



COUNTY COMMISSIONERS

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HEARING EXAMINER

Creating Solutions for Our Future

**BEFORE THE HEARING EXAMINER
FOR THURSTON COUNTY**

In the Matter of the Application of)	NO. 2021105315, Marvin Road Improvements
)	
Thurston County Public Works)	FINDINGS, CONCLUSIONS,
)	AND DECISION
For a Reasonable Use Exception)	
_____)	

SUMMARY OF DECISION

The request for a reasonable use exception to remove approximately 60 Oregon white oak trees to construct improvements to Marvin Road SE is **GRANTED** subject to conditions.

SUMMARY OF RECORD

Request

The Thurston County Public Works Department requested a reasonable use exception to remove approximately 60 Oregon white oak trees to construct improvements to Marvin Road SE between Pacific Avenue/SR-510 and 22nd Avenue SE in Lacey, Washington.

Hearing Date

The Thurston County Hearing Examiner conducted a virtual open record public hearing on the request on September 27, 2022. The record was held open through September 29, 2022 to allow any members of the public having technology-related difficulties joining the virtual hearing to submit written comments, with time scheduled for responses from the parties. No post-hearing public comments were submitted, and the record closed on September 29, 2022.

Testimony

At the open record public hearing, the following individuals presented testimony under oath:

Sharon Lumbantobing, Senior Planner, Thurston County Community Planning & Economic Development Department

Ryan Blaser, Project Manager, Thurston County Public Works Department

Elena Fernandez, Environmental Coordinator, Thurston County Public Works Department

Trevin Taylor, Senior Environmental Coordinator, Thurston County Public Works
Department
Alf Howald

Exhibits

At the open record public hearing, the following exhibits were admitted into the record:

Exhibit 1 Community Planning and Economic Development Report including the following attachments:

A. Notice of Public Hearing, dated September 12, 2022

Material specific to Phase 1:

B. Master Application for Phase 1, submitted October 5, 2021

C. [intentionally left blank]

D. Phase 1 Vicinity Map

E. Phase 1 Marvin Road Intersection Improvements Plan and Profile sheet, submitted October 5, 2021

F. Phase 1 Oregon White Oak Mitigation Report

G. Phase 1 Oregon White Oak Impact Map

H. Well & Septic Parcel # 11823410300

I. Well & Septic Parcel # 11823420303

J. Well and Septic Parcel # 11823430101

K. Marvin Road to Mullen White Oak Site Plan

L. Public Works response to Environmental Health, dated January 6, 2022

M. CAO Permit application for White Oak

Materials specific to Phase 2:

N. Master Application for Phase 2, submitted April 21, 2022

O. Phase 2 Vicinity Map

P. Phase 2 Plan and Profile Sheets

Q. Phase 2 Oregon White Oak Mitigation Report

R. Phase 2 Oregon White Oak Impact Map

S. Ph 2 Well and Septic Exhibits

T. Thurston County Environmental Health Approval, issued May 9, 2022

U. CAO Review Application Phase 2

Documents Related to both Phase 1 and 2:

V. Reasonable Use Exception Application for Phases I and II

- W. Project Description, dated April 21, 2022
- X. SEPA Determination of Non-Significance, dated March 4, 2021, with SEPA environmental checklist and Department of Ecology comments and other documents
- Y. Marvin Road 90% Site Plans for the entire project
- Z. HazMat Study/Soil Characterization Results, dated August 9, 2021
- AA. Department of Archaeology and Historic Preservation Finding of No Historic Properties Affected letter, dated January 20, 2021
- BB. Department of Ecology reply to the HazMat Study/No Action for TSP Needed, dated August 10, 2021
- CC. WS DOT email communications, last date May 12, 2022
- DD. Comment letter from the Squaxin Island Tribe, dated October 27, 2021
- EE. Comment letter from the Squaxin Island Tribe, dated May 3, 2021
- FF. Comment letter from the Nisqually Indian Tribe, dated November 1, 2021
- GG. Notice of Application, dated April 27, 2022
- HH. Revised Notice of Application, dated May 11, 2022
- II. Final Communications Matrix, dated July 14, 2022
- JJ. Cultural Resources Consultation document, dated April 21, 2022
- KK. Email chain between Public Works and Environmental Health, dated May 6, 2022
- LL. Gopher Data Sheets Survey
- MM. Community Planning Gopher, Prairie, White Oak Review and Determination
- NN. MPG soil map Marvin Road
- OO. MPG Survey transects
- PP. No Prairie Habitat Found (email exchange), last dated July 11, 2022
- QQ. Prairie Plant Survey Sheet
- RR. Prairie soil map 1 Marvin Road
- SS. Prairie soil map 2 Marvin Road
- TT. Gopher Survey transects
- UU. Gopher Letter (No Effect) Both Phases, dated April 25, 2022
- VV. Marvin to Mullen White Oak Site Plan
- Public Comment Related Files:*
- WW. Thurston County Public Works Survey Results Marvin Road
- XX. Public Comment Files from revised (second) Notice of Application compiled

YY. Public Comment Files from first Notice of Application compiled

Based on the record developed through the open record hearing process, the Hearing Examiner enters the following findings and conclusions.

FINDINGS

1. The Thurston County Public Works Department (Applicant) requested a reasonable use exception (RUE) to remove approximately 60 Oregon white oak trees to construct improvements to Marvin Road SE between Pacific Avenue/SR-510 and 22nd Avenue SE in Lacey, Washington.¹ *Exhibits 1, 1.B, 1.D, 1.N, 1.O, 1.V, and 1.W.*
2. The Applicant proposes to widen Marvin Road SE, install bicycle lanes and sidewalks, install roundabouts at the intersections of 15th Avenue SE/Marvin Road SE and 19th Avenue SE/Marvin Road SE, and install stormwater improvements and channelization. Other project elements include retaining walls, signage, striping, and lighting. Existing utilities would be relocated and possibly updated. The project would create about 1.17 acres of new impervious surfaces. *Exhibits 1.V and 1.W.*
3. The project would be constructed in two phases, with Phase 1 consisting of the road corridor segment starting just north of Union Mills Road SE and continuing south to 22nd Avenue, along with a stormwater retention and settling pond, and Phase 2 consisting of the road corridor segment between Pacific Avenue and the Phase 1 improvements. *Exhibits 1.D, 1.O, 1.V and 1.W.*
4. The improvements are intended to increase public safety and improve the level of service on Marvin Road SE. *Exhibits 1.V and 1.W.* Traffic volumes along the corridor exceed the current roadway capacity, resulting in delays, and the corridor lacks pedestrian facilities or a dedicated bicycle lane, resulting in pedestrian-vehicle conflicts. The proposed roundabouts would improve traffic flow, direct traffic, and reduce delays. The proposed sidewalks and bicycle lanes would improve safety by decreasing conflict between motorized and nonmotorized users. *Exhibit 1.W.*
5. The project corridor is within the Lacey Urban Growth Area of Thurston County. Land uses in the vicinity include residential, agricultural, commercial, and park/open space uses. *Exhibits 1.X and 1.HH.*
6. Phase 1 of the project, which includes the segment of Marvin Road that runs along the west side of McAllister Park and an associated stormwater pond, would require removal

¹ The proposed transportation project would occupy portions of Tax parcel numbers 79640003400, 79640003500, 79640003600, 79640004100, 79640004200, 79640004300, 79640004600, 79640000000, 79640000001, 11823110100, 11823110103, 11823110102, 11823130100, 11823140100, 11823130300, 81640100000, 11823420303, 11823420200, 11823410200, 63780100000, 11823410300, 11823420000, 11823430204, 11823430308, 11823430303, 69040000100, 69040000001, 61370000300, 11823430101, and 61370000200. *Exhibit 1.*

- of up to 50 Oregon white oak trees, most of which are within the park boundary. Twenty of the trees would be classified as medium oaks (greater than 12 inches in diameter at breast height) and 15 would be classified as large oaks (greater than 20 inches in diameter at breast height). *Exhibits 1.F and 1.G.*
7. The Phase 2 portion of the project would require the removal of up to 10 Oregon white oak trees along the east side of the road corridor, seven of which would be classified as medium oaks and two of which would be classified as large oaks. *Exhibits 1.Q and 1.R.*
 8. According to the submitted critical areas reports, Oregon white oaks are used by more than 200 organisms, including state-listed sensitive, threatened, endangered, and candidate species. *Exhibit 1.F.* The Thurston County critical areas ordinance (CAO) protects important habitats, including state-listed priority habitats and Oregon white oak woodlands, savanna, and individual oaks and stands of oaks or oak/conifer associations of less than one acre in area that are within one-half mile of an oak woodland or savanna. *Thurston County Code (TCC) 24.25.065.B.2; TCC 24.25.065.B.4.*
 9. The submitted critical areas reports classify the areas proposed for Oregon white oak removal as priority habitat based on analysis of state criteria. With respect to the Phase 1 portion of the project, the trees proposed for removal provide some wildlife value as cover and as a source of food but lack the canopy connectivity utilized by the threatened western gray squirrel. With respect to the Phase 2 portion of the project, the oaks are interspersed with other species such as Douglas fir and madrona and are not well-connected to larger oak stands outside of the project area. These oaks have limited wildlife value due to their isolation. *Exhibits 1.Q and 1.R.*
 10. Tree removal along the road corridor is unavoidable due to the need for road widening and the addition of pedestrian facilities along the existing corridor; the location of the existing road dictates the locations for all proposed improvements. With respect to the stormwater pond, which is east of the roadway within McAllister Park, its location is limited by the extent of the County's prior land acquisition. While most of the pond would be in a clearing containing no Oregon white oak trees, there are six trees within or immediately adjacent to the northern extent of the pond. Moving the pond farther east to avoid removal of these trees would not be feasible. *Exhibits 1.F and 1.G; Ryan Blazer Testimony.*
 11. As mitigation for tree removal within both phases, the Applicant proposes to plant two to three-year-old oak saplings at a ratio of five planted trees for each tree removed; this exceeds the three to one ratio required by the CAO. The trees would be planted around the proposed stormwater pond and would be expected reach their mature height of approximately 15 feet within eight to 10 years. Trees not identified for removal would be protected during construction by project design, flagging, barricades, and other methods. *Exhibits 1.F, 1.K, and 1.Q; Trevin Taylor Testimony.*
 12. After appropriate review, it was determined that the project area does not contain regulated prairie habitat or Mazama pocket gophers. *Exhibits 1, 1.LL, 1.MM, and 1.PP.*

13. The project is located in an area that has been identified by the Washington Department of Ecology (DOE) as potentially contaminated with arsenic and lead due to air emissions originating from the old Asarco smelter in north Tacoma. Based on testing of soil samples collected from the site, the levels of lead and arsenic do not exceed the threshold for cleanup under the Model Toxics Control Act (MTCA) and no soil remediation is required. *Exhibits 1.Z and 1.BB.*
14. The Applicant had a cultural resource assessment prepared for the development corridor, which concluded that it would be unlikely for cultural resources to be adversely impacted by the project. The Washington Department of Archaeology and Historic Preservation (DAHP) reviewed and concurred with the assessment but requested that the Applicant implement an inadvertent discovery plan during construction. Planning Staff incorporated the requirement into the recommended conditions of permit approval. *Exhibits 1, 1.AA, and 1.JJ.*
15. The Nisqually Indian Tribe and the Squaxin Island Tribe commented that they have no issues of concern; however, both requested to be notified if there are any inadvertent discoveries of archaeological resources or human burials. *Exhibits 1.DD, 1.EE, and 1.FF.* The inadvertent discovery plan requested by DAHP and incorporated into the recommended conditions of permit approval provides for notice to affected tribes. *Exhibit 1.JJ.*
16. The Thurston County Environmental Health Division reviewed the proposal and recommended approval, subject to conditions that no staging of equipment or materials occur over existing utility components, and that any landscaping follow the Thurston County Public Works landscape management plan. *Exhibit 1.T.*
17. Thurston County Public Works acted as lead agency for environmental review under the State Environmental Policy Act (SEPA) and issued a determination of non-significance (DNS) on March 4, 2021. *Exhibit 1.X.*
18. Notice of application was initially issued on April 27, 2022. A revised notice of application was issued on May 11, 2022 to correct an error in the description of one of the roundabouts. *Exhibits 1.GG and 1.HH.*
19. Notice of the open record hearing was mailed to property owners within 500 feet of the site on September 12, 2022 and published in *The Olympian* on September 16, 2022. *Exhibits 1 and 1.A.*²
20. Public comment on the application was submitted in written comments prior to hearing as well as at the public hearing. Comment contained questions and concerns regarding construction impacts to individual properties (which were responded to by Staff),

² The attached mailing list prepared by Public Works contains a notation that appears to state that the mailing list was comprised of properties within 1,000 feet of the project corridor. *Exhibit 1.A.*

concerns associated with an existing roundabout that is outside of the scope of the project, and questions regarding project footprint. *Exhibits 1.XX, 1.YY, 2, and 3; Alf Howald Testimony.*

21. Having reviewed all project materials and considered all comment, Planning Staff maintained their recommendation for approval of the RUE subject to the conditions detailed in the staff report. *Sharon Lumbantobing Testimony; Exhibit 1.* Public Works representatives waived objection to the recommended conditions. *Testimony of Ryan Blazer and Elena Fernandez.*

CONCLUSIONS

Jurisdiction

The Hearing Examiner is granted jurisdiction to hear and decide applications for reasonable use exceptions pursuant to TCC 2.06.010(F) and TCC 24.45.030.

Criteria for Review

Pursuant to TCC 24.45.030, the Hearing Examiner shall grant the reasonable use exception if:

- A. No other reasonable use of the property as a whole is permitted by this title; and
- B. No reasonable use with less impact on the critical area or buffer is possible. At a minimum, the alternatives reviewed shall include a change in use, reduction in the size of the use, a change in the timing of the activity, a revision in the project design. This may include a variance for yard and setback standards required pursuant to Titles 20, 21, 22, and 23 TCC; and
- C. The requested use or activity will not result in any damage to other property and will not threaten the public health, safety, or welfare on or off the development proposal site, or increase public safety risks on or off the subject property; and
- D. The proposed reasonable use is limited to the minimum encroachment into the critical area and/or buffer necessary to prevent the denial of all reasonable use of the property; and
- E. The proposed reasonable use shall result in minimal alteration of the critical area including but not limited to impacts on vegetation, fish and wildlife resources, hydrological conditions, and geologic conditions; and
- F. A proposal for a reasonable use exception shall ensure no net loss of critical area functions and values. The proposal shall include a mitigation plan consistent with this title and best available science. Mitigation measures shall address unavoidable impacts and shall occur on-site first, or if necessary, off-site; and
- G. The reasonable use shall not result in the unmitigated adverse impacts to species of concern; and
- H. The location and scale of existing development on surrounding properties shall not be the sole basis for granting or determining a reasonable use exception.

Conclusions Based on Findings

1. No other reasonable use of the property as a whole is permitted by the critical areas ordinance. The property subject to the proposal is a preexisting road corridor. The roadway cannot be widened and improved consistent with public safety needs without impacting Oregon white oak trees. Not widening the road is the only way to avoid removing the trees, and it is not reasonable to defer or deny the transportation improvement project. *Findings 4 and 10.*
2. No reasonable use with less impact on the critical area or buffer is possible. The road and stormwater improvements would occur in the only feasible locations for such improvements. *Finding 10.*
3. As conditioned, the transportation improvement project would not result in damage to other property and would not threaten the public health, safety, or welfare on or off the development site, or increase public safety risks on or off the subject property. The intent of the project is to enhance public safety and welfare. The soils were sampled for contaminants and found to satisfy state standards. The conditions of this decision incorporate the recommendations of the Environmental Health Division and the DAHP. *Findings 13, 14, 15, 16, and 21.*
4. The proposed reasonable use is limited to the minimum encroachment necessary to prevent denial of all reasonable use of the property. There is no alternative location for the proposed road improvements. Trees that do not need to be removed for road widening or stormwater pond construction would be protected during construction. *Findings 10 and 11.*
5. The proposed reasonable use will result in minimal alteration of the critical area. Trees that do not need to be removed for road widening or stormwater pond construction would be protected during construction. Most of the stormwater pond would be located in a clearing, minimizing the number of trees removed. *Findings 10 and 11.*
6. As conditioned, the proposal ensures no net loss of critical area functions and values. The mitigation plan provides for the planting of five new Oregon white oaks for each one removed. The replanting area is within McAllister Park, where most of the impact would occur. The conditions require that oak protective fencing be installed prior to construction permit issuance, and that all of the mitigation planting occur after the stormwater pond is constructed. *Findings 6, 7, 11, and 21.*
7. The use would not result in unmitigated adverse impacts to species of concern. The project would not impact the Mazama pocket gopher. Impacts to the Oregon white oaks and the species that utilize the trees would be mitigated through the planting of new trees at a ratio exceeding the requirements of the CAO and in a location and configuration that over time would result in a net positive impact to the Oak habitat provided. *Findings 8, 9, and 11.*

8. The location and scale of existing development is not the sole basis for granting the reasonable use exception. Approval is based on infrastructure needs within the subject road corridor, which necessitate widening the road into Oregon white oak habitat, and not on the scale of existing development elsewhere. *Findings 1, 2, 3, 4, and 10.*

DECISION

Based on the preceding findings and conclusions, the request for a reasonable use exception is **GRANTED** subject to the following conditions:

1. Prior to or in conjunction with the issuance of any building permit, all applicable regulations and requirements of the Thurston County Public Health and Social Services Department, Public Works Department, Fire Marshal, and Thurston County Community and Economic Development Department shall be met.
2. Prior to building permit issuance, an Erosion and Sedimentation Control Plan (ESCP) will be developed to minimize erosion impacts during construction. Final project design will incorporate permanent erosion control measures (e.g., vegetative, structural) to ensure bank stability and proper stormwater treatment using Best Management Practices (BMPs). They will be monitored and maintained by a Certified Erosion and Sediment Control Lead (CESCL) throughout construction.
3. After the stormwater pond is constructed, the Applicant shall complete all buffer mitigation planting as proposed in Oregon White Oak Mitigation Reports (Exhibits 1.F and 1.Q).
4. Prior to building permit issuance, all oak fencing work proposed in the plan shall be installed, subject to standards of TCC 24.60.
5. All development on site shall be in substantial compliance with the approved reasonable use exception application, as conditioned. Any alteration to the proposal will require approval of a new or amended reasonable use exception. The Community Planning and Economic Development Department will determine if any proposed amendment is substantial enough to require Hearing Examiner approval.
6. If archaeological artifacts are observed during any phase of the project, all work shall be immediately halted. The State Department of Archaeology and Historic Preservation, the Thurston County Community Planning & Economic Development Department (CPED) and affected Tribes shall be contacted to assess the situation prior to resumption of work. The inadvertent discovery plan for Thurston County shall be implemented for the project as necessary.
7. The proposed project is subject to compliance with the following policies and regulations, including any applicable mitigation requirements: Thurston County Comprehensive Plan, Zoning Ordinance (TCC 20), Critical Areas Ordinance (TCC 24), Stormwater Drainage Design and Erosion Control Manual (TCC 15.05), Uniform

Building Code (TCC 14), State Environmental Policy Act (SEPA) Ordinance (TCC 17.09.)

8. All proposed landscape development on-site, must follow the Thurston County Public Works landscape management plan.
9. Extreme caution should be taken during all project activities, including excavation and installation of equipment. Staging of equipment and materials for this project should not be done over any portion of existing utility components.

DECIDED October 17, 2022.



Sharon A. Rice
Thurston County Hearing Examiner

NOTE: Pursuant to TCC 22.62.020(C)10, affected property owners may request a change in valuation for property tax purposes.

THURSTON COUNTY
PROCEDURE FOR RECONSIDERATION AND APPEAL
OF HEARING EXAMINER DECISION TO THE BOARD

NOTE: THERE MAY BE NO EX PARTE (ONE-SIDED) CONTACT OUTSIDE A PUBLIC HEARING WITH EITHER THE HEARING EXAMINER OR WITH THE BOARD OF THURSTON COUNTY COMMISSIONERS ON APPEALS (Thurston County Code, Section 2.06.030).

If you do not agree with the decision of the Hearing Examiner, there are two (2) ways to seek review of the decision. They are described in A and B below. Unless reconsidered or appealed, decisions of the Hearing Examiner become final on the 15th day after the date of the decision.* The Hearing Examiner renders decisions within five (5) working days following a Request for Reconsideration unless a longer period is mutually agreed to by the Hearing Examiner, applicant, and requester.

The decision of the Hearing Examiner on an appeal of a SEPA threshold determination for a project action is final. The Hearing Examiner shall not entertain motions for reconsideration for such decisions. The decision of the Hearing Examiner regarding a SEPA threshold determination may only be appealed to Superior Court in conjunction with an appeal of the underlying action in accordance with RCW 43.21C.075 and TCC 17.09.160. TCC 17.09.160(K).

A. RECONSIDERATION BY THE HEARING EXAMINER (Not permitted for a decision on a SEPA threshold determination)

1. Any aggrieved person or agency that disagrees with the decision of the Examiner may request Reconsideration. All Reconsideration requests must include a legal citation and reason for the request. The Examiner shall have the discretion to either deny the motion without comment or to provide additional Findings and Conclusions based on the record.
2. Written Request for Reconsideration and the appropriate fee must be filed with the Resource Stewardship Department **within ten (10) days of the written decision**. The form is provided for this purpose on the opposite side of this notification.

B. APPEAL TO THE BOARD OF THURSTON COUNTY COMMISSIONERS (Not permitted for a decision on a SEPA threshold determination for a project action)

1. Appeals may be filed by any aggrieved person or agency directly affected by the Examiner's decision. The form is provided for this purpose on the opposite side of this notification.
2. Written notice of Appeal and the appropriate fee must be filed with the Community Planning & Economic Development Department **within fourteen (14) days of the date of the Examiner's written decision**. The form is provided for this purpose on the opposite side of this notification.
3. An Appeal filed within the specified time period will stay the effective date of the Examiner's decision until it is adjudicated by the Board of Thurston County Commissioners or is withdrawn.
4. The notice of Appeal shall concisely specify the error or issue which the Board is asked to consider on Appeal, and shall cite by reference to section, paragraph and page, the provisions of law which are alleged to have been violated. The Board need not consider issues, which are not so identified. A written memorandum that the appellant may wish considered by the Board may accompany the notice. The memorandum shall not include the presentation of new evidence and shall be based only upon facts presented to the Examiner.
5. Notices of the Appeal hearing will be mailed to all parties of record who legibly provided a mailing address. This would include all persons who (a) gave oral or written comments to the Examiner or (b) listed their name as a person wishing to receive a copy of the decision on a sign-up sheet made available during the Examiner's hearing.
6. Unless all parties of record are given notice of a trip by the Board of Thurston County Commissioners to view the subject site, no one other than County staff may accompany the Board members during the site visit.

C. STANDING All Reconsideration and Appeal requests must clearly state why the appellant is an "aggrieved" party and demonstrate that standing in the Reconsideration or Appeal should be granted.

D. FILING FEES AND DEADLINE If you wish to file a Request for Reconsideration or Appeal of this determination, please do so in writing on the back of this form, accompanied by a nonrefundable fee of **\$804.00** for a Request for Reconsideration or **\$1,093.00** an Appeal. Any Request for Reconsideration or Appeal must be **received** in the Building Development Center on the second floor of Building #1 in the Thurston County Courthouse complex no later than 4:00 p.m. per the requirements specified in A2 and B2 above. **Postmarks are not acceptable.** If your application fee and completed application form is not timely filed, you will be unable to request Reconsideration or Appeal this determination. The deadline will not be extended.

* Shoreline Permit decisions are not final until a 21-day appeal period to the state has elapsed following the date the County decision becomes final.



Project No. _____ Appeal Sequence No.: _____

Check here for: **RECONSIDERATION OF HEARING EXAMINER DECISION**

THE APPELLANT, after review of the terms and conditions of the Hearing Examiner's decision hereby requests that the Hearing Examiner take the following information into consideration and further review under the provisions of Chapter 2.06.060 of the Thurston County Code:

(If more space is required, please attach additional sheet.)

Check here for: **APPEAL OF HEARING EXAMINER DECISION**

TO THE BOARD OF THURSTON COUNTY COMMISSIONERS COMES NOW _____
 on this _____ day of _____, 20___, as an APPELLANT in the matter of a Hearing Examiner's decision rendered on _____, 20___, by _____ relating to _____

THE APPELLANT, after review and consideration of the reasons given by the Hearing Examiner for his decision, does now, under the provisions of Chapter 2.06.070 of the Thurston County Code, give written notice of APPEAL to the Board of Thurston County Commissioners of said decision and alleges the following errors in said Hearing Examiner decision:

Specific section, paragraph and page of regulation allegedly interpreted erroneously by Hearing Examiner:

1. Zoning Ordinance _____
2. Platting and Subdivision Ordinance _____
3. Comprehensive Plan _____
4. Critical Areas Ordinance _____
5. Shoreline Master Program _____
6. Other: _____

(If more space is required, please attach additional sheet.)

AND FURTHERMORE, requests that the Board of Thurston County Commissioners, having responsibility for final review of such decisions will upon review of the record of the matters and the allegations contained in this appeal, find in favor of the appellant and reverse the Hearing Examiner decision.

STANDING

On a separate sheet, explain why the appellant should be considered an aggrieved party and why standing should be granted to the appellant. This is required for both Reconsiderations and Appeals.

Signature required for both Reconsideration and Appeal Requests

APPELLANT NAME PRINTED

SIGNATURE OF APPELLANT

Address _____

Phone _____

Please do not write below - for Staff Use Only:

Fee of \$804.00 for Reconsideration or \$1,093.00 for Appeal. Received (check box): Initial _____ Receipt No. _____
 Filed with the Community Planning & Economic Development Department this _____ day of _____, 20___.