



Cathy Wolfe
 District One
 Diane Oberquell
 District Two
 Robert N. Macleod
 District Three

HEARING EXAMINER

**BEFORE THE HEARING EXAMINER
 FOR THURSTON COUNTY**

In the Matter of the Application of)	NO. SUPT 2004105509
)	
Yelm Community Schools)	FINDINGS, CONCLUSIONS
(Lackamas School))	AND DECISION
)	
For Approval of a Special Use Permit.)	
_____)	

SUMMARY OF DECISION

A Special Use Permit to remodel a school building and associated gymnasium into an elementary school serving Kindergarten to Grade 4 is **GRANTED**. This approval includes the remodeling of both the primary school building and the gymnasium; construction of a covered play area; and the placement of up to six (6) portable classrooms on the existing school property. The subject property is located within a Rural Residential/Resource 1/5 zoning district at 16240 Bald Hill Road SE, Thurston County, WA.

SUMMARY OF RECORD

Request

Yelm Community Schools (Applicant) requested approval of a Special Use Permit (SUPT) to remodel the existing Lakamas School and its gymnasium on property located within a Rural Residential/Resource 1/5 zoning district at 16240 Bald Hill Road SE in Thurston County, Washington.

Hearing Date

An open hearing on the request was held before the Hearing Examiner of Thurston County on June 6, 2005.

Testimony

The following individuals presented testimony under oath at the open record hearing:

1. Kim Pawlawski, Associate Planner Thurston County

2. Erling Birkland, Yelm Community Schools
3. John Erickson, Erickson McGovern Architects
4. Trent Lougheed, Jerome W. Morrissette & Associates Engineering and Planning
5. Shanna Stevenson, Thurston County Advance Planning and Historic Preservation

Exhibits:

The following exhibits were admitted at the open record hearing:

1. Staff Report dated June 6, 2005 with the following attachments:
 - Attachment a: Notice of Public Hearing dated May 27, 2005
 - Attachment b: Site Map
 - Attachment c: Special Use Permit Application received November 10, 2005
 - Attachment d: Application Narrative, dated April 20, 2005, unsigned
 - Attachment e: Site Plan
 - Attachment f: SEPA Mitigated Determination of Non-Significance issued April 28, 2005
 - Attachment g: Thurston County Public Health and Social Services Department comments dated April 5, 2005
 - Attachment h: Thurston County Roads & Transportation Services comments dated December 15, 2004
 - Attachment i: Thurston County Roads & Transportation Services comments dated January 13, 2005
 - Attachment j: Thurston County Roads & Transportation Services comments dated March 1, 2005
 - Attachment k: Thurston County Roads and Transportation Services comments dated April 12, 2005
 - Attachment l: Site area photographs
 - Attachment m: State of Washington, Department of Ecology comments dated January 5, 2005
 - Attachment n: Thurston County Advance Planning and Historic Preservation comments dated April 19, 2005
2. Site Plan of Lakamas School
3. Public Comment Letter from Ms. Susan Ingram, dated December 29, 2004

Upon consideration of the testimony and exhibits submitted at the open record hearing, the Hearing Examiner enters the following Findings and Conclusions:

FINDINGS

1. The Applicant requested approval of a SUPT to remodel an existing school building and gymnasium in order to operate it as a public school serving kindergarten to fourth grade students. The Applicant proposes remodeling the existing buildings to bring them into compliance with the Americans with Disabilities Act (ADA)¹ and life safety standards.

¹ 42 USC §§ 12101 et seq

While the remodel of the gymnasium will include a ‘warming’ kitchen, no food preparation will occur on-site. Heating, ventilation, water, and on-site sewage systems will be renovated and/or upgraded. In addition to remodeling existing structures, the Applicant seeks to place four portable classrooms on the northeast portion of the site. The proposal also includes construction of a new 54-stall parking lot and the possibility of two additional portable classrooms and a covered play area in the future. *Exhibit 1, Staff Report, pages 1-2; Attachment c; Attachment d; Testimony of Ms. Pawlowski*

2. The subject property is approximately 7.37 acres in size and is located at 16240 Bald Hill Road SE in Thurston County, Washington.² *Exhibit 1, Staff Report, pages 1-2; Attachment c; Attachment d.*
3. The subject property is mostly level. The predominant vegetation is field grass. There are twelve large conifer trees located throughout the parcel, four trees will need to be removed to accommodate construction. There are no mapped critical areas on or adjacent to the site. *Exhibit 1, Staff Report, page 2; Exhibit 1, attachment d, attachment l.*
4. The subject property is located in a Rural Residential/Resource– One Dwelling Unit per Five Acres (RRR 1/5) zoning district and is designated as rural under Thurston County’s Comprehensive Plan. Academic schools are permitted in the RRR 1/5 district subject to approval of a SUPT. Surrounding land use includes single-family residences on large lots, undeveloped and forested lands, and the Bald Hills Fire Station directly in front of the school property. *Exhibit 1, Staff Report, page 2; Exhibit 2, Site Plan; Thurston County Tax Assessor.*
5. The subject property is the site of the existing Lackamas School. Originally constructed in the early 1900s, the building was operated as a public school until 1946. Since this time, the building has been utilized for various community and private functions and underwent a full restoration in the late 1980s. Pursuant to TCC 20.56.010, uses that are not in conformance with the zoning code at time of adoption of the code may continue unless vacated. A nonconforming use shall be considered vacated if the use has not been maintained in the manner which is customary for the use for a period of three (3) years. *TCC 20.56.040.* The Lackamas School has not been utilized as a school since 1946 and therefore a SUPT is required to operate the structure as a school. *Exhibit 1, Staff Report, page 2; Exhibit 1, attachment d; TCC 20.56.*
6. In 1990, the school was placed on the National Register of Historic Places.³ Thurston County Advance Planning and Historic Preservation reviewed the proposal and provided

² The legal description of the property is Parcel A of BLA 04 102600 TC; known as Tax Parcel No. 22624440000. *Exhibit 1, Staff Report, page 1; Exhibit 1, Attachment b.* The County’s staff report denotes the address as 16240 Bald Hill Road SE. Some documentation (*Exhibit 1, attachment b, attachment e, attachment g, attachment m; Exhibit 2*) note the property’s physical address as 16312 Bald Hill Road SE. However, per the Thurston County Tax Assessor’s records, the correct address for Tax Parcel No. 22624440000 is 16240 Bald Hill Road SE

³ The National Register of Historic Places is an official listing of historically significant sites and properties throughout the country. It is maintained by the National Park Service (U.S. Department of the Interior) and includes

recommendations in order to assure that adequate and appropriate consideration is given to the preservation of the historic qualities for which the school was originally listed. *Exhibit 1, attachment d, attachment n; Testimony of Ms. Palawski*

7. There are currently several structures on the subject property. The school building, a gymnasium, a single-family residence, a water reservoir tank, and an outhouse. The outhouse is to be removed. The single-family residence is currently serving as a ‘caretaker residence’. Although the Applicant’s position is that having a resident caretaker provides a security benefit to the site, the County Staff recommended that when the school is operational, the residence can no longer be used as a caretaker residence. The County would allow it to be maintained solely as rental property. *Exhibit 1, Staff Report, page 4, 11; Exhibit 1, attachment d; Testimony of Ms. Palawski.*
8. As part of the remodel, the Applicant proposes to upgrade the existing on-site sewage disposal system to handle the projected increased wastewater flows and to construct a Group A public water system. Thurston County Public Health/ Environmental Health required that several wells, with the exception of the Group A public well that is serving the fire station on the adjacent property, be decommissioned. Environmental Services determined that, subject to conditions, the proposed water and sewage systems would adequately serve the school without impairing existing public services in the area. *Exhibit 1, Staff Report, page 5; Exhibit 1, attachment g.*
9. The Applicant submitted preliminary drainage and erosion control plans. Thurston County Road & Transportation Services reviewed the plans and determined that they were in compliance with the 1994 Drainage Design and Erosion Control Manual. The plan proposes to collect stormwater and then distribute it through biofiltration swales into infiltration ponds. *Exhibit 1, Staff Report, page 6; Exhibit 1, attachments i – k.*
10. Access to the project will be from Bald Hill Road SE. Thurston County Roads and Transportation noted that the proposed access did not meet Thurston County Road Standards (TCRS). TCRS Section 7.03B requires that if a proposal has frontage onto more than one roadway, access must be via the lower volume roadway. The subject property has frontage on Bald Hill Road SE, an arterial roadway, and Piessner Road SE, a local roadway. Section 7.03B requires that access should be from Piessner Road SE. The Applicant, through project engineer Jerome W. Morrisette and Associates, requested a variance from this standard. The variance request was accepted by the Roads and Transportation Services Department.⁴ *Exhibit 1, attachment h, attachment j.*
11. The off-street parking required in the RRR 1/5 zoning district is one parking space per classroom or office. *TCC 20.44.030(b)(ii)(C)*. The school building will contain eleven (11)

districts, sites, buildings, structures, and objects that have been identified and documented as being significant in American history, architecture, archaeology, engineering or culture.

⁴ Pursuant to TCRS Section 1.00, the County Engineer grants a variance from standards. Road and Transportation Services utilized the word “accepted” rather than “granted.” No copy of the variance request or a copy of an actual granted variance was provided in the exhibits or at public hearing.

classrooms. The Applicant proposes to create 54 new vehicle and bus paved parking spaces. *A Exhibit 1, Staff Report, page 3; Exhibit 1, Attachment d*

12. The zoning ordinance requires a landscaping buffer/screen around the perimeter of commercial sites. *TCC 20.45.040*. Special Use Permits allowing schools in residential resource zones require that any portion of a school property that abuts a residential use must be screened to buffer the residential use from noise and school activities. *TCC 20.54.070(1)(b)*. The subject property does not have substantial landscaping screening along its property lines. According to the County, additional landscaping is needed especially along the eastern and northern property lines. County staff recommended that the Applicant could utilize plant materials and other landscape features that would provide a year round sight obscuring screen or a solid wood fence. A landscaping plan has not been submitted by the Applicant. *Exhibit 1, Staff Report, page 4*
13. The remodeled school and portable classrooms would have a capacity for approximately 810 students and staff. The anticipated student enrollment and staff for the next few upcoming school years is 250. Classroom hours would be standard elementary school hours during the school year - September through June 8:30 a.m. to 3:30 p.m., 5 days a week. Occasional use of the facility would be needed for after school functions such as parent meetings and performances. *Exhibit 1, Staff Report page 5; Exhibit 1, attachment d*
14. Thurston County issued a SEPA Mitigated Determination of Nonsignificance (MDNS) on April 28, 2005, which became final on May 19, 2005. The MDNS expressly stated several conditions that the Applicant must comply with and such conditions are incorporated in this decision. Washington State Department of Ecology submitted comments pertaining to water quality and the State's recommendations are incorporated in this decision. *Exhibit 1, attachment f, attachment m.*
15. State and County agencies reviewed the proposal for compliance with health, access, traffic, stormwater control, environmental, and historic code requirements. These comments are incorporated in these Findings of Fact. *Exhibit 1, Staff Report, page 7; Exhibit 1, attachment g, attachment h, attachment l, attachment j, attachment k, attachment m, attachment n.*
16. One (1) public comment letter was received from Susan Ingram, resident of the property immediately to the northeast. Ms. Ingram was not opposed to the project but voiced her concerns regarding well water supply impacts, privacy fencing, and buffers. *Exhibit 1, Staff Report, page 7; Exhibit 3.*⁵
17. The County provided proper notice of the public hearing. Written notice was mailed to property owners within 500 feet and to others who had requested such notice. Notice was

⁵ The Staff Report notes receipt of Ms. Ingram's comment and assigns it "Exhibit 1, attachment j". However, this reference was also attached to the March 1, 2005 comment letter from Thurston County Road & Transportation Services. The public comment was not provided to the Hearing Examiner until after the hearing and was subsequently reassigned with "Exhibit 3". The Hearing Examiner has considered Ms. Ingram's comments in this decision.

posted on the subject property on May 26, 2005. Notice was published in The Olympian on May 27 2005. *Exhibit 1, Staff Report, page 3; Attachment a.*

CONCLUSIONS

Jurisdiction

The Hearing Examiner has jurisdiction to decide this Special Use Permit application under Section 20.54.015 of the Thurston County Code, and Sections 35.63.130 and 36.70.970 of the Revised Code of Washington. Pursuant to TCC 20.54.050, the Hearing Examiner is authorized to impose such additional conditions, safeguards and restrictions upon the proposed use as it may deem necessary in the public interest.

Criteria for Review

A. *20.54.040 General Standards.* In addition to the specific standards set forth hereinafter with regard to particular special uses, all uses authorized as special uses shall meet the following standards:

1. *Plans, Regulations, Laws.* The proposed use at the specified location shall comply with the Thurston County Comprehensive Plan and all applicable Federal, State, Regional and Thurston County laws or plans.
2. *Underlying Zoning District.* The proposed use shall comply with the general purposes and intent of the applicable zoning district regulations and sub-area plans. Open space, lot setback, and bulk requirements shall be no less than that specified for the zoning district in which the proposed use is located unless specifically provided otherwise in this chapter.
3. *Location.* No application for a special use shall be approved unless a specific finding is made that the proposed special use is appropriate in the location for which it is proposed. This finding shall be based on the following criteria:
 - a. Impact. The proposed use shall not result in substantial or undue adverse effects on adjacent property, neighborhood character, natural environment, traffic condition, parking, public property or facilities, or other matters affecting the public health, safety and welfare. However, if the proposed use is a public facility or utility deemed to be of overriding public benefit, and if measures are taken and condition imposed to mitigate adverse effects to the extent reasonably possible, the permit may be granted even though said adverse effect may occur.
 - b. Services. The use will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities or services existing or planned to serve the area.

B. *Sign, Landscaping & Parking Standards*

1. Signs. TCC 20.54.040(5) limits signs for special use projects concerning non-residential proposals to no more than one two-faced sign not to exceed 32 square feet per side.

2. Landscaping. TCC 20.54.070(1)(b) requires any portion of a school site which abuts upon a residential use to be screened in such a manner as to reduce the noise generated by activities on the school grounds.
3. Parking. For education facilities, TCC 20.44 requires a minimum of one (1) parking space for each classroom and office.

C. *20.54.070 Use-Specific Standards*

1. For public schools, the minimum site size shall be as required by the Superintendent of Public Instruction.

Conclusions Based on Findings

1. **With conditions of approval, the proposed use at the specified location would comply with the Thurston County Comprehensive Plan and all applicable federal, state, regional, and Thurston County laws or plans.** The site is zoned for residential development. A public school is permitted within the zone. Thurston County's Comprehensive Plan seeks to provide a liveable and workable community for its residents. Quality education serves those goals. The Thurston County Roads & Transportation Services, the Public Health and Social Service Department, and Historical Committee recommend approval of the project, subject to conditions that will ensure the installation of a new public water supply and on-site sewage system and preservation of the historic nature of the property. New water and sewage systems will meet the Health Department's requirements for a school facility. Existing wells must be decommissioned and the water supply system approved by the State. Conditions of approval are necessary to ensure that adequate potable water and septic disposal will be provided for the safety of the children and the surrounding community. *Findings of Fact 4, 5, 6, 8, 9, 10, 11, and 12*
2. **With conditions of approval, the proposed use would comply with the general purposes and intent of the applicable zoning district regulations and subarea plans.** No significant increase in size or change in the placement of the existing buildings, which complies with the standards of the underlying zone, is proposed. A 'warming' kitchen will be added to the existing gymnasium but will not unduly detract for its use. As conditioned, landscaping will provide screening between residential and academic uses and will maintain aesthetic qualities of the community. As conditioned, the remodeled will preserve the historic nature and character of the property. The proposal will contain appropriate parking and fire access, as well as all necessary utilities. *Findings of Fact 4, 5, 6, 11, and 12*
3. **With conditions of approval, the proposed special use is appropriate in the location for which it is proposed.**
 - a. **With conditions of approval, the proposed use would not result in substantial or undue adverse effects on adjacent property, neighborhood character, natural environment, traffic conditions, parking, public property or facilities, or other matters affecting the public health, safety and welfare.** There will be no

substantial or undue adverse effects on surrounding properties. Student population and corresponding vehicular traffic will increase due to the proposed conversion but conditions of the site are designed to mitigate impacts. The proposal includes safe access to the site and a new parking lot will adequately serve the School's staff, parents and bus traffic. The Applicant will mitigate potential visual and noise impacts to surrounding residential uses through appropriate landscaping. *Findings of Fact 6, 7, 8, 9, 10, 11, 12, and 13.*

- b. The use would be adequately served by and would not impose an undue burden on any of the improvements, facilities, utilities, or services existing or planned to serve the area.** The Applicant will install new on-site sewage disposal and potable water supply to meet projected use on the subject property. The addition of the 54-stall parking lot will improve road access and safety in the surrounding area. *Findings of Fact 8, 9, 10, and 11*
- 4. The proposed project, with conditions, will meet sign, landscaping and parking requirements.** The Applicant will be required to meet the requirements of TCC 20.54.040(5) and TCC 20.40 for any sign installed for the school. The Applicant's proposal satisfies the off-street parking requirements of TCC 20.44 for educational facilities. Conditions of approval ensure these standards will be met. The Applicant will be required to present a landscaping plan which will buffer *Findings of Fact 12*
- 5. The proposed project, with conditions, will meet use-specific standards for public schools.** The 7.37-acre site meets minimum lot size requirements of the zoning district. The proposed density of 250 students and staff is acceptable to the Superintendent of Yelm Community Schools. Existing trees and additional landscaping will provide a buffer between the school and the surrounding community. *Findings of Fact 12 and 13*

DECISION

Based upon the preceding Findings and Conclusions, the request for approval of a Special Use Permit to remodel an existing but non-operating school building and associated gymnasium into an elementary school serving Kindergarten to Grade 4 is **GRANTED**, with conditions.⁶ This approval includes the remodeling of both the primary school building and the gymnasium; construction of a covered play area; and the placement of up to six (6) portable classrooms on the existing school property.

- A. Prior to final approval of the proposed Special Use Permit, the following requirements of the Environmental Health Division of the Thurston County Public Health & Social Services Department shall be met:
 1. Prior to approval and release of non-residential building permits for this facility, the plans for the Group A public water system must be approved by the Washington State Department of Health, Division of Drinking Water.

⁶ Affected property owners may request a change in valuation for property tax purposes.

2. Prior to approval and release of non-residential building permits for this facility, all existing wells on this property must be decommissioned in accordance with Washington State Department of Ecology standards (except for the Group A public well). Copies of the well driller's decommissioning reports must be submitted to the Environmental Health Division of the Thurston County Public Health & Social Services Department.⁷
 3. Prior to approval and release of non-residential building permits for this facility, all school and food service plans and specifications for this facility must be reviewed and approved by the Food & Environmental Services Program of the Thurston County Public Health & Social Services Department.
 4. Prior to final occupancy approvals, the Group A public water system must receive final approval from the Washington State Department of Health (WSDOH). The Environmental Health Division of the Thurston County Public Health & Social Services Department must receive a copy of the written final approval from WSDOH.
 5. Prior to final occupancy approvals, the on-site sewage system for this facility must be installed and the as-built drawing and designer certification must be submitted. Environmental Health must accept the as-built and designer certification for the on-site sewage system prior to final occupancy approval of the school.
 6. Prior to final occupancy approvals, the Food & Environmental Services Program of the Thurston County Public Health & Social Services Department must complete a pre-opening inspection for the school facility.
 7. Prior to final occupancy approvals, the existing on-site sewage system for the school building must be abandoned per Section 19 of Article IV of the Thurston County Sanitary Code. An abandonment permit is required.
 8. This project has been reviewed with respect to the water supply, sewage disposal, hazardous materials, and food/school regulations based on specific information provided by the Applicants or their consultants, including the anticipated occupancy of 250. Any future changes in the facility with regard to number of students or faculty, food service, or other activities must be reviewed and approved by the Environmental Health Division of the Thurston County Public Health & Social Services Department.
- B. Prior to final approval of the proposed Special Use Permit, the following requirements of the Roads and Transportation Services Department shall be met:
1. The proposed roadway in concept and design shall conform to the 1999 Thurston County Road Standards.

⁷ The Applicant has indicated that Condition A2 has been satisfied.

2. Pursuant to TCC 18.24, the developer shall execute an agreement and provide a financial security to assure successful operation of the required improvements (i.e., roads, signage, illumination, etc.) prior to final approval. Improvements not covered by this agreement are water, sewer and stormwater facilities. These are addressed either by separate county ordinance or in the case of water and sewer utilities by the utility purveyor.
 3. The stormwater management system shall conform to the 1994 Thurston County Drainage Design & Erosion Control Manual and TCC 15.05.
 4. Proposed utility work within the Thurston County Right of Way shall conform to the 1999 Thurston County Road Standards and TCC 13.56. These standards do not address specific design requirements but focus on items such as restoration of the County right-of-way and traffic control.
 5. The proposed water and sewer system shall be designed in accordance with the standards and specification of the respective utility purveyor. All water and sewer plans are subject to review and acceptance by the respective utility purveyor.
 6. The proposed grading or site work shall conform to Appendix J of the International Building Code, TCC 14.37 and the 1994 Drainage Design & Erosion Control Manual.
 7. Erosion control measures must be in place prior to any clearing, grading, or construction. Control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or storm drains.
 8. This approval does not relieve the Applicant from compliance with all other local, state and/or federal approvals, permits, and/or laws necessary to conduct the development activity for which this Special Use Permit is issued. Any additional permits and/or approvals shall be the responsibility of the Applicant.
 9. Prior to final approval, the Applicant shall complete the following items:
 - a. Confirm final sizing of stormwater facilities (i.e., treatment swales and strips, and retention basins) based on final pervious/impervious coverage and supplemental soils evaluation as necessary and in accordance with the Drainage Design & Erosion Control Manual.
 - b. Provide fencing to prevent children from entering the right-of-way. The fencing shall be no less than 42 inches in height.
- C. Prior to the issuance of final occupancy, the Applicant shall submit for review and approval a landscape proposal that provides for landscaping along the frontage of Bald Hill Road SE and Peissner Road SE. The landscaping plan shall provide a buffer between on site residence and any structures related to the school facility. The buffer

may contain any combination of trees, live ground covers, shrubs, earthen berms and other landscape features which will provide a year-round sight-obscuring screen. Additionally, landscaping is necessary along the northern and eastern property boundaries and shall include buffer strips which shall contain any combination of trees, live ground covers, shrubs, earthen berms, and other landscape features which will provide a year round sight-obscuring screen. In the alternative, an aesthetically pleasing 6-foot or higher solid fence may be substituted for the vegetative screen along the northern and eastern property boundaries. All buffers must be in place within three years from approval of the Special Use Permit. All approved landscaping must be installed prior to occupancy of the structure. The County will entertain an agreement to install, with financial security, if the time of season is not right for successful planting.

- D. In order to preserve the historical character of the property and existing structures, the following requirements of the Thurston County Advance Planning and Historic Preservation shall be complied with:
1. The proposed addition to the existing gymnasium must be differentiated from the original through a slightly different gauge of siding and color from the historic gymnasium.
 2. Re-use the existing gymnasium window from the area where the proposed addition will be connected to the historic building.
 3. Minimize the removal of the original materials that were used in the construction of the original gymnasium building where the new opening is to be made between the existing gymnasium and the new addition.
 4. Provide landscaping on the school site that will not detract from the historical context as a rural school. Landscaping shall not obscure the views of the school from Bald Hill Road SE.
 5. Minimize the changes to the historic building materials and setting of the buildings as much as possible, including the windows.
 6. Paint the portables in a dark color to showcase the historic buildings, which should be painted in a lighter color.
 7. Differentiate the roofing of the new addition to the gymnasium from the historic structure in color or texture.
 8. The rear elevation entry shall be modified to be more consistent with the historic elements of the existing school building.
 9. Workers involved in excavation projects at the site must be mindful of any archaeological materials that they might encounter. If any items are located, work must cease and the existence of materials must be reported to the Washington State

Office of Archaeology and Historic Preservation, as well as the Thurston County Historic Commission.

- E. During construction, all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed of in a manner that will prevent their discharge to waters and soils. Clean up of spills must take precedence over other work on the site.
- F. Once the school is operational, the single-family residence located on the subject property can be used as a caretaker residence. As such, additional landscaping will be required between the residence and any structures related to the school facility. The landscaping shall contain any combination of trees, live ground covers, shrubs, earthen berms and other landscape features which will provide a year-round sight obscuring screen and must be in place within three years from approval of the Special Use Permit.
- G. Review has been conducted for this proposal for 250 occupants, including students and staff. As such, if the actual occupancy of Lackamas School exceeds 250, an amended Special Use Permit must be submitted to review for the increased number of occupants and their impact on the infrastructure.
- H. All development on the site shall be in substantial compliance with the approved site plan. Any expansion or alteration of this use beyond that initially approved by the Hearing Examiner will require approval of a new or amended Special Use Permit. The Planning and Environmental Section will determine if any proposed amendment is substantial enough to require Hearing Examiner approval.

Decided this 17th day of June 2005.

James M. Driscoll
Hearing Examiner for Thurston County