



COUNTY COMMISSIONERS

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**PLANNING DEPARTMENT**

*Creating Solutions for Our Future*

Scott Clark  
Director

## MEMORANDUM

**TO:** Thurston County Planning Commission  
**FROM:** Jeremy Davis Senior Planner  
**DATE:** November 30, 2011  
**SUBJECT:** Critical Areas Ordinance (CAO) Update – Changes to Chapter 17.15 for Non Agricultural Uses

Planning staff has completed and attached a draft of the changes necessary to Chapter 17.15 of the Thurston County Code (TCC) to amend the text for the following:

- Remove sections that are proposed to be moved to other sections of the Thurston County Code including noxious weeds, density limits, the Summit Lake Special Management Area, and other sections.
- Remove references and sections that pertain only to nonagricultural uses.
- Update department references to they reflect the current County department names.
- Add language to specifically limit the revised chapter to “agricultural” uses, including a new applicability section.

Staff recommends that the Planning Commission review the proposed text and take special consideration of the new applicability section. The intent of the changes are to limit Chapter 17.15 to agricultural uses and lands since the proposed new Title 24 is intended to cover all other uses.

The proposed changes to Chapter 17.15 have been sent to John Stulhmiller at the Washington State Farm Bureau and to Ron Shultz at the Washington Conservation Commission for review and comment.

Attachments:  
Draft changes to Chapter 17.15

**PUBLIC HEARING DRAFT**

AMENDMENTS TO THE CRITICAL AREAS REGULATIONS

TITLE 17  
11/20/2011

DELETION OF NON-AGRICULTURAL USES  
AND MINOR TEXTUAL AMENDMENTS TO  
CHAPTER 17.15

*Staff note:*

*The changes below are intended to maintain existing critical area regulations for new and existing agricultural uses. Non-agricultural uses are proposed to be regulated under the proposed Title 24: Critical Areas Ordinance update. No changes are intended for critical area regulations on new and existing agricultural uses.*

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**PART 100 - PURPOSE**

**17.15.100 - Purpose—Statement of policy for critical areas.**

It is the policy of Thurston County to accomplish the following in relation to agricultural lands and uses, along with the purpose statements within each of the critical area categories:

- A. To protect the public from natural hazards;
- B. To minimize the need for emergency rescue;
- C. To protect unique, fragile, and vulnerable elements of the environment;
- D. To minimize the cost of replacing public facilities;
- E. To alert the public of these critical areas;
- F. To avoid public subsidy of private development impacts;

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Title 17-1

- G. To assist property owners in developing their property by promoting innovative land use techniques;
- H. To work in concert with other land use regulations;
- I. To minimize the reliance on the State Environmental Policy Act (SEPA) to identify appropriate mitigating measures for agricultural lands and uses;
- J. To encourage the voluntary enrollment of parcels into the Open Space Tax Program;
- K. To implement the policies and guidelines of the Washington State Growth Management Act for agricultural lands; and
- L. To carry out the goals and policies of the Thurston County Comprehensive Plan (1994), as amended, for agricultural lands and uses.

**17.15.110 Applicability.**

A. This chapter shall apply to agricultural lands and uses including agricultural uses and practices currently existing or legally allowed on rural land or agricultural uses on land designated under RCW 36.70A.170 including but not limited to:

1. Producing, breeding or increasing agricultural products;
2. Rotating and changing agricultural crops;
3. Allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement;
4. Conducting agricultural operations;
5. Maintaining, repairing, and replacing agricultural equipment;
6. Maintaining, repairing, and replacing agricultural facilities; and
7. Maintaining agricultural lands under production or cultivation.

B. This chapter does not apply to nonagricultural uses and activities that are regulated by the Thurston County Critical Areas Ordinance (Title 24) such as nonagricultural commercial, industrial, public and residential uses. Uses that are incidental and accessory to a nonagricultural primary use shall not be considered an agricultural use under this chapter.

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**17.15.115 Chapter name.**

This chapter shall be known as the Agricultural Uses and Lands Critical Areas Ordinance.

**17.15.200 Definitions – Critical areas, categories and terms.**

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“Department” when used by itself in this title means the resource stewardship department, unless otherwise indicated in the specific section.

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"Review authority" means the director of the Thurston County ~~development services~~resource stewardship department, or his/her designee, for administrative permits and the hearings examiner for proposals requiring a public hearing.

**PART 300 - REVIEW STANDARDS**

**17.15.300 - Review standards—Purpose.**

It is the policy of Thurston County to accomplish the following:

- A. To review agricultural uses and developments which lie within a critical area, or its buffer;
- B. To minimize the delays associated with multiple development reviews; and
- C. To assist property owners in using ~~developing~~ their property for agricultural uses consistent with this chapter by promoting the use of innovative land use techniques.

**17.15.305 - Review standards—General review requirements.**

- A. No action shall be undertaken by any person which results in any alteration of a critical area except in compliance with the requirements of this chapter.
- B. Those agricultural uses or activities listed in Tables 2 and 5 are allowed in a critical area or its buffer only if:
  - 1. The agricultural use or activity is in compliance with all requirements of this chapter including Tables 2 and 5; and
  - 2. The agricultural use or activity is in compliance with all other applicable provisions of the Thurston County Code (TCC).

**17.15.310 - Review standards—Coordination with other permit reviews.**

- A. This chapter does not require any permit in addition to those otherwise required by county ordinances.

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- B. The performance standards and other requirements of this chapter shall be applied to agricultural uses and activities as shown in Tables 2 and 5 through any permit review or approval process otherwise required by county ordinances.
- C. Agricultural Uses and activities in a critical area or buffer for which no permit or approval is required by any other county ordinance remain subject to the performance standards and other requirements of this chapter. However, this chapter does not require any review or approval process for such uses and activities.
- D. Thurston County may approve, approve with conditions, or deny any permit application for an agricultural use or activity listed in Tables 2 and 5 in order to comply with the requirements of this chapter.
- E. Compliance with this chapter shall be interpreted as meeting the mitigation standards of TCC Chapter 17.09 for the purpose of implementing the State Environmental Policy Act—SEPA (Chapter 43.21C RCW) for these critical areas.

**~~17.15.335 – Review standards – Calculation of residential density.~~**

~~A. The use of clustered lot subdivision, described in the Planned Rural Residential Development and the Planned Residential Development chapters of the Thurston County Zoning Code, is strongly encouraged for projects including critical areas.~~

~~B. The calculation of the maximum number of dwelling units allowed in a residential development which contains critical areas shall be determined by using the following formulas within the specific geographic regions of unincorporated Thurston County:~~

~~1. Within the city of Lacey urban growth area (UGA):~~

~~The maximum number of dwelling units (DU) for a lot or parcel which contains wetlands and wetland buffers shall be equal to:~~

$$\frac{\text{Buffer area in wetland buffer (acres)} \times \text{Dwelling units/acre by zoning}}{\text{Wetland buffer density credit (see Table 1)} + (\text{See next line})}$$

$$\frac{\text{Upland nonbuffer area (acres out of wetland buffer)} \times \text{Dwelling units/acre by zoning}}{=} \text{Maximum dwelling unit potential}$$

~~No density may be transferred from the wetland area, and density may only be transferred within the development proposal site.~~

~~2. Within the city of Olympia urban growth area (UGA):~~

$$\frac{\text{Total site area (acres)} - \text{Landslide hazard areas, streams and its buffer within a ravine and/or wetland (acres)} \times \text{Dwelling units/acre by zoning}}{=} \text{Maximum Dwelling unit potential}$$

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3. ~~Within the city of Tumwater urban growth area (UGA):  
For the purpose of calculating residential densities for sites containing regulated wetlands and/or wetland buffer areas refer to the density transfer provisions found within each residential zoning category of the Tumwater Urban Growth Area Zoning Ordinance.~~
  
4. ~~Within all other unincorporated areas of Thurston County, except as provided for in Subsection (a) below:  
Applicants for a short subdivision, large lot subdivision, preliminary plat, Planned Residential Development or Planned Rural Residential Development shall determine the maximum number of dwelling units allowed on the site by subtracting all submerged land of lakes from the area of the parcel and then applying the allowed zoning density.~~
  - a. ~~Within the Rural Residential Resource One Dwelling Unit per Five Acres (RRR 1/5) and the Rural Residential One Dwelling Unit per Five Acres (RR 1/5) districts, the maximum number of dwelling units allowed in short subdivisions, large lot subdivisions, preliminary plats, Planned Residential Developments and Planned Rural Residential Developments shall be determined by subtracting from the parcel area: documented high groundwater hazard areas, wetlands, marine bluff hazard areas to the top of the bluff and landslide hazard areas (all protected under Chapter 17.15); all rivers, streams and marine shorelines up to the ordinary high water mark; 100-year floodplains; and submerged land of lakes. (Critical area buffers shall not be subtracted from the parcel for purposes of making the density calculation.) The zoning density will be applied to the remainder of the parcel.~~

**17.15.340 - Review standards—Critical area tracts.**

The Thurston County Critical Areas Ordinance addresses subdivision of land for nonagricultural purposes, planned rural residential development, and planned residential development.

- A. The applicant may be required to create a separate critical area tract or tracts containing critical areas or their buffers as defined by this chapter, as a condition of a ~~planned rural residential development, planned residential development, or~~ subdivision (refer to Figure 1).
  
- B. Critical area tract or tracts shall be created by one or both of the following methods:
  1. A conservation easement for the protection of native vegetation within a critical area and/or its buffer shall be dedicated to the Thurston County parks department or other public or nonprofit entity (e.g., Land Trust) specified by the review authority; or

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Title 17-5

2. A deed restriction shall be recorded on the title of all lots containing a critical area tract or tracts created as a condition of this permit.

C. The deed restriction language shall be similar to the following:

NOTE: Before beginning and during the course of any grading, building construction, or other development activity, on a lot or development site subject to restriction and the area of development activity must be fenced or otherwise marked to the satisfaction of Thurston County ~~development services~~ resource stewardship department.

D. Regardless of the method chosen, responsibility for maintaining the tracts shall be held by a homeowners' association, adjacent lot owners, the permit applicant or designee, or other appropriate entity as approved by the review authority.

E. The following note shall appear on the face of all plats, short plats, planned rural residential developments, or other approved site plans containing separate critical area tracts, and shall be recorded on the title of all affected lots:

NOTE: All lots adjoining critical area tracts are responsible for maintenance and protection of the tracts. Maintenance includes insuring that no alterations occur and that all vegetation remains undisturbed unless the express written authorization of the Thurston County resource stewardship ~~development services~~ department has been received.

**17.15.345 - Review standards—Access limitations, signs and fencing of critical areas and tracts.**

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E. The sign shall be worded as follows or with alternative language approved by the review authority.

(Critical Area)  
Do Not Disturb

Contact Thurston County Resource Stewardship ~~Development Services~~ Department  
Regarding Uses and Restrictions

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**17.15.360 - Review standards—Bonding.**

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D. The principal or surety cannot be terminated or cancelled without written release of the bond by the ~~Thurston County development services~~ department or its designee.

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**17.15.412 - Administrative actions—Critical area administrative review (CAAR).**

- A. Applicant~~s~~ for an agricultural land use, ~~commercial building and grading permits~~ that meets the criteria for categorical exemption from SEPA and that has~~ve~~ critical areas or buffers affecting the project site shall apply for a critical area administrative review (CAAR) on a form provided by the county.
- B. CAAR applications shall contain all information necessary to evaluate the proposed activity, its impacts and its compliance with the provisions of this chapter, including any special reports.
- C. The review authority shall confirm the nature and type of the critical areas by an on-site inspection and shall evaluate any special reports submitted by consultants who are professionals in the pertinent field.
- D. The review authority may condition the activity as necessary to serve the purposes of this chapter.

**17.15.415 - Administrative actions—Reasonable use exception.**

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- B. The application for a reasonable use exception and any special reports required by this chapter shall be filed with the ~~Thurston County development services~~ department on a form provided by that department. Along with a recommendation made by the department the application shall be heard by the Thurston County hearing examiner, who shall render a decision on the matter pursuant to TCC Chapter 2.06. Notice of the hearing shall be given in the manner required by TCC Section 20.60.020(3).

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**17.15.430 - Administrative actions—Enforcement.**

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- G. No permit or approval shall be granted pursuant to this title if there exists on the subject property any land use violation known by the approval authority unless expressly authorized by this section. For purposes of this section, a land use violation is any violation of the Thurston County Critical Areas Ordinance (Title 24) the Thurston County Agricultural Uses and Lands Critical Areas Ordinance (Chapter 17.15 of the Thurston County Code), Thurston County Forest Land Conversion Ordinance (Chapter 17.25 of the Thurston County Code), Thurston County Zoning Ordinances (Titles 20, 21, 22 and 23 of the Thurston County Code), Thurston County Platting and Subdivision Ordinance

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(Title 18 of the Thurston County Code), Sanitary Code for Thurston County, Shoreline Master Program for the Thurston Region or Title 14 of the Thurston County Code (Buildings and Construction).

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**17.15.435 - Administrative actions—Violations.**

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D. The enforcement officer for violations of this chapter for civil infraction purposes is the director of the ~~Thurston County development services~~ department or his or her designee.

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F. The director of the ~~Thurston County development services~~ department is responsible for assuring county compliance with RCW 7.80.150.

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**17.15.445 - Administrative actions—Official maps.**

A. The ~~Thurston County development services~~ department shall update and maintain the official critical area maps.

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**17.15.515 - Aquifer recharge areas—Uses and activities.**

A. Those uses and activities listed in Table 2 related to a primary agricultural use are allowed in aquifer recharge areas as set forth in that table. All non agricultural uses are governed by the Thurston County Critical Areas Ordinance (Title 24).

B. Those uses and activities listed in Table 2 which involve the use, handling, storing, or generation of hazardous materials may be allowed only when there will be no significant risk to groundwater.

C. Differences in regulations because of the overlap of two or more critical areas are governed by TCC Section 17.15.405.

D. Should conflicts arise between the requirements of TCC Section 17.15.540 and the Northern Thurston County Groundwater Management Plan adopted pursuant to WAC 173-100, the standards which would produce the more effective controls shall govern.

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Title 17-8

- E. The possession of those materials listed in Table 4 of this chapter, for which "any amount" is listed as the permit amount, is subject to review under this chapter. The possession of other hazardous materials in Table 4 in quantities less than those listed as the permit amount, is not subject to review under this chapter.

**17.15.520 - Aquifer recharge areas—Performance standards for allowed uses and activities.**

The following performance standards apply to those uses and activities in Table 2 related to an agricultural use when carried out within an aquifer recharge area. Where no performance standards have been developed for the uses and activities in Table 2, the review authority shall review projects based upon the purposes and provisions of this chapter.

- A. To protect the public health and safety, prevent aquifer contamination, and preserve the groundwater resource for continual beneficial use, uses shall be most limited in those areas which have the highest degree of risk.
- B. Agricultural impacts shall be mitigated through implementation of the Northern Thurston County Groundwater Management Plan (1991) as amended, where applicable and Article VI of the Thurston County Sanitary Code, the Rules and Regulations Governing Nonpoint Source Pollution. In areas not covered by this plan, the review authority and the health officer shall employ technically sound methods that result in protection from aquifer contamination.
- C. Hazardous Materials.
1. Review for presence and containment of hazardous materials shall be performed and conditions set during the Groups A and B permit processes by the health officer and others having expertise and jurisdiction.
  2. Persons that possess hazardous materials as defined in TCC Section 17.15.200 shall provide a secondary containment method that will effectively contain all liquid and soluble hazardous materials and that will effectively prevent discharge on-site.
  3. Hazardous materials as defined in this chapter, and as defined in the International Fire Code (2009), as amended, Uniform Fire Code (1994), shall be handled in accordance with the standards contained in this chapter, the International Fire Code, Article 80 of the Uniform Fire Code, and applicable state law. At quantities below the permit limits set by the International Fire Code Uniform Fire Code, these materials shall be used, possessed, stored and disposed of in accordance with the International Fire Code Uniform Fire Code, Articles V and VI of the Thurston County Sanitary Code and applicable state law. Administrative procedures for coordinated review shall be devised and implemented by the review authority, the health officer, the Thurston County fire marshal, and state agencies who have applicable jurisdiction.
  4. Gas powered backup generators are not permitted in recharge areas designated as extreme (Type 1) or high (Type 2) sensitivity unless such site contains a full time residence or is

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Title 17-9

occupied a minimum of eight hours per day, five days a week by employees associated with the facility.

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F. Mining, Gravel.

Gravel mining shall be regulated by the Thurston County Critical Areas Ordinance (Title 24).

- ~~1. The prevention of detrimental impacts on groundwater shall be a primary goal when reviewing or permitting gravel mining activities. Correction or mitigation of groundwater impacts shall be a primary goal in reviewing applications for the expansion of existing gravel mining facilities or when periodic review that has been established in permit conditions.~~
- ~~2. Best management practices as described in Section 20.54.070(21) of the Thurston County Zoning Ordinance and TCC Chapter 17.20 shall be employed. These practices shall be employed until superseded by state law or modified by local action. Performance monitoring shall be included in gravel mining permits.~~
- ~~3. The protection of groundwater shall be given the highest priority in the approval of land uses after cessation of use as a gravel mine.~~

**17.15.525 - Aquifer recharge areas—Consideration of residential densities, and sewage loading of nonresidential projects.**

Any residential density or use related to agriculture allowed by the current zoning of Thurston County as limited by Table 3, may be approved when the following standards are met:

- A. The requirements of Chapter 246-272 WAC, the On-Site Sewage Regulations of the Washington State Board of Health;
- B. The requirements of Article IV of the Thurston County Sanitary Code;
- C. The requirements of Chapter 173-200 WAC, the Water Quality Standards for Groundwater of the State of Washington;
- D. When the sewage system's performance, including operation and maintenance, is adequately monitored; and
- E. When the evidence presented, including that from any hydrogeological report required to be submitted as in TCC Sections 17.15.535 and 17.15.540, and the mitigation of impacts approved by the health officer, indicate that the project will not have a significant adverse impact on groundwater quality.

**17.15.615 - Geologic hazard areas—Performance standards for allowed uses and activities.**

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Title 17-10

The following performance standards apply only to ~~those agriculturally related~~ uses and activities in Table 5 when carried out within a critical area or its buffer. Nonagricultural uses and activities are regulated by the Thurston County Critical Areas Ordinance (Title 24). Where no performance standards have been developed for the uses and activities in Table 5, the review authority shall review projects based upon the purposes and provisions of this chapter.

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- N. Vegetation Removal—Native and Forest Practices.
  - 1. Within a marine bluff hazard area or its buffer:  
Native vegetation removal is limited and may only occur after review and written permission from the ~~Thurston County development services~~ department and is subject to the standards of TCC Section 17.15.620B1.

**~~17.15.625 – Residential density.~~**

~~For purposes of calculating residential densities within these critical areas the provisions of Section 17.15.335 shall apply~~

**17.15.635 - Geologic hazard areas—Special report requirements.**

The following describes the requirements of each special report:

- A. Drainage and Erosion Control Plan.
  - 1. This plan shall address methods to minimize erosion and contain soil within the project boundaries during construction and to provide for stormwater management from the site and its surroundings during and after construction.
  - 2. The design standards for this plan are contained in the Drainage Design and Erosion Control Manual for Thurston County (1994), as amended.
  - 3. This plan shall be reviewed by the ~~Thurston County development services~~ department.

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- C. Grading Plan.
  - 1. This plan shall identify the proposed development project including the movement of material on-site along with the proposed and existing contours of the site and cross sections thereof.
  - 2. This report shall be prepared by a civil engineer licensed in the state of Washington.
  - 3. The standards for this report are found in Chapter 70 of the Uniform Building Code as amended.

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Title 17-11

4. This plan shall be reviewed by the ~~Thurston County development services~~ department.

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- E. Marine Bluff Geotechnical Report.

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7. This report shall be reviewed by the review authority and the ~~Thurston County development services~~ department.

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**17.15.705 - Important habitats and species of Thurston County.**

- A. The important habitats of Thurston County are identified on Table 8, located at the end of this chapter. These habitats are important to the long-term viability of the important species of Thurston County identified on Table 9 located at the end of this chapter, or are habitats which are unique or rare in Thurston County. The location of these important habitats shall be maintained as part of the Thurston County critical area inventory.
- B. The important species of Thurston County are identified on said Table 9. These important species were selected from those State Priority Species which are known to occur in Thurston County. Not included on this table are game species (e.g., elk), or federally protected marine mammals (e.g., harbor seal). The known point locations (such as the den or nest) of these important species shall be maintained as part of the Thurston County critical area inventory and development proposals which lie within six hundred feet of a point location shall be subject to review under this chapter.
- C. Implementation of this chapter shall not apply to the following species listed on said Table 9 until such time as management recommendations have been prepared and added to the Management Recommendations for Washington's Priority Habitats and Species (1991). These species include the Mountain Quail, Red Tailed Hawk, Mardon Skipper and Whulge Checkerspot.
- D. The Thurston County Critical Areas Ordinance (Title 24) governs important habitat and species for nonagricultural uses.

**17.15.710 - Important habitats and species—Allowable uses and activities.**

- A. Those agricultural land uses and activities listed in Table 5 ~~and commercial and industrial uses that are not listed in Table 5~~ are allowed in important habitat areas or within six hundred feet of a mapped point location of an important species as set forth in that table and subject to the performance standards set forth in TCC Section 17.15.715.

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2. ~~Family member unit;~~
  3. ~~Home occupation; and~~
  4. ~~Home based industry.~~
- D. ~~All garages constructed on upland lots which lie directly across the road from the shoreline lot in common ownership or within one upland lot on either side shall meet the setback standards of the underlying zone (refer to Figure 8).~~
- E. ~~Garages constructed on any other upland lot shall meet the following standards:~~
1. ~~Hold a public hearing for a special use permit pursuant to Chapter 20.54 of the Thurston County Zoning Code; and~~
  2. ~~The standards for garages with a site plan review shall be as follows:~~
    - a. ~~Meet the setback standards of the underlying zone;~~
    - b. ~~Provide buffers of native vegetation (either existing or replanted) of thirty feet along the front property line and twenty feet along the side property line, with this buffer to be located on the upland lot and not within the right of way (refer to Figure 9), and~~
    - c. ~~Be compatible in design, color, shape, landscaping and size to surrounding upland garages or residences within one fourth mile.~~
- F. ~~A covenant shall be recorded with the titles of both the shoreline lot and the upland lot, prohibiting the sale of either lot separately. This covenant shall be substantially in the same form as Appendix D. This covenant will be released by the Thurston County development services department when:~~
1. ~~The upland garage is demolished; or~~
  2. ~~The upland garage site has a contract to be sold for new residence and a building permit is part of the transaction; or~~
  3. ~~The upland garage site is sold to another Summit Lake shoreline lot owner subject to the following standards and a new covenant is filed for those properties:~~
    - a. ~~Those upland lots described in TCC Section 17.15.820D above, may only be sold to a property owner for whom it would also meet those standards (refer to Figure 10); and~~

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Title 17-14

- b. ~~Those upland lots described in TCC Section 17.15.820E above, may be sold to any other Summit Lake shoreline lot owner.~~

**17.15.825 - Special management areas—Nisqually Hillside overlay map.**

- A. This area is located on the map entitled "Nisqually Land Use Categories and Zoning Districts," a copy of which shall be on file with the Thurston County development services department.
- B. This overlay district shall extend from the toe of McAllister Bluff to a point two hundred feet westerly of the top of McAllister Bluff. The top of McAllister Bluff is so noted on the aforementioned map as "Bluff Line" and lies to the west of McAllister Creek.
- C. The criteria to field locate the top of McAllister Bluff is a distinct topographic break in the slope less than thirty percent and at least fifteen feet wide which is verified by the Thurston County development services department.

**17.15.830 - Nisqually Hillside overlay standards.**

Any development permit within the aforementioned area shall be subject to the following standards:

- A. Residential development within this overlay district is prohibited, however, the number of dwelling units, as calculated by the underlying residential zone (one unit per five acres), may be clustered on that portion of the lot not within this overlay district or transferred to an adjacent parcel. No fractional units will be created in this calculation unless the parcel size is less than five acres.
- B. The western two hundred feet of the Nisqually Hillside Overlay District is a buffer measured from the top of McAllister Bluff except that portion of the bluff between I-5 and Martin Way which shall be fifty feet.
- C. Some flexibility from subsection B above will be provided for areas of preexisting development along the bluff. These areas include lots less than one acre in size, undeveloped lots in a subdivision, and the portion of the slope between Martin Way and I-5. In those locations the buffer from McAllister Bluff shall be at least fifty feet wide, with the exact location on the bluff determined on a case by case basis through an administrative site plan review process. This buffer width must protect the stability of the bluff and maintain the visual integrity of the hillside.

**~~17.15.835 – Noxious weed containment area—Boundary.~~**

~~The boundary of any noxious weed containment area shall be established by the Thurston County noxious weed control board and shall be part of the yearly adoption of the Pest and Vegetation Management Policy (1993) as amended. When it is necessary to add or amend this boundary within the year, such additions or amendments will be made in a public hearing before the noxious weed control board.~~

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Title 17-15

**17.15.840 – Noxious weed containment area—Target species.**

Special containment areas shall be adopted for the following target species:

- A. ~~Gorse (Ulex Europaeus);~~
- B. ~~Purple and Wand Loosestrife (Lythrum Salicaria and Lythrum Virgatum); and~~
- C. ~~Italian and Slenderflower Thistle (Carduus Pycnocephalus and Carduus Tenuifloreous).~~

**17.15.845 – Noxious weed containment area—Management standards.**

- A. ~~Group A and B permits within a noxious weed containment area shall be reviewed by the Thurston County noxious weed control agency.~~
- B. ~~Conditions may be added to the permit which will lead to the eventual eradication of the target species infestation.~~
- C. ~~Removal of soil from the site is prohibited.~~
- D. ~~All equipment to be used in the infestation area shall be cleaned before entering the county.~~
- E. ~~All equipment used within the infestation area shall be thoroughly cleaned prior to leaving the site.~~
- F. ~~The proposed means of vegetation disposal from the site shall be identified.~~
- G. ~~An approved disposal option would be to place all vegetation in double plastic bags, tied securely and transported to the Thurston County landfill for burial. Extreme care must be taken to assure that the bags are not ripped or torn in such handling.~~

**17.15.850 - Special management areas—Wellhead protection areas map.**

The requirements of Sections 17.15.855, 17.15.856 and 17.15.857 shall apply to agricultural uses and lands within the one, five and ten year time of travel zones of those wellhead protection areas depicted on the map entitled "Designated Wellhead Protection Areas." A copy of this map shall be on file with the ~~Thurston County development services department~~. Refer to Figures 30 and 31 for a general location of these designated areas.

**17.15.855 - Special management areas—Wellhead protection area standards.**

The following standards shall apply to new agricultural land uses proposed to be located within the designated wellhead protection areas defined in Section 17.15.850. The Thurston County Critical Areas Ordinance (Title 24) governs nonagricultural uses and activities.

- A. The following uses shall be prohibited within the designated one-year time of travel zone:

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1. Land spreading disposal facilities (as defined by WAC 173-304 and WAC 173-308 - disposal above agronomic rates);
  2. Agricultural operations with over two hundred animal units. For purposes of this section, one animal unit is the equivalent number of livestock and/or poultry as defined by the U.S. Department of Agriculture Natural Resource Conservation Service Animal Waste Field Handbook; and
  3. Gas stations, petroleum products refinement, reprocessing, and storage (except underground storage of heating oil or agricultural fueling in quantities less than one thousand one hundred gallons for consumptive use on the parcel where stored), and liquid petroleum products pipelines;
  - ~~4. Automobile wrecking yards;~~
  - ~~5. Wood waste landfills; and~~
  - ~~6. Dry cleaners, excluding drop-off only facilities.~~
- B. The following uses shall be prohibited within the designated one, five and ten year time of travel zones:
- ~~1. Landfills (municipal sanitary solid waste and hazardous waste);~~
  12. Hazardous waste transfer, storage and disposal facilities;
  23. Wood and wood products preserving; and
  34. Chemical manufacturing.
  - ...

**17.15.856 - Special management areas—Wellhead protection area standards for expansion of existing uses.**

The following shall apply to expansion of agricultural use of facilities located within the designated wellhead protection areas defined in Section 17.15.850. The Thurston County Critical Areas Ordinance (Title 24) governs nonagricultural uses and activities.

- A. Expansion of the following uses will be prohibited within the designated one year time of travel zone:
1. Land spreading disposal facilities (as defined by WAC 173-304 and WAC 173-308 - disposal above agronomic rates);
  2. Gas stations (fuel related uses), petroleum products refinement, reprocessing, and storage (except underground storage of heating oil or agricultural fueling in quantities less than one thousand one hundred gallons for consumptive use on the parcel where stored), and liquid petroleum products pipelines; and

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Title 17-17

~~3. Automobile wrecking yards;~~

~~4. Wood waste landfills; and~~

~~5. Dry cleaners, excluding drop-off only facilities.~~

36. Agricultural operations with less than two hundred animal units cannot expand to over two hundred animal units. For purposes of this section, one animal unit is the equivalent number of livestock and/or poultry as defined by the U.S. Department of Agriculture Natural Resource Conservation Service Animal Waste Field Handbook.

B. Expansion of the following uses related to an agricultural use shall be prohibited within the designated one, five and ten year time of travel zones:

~~1. Landfills (municipal sanitary solid waste and hazardous waste);~~

12. Hazardous waste transfer, storage and disposal facilities; and

23. Wood and wood products preserving; and

~~4. Chemical manufacturing.~~

...

**17.15.860 - Special management areas—High ground water flood hazard areas resource map.**

The requirements of Section 17.15.865 shall apply to agricultural uses and lands depicted on the resource map entitled "High Ground Water Flood Hazard Areas Resource Map." A copy of this map shall be on file with the ~~Thurston County development services department.~~

**17.15.925 - Floodplains, Streams, and wetlands—Allowable uses and activities within floodplains, streams, wetlands, and their buffers.**

A. Those agricultural land uses and activities listed in Table 5 are allowed in floodplains, streams, wetlands or their buffers as set forth in that table and subject to the performance standards set forth in TCC Section 17.15.930.

B. All other land uses and activities not allowed pursuant to Table 5 are prohibited.

C. Differences in regulations because of the overlap of two or more critical areas are governed by TCC Section 17.15.405.

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Title 17-18

D. The Thurston County Critical Areas Ordinance (Title 24) governs nonagricultural uses and activities.

**17.15.930 - Floodplains, streams, and wetlands—Performance standards for allowed uses and activities.**

The following performance standards apply to those agricultural uses and activities in Table 5 when carried out within a critical area or its buffer. Where no performance standards have been developed for the uses and activities in Table 5 the review authority shall review projects based upon the purposes and provisions of this chapter.

...

~~F. Golf Course. Modifications to critical areas shall be minimized and golf courses shall not modify Class I and II wetlands. Critical areas and their buffers shall not be designated as play areas of the golf course, but they may be included in the course design provided all other provisions of this chapter are met.~~

...

CC. Vegetation Removal—Native and Forest Practices. Native vegetation removal along streams, within wetlands, and the buffers of both shall be prohibited except as provided in the following:

1. These areas may be maintained to promote native vegetation;
2. Removal of vegetation for the purpose of maintaining or enhancing a wetland or buffer area is limited to removal of invasive plant species only and is allowed provided that the removal does not adversely affect the function of the wetland. The goal of invasive species control must be to enhance the diversity of the native plant species in the wetland or buffer area. It shall be allowed for all nonnative species and the following native species:
  - a. Common cattail (*Typha latifolia*), and
  - b. Douglas spirea (*Spirea douglasii*).

The method of removal shall be approved in writing by ~~Thurston County development services~~ the department;

...

4. Wetland tree cutting is only allowed for danger trees as defined by this chapter. Danger tree removal in wetlands shall be mitigated as required by this chapter. At minimum, mitigation shall include replacement with native tree species at a ratio

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Title 17-19

of 3:1 for each tree removed. The replacement trees shall have a minimum fifteen gallon pot size, a height of four feet, and be three years old. Additional mitigation may be required based upon site specific conditions, habitat type and wetland functions as determined by the ~~development services~~ department.

...

**~~17.15.945 – Residential density.~~**

~~For the purpose of calculating residential densities within these critical areas the provisions of Section 17.15.335 shall apply.~~

**17.15.1005 - Floodplains, streams, and wetlands—Special reports requirements.**

The following describes the requirements of each special report:

...

C. Grading Plan.

1. This plan shall identify the proposed development project including the movement of material on-site along with the proposed and existing contours of the site, and cross sections thereof.
2. This report shall be prepared by a civil engineer licensed in the state of Washington.
3. The standards for this report are found in Chapter 70 of the Uniform Building Code as amended.
4. This plan shall be reviewed by the Thurston County development services department.

**Table 1—Wetland Buffer Density Credit**

~~(Note: Only for county lands within  
the Lacey UGA)~~

Percentage of Site in Buffers	Density Credit
<del>1—10%</del>	100%
<del>11—20%</del>	90%
<del>21—30%</del>	80%
<del>31—40%</del>	70%
<del>41—50%</del>	60%
<del>51—60%</del>	50%
<del>61—70%</del>	40%
<del>71—80%</del>	30%
<del>81—90%</del>	20%
<del>91—99%</del>	10%

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Title 17-20

Table 2—Uses and Activities Within Aquifer Recharge Areas

The Thurston County Critical Areas Ordinance governs nonagricultural uses and activities.

**(NON AGRICULTURAL USES WILL BE DELETED FROM THIS TABLE IN THE FINAL VERSION)**

USES AND ACTIVITIES PERMITTED SUBJECT TO THE STANDARDS OF THIS CHAPTER	On Sewer			Not On Sewer		
	Category			Category		
	III	IV		II	III	IV
1. Biological research	S	S		S	S	S
2. Boat repair	S	S		S	S	S
3. Chemical manufacturing	S	S		X	X	X
4. Chemical mixing and remanufacturing	S	S		X	X	X
5. Chemical research	S	S		S	S	S
6. Chemical waste reprocessing	S	S		X	X	X
7. Dry cleaning (not clothing pick-up)	S	S		X	X	X
8. Electroplating	S	S		X	X	X
9. Fabric coating	S	S		S	S	S
10. Fuel pipelines	S	S		S	S	S
11. Furniture stripping	S	S		X/S	X/S	X/S
12. Garages—municipal, county, state	S	S		X/S	X/S	X/S
13. Landfill—demolition	S	S		X	S	S
14. Landfill—municipal sanitary	S	S		X	S	S
15. Landfill—wood waste	S	S		X	S	S
16. Metal processing with etchers and chemicals	S	S		X	X	X
17. Mining—coal and hard rock	S	S		S	S	S
18. Mining—gravel	S	S		S	S	S
18.5. Pier foundations	S	S		S	S	S
19. Printing and publishing	S	S		S	S	S
20. Solid waste handling/processing	S	S		S	S	S
21. Storage tanks—above-ground and underground	S	S		S	S	S
22. Tanning	S	S		X/S	X/S	X/S
23. Textile dyeing	S	S		X/S	X/S	X/S
24. Vehicle repair	S	S		S	S	S

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Title 17-21

25. Vehicle wrecking	S	S	S	S	S
26. Wood preservers	S	S	X/S	S	S
27. All other activities using, handling, storing hazardous materials, or generating hazardous materials by their activities or actions.	S	S	S	S	S

<b>NOTES:</b>	
X =	Prohibited
S =	Allowed subject to the standards of this chapter
X/S =	These uses shall be prohibited when proposed at the usual commercial or industrial scale. Small scale uses or those using nonhazardous materials may be permitted when the quantity, nature of materials processed and mitigation methods are determined to contain no significant risk to groundwater.
=	Quantities of hazardous materials below fire code "Hazardous Materials Permit Amounts" as listed in Table 4 are exempt from the requirements of this section.

**Table 3—Standards for Subdivisions, Multifamily Residential and Nonresidential Projects Using On-Site Sewage Disposal\***

**The Thurston County Critical Areas Ordinance governs nonagricultural uses and subdivisions.**

***(NONAGRICULTURAL USES WILL BE DELETED FROM THIS TABLE)***

Dwelling Unit Density, Dwelling Units per Unit Area, or Volume Equivalent	Report Requirements			
	Aquifer Category			
	I	II	III	IV
One unit or less per 5.0 acres or larger	-	-	-	-
One unit per 2.0 to 4.99 acres	— MP R	— MP R	— MPR	— MPR
One unit per 1.0 to 1.99 acres	MP R *	MP R *	MPR *	MPR *
One unit per 0.5 to 0.99 acre	MP R Y	MP R Y	MPR Y	MPR *
Greater than one unit per 0.49 acre	X	Y	MPR *	MPR *

X =	Not permitted, prohibited by state law
Y =	Hydrogeological report required
* =	Hydrogeological report required in areas of known water quality degradation
- =	Hydrogeological report not required
MPR =	Major project review as required by Section 8.6 of Article IV

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Title 17-22

\* Author's Note: Site characteristics, project needs and final design are determined during sewage system permit review and approval process. These issues are covered under Article IV of the Thurston County Sanitary Code.

(Amended by Ord. 11200 § 19, 1996)

**Table 5—Uses and Activities Within Critical Areas and Their Buffers**

**The Thurston County Critical Areas Ordinance governs nonagricultural uses and subdivisions.**

**(NONAGRICULTURAL USES WILL BE DELETED FROM THIS TABLE)**

	Landslide Hazards	Marine Bluff Hazards	Important Habitats and Species	Floodplains: 100-year and Nonflood way	Floodways and Volcanic Hazards	Streams	Wetland Class I	Wetland Class II	Wetland Class III
<b>Uses and Activities Permitted Without County Review under this Chapter</b>									
1. Agriculture—existing and ongoing	P	P	P	P	P	P	P	P	P
2. Agricultural—ditch maintenance	-	-	P	P	P	-	P	P	P
3. Open space—(critical area tract)	P	P	P	P	P	P	P	P	P
4. Research—(education, scientific, and site investigation)	P	P	P	P	P	P	P	P	P
5. Road/street—repair	P	P	P	P	P	P	P	P	P

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Title 17-23

and maintenance									
6. Signs— (interpretation, critical area tract, and survey markers)	P	P	P	P	P	P	P	P	P
7. Utility— existing and ongoing, and installation in improved roads and utility corridors	P	P	P	P	P	P	P	P	P
8. Wildlife— blind or nesting structure	P	P	P	P	P	P	P	P	P
<b>Uses and Activities Subject to Critical Areas Review under this Chapter</b>									
- Access: See "Shoreline Access" or "Trails"									
9. Agricultural— access road	S	S	S	S	S	S	X	Sa	S
10. Agricultural— building	S	X	S	P	X	Sb	X	Sa	S

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Title 17-24

11. Agricultural-ponds	X	X	P	P	P	X	X	Sa	S
12. Agricultural-wetland conversion	-	-	-	-	-	-	X	Sa	S
13. Beaver pond—removal	-	-	-	-	-	SP	SP	SP	SP
14. Critical facilities—see Table 7	X	X	S	X	X	X	X	X	X

**Notes:**

P =	Permitted without county review under this chapter.	(_) =	Includes those uses and activities as examples.
S =	Subject to review under this chapter.	a =	Permitted only within a long term and Nisqually agriculture districts, otherwise prohibited.
SP =	State permit subject to the standards and requirements of this chapter.	b =	Permitted only within the buffer, otherwise prohibited
V =	Verbal authorization required from planning director.	c =	Permitted only as allowed in the performance standards, otherwise prohibited.
X =	Prohibited.	<sup>2</sup> =	Permitted only at the toe of the slope, otherwise prohibited
- =	Not applicable.		

**Table 5—Uses and Activities Within Critical Areas and Their Buffers (Cont.)**

	Landslide Hazards	Marine Bluff Hazards	Important Habitats and Species	Floodplains: 100-year and Nonflood way	Floodways and Volcanic Hazards	Streams	Wetland Class I	Wetland Class II	Wetland Class III
<b>Uses and Activities Subject to Critical Areas Review under this</b>									

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Title 17-25

Chapter (Cont.)									
15. Drainage ditch maintenance—active district	-	-	S	S	S	S	S	S	S
16. Drainage ditch maintenance—private	-	-	S	P	S	S	X	X	S
17. Emergency—temporary authorization	V	V	V	V	V	V	V	V	V
18. Fill—(not a part of another use or activity listed on this table)	S	S	S	X	X	S	X	X	V
19. Fish hatchery	-	-	S	S	S	S	X	S	S
20. Float—(floating dock, mooring buoy, navigational aid, and swimming float)	-	-	S	-	-	S	S	S	S
21. Golf course	-	-	S	S	S	S	X	X	S
22. Mineral extraction	S	X	S	S	X	S	X	X	S
23. Nonconforming use—expansion of	S	S	S	S	S	S	S	S	S
24. Site—mitigation,	S	S	S	S	S	S	S	S	S

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Title 17-26

restoration or revegetation									
25. Outdoor recreation activities —(bird watching, nonmotorized boating, bicycling, canoeing, fishing, hiking, horseback riding, hunting, jogging, photography, swimming, and similar activities)	P	P	S	P	P	P	S	P	P
26. Parks— (public parks, private parks, camping site, and day camps)	P	P	S	S	S	P	S	S	S
Path: See "Shoreline Access" or "Trails"									
27. Pier	S	S	S	-	-	S	S	S	S
28. Ponds— private <1 acre	X	X	S	P	P	X	X	X	S

**Notes:**

P =	Permitted without county review under this chapter.	(_) =	Includes those uses and activities as examples.
S =	Subject to review under this	a =	Permitted only within a long

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Title 17-27

	chapter.		term and Nisqually agriculture districts, otherwise prohibited.
SP =	State permit subject to the standards and requirements of this chapter.	b =	Permitted only within the buffer, otherwise prohibited
V =	Verbal authorization required from planning director.	c =	Permitted only as allowed in the performance standards, otherwise prohibited.
X =	Prohibited.	<sup>2</sup> =	Permitted only at the toe of the slope, otherwise prohibited
- =	Not applicable.		

**Table 5—Uses and Activities Within Critical Areas and Their Buffers (Cont.)**

	Landslide Hazards	Marine Bluff Hazards	Important Habitats and Species	Floodplains: 100-year and Nonflood way	Floodways and Volcanic Hazards	Streams	Wetland Class I	Wetland Class II	Wetland Class III
<b>Uses and Activities Subject to Critical Areas Review under this Chapter (Cont.)</b>									
29. Public facility and not a school	S	S	S	S	X	X	X	X	X
30. Public project of significant importance	S	S	S	S	S	S	S	S	S
31. Radio/TV towers	-	-	S	S	X	X	X	X	S
32. Road/street—expansion of existing corridor	S	S	S	P	S	S	S	S	S
33.	S	S	S	S	S	S	S	S	S

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Title 17-28

Road/stre et—New facilities									
34. Shoreline access— pedestrian path or hand launch boat site	-	S	-	S	S	S	S	S	S
35. Shoreline access— stair tower, stairway or mechanic al lift	-	S	-	S	S	S	X	X	X
36. Shoreline access— boat ramp, vehicle access or marine railway	-	S	-	S	S	S	X	X	X
37. Shoreline protective structures — nonstructu ral technique s or bioengine ering	-	S	-	S	S	S	-	-	-
38. Shoreline protective structures — structural technique s (bulkhead, gabion, riprap, or wall)	-	S	-	S	S	S	-	-	-
39.	X	S	S	Sc	X	X	X	X	X

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Title 17-29

Single-family— residence, appurtenant structures, boathouse , deck and garage									
40. Single-family residence —access road	S	X	X	X	X	X	X	S	S
41. Single-family residence — alteration to nonconforming residence	S	S	S	S	S	S	S	S	S

**Notes:**

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S =	Subject to review under this chapter.	a =	Permitted only within a long term and Nisqually agriculture districts, otherwise prohibited.
SP =	State permit subject to the standards and requirements of this chapter.	b =	Permitted only within the buffer, otherwise prohibited
V =	Verbal authorization required from planning director.	c =	Permitted only as allowed in the performance standards, otherwise prohibited.
X =	Prohibited.	<sup>2</sup> =	Permitted only at the toe of the slope, otherwise prohibited
- =	Not applicable.		

**Table 5—Uses and Activities Within Critical Areas and Their Buffers (Cont.)**

	Landslide Hazards	Marine Bluff Hazards	Important Habitats and Species	Floodplains: 100-year and Nonflood way	Floodways and Volcanic Hazards	Streams	Wetland Class I	Wetland Class II	Wetland Class III
<b>Uses</b>									

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Title 17-30

and Activities Subject to Critical Areas Review under this Chapter (Cont.)									
42. Single-family residence — replacement of nonconforming residence	S	S	S	S	X	S	S	S	S
43. Single-family residence —septic drainfield	S	S	S	P	X	X	Sb	Sb	Sb
44. Single-family residence —water well/pump house	S	S	S	S	X	Sb	Sb	Sb	Sb
45. Ski lake	-	-	S	S	X	X	X	X	X
46. Slope stabilization or retaining wall (not a bulkhead)	S	S	S	S	S	S	S	S	S
47. Stormwater—private retention and detention facility	Sb <sup>2</sup>	S	S	S	X	Sb	X	Sb <sup>+</sup>	Sb
48. Stormwater—	Sb <sup>2</sup>	X	S	S	S	S	S	S	S

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Title 17-31

regional retention and detention facility									
49. Stormwater—temporary sediment control ponds	Sb <sup>2</sup>	X	S	P	S	Sb	X	X	Sb
50. Stream—enhancement	-	-	-	-	-	S	-	-	-
51. Stream—relocation	-	-	-	-	-	SP	-	-	-
52. Trails—(access, elevated walkway, interpretative site, path, and viewing platform)	P	S	S	S	S	S	S	S	S
53. Utility—facility	S	X	S	S	X	S	X	S	S
54. Utility transmission lines	S	S	S	P	S	S	S	S	S
55. Vegetation management—aquatic weeds	-	-	SP	SP	SP	SP	SP	SP	SP
56. Vegetation removal—native and forest practices	S	S	S	-	-	S	S	S	S
57. Wireless communication	X	X	X	X	X	X	X	X	X

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Title 17-32

facilities									
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**Notes:**

P =	Permitted without county review under this chapter.	(_) =	Includes those uses and activities as examples.
S =	Subject to review under this chapter.	a =	Permitted only within a long term and Nisqually agriculture districts, otherwise prohibited.
SP =	State permit subject to the standards and requirements of this chapter.	b =	Permitted only within the buffer, otherwise prohibited
V =	Verbal authorization required from planning director.	c =	Permitted only as allowed in the performance standards, otherwise prohibited.
X =	Prohibited.	<sup>2</sup> =	Permitted only at the toe of the slope, otherwise prohibited
- =	Not applicable.		

(Ord. 12908 Attach. B, 2003; Ord. 12463 § 69, 2001; Ord. 11200 § 25, 1996)

**Table 6—Landslide Soils of Thurston County**

Map Symbol	Map Unit Name
8	Baldhill very stony sandy loam, 30 to 60% slopes
10	Baumgard loam, 40 to 65% slopes
12	Baumgard-Pheene complex, 40 to 65% slopes
13	Baumgard-Rock outcrop complex, 40 to 65% slopes
18	Bunker gravelly silt loam, 30 to 65% slopes
19	Bunker-Boistfort complex, 40 to 65% slopes
25	Centralia silt loam, 30 to 60% slopes
30	Dystric Xerochrepts, 60 to 90% slopes
49	Jonas silt loam, 30 to 65% slopes
57	Katula very cobbly loam, 30 to 65% slopes
59	Lates silt loam, 30 to 65% slopes
61	Mal clay loam, 30 to 65% slopes
63	Mashel loam, 30 to 65% slopes
68	Melbourne silty clay loam, 40 to 65% slopes
81	Pheene-Baumgard complex, 30 to 65% slopes
82	Pheene-Rock outcrop complex, 40 to 65% slopes
83	Pheene-Rock outcrop complex, 65 to 90% slopes
91	Rainier clay loam, 30 to 65% slopes
94	Raught silt loam, 30 to 65% slopes
96	Rock outcrop-Pheene complex, 40 to 90% slopes
103	Schneider very gravelly loam, 40 to 65% slopes
119	Tenino gravelly loam, 30 to 60% slopes
122	Vailton silt loam, 30 to 65% slopes

Source: Soil Survey of Thurston County, Washington as amended (1990)

(Amended by Ord. 11200 § 30, 1996)

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Title 17-33

**Table 7—Critical Facilities for Thurston County**

*This facility list is being updated.*

Occupancy Categories	Occupancy Type or Functions of Structure
<b>I. Essential Facilities</b>	Hospitals and other medical facilities having surgery and emergency treatment areas
	Fire and police stations
	Tanks or other structures containing, housing or supporting water or other fire-suppression materials or equipment required for the protection of essential or hazardous facilities, or special occupancy structures
	Emergency vehicle shelters and garages
	Structures and equipment in emergency-preparedness centers
	Stand-by power generating equipment for essential facilities
	Structures and equipment in government communication centers and other facilities required for emergency response
<b>II. Hazardous Facilities</b>	Structures housing, supporting, or containing sufficient quantities of toxic or explosive substances to be dangerous to the safety of the general public if released
<b>III. Special Occupancy Structure</b>	Covered structures whose primary occupancy is public assembly—capacity > 300 persons
	Building for schools through secondary or day-care centers—capacity > 250 students
	Buildings for colleges or adult education schools—capacity > 500 students
	Medical facilities with 50 or more residential incapacitated patients, but not included above
	Jails and detention facilities
	All structures with occupancy > 5,000 persons
	Structures and equipment in power generating stations and other public utility facilities not included above, and require for continued operation

Source: Table No. 23-K. Uniform Building Code (1994), as amended.

**Table 12—Hydric Soils of Thurston County**

**(THIS TABLE WILL BE UPDATED WITH THE LATEST SOIL SURVEY INFORMATION)**

MAP SYMBOL	SOIL UNIT NAME
14	Bellingham silty clay loam
29	Dupont muck
36	Everson clay loam
41	Godfrey silty clay loam
45	Hydraquents, Tidal
65	McKenna gravelly silt loam, 0 to 5% slopes
69	Mukilteo muck
70	Mukilteo muck, drained

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Title 17-34

75	Norma fine sandy loam
76	Norma silt loam
88	Puget silt loam
95	Riverwash
100	Scamman silty clay loam, 0 to 5% slopes
101	Scamman silty clay loam, 5 to 20% slopes
104	Semiahmoo muck
105	Shalcar muck
106	Shalcar variant muck
116	Tacoma silt loam
120	Tisch silt loam

Source: Soil Survey of Thurston County, Washington (1990)

**Appendix D**

**Covenant to Bind Properties in the  
Summit Lake Special Management Area**

I/we, \_\_\_\_\_ am/are owner(s) in fee of the below-described property. For and in consideration of being granted the right to improve said property, and other good and valuable consideration, by the county of Thurston, the receipt of which is hereby acknowledged, I/we do hereby generally covenant that the lots described as:

=  
Address  
=  
Legal Description  
=  
Address  
=  
Legal Description  
=

shall hereinafter be bound together for the purposes of abiding with Chapter 17.15 of the Thurston County Critical Area Ordinance as applicable.

I/we do hereby confirm that no portion of the above-described properties shall be sold in violation of any provision of the zoning ordinance(s). The covenant shall run with the land, is for the benefit of the general public, and shall be binding upon my/our heirs, devisees, executors, administrators, successors, and assigns until released by the director of the Thurston County development services department as provided in Section 17.15.820F.

<del>EXECUTED</del> this _____ day of _____	=

~~STATE OF WASHINGTON )  
COUNTY OF THURSTON )~~

On this day personally appeared before me \_\_\_\_\_, to me known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes herein mentioned.

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

Title 17-35

GIVEN under my hand and official seal \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

NOTARY PUBLIC in and for the state  
of Washington, residing at

DRAFT

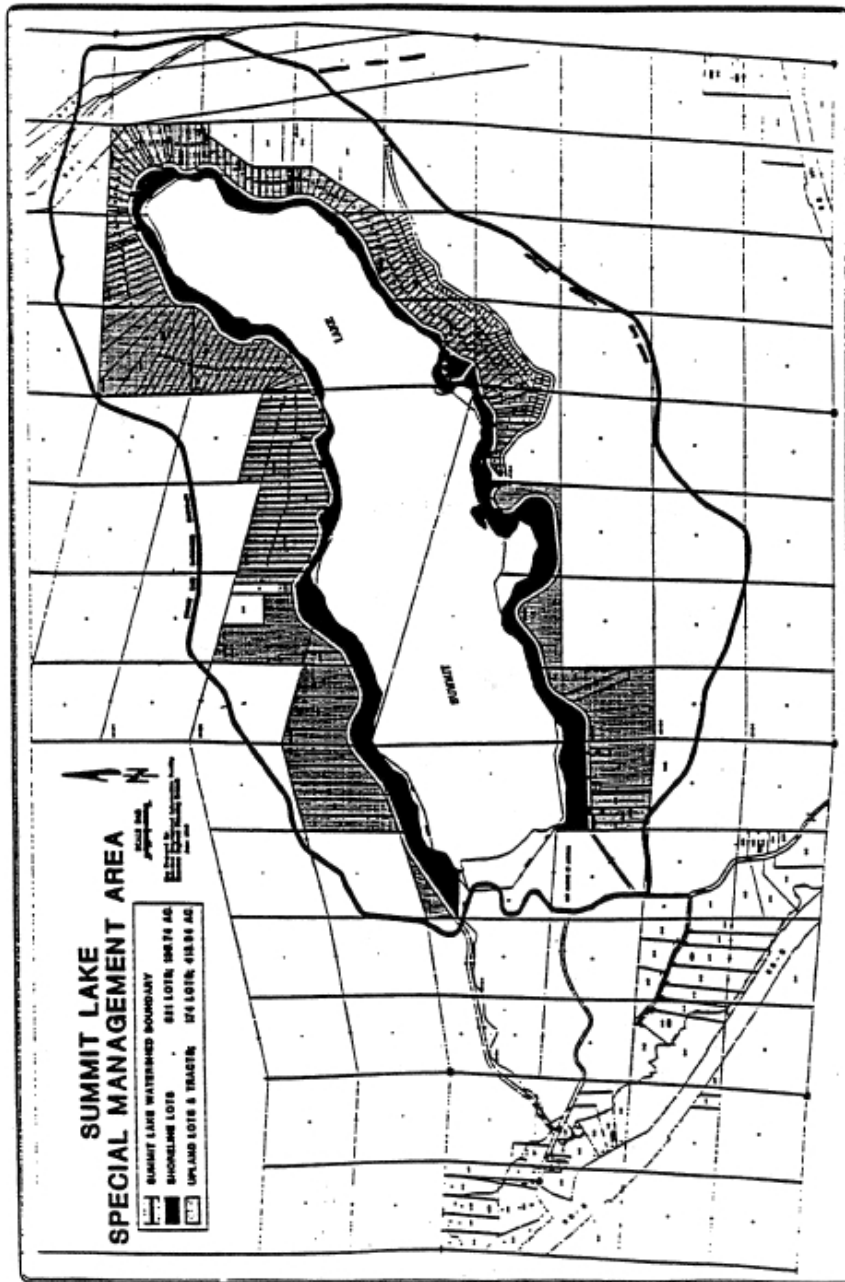
Deleted Text: ~~Strikethrough~~  
Staff Comments: *Italics*

Proposed Changes: Underlined  
Unaffected Omitted Text: (...)

Title 17-36

O:\Track\LONG RANGE PLANNING\CAO\CAO Title Reformat\11.18.11  
Documents\Title\_17\_CAO\_Chapter\_17.15\_Reference\_Changes\_and\_Ag\_Only\_Changes.doc

**FIGURES SEVEN THROUGH TEN WILL BE DELETED FROM CHAPTER 17.15. A PROPOSED SUMMIT LAKE OVERLAY IN TITLE 20, ZONING IS PROPOSED TO REPLACE THE SPECIAL MANAGEMENT AREA. THIS FIGURE WILL BE UPDATED AND INCLUDED IN THE NEW CHAPTER OF TITLE 20, ZONING.**



**FIGURE 7**

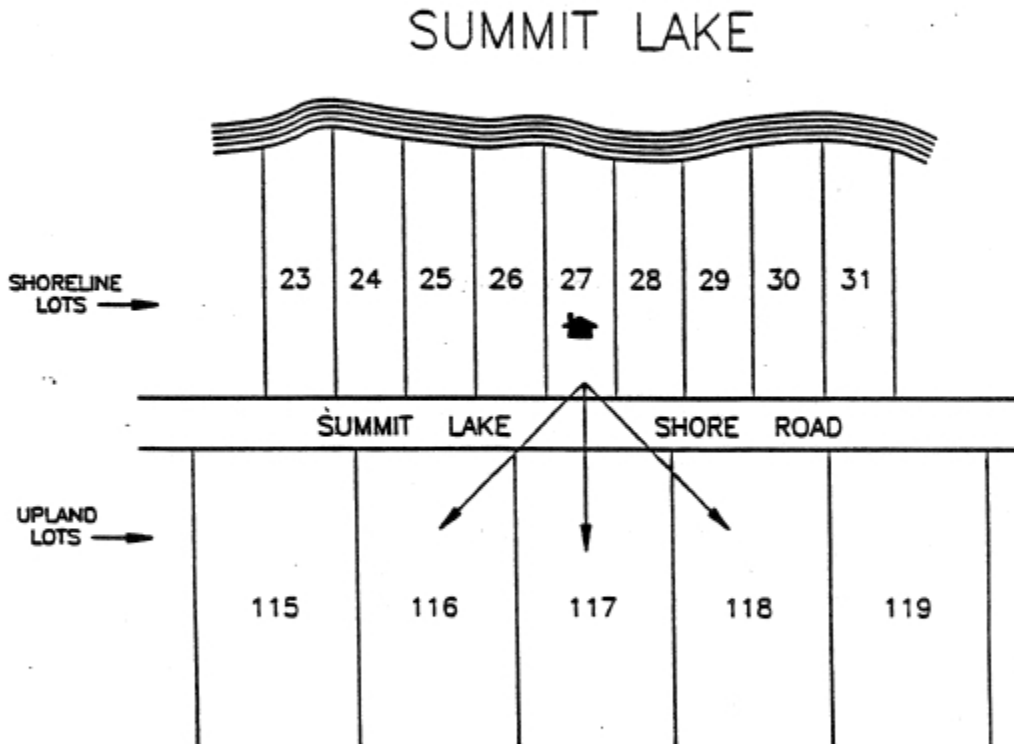
Deleted Text: ~~Strikethrough~~  
 Staff Comments: *Italics*

Proposed Changes: Underlined  
 Unaffected Omitted Text: (...)

Title 17-37

**FIGURES SEVEN THROUGH TEN WILL BE DELETED FROM CHAPTER 17.15. A PROPOSED SUMMIT LAKE OVERLAY IN TITLE 20, ZONING IS PROPOSED TO REPLACE THE SPECIAL MANAGEMENT AREA. THIS FIGURE WILL BE UPDATED AND INCLUDED IN THE NEW CHAPTER OF TITLE 20, ZONING.**

## ‘ACROSS THE ROAD’ STANDARD FOR THE SUMMIT LAKE SPECIAL MANAGEMENT AREA



SHORELINE LOT #27 MAY HAVE A GARAGE  
ON UPLAND LOTS #116, 117, OR 118

**FIGURE 8**

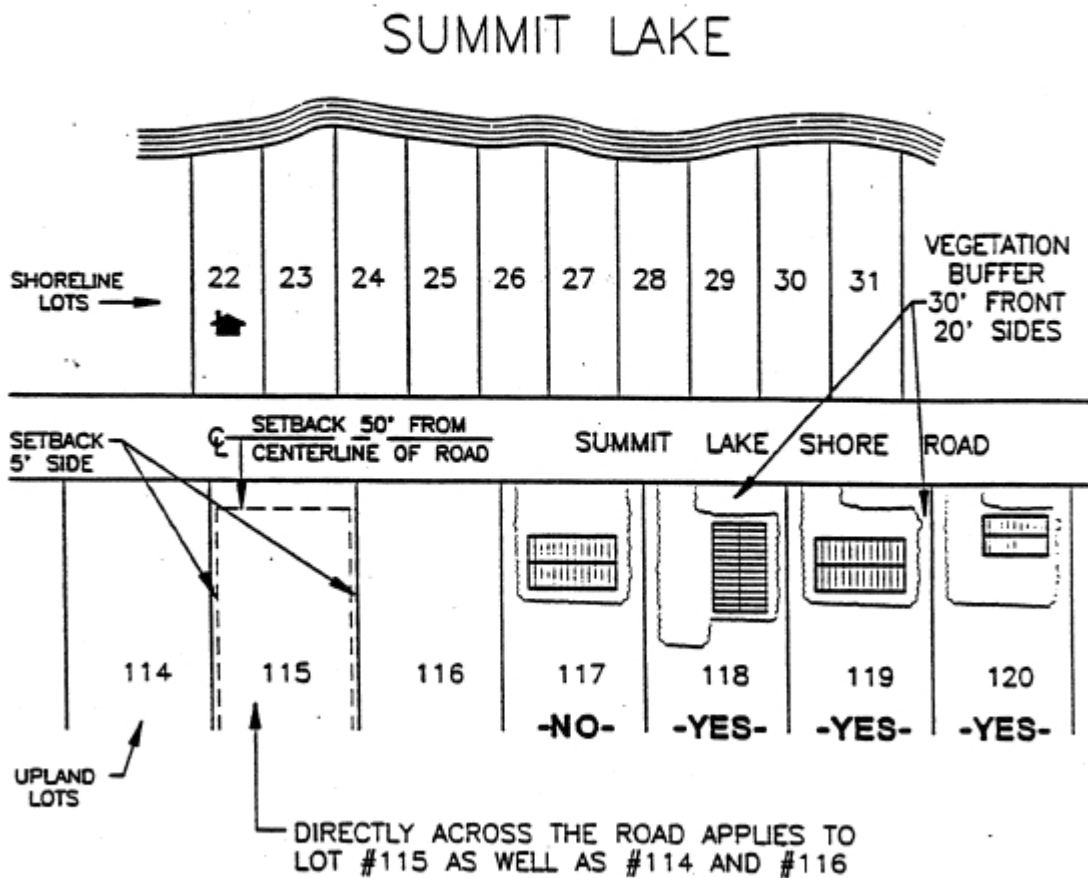
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Staff Comments:    *Italics*

Proposed Changes:    Underlined  
Unaffected Omitted Text:    (...)

Title 17-38

**FIGURES SEVEN THROUGH TEN WILL BE DELETED FROM CHAPTER 17.15. A PROPOSED SUMMIT LAKE OVERLAY IN TITLE 20, ZONING IS PROPOSED TO REPLACE THE SPECIAL MANAGEMENT AREA. THIS FIGURE WILL BE UPDATED AND INCLUDED IN THE NEW CHAPTER OF TITLE 20, ZONING.**

**PERFORMANCE STANDARDS  
FOR UPLAND GARAGES IN THE SUMMIT  
LAKE SPECIAL MANAGEMENT AREA**



**FIGURE 9**

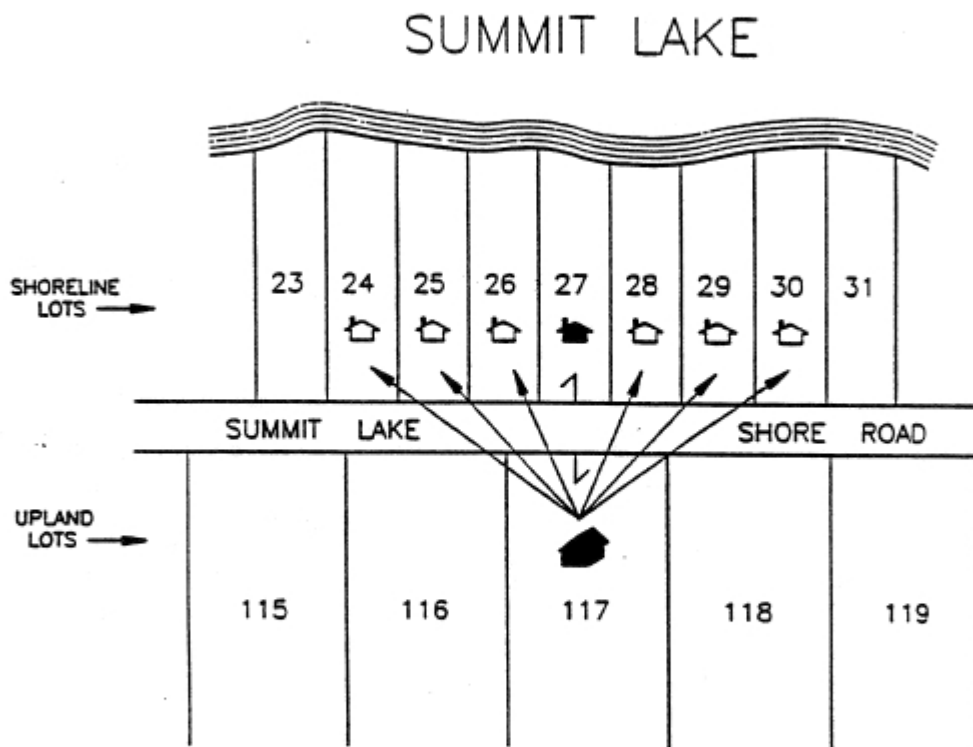
Deleted Text: ~~Strikethrough~~  
Staff Comments: *Italics*

Proposed Changes: Underlined  
Unaffected Omitted Text: (...)

Title 17-39

**FIGURES SEVEN THROUGH TEN WILL BE DELETED FROM CHAPTER 17.15. A PROPOSED SUMMIT LAKE OVERLAY IN TITLE 20, ZONING IS PROPOSED TO REPLACE THE SPECIAL MANAGEMENT AREA. THIS FIGURE WILL BE UPDATED AND INCLUDED IN THE NEW CHAPTER OF TITLE 20, ZONING.**

**SALE OF UPLAND GARAGES  
IN THE SUMMIT LAKE  
SPECIAL MANAGEMENT AREA**



A GARAGE ON UPLAND LOT #117 WHICH IS OWNED BY SHORELINE LOT #27 COULD BE SOLD TO SHORELINE LOTS #24, 25, 26, 28, 29, AND 30.

**FIGURE 10**

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Staff Comments: *Italics*

Proposed Changes: Underlined  
Unaffected Omitted Text: (...)

Title 17-40