

**2009-2010 Development Code Docket
A-1: Modify Maximum Building Coverage
Limits in Specific Rural Zones (Title 20)**

Date: February 17, 2010

Public Hearing Date: Tentative Date: March 17, 2010

Prepared by: Scott Longanecker,
Associate Planner

Proponent/Applicant: Thurston County

Action Requested: Amend the various zoning districts in the Thurston County Zoning Ordinance (Title 20) to modify maximum building coverage and lots size limits for public facilities and other Special Uses.

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

1
2 **ISSUE:**
3 Building coverage and lot size limits in several new zoning districts have created unintended
4 consequences for the provision of public services in rural areas.

5
6 **BACKGROUND:**
7 This is a proposal to amend subsections (2.c.) and (3) of Thurston County Code (TCC) Sections
8 20.09A.050, 20.09B.050 20.09C.050, and 20.09D.050 to allow for specific special uses to exceed 6,000
9 square feet on lots less than 10 acres in size within the RRR 1/5, R 1/10, R 1/20 and UR 1/5 zoning
10 districts of rural Thurston County. The proposal would also allow specific special uses to be located on
11 lots less than five-acres in size.

- 12
13 ➤ RRR 1/5 (Rural Residential Resource one dwelling unit per five acres)
14 ➤ R 1/10 (Rural one dwelling unit per ten acres)
15 ➤ R 1/20 (Rural one dwelling unit per twenty acres)
16 ➤ UR 1/5 (Urban Reserve one dwelling unit per five acres)
17

18 In August 2007, the Thurston County Development Code was amended by Ordinance 13884 adding
19 several new zoning districts (R 1/10, R 1/20 and UR 1/5) and placing blanket restrictions on the RRR 1/5
20 zoning district, and newly created districts for many Special Uses. This ordinance included a minimum
21 lot size of five-acres for most Special Uses within these four zones and added restrictions on building
22 coverage. For lots of five to ten acres in size, this ordinance added a maximum building coverage of 6,000
23 square feet for Special Uses for which no building size limit is specified in TCC 20.54. These building
24 coverage and lot size limits did not affect any other rural zones such as RR 1/5, MGSA 1/5 or other

1 residential and commercial zones. Through this ordinance, public facilities,¹ including essential public
2 facilities², and many other land uses including churches, schools, commercial horse riding arenas, RV and
3 boat storage facilities and others were limited to six thousand square feet for parcels five to ten acres in
4 size and twenty thousand square feet for parcels over ten acres in size. Additionally, these uses were
5 prohibited on lots less than five-acres in size. This change cast a wide net that placed significant limits on
6 traditionally rural uses that benefit public health, safety, welfare and the rural economy.

7
8 Staff believes that one of the unintended consequences of this change to the rural development code was
9 to limit the size and location of fire stations, schools and churches in large portions of rural Thurston
10 County. As an example of this new building coverage limit, a 6,000 square foot fire station on a nine acre
11 lot in the RRR 1/5 zoning district would be limited to 1.53 percent building coverage. For other uses
12 within the RRR 1/5 zone that do not require a Special Use permit, development coverage could range
13 from 10 – 60 percent depending upon soil type (TCC 20.09A.050.6).

14
15 Currently there are several new fire station proposals in the County that are on hold due to the prohibition
16 on Special Uses on lots less than five-acres. The limitation on building coverage of 6,000 square feet on
17 lots less than ten-acres also puts significant restrictions on rural fire departments. In order for rural fire
18 departments and other public facilities to provide the services that are expected of them, they need
19 adequately sized facilities to perform their necessary functions and services and the flexibility to site them
20 in appropriate locations.

21 **DEPARTMENT ANALYSIS:**

22
23 Prior to the above mentioned 2007 change to the Thurston County Development Code, public facilities,
24 churches and schools were not limited to 6,000 square feet on lots of five to ten-acres, nor were they
25 prohibited on lots less than five-acres. Rather, the size of Special Uses were limited on a site specific
26 basis, and by building setback requirements and impervious surface limits set by zone and use specific
27 standards contained in Title 20.

28 **OPTIONS:**

- 29
30
- 31 a) Change the RRR 1/5, R 1/10, R 1/20 and Urban Reserve 1/5 zoning districts in Title 20 to allow
32 the maximum building coverage of public facilities to exceed 6,000 square feet through the
33 Special Use and/or SEPA environmental review process. In addition, change these four zoning
34 chapters to allow public facilities on parcels of less than five-acres.
 - 35 b) Change the RRR 1/5, R 1/10, R 1/20 and Urban Reserve 1/5 zoning districts in Title 20 to allow
36 the maximum building coverage of public facilities, schools and churches to exceed 6,000 square
37 feet through the Special Use and/or SEPA environmental review process. In addition, change
38 these four zoning chapters to allow public facilities, schools and churches on parcels of less than
39 five-acres.

¹ Title 20 Zoning, Section 20.03.040 defines a public facility as: (cont. bottom of page 2)

107. "Public facilities" means buildings or uses of land whether owned or leased, operated by a public agency for such purposes as providing places for public assembly and recreation, operating services of benefit to the public, or for the administration of public affairs.

² Title 20 Zoning, Section 20.03.040 defines essential public facility as:

45.5 "Essential public facilities" means public facilities and privately-owned or operated facilities serving a public purpose that are typically difficult to site. They include but are not limited to:

a. State education facilities; state or regional transportation facilities; prisons, jails and other correctional facilities; solid waste handling facilities; airports; and inpatient facilities such as group homes, mental health facilities and substance abuse facilities; sewage treatment facilities; and communication towers and antennas.

b. Facilities identified by the State Office of Financial Management as essential public facilities, consistent with RCW 36.70A.200; and

c. Facilities identified as essential public facilities in Chapter 20.54 TCC.

- 1 c) No changes to the Development Code as it relates to public facilities. Keep the 6,000 square feet
2 maximum building coverage limit for fire stations and other Special Uses on lots of five to ten
3 acres in size and keep the minimum five-acres lot size limit for Special Uses within the RRR 1/5,
4 R 1/10, R 1/20 and Urban Reserve 1/5 zoning districts.

5
6 Deleted Text: ~~Strikethrough~~ Proposed Changes: Underlined
7 Staff Comments: *Italics* Unaffected Omitted Text: (...)

8
9 **Alternative a)**
10 **Text Changes:**

11
12 Change subsection 2.c. of TCC 20.09A.050, 20.09B.050, 20.09C.050, and 20.09D.050 to read as follows:

- 13
14 2. Minimum Lot Size. The minimum lot sizes in this district are as follows:
15 ...c. Special uses for which a minimum lot size is not established by Chapter 20.54—five acres, with
16 the exception of public facilities, which may be located on lots of less than five-acres.

17 and

18
19 Change subsection 3. of TCC 20.09A.050, 20.09B.050, 20.09C.050, and 20.09D.050 to read as follows:

- 20
21 3. Maximum Building Coverage. ~~Maximum building coverage for special uses for which no building~~
22 ~~coverage limit is specified in TCC 20.54—six thousand square feet for parcels five to ten acres in size and~~
23 ~~twenty thousand square feet for parcels over ten acres in size.~~ Building coverage for public facilities
24 shall be specified through the Special Use Permit process and/or SEPA environmental review process as
25 applicable. For all other Special Uses with no maximum building coverage specified in chapter 20.54
26 TCC, the maximum building coverage shall be six thousand square feet for parcels five to ten acres in
27 size and twenty thousand square feet for parcels over ten acres in size.

28
29
30 **Staff comments:**

31 This alternative would add flexibility of building coverage and lot size for public facilities only, i.e. fire
32 stations in the RRR 1/5, R 1/10, R 1/20 and Urban Reserve 1/5 zones. All other Special Uses would be
33 subject to the current building coverage limits within these four rural zones. This alternative would limit
34 the size and scale of many other types of non-residential rural development such as commercial riding
35 arenas and public storage facilities.

36
37 **Alternative b)**
38 **Text Changes:**

39
40 Change subsection 2.c. of TCC 20.09A.050, 20.09B.050, 20.09C.050, and 20.09D.050 to read as follows:

- 41
42 2. Minimum Lot Size. Minimum lot sizes in this district are as follows:
43 ...c. Special uses for which a minimum lot size is not established by Chapter 20.54—five acres, with
44 the exception of public facilities, schools and churches which may be located on lots of less than five-
45 acres.

46 and

47
48 Change subsection 3. of TCC 20.09A.050, 20.09B.050, 20.09C.050, and 20.09D.050 to read as follows:

- 49
50 3. Maximum Building Coverage. ~~Maximum building coverage for special uses for which no building~~
51 ~~coverage limit is specified in Chapter 20.54—six thousand square feet for parcels five to ten acres in size~~
52 ~~and twenty thousand square feet for parcels over ten acres in size.~~ Building coverage for public facilities,

1 schools and churches shall be specified through the Special Use Permit process and/or SEPA
2 environmental review process as applicable. For all other Special Uses with no maximum building
3 coverage specified in chapter 20.54 TCC, the maximum building coverage shall be six thousand square
4 feet for parcels five to ten acres in size and twenty thousand square feet for parcels over ten acres in size.

5
6 **Staff comments:**

7 Alternative b) would add flexibility of building coverage and lot size for public facilities, churches and
8 schools within the RRR 1/5, R 1/10, R 1/20 and Urban Reserve 1/5 zoning districts. Schools are listed
9 separately from public facilities in TCC Table 1 (Special Use Table) so need to be specifically listed in
10 order to be included in this alternative. Adding churches to the list of uses was a recommendation of the
11 Thurston County Prosecuting Attorney's Office since the law does not support general limitations for
12 churches. Other types of Special Uses would be subject to the current building coverage and lot size
13 limits within these four rural zones.

14
15 **Alternative c)**

16 The no change alternative. Keep the building coverage limit of 6,000 square feet and lot size limit of
17 five-acres for Special Uses with no specific size limit in TCC 20.54.

18
19 **Staff comments:** This alternative may negatively affect the ability of rural fire stations and other
20 public facilities to provide their necessary services in terms of fire, life and safety response in the rural
21 Thurston County.

22
23 **SEPA:**

24 A SEPA determination has not been made at this time.

25
26 **NOTIFICATION:**

27
28 Written notice of the public hearing will be published in *The Olympian* at least twenty (20) days
29 prior to the public hearing.

30
31 **DEPARTMENT COMMENTS:**

32 None at this time.

33
34 **STAFF RECOMMENDATION:**

35
36 Staff recommends alternative b. as it would allow the building coverage limit and lot size for
37 public facilities, churches and schools to be determined on a project and site specific basis in the
38 RRR 1/5, R 1/10, R 1/20 and Urban Reserve 1/5 zoning districts of rural Thurston County. This
39 change would have a positive effect on public health, safety and welfare, while limiting other
40 Special Uses such as commercial facilities and structures that may be out of scale with the rural
41 environment. The Resource Stewardship Department recommends the Planning Commission
42 forward Development Code Docket item A-1, to the Board of County Commissioners with a
43 recommendation of approval of alternative b) to the Board of County Commissioners.

44
45 **ATTACHMENTS:**

46
47 Attachment A: April 9, 2009 Thurston County Issue Paper

48
49 O:\Track\LONG RANGE PLANNING\DEV CODE AMENDMENTS 2009 TO 2010\A-1\A-1 Staff Report 021110 SL.v2.doc