DRAFT

2009-2010 Development Code Docket
A-5: Mandatory Presubmission
Conference (Titles 18, 20, 21, 22 and 23)

Date: July 7, 2010
Public Hearing Date: Tentative Date: August 18
Prepared by: Scott Longanecker,
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Proponent/Applicant: Thurston County

Action Requested: Amend Thurston County Code (TCC)
Titles 18, 20, 21, 22 and 23. Require
presubmission conference meetings
for most commercial and multifamily
land use projects.

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

ISSUE:
Review of development applications is delayed when applications are not complete or are not
consistent with existing land use and environmental regulations. A presubmission conference prior to
submission of a formal development application provides applicants with important information that may
reduce review time lines and result in fewer revisions.

BACKGROUND:
This is a proposal to amend Thurston County Code (TCC) Titles 18, 20, 21, 22 and 23, which
includes rural Thurston County and the Urban Growth Areas (UGAs) of Lacey, Tumwater and Olympia.
These portions of Thurston County code provide for optional and mandatory presubmission conference
meetings for various types of land use proposals including large lot subdivisions, preliminary plats and
others.

Affected Thurston County Codes:

➢ Title 18 – Platting and Subdivisions
➢ Title 20 – Zoning
➢ Title 21 - Lacey Urban Growth Area Zoning
➢ Title 22 – Tumwater Urban Growth Area Zoning
➢ Title 23 – Olympia Urban Growth Area Zoning

The purpose of presubmission conferences is to have the land use project applicant meet with
Resource Stewardship, Environmental Health, and Public Works staff to discuss preliminary plans,
Studies and drawings. The primary goal of this conference is to explain applicable Thurston County
codes and eliminate as many potential problems as possible in order for the project application to be
processed without delay.

Currently there are a limited number of project types requiring presubmission conferences under
Thurston County Code. The Resource Stewardship Department believes that presubmission
conferences help applicants to understand the review process and enable them to provide better quality
and more complete application submittals. Better quality and more complete applications should help
to reduce review timelines and streamline the review process. Additionally, the upfront cost of the
presubmission conference should be made up for in terms of more efficient review and fewer requested revisions. It is also proposed that presubmission conference applicants would be given partial fee credit towards the associated development applications if submitted within 6-months of the presubmission conference.

DEPARTMENT ANALYSIS:
The proposed change would require presubmission conferences for several additional types of land use projects such as Special Use permits, short plats and non-residential site plan reviews. Projects exempt from a presubmission conference would include single-family construction, administrative variances, administrative special use permits and boundary line adjustments. Other minor commercial applications such as internal remodels and sign installations or replacement would also be exempt from a presubmission conference. However, an applicant may request a presubmission conference even if it is not required.

Specifically, the proposed change would require presubmission conferences for all plats, short plats, large lot subdivisions, new commercial uses or change of use, multi-family developments and Hearings Examiner approved Special Use permits.

The proposed changes will make requirements for presubmission conferences consistent across all Thurston County zoning districts. For example, under current codes only the Lacey UGA requires a presubmission conference for administrative site plan reviews, which are typically done for commercial projects. In other zoning districts presubmission conferences are optional for administrative site plan reviews.

Requiring a presubmission conference may increase the initial application costs of development applications. In order to minimize the impacts of this increase in costs, staff recommends the following policy: If an applicant for a presubmission conference submits a related development permit application within 6-months of the presubmission conference, 50% of the presubmission conference fee will be applied towards the associated development application fee. Aside from assisting applicants, another reason behind this proposal is that a presubmission conference can help county staff familiarize themselves with a project, its surroundings and applicable regulations, potentially reducing review time.

OPTIONS:
a) Amend Thurston County Code (TCC) Titles 18, 20, 21, 22 and 23 to require presubmission conferences for all commercial, non-residential and multifamily land use applications with a few exceptions including single-family construction, administrative variances, administrative special use permits, boundary line adjustments, minor commercial projects such as internal remodels and sign installations.

b) No changes to the Development Code as it relates to presubmission conferences.

Deleted Text: Strikethrough Proposed Changes: Underlined
Staff Comments: Italics Unaffected Omitted Text: (...)
form and one copy of the proposal to the Resource Stewardship development services department for a presubmission conference. The proposal should include the information required for submission of a preliminary large lot as described in Section 18.10.050. Upon receipt of a properly prepared request, the Resource Stewardship development services department shall notify the applicant of the time and place for the presubmission conference.

(Ord. 11398 § 10 (part), 1997)

18.32.115 – Optional presubmission conference.

Before making an application for a short subdivision, the applicant shall may arrange to have the proposal reviewed informally by submitting a request form and one copy of the proposal to the Resource Stewardship development services department for a presubmission conference. The proposal should include the information required for submission of a preliminary short plat as described in Section 18.10.050. Upon receipt of a properly prepared request, the Resource Stewardship development services department shall notify the applicant of the time and place of the presubmission conference.

(Ord. 11398 § 10 (part), 1997: Ord. 8629 § 46, 1980)

Title 20 - Zoning


Before submitting an application for site plan review, an applicant may arrange to have the proposal reviewed informally by submitting a request form and one copy of the proposal to the Resource Stewardship development services department for a presubmission conference. However, for all new commercial uses or change of use, a presubmission conference is mandatory. The proposal shall contain in a rough and approximate manner all of the information required in the site plan application. The purpose of the summary site plan is to enable the applicant to obtain the advice of affected county departments as to the applicability of the intent, standards and provisions of this title to the plan. Upon receipt of a properly prepared request, the Resource Stewardship development services department shall notify the applicant of the time and place for the presubmission conference.


**Staff comments:** The reason for proposed language "new commercial uses or change of use" is that some site plan reviews for minor non-residential development should not require a presubmission conference i.e. sign replacement, internal remodels. There should be a clear threshold for when a presubmission conference is required for non-residential (commercial) uses.

20.54.060 – Application for a special use.

1. Before making an application for a Hearings Examiner approved Special Use Permit (see Chapter 20.54.015) the applicant shall submit a request form and one copy of the proposal to the Resource Stewardship department for a presubmission conference. At minimum the proposal shall contain in a rough and approximate manner the information required in the Special Use application. The purpose of the summary site plan is to enable the applicant to obtain the advice of affected county departments as to the applicability of the intent, standards and provisions of this title to the plan. Upon receipt of a properly prepared request, the Resource Stewardship department shall notify the applicant of the time and place for the presubmission conference.

2. The procedures controlling application for and the review and approval of special uses shall be as provided in Chapter 20.60. See Section 20.60.020(3)(c) for expanded public notification requirements.


Title 21 – Lacey Urban Growth Area Zoning
Planning Department Staff Report
Presubmission Conference Dev Code Docket A-5
Version no. 1
21.66.030 – Application review for special uses. Control of uses.

1. Special uses shall be subject to the review process as provided for in Chapter 21.81 of this title or as otherwise noted in this chapter.
2. Before making an application for a Hearings Examiner approved Special Use Permit the applicant shall submit a request form and one copy of the proposal to the Resource Stewardship department for a presubmission conference. At minimum the proposal shall contain in a rough and approximate manner the information required in the Special Use application. The purpose of the summary site plan is to enable the applicant to obtain the advice of affected county departments as to the applicability of the intent, standards and provisions of this title to the plan. Upon receipt of a properly prepared request, the Resource Stewardship department shall notify the applicant of the time and place for the presubmission conference.

(Ord. 11499 § 23, 1997: Ord. 11274 § 1 (part), 1996)

Staff comments: A presubmission conference is already required for administrative site plan reviews in the Lacey UGA per TCC 21.84.050. The following changes to Titles 22 and 23 will make all three UGA’s consistent in terms of administrative site plan reviews and presubmission conferences.

Title 22 – Tumwater Urban Growth Area Zoning

22.56.020 – Application-Contents and fee.

1. A request for a special use permit shall be submitted on an application form available at the Thurston County Resource Stewardship development services department. Each application shall include the information required in Section 22.62.030.
2. Before making an application for a Hearings Examiner approved Special Use Permit the applicant shall submit a request form and one copy of the proposal to the Resource Stewardship department for a presubmission conference. At minimum the proposal shall contain in a rough and approximate manner the information required in the Special Use application. The purpose of the summary site plan is to enable the applicant to obtain the advice of affected county departments as to the applicability of the intent, standards and provisions of this title to the plan. Upon receipt of a properly prepared request, the Resource Stewardship department shall notify the applicant of the time and place for the presubmission conference.

(Ord. 11500 § 29, 1997: Ord. 11274 § 2 (part), 1996)

22.59.080 – Application – Review process.

A. Applications for site plan review shall be reviewed by the department in accordance with Chapter 22.62.

B. For all new commercial uses or change of use, a presubmission conference is mandatory. The proposal shall contain in a rough and approximate manner all of the information required in the site plan application. The purpose of the summary site plan is to enable the applicant to obtain the advice of affected county departments as to the applicability of the intent, standards and provisions of this title to the plan. Upon receipt of a properly prepared request, the Resource Stewardship department shall notify the applicant of the time and place for the presubmission conference.

C. The review of applications for site plan approval under this title shall at minimum consider the following:
1. Relationship of the plan elements to the conditions both on and off the property;
2. Conformance to the requirements of this title;
3. Conformance to the Thurston County Comprehensive Plan and the City of Tumwater/Thurston County Joint Plan and related documents; and
4. The impact with respect to land use, pedestrian and vehicular ingress and egress, building location and height, landscaping, lighting, utilities, drainage, open space, screening, setbacks, and other related matters.

(Ord. No. 14182, § 4, 12-29-2008)

Title 23 – Olympia Urban Growth Area Zoning

23.48.020 – Special use approval.

A. Hearing Examiner Approval. Certain uses, because of their unusual size, infrequent occurrence, special requirements, possible safety hazards or detrimental effects on surrounding properties and other similar reasons, are classified as special uses. These uses may be allowed in certain districts by a special use permit granted by the hearing examiner. Prior to granting such a permit the hearing examiner shall hold a public hearing, unless otherwise provided for in this code, and determine that all applicable conditions will be satisfied. If the special use proposed in a residential zone exceeds five thousand square feet in floor space, it must meet the Olympia UGA Design Guidelines, Chapter 23.20.

B. Before making an application for a Hearings Examiner approved Special Use Permit the applicant shall submit a request form and one copy of the proposal to the Resource Stewardship department for a presubmission conference. At minimum the proposal shall contain in a rough and approximate manner the information required in the Special Use application. The purpose of the summary site plan is to enable the applicant to obtain the advice of affected county departments as to the applicability of the intent, standards and provisions of this title to the plan. Upon receipt of a properly prepared request, the Resource Stewardship department shall notify the applicant of the time and place for the presubmission conference.

C. Permit Content and Enforcement. Special use permit shall state the location, nature and extent of the special use together with all conditions that were imposed and any other information deemed necessary for the issuance of such permit. A copy of this permit shall be kept on file in the Resource Stewardship development services department and if, at any time, it is found that the special use no longer complies with the conditions herein specified, the owner shall be declared in violation of this title and shall be subject to its penalties.

D. Expansion of Approved Special Uses. The director of Resource Stewardship development services may authorize up to a twenty-five percent expansion, in any five year period, of an approved special use's gross floor area, height, parking and occupancy (e.g., number of seats, classrooms and students). The director of Resource Stewardship development services may also authorize alterations to the site design, including landscaping, fences, lighting, signs and similar site features. If the expansion in a residential zone exceeds five thousand square feet in floor space it must meet the Olympia UGA Design Guidelines, Chapter 23.20. All such modifications shall be consistent with the original conditions of approval and applicable regulations. All such proposed expansions shall be processed as a Type II application pursuant to Section 23.72.040B.

(Ord. 12032 § 64, 1999; Ord. 11501 § 33, 1997: Ord. 11274 § 3 (part), 1996)

23.60.080 – Application – Review process.

A. Applications for site plan review shall be reviewed by the department in accordance with Chapter 23.72.

B. For any new commercial use or change of use, a presubmission conference is mandatory. The proposal shall contain in a rough and approximate manner all of the information required in the site plan application. The purpose of the summary site plan is to enable the applicant to obtain the advice of affected county departments as to the applicability of the intent, standards and provisions of this title to the plan. Upon receipt of a properly prepared request, the Resource Stewardship department shall notify the applicant of the time and place for the presubmission conference.

(Ord. 11501 § 39, 1997: Ord. 11274 § 3 (part), 1996)
Option b)

b) No changes to the Development Code as it relates to presubmission conferences.

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

NOTIFICATION:
Written notice of the public hearing will be published in The Olympian at least twenty (20) days prior to the public hearing.

STAFF RECOMMENDATION:
The proposed changes will make requirements for presubmission conferences consistent across all Thurston County zoning districts. Staff recommends option a), as it would improve the quality of application submittals, increase the efficiency of review and reduce the number of requested revisions.
The Resource Stewardship Department recommends the Planning Commission forward Development Code Docket item A-5, to the Board of County Commissioners with a recommendation of approval of alternative a) to the Board of County Commissioners.

ATTACHMENTS:

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