twenty-five feet,
    - ii. Abutting residentially-zoned property—fifty feet,
  - d. Exception: Two adjoining lots which have a common side lot line and which are developed concurrently may be developed with zero side yards on the common side lot line, provided that the opposite side yard is not less than thirty feet if it is an interior side yard, or not less than forty feet if it is a street side yard;
3. ~~Lot Maximum Coverage by Hard Surfaces: The total lot coverage of all structures and buildings shall not exceed sixty percent of such lot~~ eighty-five percent (also see Chapter 20.07).

II. Section 20.29.040 TCC is hereby amended to read as follows:

**Chapter 20.29 - RURAL RESOURCE INDUSTRIAL DISTRICT (RRI)**

**20.29.040 - Development standards.**

Site development plans shall conform with the following standards:

2. Minimum yards measured from property line:

- a. Front: fifty ten feet from right-of-way easement or property line, except 20 feet from right-of-way easement line or property line on arterials,
- b. Side:
  - i. Interior: ten feet,
  - ii. Abutting residentially zoned property: thirty feet,
  - iii. Street (flanking): ~~twenty-five~~ ten feet,
- c. Rear:
  - i. Twenty-five feet,
  - ii. Abutting residentially zoned property: fifty feet;

3. Maximum lot coverage by ~~impervious~~ hard surfaces: sixty percent; ~~(also see Chapter 20.07).~~

JJ. Section 20.30.050 TCC is hereby amended to read as follows:

**20.30.050 - Development standards.**

5. Maximum Coverage. ~~Individual lots within a PRD are exempt from b~~Building and hard surface coverage limits established for the underlying zone, however, the PRD as a whole, including streets, access ways and other paved surfaces and development of the site shall not exceed the percentage permitted by the underlying zone.

8. Improvements. ~~The following~~ Additional improvements to the area proposed for dedication may be required prior to final approval of the PRD, as specified in TCC 20.32.050.:

~~a. Removal of construction debris and hazards;~~

~~b. Rough grading and establishment of grass cover over those portions of the site suitable for playfields.~~

10. Stormwater ~~Detention~~ Facilities. Stormwater ~~facilities~~detention ponds may be allowed by the county as part of dedicated open space subject to the ~~following~~ criteria in TCC 20.32.060.:

~~a. The detention pond shall be constructed so as to drain fully when precipitation is not occurring (i.e., no standing water may be left) unless the pond is designed as aesthetic amenity.~~

~~b. The side slope of the detention pond shall not exceed thirty three percent unless slopes are existing, natural and covered with vegetation.~~

~~c. If detention facilities are located adjacent to or near a natural, year round stream or wetland, these systems shall be left in natural or near natural condition.~~

~~d. The detention area shall be landscaped in a manner which is both aesthetic and able to withstand the inundation expected.~~

~~e. Use of a dedicated open space area for stormwater detention shall not be acceptable if the detention area must be fenced or otherwise rendered unsuitable or unavailable for recreation use during dry weather.~~

~~f. In the case of joint use of open space for detention and recreation, the lot owners or owners' association shall be responsible for maintenance of the detention facilities.~~

KK. Section 20.30A.020 TCC is hereby amended to read as follows:

**20.30A.020 - Applicability.**

Planned Rural Residential Developments are permitted within the following districts consistent with the development standards in this chapter:

1. Long-Term Agriculture District (Chapter 20.08A);
2. Nisqually Agricultural District (Chapter 20.08C);
3. Long-Term Forestry District (Chapter 20.08D);
4. Rural Residential/Resource—One Dwelling Unit Per Five Acres (Chapter 20.09A);
- ~~5. Residential LAMIRD—One Dwelling Unit Per Two Acres (Chapter 20.10A);~~
56. Rural—One Dwelling Unit per Twenty Acres (Chapter 20.09B);
67. Rural—One Dwelling Unit per Ten Acres (Chapter 20.09C); and
78. Urban Reserve—One Dwelling Unit per Five Acres (Chapter 20.09D).

LL. Section 20.30A.040 TCC is hereby amended to read as follows:

**20.30A.040 - Resource use parcel requirements.**

1. Establishment of a Resource Use Parcel. Each planned rural residential development shall contain a resource use parcel comprising as a minimum the following percentage of the proposed subdivision:

- a. Long-term agriculture district—eighty-five percent;

- b. Nisqually agriculture district—ninety percent;
- c. Long-term forestry district—seventy-five percent;
- d. Rural residential/resource—one unit per five acres district—sixty-five percent;
- e. Rural— One Dwelling Unit per Twenty Acres – sixty-five percent;
- f. Rural— One Dwelling Unit per Ten Acres – sixty-five percent;
- g. Urban Reserve – sixty-five percent.

2. Ownership. The resource use parcel may be owned by a homeowners association, corporation, partnership, land trust, individual, or other legal entity.

3. Use. The following uses of the resource use parcel are permitted, subject to any land use limitations in the underlying district:

a. Permitted uses:

i. Agriculture, including forest practices;

ii. Passive recreation;

iii. Natural areas including, but not limited to, critical areas and associated buffers, and wildlife corridors;

iv. Community and individual water systems, sewage system drainfields, and stormwater ~~detention ponds~~ flow control and treatment facilities serving the subdivision, subject to the standards in Section 20.32.070. Such facilities shall not be permitted in agricultural and forestry districts where they would significantly impede the agriculture or forestry use or potential for such use; and

v. One single-family residence and accessory uses, including a home occupation, pursuant to Chapter 20.54, and farm housing pursuant to Chapters 20.08A, 20.08C, or 20.09A.

b. Special Uses. Only the following special uses are permitted in resource use parcels created in the rural residential/resource—one unit per five acres district, subject to Chapter 20.54:

i. Boat launches;

ii. Riding stables and arenas;

iii. Golf courses and associated uses;

iv. Commercial campgrounds.

4. A residence within the resource use parcel shall count toward the total number of residential units allowed.

5. Plat Restrictions. The limitations on the use and subdivision of the resource use parcel, as provided in Sections 20.30A.040(3) and 20.30A.080(2), shall be noted on the plat. If not all of the allowable density

is used, the number of lots which may be created in the future shall also be noted on the plat. The limitations noted on the plat shall be effective until annexation to a city or town.

MM. Section 20.30A.070 TCC is hereby amended to read as follows:

**20.30A.070 - Development standards.**

3. Maximum Coverage by ~~Structures. Same as underlying district.~~ Individual lots within a PRRD are exempt from building and hard surface coverage limits established for the underlying zone, however, the PRRD as a whole, including streets, access ways and other paved surfaces and development of the site shall not exceed the percentage permitted by the underlying zone.

NN. Section 20.32.030 TCC is hereby amended to read as follows:

**20.32.030 Dedication criteria.**

1. The required minimum open space dedication shall not include lands reserved for street rights-of-way, tidelands or lands covered by buildings, structures or impervious materials, except as would be permitted pursuant to Section 20.32.040. This title does not require the installation of recreational facilities. Land proposed for open space dedication shall meet the following additional criteria:

a. Location.

i. The area proposed for dedication may be within or outside the subject development, but if outside the subdivision must be within reasonable walking distance (e.g., ¼ mile) to dwelling units in the development.

ii. At least fifty percent of designated open space shall be contiguous. Where practical, the proposed dedicated property shall be located adjacent to other established or planned park, open space, critical area buffers, ~~and or~~ recreational areas in adjacent parcels or developments, schools, or ~~county~~ public parks; provided, that such dedication would increase the overall benefit to the residents of the subject development and conform to other criteria in this section.

iii. Open space should be designated to minimize conflicts with existing and planned utilities and road rights-of-way.

iv. Open space should be designated in an area downslope from proposed development to the maximum extent feasible.

b. Access.

i. All residences within the subject development must have legal access to the proposed area for dedication at the time of site plan approval. Private or access roads, trees or other

landscaping may separate the area proposed for dedication. However, access should not be blocked by major obstacles such as arterials or collectors, ~~canyon or ravines.~~

ii. Areas dedicated for active recreational open space shall have reasonable access from street frontage. Design measures should accomplish the purposes of access and security.

2. e. Types of Open Space Uses.

i. At least thirty percent of land dedicated for open space shall be maintained in a natural condition. The remaining designated open space should be usable for either may be used for any of the following permitted uses, as allowed by the underlying zoning district:

~~(A)~~ a. Greenbelts that serve as a buffer between land uses, using existing vegetation, or an aesthetic amenity such as boulevard trees;

~~(B)~~ b. Active or passive recreational activities; or

~~(C)~~ c. for protecting Protection of critical areas and their required buffers or other environmentally sensitive areas such as wetlands. ;

d. Agriculture, including forest practices;

e. Landscaping requirements as specified in TCC 20.45 (Landscaping and Screening);

f. Stormwater facilities in accordance with TCC 15.05 (Thurston County Drainage Design and Erosion Control Manual);

g. Tree tracts in compliance with TCC 17.25 (Forest Lands Conversion).

3. Recreation

a. This subsection applies to development located wholly or in part in the following county zoning classifications: RL 2/1, R 3-6/1, R 4-16/1

~~ii~~b. Except as provided in subsection ~~(2)~~~~(b)~~(iii) or (iv) below, thirty percent of the dedicated open space area shall be suitable for active recreation. The topography, soils, hydrology, and other physical characteristics of the area proposed for active recreation shall be of such quality as to provide a dry obstacle-free space in a configuration which is suitable for active recreation.

~~iii~~c. The percentage of active recreational areas may be increased to as high as fifty percent if it is determined that anticipated recreational needs will require a larger percentage. In increasing this percentage, the following standard should be used: the ratio of one acre of active recreational open space to one hundred twenty-five residential lots.

~~iv~~d. The percentage of active recreational area may be decreased to as low as zero if it is determined that: (A) inclusion of buffers or environmentally sensitive lands such as wetlands would better meet the open space needs of the residents of the subdivision; or (B) meeting the standard would require substantial grading or other disturbance of the natural setting.

~~2. 4.~~ Proposed open space areas which do not meet the size or other criteria of this section may be considered under Section 20.32.060, Equivalent facilities.

OO. Section 20.32.040 TCC is hereby amended to read as follows:

**20.32.040 Rights and duties.**

The owners of open space land shall have the following rights which may be exercised in respect of such land, subject to restrictive covenants or other restrictions:

1. The right to locate recreational facilities, such as tennis courts, swimming pools, picnic tables and fireplaces accessory to picnic tables designed to be used exclusively for the use of residents of the development and their guests;
2. The right to locate pedestrian paths, bicycle paths and bridle paths;
3. The right to cover up to but not exceeding ten percent of the land with impervious ~~substanees~~ surfaces reasonably necessary to exercise the rights provided in subsections (1) and (2) of this section;
4. The right to take whatever measures are reasonably necessary to protect and maintain such land, or land or property adjacent thereto, or to correct a hazardous condition posing a threat to life or limb;
5. The right to conduct agricultural activities, including the selective harvesting of mature trees;
6. The right to regulate access to or entry on the open space land and duty to maintain such land.

PP. Section 20.32.070 TCC is hereby amended to read as follows:

**20.32.070 Stormwater ~~detention~~ facilities.**

Stormwater flow control and treatment facilities may be allowed as open space subject to the provisions of this chapter and the criteria contained in Section 20.32.070 TCC. In the event of a stormwater system failure subsequent to final plat approval, the department may authorize, with the consent of the affected property owner(s) and consistent with Section 18.04.060, necessary stormwater facilities in designed open space. Also, the department may authorize new or expanded stormwater facilities in open space tracts to accommodate stormwater generated by a federal, state or county project if there is no other reasonable alternative.

The design of such facilities shall minimize adverse impacts on the function (e.g., tree preservation, play area) and quality of the open space. If the pond must have steep side slopes (greater than 3H:1V) to provide needed capacity, thorny vegetation or fencing shall be used to restrict access (per Thurston County Drainage Design and Erosion Control Manual, Volume V, Appendix V-E, Site Design Elements). ~~Thorny or other impenetrable vegetation is a preferred and is an acceptable alternative to fencing.~~ Thorny or other impenetrable vegetation shall be at least a 10-foot wide strip that will provide a barrier to entry of small children or others who may be incapable of climbing out of the facility. Vegetation type must be approved by the jurisdiction and must be in place within one growing season of facility excavation.

Thorny or other impenetrable vegetation is preferred, rather than fencing unless the approval authority determines that it would not adequately protect public safety.

Prior to authorizing use of established open space to accommodate stormwater facilities in a manner that would significantly diminish its function or aesthetic quality, all viable alternatives must be explored and be found to be impractical or cost prohibitive (taking into account initial construction cost and long term maintenance cost). Prior to authorizing use of such open space, the approval authority must determine that, overall, the use of the open space to accommodate stormwater facilities is beneficial to the affected neighborhood or the general public. Not more than 25 percent of designated open space outside of critical area buffers may be used for stormwater facilities, except that areas used for dispersion will not count toward the 25 percent limit.

The approval authority may allow the following types of stormwater facilities, if aesthetically designed and to allow for either passive or active recreation, to be considered for open space use:

- Bioretention facilities and rain gardens
- Constructed treatment wetlands
- Wetponds
- Sheet flow and concentrated flow dispersion areas
- Retention ponds
- Detention ponds
- Bioswales and filter strips

Aesthetic design of stormwater facilities includes provisions such as curvilinear design, landscaping, amphitheater design, water features and shallow slopes throughout the majority (50%) of the facility.

Active recreation design of stormwater facilities includes facilities that are designed to provide play areas (including, but not limited to, a soccer field, volley ball court) that are usable during portions of the year.

Passive recreation design of stormwater facilities includes facilities that are shaped aesthetically, where wildlife habitat has been planned (e.g. nesting areas provided) or water features provided and reasonable passive viewing facilities are provided (e.g., trails, picnic facilities).

Stormwater detention/retention facilities may be allowed by the county as part of dedicated open space subject to the following criteria:

1. If detention facilities are located adjacent to or near a natural, year round stream or wetland, these systems shall be left in natural or near natural condition.
2. The detention area shall be landscaped in a manner which is both aesthetic and able to withstand the inundation expected.
3. In the case of joint use or open space for detention and recreation, the lot owners or owners' association shall be responsible for maintenance of the detention facilities.
4. The requirements contained in Section 8.1 of the Drainage Design and Erosion Control Manual (Thurston County Code Section 15.05.010) are met.

QQ. The table of contents for Chapter 20.44 TCC is hereby amended to read as follows:

Sections:

20.44.010 Purpose.

20.44.020 Parking standards.

20.44.030 Off-street parking—~~Minimum~~ Required spaces.

20.44.050 Design requirements for off-street parking.

20.44.060 Off-street loading standards and design.

20.44.070 Bicycle parking requirements.

RR. Section 20.44.010 TCC is hereby amended to read as follows:

**20.44.010 Purpose.**

Off-street vehicular parking and loading shall be provided in accordance with the provisions and minimum standards provided in this chapter. These requirements may be increased by the ~~hearing examiner approval authority~~ where necessary to protect public safety and serve the public interest. The intent of this chapter is to:

1. Promote traffic safety and reduce traffic congestion by assuring adequate places for storing motor vehicles, and for their orderly access to public streets;
2. Provide aesthetically pleasing and well-maintained parking facilities that facilitate safe connections for pedestrians and other non-motorized forms of transportation;
3. Prevent the creation of unnecessary impervious surfaces, and apply the use of low-impact design practices where feasible, in order to minimize negative impacts to surface waters.

SS. Section 20.44.020 TCC is hereby amended to read as follows:

**20.44.020 Parking standards.**

When off-street parking is required pursuant to TCC 20.44.030, then the following provisions and standards shall apply:

1. Review. Required parking facilities shall be shown on the site plan for building permit or hearing examiner approval. This requirement shall not apply when a proposed permit is for single-family detached or for two-family structures with an attached garage for each unit.
2. Access to Parking Areas.
  - a. All parking facilities shall be provided with safe and convenient access to a street. Ingress and egress to public streets shall be provided only through driveway openings of such dimension, location and construction as may be approved by the public works department. Driveway openings onto collector and arterial streets shall conform to adopted standards limiting encroachments onto such streets and shall be combined where possible.

b. Parking areas for uses other than single-family detached and two-family structures with attached garages shall have access from a clearly limited and defined driveway not less than ~~fifteen~~ ten feet wide if for one-way traffic and ~~twenty-two~~ twenty feet wide if for two-way traffic, and not more than thirty-five feet wide. Exceptions may be granted by the approval authority provided public safety is assured.

c. Within the Grand Mound, Tenino, Rainier and Yelm unincorporated urban growth areas, access driveways to parking areas described in Section 20.44.020(b), above, shall be ~~paved with a hard surface such as asphalt or concrete~~ surfaced with asphalt, concrete, or other approved non-gravel hard surface so as to provide a surface that is durable and dust free, and shall be so graded and drained as to properly dispose of all surface water. ~~However, a~~ Access driveways may be surfaced with gravel ~~or other approved surface~~ if both of the following criteria apply;

- i. The access driveway and parking area contains only one or two parking spaces; and
- ii. The shortest feasible route between the road access and the parking area is at least one hundred feet in length.

### 3. Location of Parking Areas.

a. Required off-street parking for other than residential uses shall be either on the same lot or within three hundred feet of the building or use it is intended to serve, measured from the nearest point of the building or use to the nearest point of the required off-street parking facility.

b. On collector or arterial streets, parking areas shall not be located across the street from the use to which they pertain. Exceptions may be granted by the public works director provided public safety is assured.

### 4. Use of Designated Parking Areas.

a. Parking facilities shall be used solely for the parking of vehicles in operating condition. No motor vehicle repair work except emergency service shall be permitted in association with such a parking facility.

b. Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere and the approved site plan, if applicable, has been amended to reflect the change or the principal use served by the parking no longer requires such off-street parking.

### 5. Landscaping and Lighting.

a. When parking facilities exceed five thousand square feet, a minimum of ten percent of the total internal parking area shall be set aside for landscaping.

b. Landscaping islands within parking facilities shall be designed to maximize their ability to function as conveyance, detention, and/or treatment systems for storm water. All parking facilities shall comply with the provisions for landscaping as set forth in Chapter 20.45

c. Plant Selection. No tree, shrub, or plants shall be proposed for use within a parking area that has been identified as a noxious weed, as defined by Chapter 16-750 WAC, or an Invasive Species, as defined in TCC 24.03.010.

d. Landscaping within parking areas shall be regularly maintained to ensure they meet aesthetic standards and continue to properly function as stormwater systems.

e. All parking facilities shall comply with the provisions for lighting as set forth in Chapter 20.40.

6. Pre-existing Uses.

a. Whenever an existing building or use requiring off-street parking is increased in floor area, the ~~minimum~~ number of additional parking spaces required shall be based upon the addition only.

b. Off-street parking for existing uses shall not be reduced to an amount less than hereinafter required for a similar new building or new use.

7. ~~Joint and Shared Parking Facilities. Reduction in required parking may be granted for joint facilities when operating hours of users do not conflict. Evidence of joint use agreements, assurance from all parties regarding nonconflicting hours of operation or other items may be required by the director or hearing examiner prior to such reductions.~~

a. When two or more adjoining land uses or uses within a building have operating hours of users that do not conflict (e.g., an office and a church), total parking may be reduced to the amount required for the more intensive use. Evidence of joint use agreements, assurance from all parties regarding nonconflicting hours of operation or other items may be required by the approval authority prior to such reductions.

b. When two or more adjoining land uses or uses within a building have similar or overlapping hours of operation, parking requirements may be reduced by no more than fifty percent of the least intensive use. Evidence of joint use agreements, assurance from all parties regarding hours of operation or other items may be required by the approval authority prior to such reductions.

8. Within the Grand Mound urban growth area, the Grand Mound Development Guidelines dated March 9, 1998 and updates thereto, are adopted and incorporated in this chapter by reference as fully set forth in this chapter.

TT. Section 20.44.030 TCC is hereby amended to read as follows:

**20.44.030 Off-street parking—~~Minimum required spaces.~~**

The ~~minimum~~ number of required off-street parking spaces shall be determined in accordance with the ~~following~~ table below. Project applicants may request an administrative modification to increase or decrease the number of parking spaces otherwise required by this chapter. No modification is required to increase or decrease the number of required spaces by up to ten percent. Modifications greater than forty

percent may only be granted by the hearing examiner and only pursuant to the criteria of TCC Chapter 14.32.

1. The following table shall be used to determine ~~minimum~~ required parking spaces:

	Required Spaces	Unit of Measurement (Square feet = gross floor area)
a. Residential.		
i. Single-family	2	Dwelling unit
ii. Two-family	2	Dwelling unit
iii. Multifamily: 3 bedrooms+	2	Dwelling unit
iv. Multifamily: 1—2 bedrooms	1-½	Dwelling unit
v. Efficiency	1	Dwelling unit
<u>vi. Senior housing</u>	<u>1</u>	<u>2 dwelling units, plus 1 guest space for every 10 units</u>
b. Public and semipublic.		
i. Auditoriums, Churches, Theaters and Similar Uses.		
(A) Fixed seating	1	<del>3</del> <u>4</u> seats or 6 feet of bench
(B) Without fixed seating	1	<del>150 square feet</del> <u>4 occupants permitted at maximum capacity or 170 square feet</u>
ii. Education Facilities.		
(A) High schools and higher education facilities	1	Classroom and office, plus
	1	<del>per each 5</del> <u>10</u> students of designed capacity
(B) Day-care centers and similar uses	1	<del>350 square feet per staff member, or</del>
	1	<u>each 10 children with adequate drop off facilities</u>
(C) Other schools	1	Classroom and office
iii. Hospitals	1	2 beds
iv. Libraries	1	<del>200</del> <u>250</u> square feet
v. Nursing homes and similar uses	1	5 beds
c. Offices—business and professional, except as specified below:	1	300 square feet <u>for offices with onsite customer service; or</u>
	1	<u>500 square feet for offices without onsite customer service</u>

i. Medical and dental	1	<del>200</del> <u>250</u> square feet
ii. Banks	1	<del>200</del> <u>250</u> square feet
d. Retail sales, personal service and similar uses, except as specified below:	1	<del>200</del> <u>300</u> square feet
i. Furniture and motor vehicle showrooms and similar uses	1	<del>800</del> <u>750</u> square feet ( <u>4 spaces minimum</u> )
<u>ii. Shopping Center</u>	<u>1</u>	<u>250 square feet, up to 200,000 square feet; and</u>
	<u>1</u>	<u>300 square feet, for additional area above 200,000 square feet</u>
e. Commercial Recreation.		
i. Hotels, motels and similar uses	1	Rental unit
ii. Recreation facilities such as skating rinks and similar uses	1	<del>400</del> <u>200</u> square feet
iii. Restaurants and similar uses, <u>except as specified below:</u>	1	200 square feet
<u>a. Drive up stands (espresso, food carts)</u>	<u>1</u>	<u>Window, plus 1 lane for each window with stacking space for 3 vehicles</u>
iv. Marinas	1	2 moorage spaces
f. Industrial.		
i. Warehouse and wholesale	1	<del>800</del> <u>2,000</u> square feet
ii. Manufacturing	1	<del>500</del> <u>1,500</u> square feet
<u>iii. Ministorage</u>	<u>1</u>	<u>200 storage units</u>
<u>j. Mixed Use</u>	<u>1</u>	<u>Joint parking standards shall be used to calculate needed parking. This calculation is based upon the gross leasable area (GLA) for each shop or business and does not include atriums, foyers, hallways, courts, maintenance areas, etc.</u>

2. When determining the number of required parking spaces for a particular use or building results in a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or over shall be counted as one space.

3. The off-street parking requirements for uses not specifically mentioned in this section shall be the same as the use most similar from the standpoint of parking needs, unless the hearing examiner finds such requirements to be unreasonable as applied to the proposed use, in which case the hearing examiner shall prescribe reasonable requirements for the use.

4. Parking requirements for disabled persons. Accessible parking spaces shall be provided in accordance with the Thurston County Building Code, Chapter 14.17. Required accessible parking spaces shall be included in the calculation of the total number of spaces.

5. Administrative modifications.

a. Reducing minimum requirements. A modification to reduce the number of required parking spaces within the range of ten percent to forty percent shall be considered by the approval authority when:

i. The applicant is able to demonstrate to the satisfaction of the approval authority that fewer spaces are needed based on a parking demand study prepared by the applicant or consultant; or

ii. When on-street parking is available and approved; or

iii. For multi-family housing, public and semipublic facilities (including schools and hospitals), offices, retail, or commercial uses where alternative transportation options such as transit are located within a ¼-mile walk to the development, or will be within 6 months; or

iv. For joint facilities when operating hours do overlap, up to 50% reduction.

b. Increasing maximum requirements. For administrative modifications of greater than ten percent, the approval authority may allow more than the maximum number of parking spaces when:

i. Parking is contained in an aboveground or underground structure, and does not increase total impervious surfaces on the lot; or

ii. The applicant is able to demonstrate to the satisfaction of the approval authority that more spaces are needed based on a parking demand study prepared by the applicant or consultant; and

iii. Parking spaces above the minimum are constructed of pervious paving surfaces, in accordance with the Drainage Manual, if feasible.

c. Modifications may be denied or altered if the approval author has reason to believe based on experience and existing development practices that the proposed modification may lead to excessive or inadequate parking or may inhibit or prevent regular and intended functions of either the proposed or existing use, or adjacent uses.

UU. Section 20.44.050 TCC is hereby amended to read as follows:

**20.44.050 Design requirements for off-street parking.**

Whenever off-street parking is required, the parking area and space shall be designed, constructed and maintained in accordance with the following minimum provisions and standards:

1. When more than two spaces are required, the following standards and provisions, in addition to those provided in Sections 20.44.020 and 20.44.030, shall apply:

Angle of Parking Space (Degrees)	Aisle Width (Feet)	Total Width of One Tier of Parking Plus Aisle (Feet)	Total Width of Two Tiers of Parking Plus Aisle (Feet)
90	<del>22</del> <u>21</u>	<del>42</del> <u>39</u>	<del>62</del> <u>57</u>
<del>80—89</del>	<del>21</del>	<del>42</del>	<del>62</del>
<del>75—79</del>	<del>19</del> <u>18</u>	<del>41</del> <u>36</u>	<del>61</del> <u>54</u>
<del>70—74</del>	<del>18</del>	<del>40</del>	<del>62</del>
<del>65—69</del>	<del>17</del>	<del>40</del>	<del>62</del>
<del>60—64</del>	<del>16</del>	<del>37</del> <u>34</u>	<del>58</del> <u>52</u>
<del>55—59</del>	<del>15</del>	<del>36</del>	<del>56</del>
<del>50—54</del>	<del>14</del>	<del>34</del>	<del>53</del>
<del>45—49</del>	<del>13</del> <u>12</u>	<del>32</del> <u>30</u>	<del>50</del> <u>48</u>
<del>40—44</del>	<del>12</del>	<del>30</del>	<del>47</del>
<del>35—39</del>	<del>11</del>	<del>28</del>	<del>44</del>
<del>30—34</del>	<del>11</del>	<del>27</del>	<del>42</del>
<del>1—29</del>	<del>10</del>	<del>24</del>	<del>38</del>
Parallel		24 one-way	33 one-way
Parallel		29 two-way	38 two-way

2. Angled parking with one-way aisles shall be utilized where possible to reduce the total impervious area.

3. Surfacing.

a. Within the Grand Mound, Tenino, Rainier, and Yelm unincorporated urban growth areas parking spaces shall be surfaced with asphalt, concrete, or other approved dust-free hard surface.

b. Outside urban growth areas, parking areas shall be surfaced with asphalt, concrete, compacted gravel or other approved hard surface.

c. Parking spaces included in the site plan which are above the maximum number of spaces required in this Section or that are used infrequently (less than 30 days per year) shall be constructed of an alternative paving surface unless site and soil conditions make pervious surfacing infeasible, as determined by the approval authority. The alternative paving surface shall be designed and constructed to not track material into the public right-of-way and in accordance

with the Drainage Design and Erosion Control Manual (current edition) and the manufacturer's recommendations. A maintenance agreement may be required to ensure such surface is properly maintained.

~~4.~~ 4. Hard surface parking areas shall use paint, paving bricks, or similar devices to delineate parking spaces. Areas paved with lattice block pavement, gravel, or grass parking areas shall use wood or concrete wheel guards or wheel stops at the end of parking spaces or paving bricks, concrete strips or similar devices on the sides of spaces to delineate parking spaces.

~~3.~~ 5. All parking spaces shall be designed to prevent egress by backing out onto any state highway, collector or arterial street.

~~4.~~ 6. Bumper stops, curbing or wheel chocks shall be provided to prevent any vehicle from damaging or encroaching upon any sidewalk or upon any building adjacent to the parking area. Curbing shall be designed to allow drainage into landscaped areas and stormwater facilities.

~~5.~~ 7. All parking spaces shall be nine feet in width and ~~twenty~~ eighteen feet in length. At the developer's option, a maximum ~~twenty~~ thirty-five percent may be marked "compact only" with a dimension of seven and one-half feet by fifteen feet. At the developer's option, ten percent may be marked "oversize" with a dimension of nine feet in width by twenty feet in length.

~~6.~~ 8. Parallel parking spaces shall be twenty feet in length and eight feet in width, with maneuvering space of three feet for every two vehicles. Driveways and other spaces not occupied by parking may be used to obtain the required maneuvering space.

~~7.~~ Within the Grand Mound, Tenino, Rainier and Yelm unincorporated urban growth areas parking areas shall be surfaced with lattice block pavement, asphalt concrete or Portland cement concrete, except that the public works director may require a surface of grass (which may be reinforced with geotextiles) in parking areas which are used lightly enough to allow the survival of such a surface.

~~8.~~ Outside urban growth areas, required parking areas shall be surfaced with lattice block pavement, asphalt concrete, Portland cement concrete or compacted gravel, except that the public works director may require a surface of grass reinforced with geotextiles in parking areas which are used lightly enough to allow the survival of such a surface.

VV. A new section 20.44.070 TCC is hereby added to read as follows:

**20.44.070 Bicycle parking requirements.**

All commercial, industrial, institutional, and recreational uses which require 25 or more parking spaces, pursuant to this Section shall provide a designated bicycle parking area to accommodate a minimum of five bicycle spaces. Such bicycle parking areas shall provide a secure facility (e.g., rack, posts) to which to lock bicycles and shall be located so as to be reasonably convenient to the onsite use and not interfere with pedestrian and automobile traffic. Bicycle racks shall be covered in such a manner as to protect the entire bicycle from rain and installed to provide adequate maneuvering space and ensure that the requisite bicycle parking spaces remain accessible. Prior to issuing permits for facilities requiring 100 or more

parking spaces pursuant to this Section and/or uses with high expected bicycle traffic (e.g., schools) the approval authority may require reasonable additional bicycle parking capacity over and above the minimum five spaces.

WW. Section 20.45.010 TCC is hereby amended to read as follows:

**20.45.010 Purpose.**

The intent of this chapter is to establish minimum requirements and standards for landscaping and screening where needed to:

1. ~~P~~Promote safety;
2. ~~P~~Provide screening between incompatible land uses to safeguard privacy and to protect the aesthetic assets of the community;
3. Retain existing native vegetation and trees by incorporating them into site design;
4. Facilitate the infiltration of surface water into groundwater, provide flow control, and/or improve the quality of stormwater discharge to protect surface waters.

XX. Section 20.45.020 TCC is hereby amended to read as follows:

**20.45.020 General requirements.**

1. Landscape plans. A plan of the proposed landscaping and screening shall be provided, which may be incorporated into plans submitted for preliminary plat, site plan review or building permit review. Landscape plans shall be prepared by a licensed Landscape Architect, certified Professional Horticulturist, or certified Sustainable Landscape Professional, except that for land divisions of four or fewer lots, plans may be prepared by the applicant. Landscape plans are subject to approval by the reviewing authority.

Landscape plans shall be drawn to scale, including dimensions and distances, and clearly delineate:

- a. The location, size, species, and number of plants to be planted;
- b. ~~T~~he existing and proposed parking spaces, or other vehicular use area, access aisles, and driveways; ~~and the location, size and description of all landscape materials.~~
- c. A narrative description and timeline detailing the site preparation, installation, and maintenance measures necessary for the long-term survival and health of the plants.

2. To the extent practical, internal landscaped areas shall be lower in elevation than the surrounding impervious surfaces and shall serve as aesthetic amenities and as conveyance and/or detention systems for storm drainage. Landscaping around the perimeter may be a combination of swales and berms and to the extent that the objectives of screening of parking areas and the provisions of stormwater conveyance and detention are compatible, both functions shall be served.

3. Tree and Vegetation retention. Retention and salvage of existing native vegetation and trees is preferred over removal and replacement of vegetation, and shall meet the following standards:

- a. Retained trees shall be windfirm and shall not constitute a safety hazard.
- b. To be identified for credit, retained trees must be a minimum 6 inch diameter at breast height.
- c. Areas designed for retention of trees shall be protected by temporary fencing prior to the initiation of any clearing and grading. Such fencing shall follow the standards in TCC 24.25.070.

4. Permitted plant types. The applicant shall utilize plant materials which are non-invasive, but adapted to local climatic conditions, including drought conditions. The following resources may be used to identify appropriate plants:

- a. Native and/or appropriate drought-tolerant plant choices identified by a professional horticulturalist, subject to approval by the reviewing authority;
- b. The WSU Extension native and waterwise plant lists;
- c. United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) plant database for plants that occur in Thurston County; or
- d. Materials developed and/or provided by the department with an advisory listing of trees and other plants recommended for new plantings. Such a list shall describe their general characteristics and suitability, and provide guidelines for their inclusion within required landscape areas.

5. Ground cover shall be planted and spaced to result in coverage of eighty percent of the landscaped area within three years, unless mulched areas between plants will allow for superior function of landscaped area or stormwater facility.

6. Maintenance.

- a. The property owner shall maintain all required landscaping for the life of the project.
- b. All landscape areas shall be kept free of trash.
- c. Plants lost due to lifecycle or disease shall be replaced within 180 days, between October 1 and March 31, unless area is irrigated.
- d. Landscape areas functioning as stormwater facilities shall be maintained in accordance with the Drainage Design and Erosion Control Manual, TCC 15.05.010.
- e. The county shall require a maintenance assurance device for a period of one year from the completion of planting in order to insure compliance with the requirements of this chapter. The value of the maintenance assurance must equal to at least twenty percent of the replacement cost of the landscape materials, and shall be utilized by the county to perform any necessary maintenance, and to reimburse the county for documented administrative costs associated with action on the device.
- f. The county may accept, as an alternative to a maintenance assurance device, a contractual agreement or bond between the owner or developer and a licensed landscape architect, Washington certified nurseryman, or Washington certified landscaper contractor registered in Washington State, along with a rider or endorsement specifically identifying the county as a party to the agreement for purposes of enforcement.

7. Within the Grand Mound urban growth area, the most current version of the Grand Mound Development Guidelines dated March 9, 1998, are adopted and incorporated in this chapter by reference as fully set forth in this chapter.

YY. Section 20.45.060 TCC is hereby amended to read as follows:

**20.45.060 Incompatible uses.**

(...)

3. Screening between incompatible uses—Screening shall consist of a thirty foot wide buffer containing the following:

- a. A vegetated buffer of predominantly native and drought tolerant species that will provide a very dense sight barrier and physical buffer to significantly separate conflicting uses and land use districts.
- b. Plant materials and ground cover shall be selected and maintained so that the 30-foot buffer will be fully vegetated within three years.

- c. A combination of trees, shrubs, earthen berms, and related plant materials or design features may be selected, provided that the resultant effect is sight-obscuring from adjoining properties. In addition, fences and walls may be incorporated into the landscaping buffer.
- d. A minimum of one tree per twenty-five linear feet shall be planted. Trees shall be a minimum one inch in caliper measured six inches above the base at the time of planting.
- e. Shrubs must be capable of growing to a minimum of five feet in height, within three years. Shrubs shall be planted on eight foot centers at minimum.
- f. Ground cover shall consist of bark, mulch, native grasses and/or native understory vegetation such as salal, Oregon grape, Sword fern, etc.
- ~~g. Retention and salvage of existing native vegetation and trees is preferred over removal and replacement of vegetation.~~

(...)

ZZ. A new section 20.45.070 TCC is hereby added to read as follows:

**20.45.070 Landscaping within parking areas.**

1. Landscaping shall be provided within parking facilities that exceed five thousand square feet; and for the addition of ten or more spaces to an existing parking lot. Parking area landscaping is required in addition to any perimeter landscaping required by this section.

2. Standards

- a. An area equal to at least ten percent of the parking area shall be landscaped. Parking area includes all parking stalls, aisles, and entryways.
- b. Parking area landscaping shall be constructed to retain, infiltrate, and cleanse stormwater generated from the parking lot area, wherever feasible.
- c. Interior landscaping strips or islands shall be a minimum width of 8 feet in all directions. If interior landscaping includes trees, this minimum width requirement may be increased by the reviewing authority to allow sufficient space for tree survival. The minimum width requirement may be reduced by the reviewing authority if the design allows for sufficient stormwater infiltration.
- d. Landscape areas shall be distributed evenly throughout the parking area; however, clustering of landscaping is permitted to accommodate preservation of existing vegetation or specific design objectives.
- e. Planting areas shall be fully protected by curbs, wheel stops, or other appropriate means to prevent damage to plants from pedestrian or vehicular traffic, except that curbs shall be designed with regular cuts to allow water drainage. Vehicle overhang up to two feet into landscape areas is permitted.
- f. Design of landscaped areas shall consider pedestrian access to the site.

3. Credits.

- a. The amount of required landscape area may be reduced by up to twenty percent if design of the site emphasizes retention of native vegetation or continuity between landscaped areas, open space, critical areas, and other undisturbed areas for the purpose of wildlife habitat or stormwater management.
- b. The amount of required landscape area may be reduced by up to twenty-five percent if the parking area is surfaced with a minimum of five percent pervious surfaces, in accordance with the Drainage Design and Erosion Control Manual, TCC 15.05.