



COMMUNITY PLANNING & ECONOMIC DEVELOPMENT

3000 Pacific Ave SE, Olympia, WA 98501

TTY/TDD call 711 or 1-800-833-6388

Website: thurstonplanning.org

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Ashley Arai, Director

MEMORANDUM

TO: Thurston County Planning Commission

FROM: Ana Rodriguez, Associate Planner
Natalie Jacobson, Associate Planner

DATE: May 21, 2025

SUBJECT: Work Session #2: Permit Review Process Annual Update

PURPOSE

The purpose of this meeting is to revisit the overview provided during the initial work session on July 10, 2024, introduce draft code language as part of the Permit Review Process Annual Update, and discuss next steps.

PROJECT DESCRIPTION

The Permit Review Process Annual Update is item A-31 on the 2024-2025 Development Code Docket. The project is ranked 8 out of 12 development code projects. This docket item is a placeholder project that allows staff to address issues, inconsistencies, or redundancies in CPED's application review and Thurston County Code.

This code package includes four primary buckets of items: general clerical edits, appeals, permit review timelines, and State Environmental Policy Act (SEPA) exemption thresholds. At this briefing, staff will provide draft code for Titles 17, 18, 20, 21, 22, 23, 24, and 25.

IDENTIFIED PROBLEMS AND SOLUTIONS

Below is a high-level summary of the proposed code changes included in the Permit Review Process Annual Update package.

Code Clarifications & Corrections

The Code Clarifications & Corrections Annual Update is item A-13 on the 2024-2025 Development Code Docket. To improve efficiency, these clerical edits have been incorporated into this code package. They include revisions to Title 17, 18, 20, and 25.

Appeals

Currently, individuals or agencies may appeal hearing examiner's final decisions to the Board of County Commissioners. As a result, members of the Board are prohibited from communicating with applicants proposing land use proposals. Shifting appeals of select permits to Superior Court will allow the Board to communicate with concerned community members and applicants about land use proposals.

Permit Review Timelines

In 2023, the Washington State Legislature passed [SB 5290](#) which amended the required timelines to issue a final decision on land use application review. All land use applications are subject to a 28-day completeness review before the formal review clock starts. Amending the County’s application review procedures will codify the requirements dictated by state law and increase transparency with customers about timelines. The timeframes for permit types are below:

- Type 1 – Project permits that do not require public notice: 65 days
- Type 2 – Project permits that require public notice: 100 days
- Type 3 – Project permits that require public notice *and* a public hearing: 170 days

SEPA Exemption Thresholds

Thurston County Code adopts by reference sections of Washington Administrative Code (WAC) [197-11](#), which are the rules specifying how to adhere to SEPA ([43.21C RCW](#)). In 2023, the Washington State Legislature passed [SB 5412](#) to expand categorical exemptions to accommodate infill and housing development. Thurston County has not amended the thresholds since the initial codification in 1997.

Amending SEPA exemption thresholds does not eliminate environmental review altogether. Specific review takes place through the course of the review rather than at the SEPA review stage. While a project may be exempt from SEPA review, there are several standards the County must use when reviewing permits:

- Thurston County’s Critical Areas Ordinance
- Drainage Design and Erosion Control Manual ([DDCEM](#))
- Environmental Health [Sanitary Code](#)
- Public Works’ Development Review
- Other standards identified at time of permitting

SUMMARY OF CHANGES

Strategic Regional Planning staff, Development Services staff, and the Prosecuting Attorney’s Office have reviewed the following amendments to Thurston County Code:

- Title 17
 - Update SEPA exemption thresholds (17.09.055)
 - Remedy formatting inconsistencies and inaccurate code references
- Title 18
 - Add new definition (18.08)
 - Remove the Board of County Commissioners from appeals process
- Title 20
 - Update definitions and integrate new uses (20.03)
 - Improve formatting and readability of tables (20.07)
 - Update application review procedures (20.60)
 - Remove the Board of County Commissioners from appeals process
- Title 21
 - Update application review procedures (21.81)
 - Remove the Board of County Commissioners from appeals process
- Title 22
 - Update application review procedures (22.62)
 - Remove the Board of County Commissioners from appeals process
- Title 23

- Update application review procedures (23.72)
- Remove the Board of County Commissioners from appeals process
- Title 24
 - Remove the Board of County Commissioners from appeals process
- Title 25
 - Remedy inaccurate code reference (25.04)

NEXT STEPS

- June 4, 2025: Work Session #3; Set public hearing
- July 2, 2025: Public Hearing; Work Session #4

ATTACHMENTS

- Attachment A – Permit Review Process Annual Update Draft Code

**Community Planning & Economic Development Department
Strategic Regional Planning Division**

**PLANNING COMMISSION
DELIBERATIVE DRAFT**

Permit Review Process Annual Update

Section I:	Title 17, Chapter 17.09 – State Environmental Policy Act
Section II:	Title 17, Chapter 17.25 – Thurston County Forest Lands Conversion Ordinance
Section III:	Title 18, Chapter 18.08 – Definitions
Section IV:	Title 18, Chapter 18.10 – Administrative Procedures
Section V:	Title 20, Chapter 20.03 – Structure, Interpretations and Definitions
Section VI:	Title 20, Chapter 20.07 – Lot, Yard, Use and Structure Regulations
Section VII:	Title 20, Chapter 20.27 – Planned Industrial Park District (PI)*
Section VIII:	Title 20, Chapter 20.28 – Light Industrial District (LI)*
Section IX:	Title 20, Chapter 20.34 – Accessory Uses and Structures
Section X:	Title 20, Chapter 20.39 – Planned Community Review
Section XI:	Title 20, Chapter 20.52 – Variances*
Section XII:	Title 20, Chapter 20.60 – Administrative Procedures
Section XIII:	Title 20, Chapter 20.64 – Major Educational Institution (MEI)
Section XIV:	Title 21, Chapter 21.50 – Village Center Ordinance
Section XV:	Title 21, Chapter 21.81 – Administration and Enforcement
Section XVI:	Title 21, Chapter 21.84 – Site Plan Review
Section XVII:	Title 21, Chapter 21.87 – Special Use Permits
Section XVIII:	Title 22, Chapter 22.36 – Planned Unit Development Overlay (PUD)
Section XIX:	Title 22, Chapter 22.56 – Special Use Permits
Section XX:	Title 22, Chapter 22.62 – Administration and Appeals
Section XXI:	Title 23, Chapter 23.57 – Master Planned Development - MPD
Section XXII:	Title 23, Chapter 23.72 – Administration
Section XXIII:	Title 24, Chapter 24.03 – Definitions
Section XXIV:	Title 24, Chapter 24.05 – Administrative Procedures
Section XXV:	Title 25, Chapter 25.04 – General Provisions Governing the Assessment of Impact Fees
Section XXVI:	Title 25, Chapter 25.35 – Special Reports

Deleted Text:	Strikethrough	Proposed Changes:	<u>Underlined</u>
Staff Comments:	<i>Italics</i>	Unaffected Omitted Text	...

I. Thurston County Code Chapter 17.09 TCC (STATE ENVIRONMENTAL POLICY ACT) shall be amended to read as follows:

...

17.09.055 – Categorical exemptions.

Pursuant to WAC 197-11-800(1)(c) and notwithstanding the provisions of WAC 197-11-800(1)(b), the following types of construction shall be exempt, except when undertaken wholly or partly on lands covered by water. ~~While proposals may be potentially exempt under this section, these exemptions are not automatic.~~

- A. In an urban growth area, the construction or location of any single-family residential structures of ~~nine~~ 30 dwelling units or multifamily residential structures of 60 dwelling units;
- B. Outside an urban growth area, construction or location of any single-family residential structures of ~~four~~ 20 dwelling units or multifamily residential structures of 25 dwelling units;
- C. The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agriculture structure, covering ~~twenty~~ forty thousand (40,000) square feet, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption shall not apply to feed lots;
- D. The construction of an office, school, commercial, recreational, service or storage building with ~~eight~~ thirty thousand (30,000) square feet of gross floor area or less; and ~~with~~ associated parking facilities designed for ~~thirty~~ ninety (90) or fewer automobiles in an urban growth area, and twelve thousand (12,000) square feet of gross floor area or less and associated parking facilities designed for forty (40) or fewer automobiles outside of a urban growth area;
- E. The construction of a parking lot designed for ~~thirty~~ forty (40) automobiles or fewer parking spaces;
- F. Any landfill or excavation of ~~five hundred~~ one thousand (1,000) cubic yards throughout the total lifetime of the fill or excavation; and any fill or excavation classified as a Class I, II, or III forest practice under RCW 76.09.050 or regulations thereunder;
- G. The construction of a building for marijuana production (producer), processing (processor), or retail with eight thousand square feet of gross floor area. ~~;~~
- H. The construction of an attached or detached accessory dwelling unit (ADU).

...

17.09.160 – Environmental appeals.

...

B. Who May Appeal. Any person aggrieved by a threshold determination may appeal; provided, however, if there is a comment period required by WAC 197-11-340, only those persons who [previously submitted](#) written comments during the comment period may appeal the threshold determination.

~~C. Time to Appeal. A written notice of appeal, meeting the requirements of subsection (D) of this section, and the appeal fee must be received by the resource stewardship department within fourteen calendar days of the date of issuance of the threshold determination or, if there is a comment period under WAC 197-11-340, within seven calendar days of the last day of the comment period. If the last day of the appeal period is a holiday or a weekend, the appeal must be filed by five p.m. on the first weekday following such holiday or weekend.~~

[C. Time to Appeal. A written notice of appeal, meeting the requirements of subsection \(D\) of this section, and the appeal fee must be received by Community Planning & Economic Development within fourteen calendar days after the issuance of the threshold determination or, if there is a comment period under WAC 197-11-340, within seven calendar days after the last day of the comment period. If the last day of the appeal period is a holiday or a weekend, the appeal must be filed by five p.m. on the first weekday following such holiday or weekend.](#)

...

F. Public Notice of Appeal Before the Hearing Examiner. When Thurston County receives a timely notice of appeal and timely filing of appropriate fees under this chapter, the county shall give public notice of such appeal by mailing notice to:

~~1. The appellant, project sponsor, the environmental review officer, and any individuals or organizations who have submitted a written request for notice of SEPA appeals to the resource stewardship department;~~

[1. The appellant, project sponsor, the environmental review officer, and any individuals or organizations who have submitted a written request for notice of SEPA appeals to Community Planning & Economic Development](#) ~~the resource stewardship department;~~

2. Adjacent property owners within three hundred feet of the project, or such greater distance as specified in the notice provisions of the underlying governmental action, as of the time the threshold determination is issued;

3. Agencies who have received written notice of the threshold determination; and

4. The appropriate media, as determined by [Community Planning & Economic Development](#) ~~the resource stewardship department~~, but only if the appeal is of a nonproject action.

...

II. Thurston County Code Chapter 17.25 TCC (THURSTON COUNTY FOREST LANDS CONVERSION ORDINANCE) shall be amended to read as follows:

...

17.25.200 – Definitions.

...

“Development moratorium” means the department shall deny any and all applications for permits or approvals for a period of time established in RCW chapter 76.09. This shall include but not be limited to building permits, septic system permits, right-of-way permits, subdivision approvals, or change of zoning relating to the legal description described on the forest practices permit. The moratorium does not apply to ~~expansions~~, alterations, or maintenance of existing structures or their accessory structures, nor does the moratorium apply to boundary line adjustments done for purposes of conservation of open space or natural areas.

...

17.25.400 - Class VI – General permit requirements.

...

B. Application Requirements. All Class IV-General applications subject to review under this chapter, shall contain the following, where applicable:

1. A Site Plan:

- a. As described in TCC Subsection 20.60.30.3(C); and
- b. Harvest boundaries and tree retention areas; and
- c. Tree conservation plan consistent with the provisions of TCC Section ~~17.27.500~~ [17.27.400](#); and
- d. Location of all existing and proposed skid roads, haul roads, and landings within the harvest area.

2. A completed "forest lands conversion application" form as provided by the department;

3. A completed environmental checklist when required by the State Environmental Policy Act, the State Forest Practices Act, and [Chapter 17.09](#) of the Thurston County Code;

4. An application fee, as established by resolution from the Thurston County Board of County Commissioners.

...

III. Thurston County Code Chapter 18.08 TCC (DEFINITIONS) shall be amended to read as follows:

...

18.08.035 – Alteration.

“Alteration”, when used to describe ‘alteration of a plat’, means any change made to a recorded plat of a subdivision or land division, such as changes to boundaries of lots, dedications or easements within an existing final plat, or changes to a short plat that includes changes to any public dedications. An alteration does not include fixing or errors or omissions, such as typographical errors or inaccurate dimensions.

...

IV. Thurston County Code Chapter 18.10 TCC (ADMINISTRATIVE PROCEDURES) shall be amended to read as follows:

The requirements in this Title shall be followed during the application review and administrative process prescribed under applicable zoning.

...

~~18.10.010—Administration.~~

~~The Thurston County resource stewardship department director and department staff, referred to as "planner," is vested with the duty of administering this title and may prepare and require the use of such additional forms which are necessary to effectuate the provisions of this title. Unless otherwise specified in this title, the term "department" means the resource stewardship department, or its designee.~~

~~18.10.020—Application types and classification.~~

~~Applications for land use actions, as listed in Table 1, shall be subject to a Type I, Type II, Type III or Type IV review process.~~

~~A. Type I process involves an application that is subject to clear, objective and nondiscretionary standards or standards that require the exercise of professional judgment about technical issues, and that is exempt from State Environmental Policy Act (SEPA) review.~~

~~B. A Type II process involves an application that is subject to objective and subjective standards which require the exercise of limited discretion about nontechnical issues and about which there may be a limited public interest.~~

~~C. A Type III process involves an application that is subject to standards which require the exercise of substantial discretion and about which there may be a broad public interest.~~

~~D. A Type IV process involves the creation, implementation or amendment of land use policies or regulations.~~

~~18.10.030—Application review procedures.~~

~~A. Type I Procedure—Ministerial Decision (See Appendix Figure 1).~~

- ~~1. Within twenty-eight calendar days of receiving a Type I application, the department shall decide whether the application includes the applicable information listed in Section 18.10.050. If the application is deemed complete, the department shall begin substantive review of the application. If the application is deemed incomplete, the department shall notify the applicant in writing as to what basic submittal information is required to make the application complete. The department shall make a determination of completeness within fourteen calendar days of submittal of any additional information. An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection.~~
- ~~2. Within three calendar days of application submittal (or six calendar days if application is mailed in or dropped off), the applicant shall post an identification sign at a location on the project site that is visible from the access road, giving the name and general description of the proposed project and a contact name and phone number for more information. The sign is for the purpose of project identification rather than public notification. The sign shall be provided by Thurston County. The posted sign may be removed no earlier than fourteen calendar days after the decision on the application.~~
- ~~3. Within fifty-eight calendar days of the date that the Type I application is submitted, the approval authority, as provided in Table 1, shall approve, approve with conditioning, or deny the application, and shall mail the decision to the applicant. In determining the number of days that have elapsed after the application submittal date, the following periods shall be excluded:
 - ~~a. Any period during which the applicant has been requested by the department to correct plans, perform required studies, or provide additional required information;~~
 - ~~b. Any period of time during which an administrative appeal is being processed;~~
 - ~~c. Any extension of time mutually agreed upon in writing by the applicant and the department.~~~~

4. At any time after the application is submitted, the department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified in writing as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The review clock will begin again once this additional information is submitted and deemed complete. The department shall make a determination of completeness within fourteen calendar days of submittal of any additional information.
5. The decision may be appealed pursuant to Section 18.10.070.
6. If the approval authority is unable to issue its decision within the time limits provided for in subsection (A)(3) above, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of a decision. A copy of this notice shall be forwarded to the board of county commissioners.

Table 1
Permit Review Matrix
Platting and Subdivision Ordinance

Permit/Review	Staff/Director	Hearing Examiner (open hearing)	Planning Commission (open hearing)	Board of County Commissioners (closed hearing)	Review Process Timeline			
					Type I	Type II	Type III	Type IV
Boundary line adjustment	D	A		A	✓			
Final binding site plan	D*				✓			
Large lot	D	A		A	✓ (if SEPA exempt)	✓		
Minor/major adjustments	D	A		A	✓			
Short plat	D	A		A	✓ (if SEPA exempt)	✓		
Minor/major adjustments	D	A		A	✓			
Extension of time	D	A		A	✓			
Preliminary (long) plat	R	D*		A			✓	
Minor adjustments	A	A		A	✓			
Major adjustments	R	D		A			✓	
Extension of time	D	A		A	✓			
Variance	R	D		A			✓	
Subdivision Ordinance text amendments	R			D* (open hearing)				✓

Other administrative decisions/code interpretations	D	A		A (unless otherwise provided by this chapter)	✓			
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*Decision-making authority mandated by state law.

Approval authority	Review Process
R = Recommendations	I = Ministerial process
D = Decision	II = Administrative process
A = Appeal	III = Quasi-judicial process
	IV = Legislative process

B. Type II Procedure—Administrative Decision (See Appendix Figure 2).

1. Within twenty-eight calendar days of receiving a Type II application, the department shall decide whether the application includes the applicable information listed in Section 18.10.050. If the application is deemed complete, the department shall send a letter of complete application to the applicant and shall begin substantive review of the application. If the application is deemed incomplete, the department shall send a letter of incomplete application to the applicant, listing the basic submittal information that is required to make the application complete. An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection.
2. Within fourteen calendar days after an applicant has submitted the additional information identified in the letter of incomplete application as being necessary for a complete application, the department shall notify the applicant in writing whether the application is complete or what basic submittal information is still needed to make the application complete.
3. Once the application is deemed complete, a one hundred calendar day review clock begins. Either as part of the letter of complete application or as a separate written notification during the formal review period, the department may request additional information or studies that are needed to complete the review due to proposed project. If this occurs, the applicant will be notified in writing as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The department shall make a determination of completeness within fourteen calendar days of submittal of any additional information. The review clock will begin again once this additional information is submitted and deemed complete.
4. Within nine calendar days after the application is deemed complete, the department shall mail a notice of application to all owners of property within a radius of three hundred feet of the project site if the site is inside an urban growth area or to owners of property within a radius of five hundred feet of the project site if the site is outside an urban growth area. It shall also be mailed to

~~the applicant and other interested parties. The notice of application shall include the following:~~

- ~~a. The date of application, the date of the letter of complete application, and the date of the notice of application;~~
 - ~~b. A description of the proposed project and a list of the project permits included in the application and, if applicable, a list of any additional information or studies requested under Section 18.10.030B3 above;~~
 - ~~c. The identification of other permits not included in the application to the extent known by the department;~~
 - ~~d. The identification of existing environmental documents that evaluate the proposed project, and the location where the application and any studies can be reviewed;~~
 - ~~e. A statement of the public comment period and statements of the right of any person to comment on the application, receive notice of and participate in any hearings if applicable, request a copy of the decision once made, and any appeal rights;~~
 - ~~f. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency;~~
 - ~~g. A map showing the project site in relation to other properties; and~~
 - ~~h. Any other information determined appropriate by the department.~~
- ~~5. The department shall accept public comments in response to the notice of application for up to twenty calendar days from the date of such notice. The department shall mail to the applicant a copy of comments timely received in response to the notice and shall consider such comments in the review of the application. The department may consider comments received after the twenty day period has elapsed.~~
- ~~6. Except for a determination of significance, the department shall not issue its SEPA threshold determination nor issue a decision on the application until the expiration of the public comment period on the notice of application. However, the department may combine the comment period for a determination of nonsignificance with the comment period on the notice of application. Once the combined comment period ends, the department shall issue the threshold determination with or without a comment period, pursuant to Chapter 17.09 TCC.~~

- ~~7. Within one hundred calendar days of the date of the letter of complete application, the approval authority, as provided in Table 1, shall approve, approve with conditions, or deny the application.~~
- ~~8. If the SEPA threshold determination is appealed, the hearing examiner shall hold a combined open record hearing on both the SEPA appeal and the Type II application and shall render a decision on both actions.~~
- ~~9. Within the time limits provided in subsection (B)(7) above, the department shall mail a notice of decision to the applicant, the county assessor and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application. The notice of decision shall include a description of the decision, any mitigating conditions, a statement of any SEPA threshold determination made under Chapter 17.09 TCC, notice that affected property owners may request a change in valuation for property tax purposes, and the procedures for appeal. The decision may be appealed pursuant to Section 18.10.070.~~
- ~~10. In determining the number of days that have elapsed after the department has issued the letter of complete application, the following periods shall be excluded:
 - ~~a. Any period during which the applicant has been requested by the department to correct plans, perform required studies, or provide additional required information;~~
 - ~~b. Any period of time during which an administrative appeal is being processed;~~
 - ~~c. Any period of time during which an environmental impact statement is being prepared;~~
 - ~~d. Any extension of time mutually agreed upon in writing by the applicant and the department.~~~~
- ~~11. The time limits in subsection B7 above do not apply if a Type II application:
 - ~~a. Requires an amendment to the Comprehensive Plan or a development regulation;~~
 - ~~b. Requires approval of a new fully contained community, a master planned resort, or the siting of an essential public facility; or~~
 - ~~c. Is substantially revised by the applicant, in which case the time period shall start from the date on which the revised project application is determined to be complete.~~~~
- ~~12. If the approval authority is unable to issue its decision within the time limits provided for in subsection (B)(7) above, the department shall provide written~~

notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of decision. A copy of this notice shall be forwarded to the board of county commissioners.

C. ~~Type III Procedure—Quasi-Judicial Decision (See Appendix Figure 3).~~

- ~~1. Within twenty-eight calendar days of receiving a Type III application, the department shall decide whether the application includes the applicable information listed in Section 18.10.050. The department shall render its decision on the completeness of the application in the manner prescribed in Section 18.10.030(B)(1) and (2) above.~~
- ~~2. Once the application is deemed complete, a one hundred twenty calendar day review clock begins. Either as part of the letter of complete application or as a separate written notification during the one hundred twenty day review period, the department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified in writing as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The department shall make a determination of completeness within fourteen calendar days of submittal of any additional information. The review clock will begin again once this additional information is submitted and deemed complete.~~
- ~~3. Within nine calendar days after the application is deemed complete, the department shall mail out a notice of application in the manner prescribed in Section 18.10.030(B)(4) above.~~
- ~~4. The department shall accept public comments in response to the notice of application in the manner prescribed in Section 18.10.030(B)(5) above.~~
- ~~5. Except for a determination of significance, the department shall not issue its SEPA threshold determination nor shall the hearing examiner hold its public hearing on the permit application, until the expiration of the public comment period on the notice of application. However, the department may combine the comment period for a determination of nonsignificance with the comment period on the notice of application. Once the combined comment period ends, the department shall issue the threshold determination with or without a comment period, pursuant to Chapter 17.09 TCC.~~
- ~~6. At least ten calendar days prior to the hearing examiner public hearing, the department shall complete the SEPA review and appeal process, pursuant to Chapter 17.09 TCC.~~

7. ~~At least ten calendar days prior to the hearing examiner public hearing on a Type III application, the department shall provide notice of the public hearing as follows:~~
 - a. ~~Publish notice, including the project location, description, type of permit(s) required, comment period dates, and location where the complete application may be reviewed, in the newspaper of general circulation in Thurston County and newspaper of general circulation in the area of the proposed subdivision;~~
 - b. ~~Mail notice, including all items described in subsection C7a above, to owners of property surrounding the project site, the applicant and other interested parties in the same manner prescribed in Section 18.10.030B4 above;~~
 - c. ~~Mail notice to any town, city or county whose boundaries are adjacent to or within one mile of the proposed subdivision;~~
 - d. ~~Mail notice to the state department of transportation on every proposed subdivision located within three hundred feet of the right-of-way of a state highway;~~
 - e. ~~Mail notice to the State Department of Ecology, Division of Water Resources, if the land is situated in a floodplain or flood control zone as provided in Chapter 86.16 RCW, and to any other federal, state or local agency as may be relevant to determine if the public use and interest may be served by the proposed subdivision;~~
 - f. ~~Mail notice to any city or town whose utilities are contemplated to be used by the proposed subdivision; and~~
 - g. ~~Post notice, including the project number, name and description, parcel number, date, time and location of public hearing, and telephone number where the county staff can be contacted for more information, in a conspicuous place visible to the public on or near the project site.~~
8. ~~Within one hundred twenty calendar days of the date of the letter of complete application, the hearing examiner shall hold an open record public hearing on the Type III application and shall approve, approve with conditions, or deny the application.~~
9. ~~If the SEPA threshold determination is appealed, the hearing examiner shall hold a combined open record hearing on both the SEPA appeal and Type III application and shall render a decision on both actions.~~
10. ~~Within the time limits provided in subsection (C)(8) above, the department shall mail a notice of decision to the applicant, the county assessor and to any person who, prior to the rendering of the decision, requested notice of the~~

~~decision or submitted substantive comments on the application. The notice of decision shall include a description of the decision, any mitigating conditions, a statement of any SEPA threshold determination made under Chapter 17.09 TCC, notice that affected property owners may request a change in valuation for property tax purposes, and the procedures for appeal. The decision may be appealed pursuant to Section 18.10.070~~

~~11. In determining the number of days that have elapsed after the department has issued the letter of complete application, the following periods shall be excluded:~~

- ~~a. Any period during which the applicant has been requested by the department to correct plans, perform required studies, or provide additional required information;~~
- ~~b. Any period of time during which an administrative appeal is being processed;~~
- ~~c. Any period of time during which an environmental impact statement is being prepared;~~
- ~~d. Any extension of time mutually agreed upon in writing by the applicant and the department.~~

~~12. The time limits in subsection C8 above do not apply if a Type III application:~~

- ~~a. Requires an amendment to the Comprehensive Plan or a development regulation;~~
- ~~b. Requires approval of a new fully contained community, a master planned resort, or the siting of an essential public facility; or~~
- ~~c. Is substantially revised by the applicant, in which case the time period shall start from the date on which the revised project application is determined to be complete.~~

~~13. If the approval authority is unable to issue its decision within the time limits provided for in subsection (C)(8) above, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of decision. A copy of this notice shall be forwarded to the board of county commissioners.~~

~~D. Type IV Procedure—Legislative Decision. Amendments to this title are Type IV actions, as provided in Table 1, and shall be processed in accordance with the docketing and public participation requirements of Chapter 2.05 TCC.~~

~~18.10.040—Optional consolidated permit processing.~~

~~A proposed project action involving two or more land use permit applications is encouraged to be processed in a consolidated manner, following the review and approval process of the highest numbered permit type represented among the required permits (see Table 1). The department shall designate a permit coordinator when two or more permit applications are processed concurrently.~~

~~The applicant may determine whether the multiple permit applications shall be processed concurrently or individually, except that a variance associated with a preliminary plat, short plat or large lot application shall be processed concurrently with the proposed division. For applications that are processed individually, the highest numbered permit type (see Table 1) shall be acted upon prior to the processing of the lower numbered permit types.~~

~~18.10.050—Contents of application.~~

~~For an application to be deemed complete for purposes of beginning the formal project review and starting the review clock, the following basic submittal information shall be provided. During project review, additional information or studies may be requested in writing by the county if needed to address particular aspects of the project or site. While the project review clock will formally stop during the time that the additional information is being assembled, county review of other aspects of the project will continue.~~

~~If the application is deemed incomplete or if additional information is required, the applicant shall have one hundred eighty calendar days to submit the required information to the department. The department shall notify the applicant as to when the one hundred eighty day period will end. If the applicant does not submit the required information within the one hundred eighty day period, the application shall lapse. Prior to the expiration date, the applicant may request in writing an extension of time. The department director may grant an extension if the required studies or information warrants additional time.~~

~~Exception: Effective on March 12, 2020, the applicant or agent of record for any unexpired development application submitted shall be granted an automatic six-month extension of the one hundred eighty day resubmittal requirement without requirement for request or justification from the applicant or agent. This automatic one hundred eighty day extension shall only apply to unexpired and incomplete applications in possession of the department between March 12, 2020 and December 31, 2021.~~

~~A. Type I, II, and III Applications. The project site must be identified in the field by posting an identification sign visible from the access road and by flagging the property corners and the center of the driveway/road access location. The purpose of this sign is for project identification rather than public notification. The sign and flags shall be provided by the county.~~

~~B. Type I and IV Applications. Each application for a Type I or Type IV action shall contain all of the information requested on the application form provided by Thurston County, including a single applicant contact to receive all determinations and notices, and submittal of applicable fees.~~

~~C. Type II and III Applications. Each application for a Type II or Type III action shall contain the following in a clear, accurate and intelligible form:~~

- ~~1. An application form provided by Thurston County containing all of the information requested on the form, including a single applicant contact to receive all determinations and notices;~~
- ~~2. A narrative summary of all development proposed on site, including types of residential uses;~~
- ~~3. Full size copies (quantity and size as stated on the application form) and one eleven inches by seventeen inches reduced copy of a preliminary map/site plan drawing or drawings (folded, not rolled) at a scale of not less than two hundred feet to the inch (using a standard interval of engineer scale), which shall include or show:
 - ~~a. The layout of proposed lots and blocks and the approximate dimensions of each, and the number assigned to each lot,~~
 - ~~b. The type, location and height of all existing structures, including, but not limited to, buildings, fences, culverts, bridges, and storage tanks,~~
 - ~~c. The boundaries, including dimensions, of the property proposed to be developed,~~
 - ~~d. All proposed and existing building setback lines sufficiently accurate to ensure compliance with setback requirements,~~
 - ~~e. The boundaries of all areas, if any, to be preserved as buffers or to be dedicated to a public, private or community use or for open space under the provisions of this title.~~
 - ~~f. The location, width, name and approximate grade and radii or curves of streets. The relationship of streets to any projected streets as shown on any comprehensive plan or street plan that has been adopted in order to assure adequate traffic circulation,~~
 - ~~g. Approximate centerline grades, elevations, cuts and fills, including individual lot driveways that will require excessive cuts and fills, with extensions of these items for a reasonable distance beyond the limits of the proposed subdivision showing the finished grade of streets and the nature and extent of street construction,~~~~

~~h. The location of all existing and proposed public and on-site utility structures and lines, including existing and proposed on-site sewage systems, sewer lines, water lines, wells and springs (including those within two hundred feet of the project site, depending on the applicant's ability to gain access to adjacent properties and based on existing Washington State Department of Ecology and Thurston County well log records). * If off-site utilities are proposed, a letter must be provided from the utility purveyor indicating under what conditions they are willing to serve the proposal. See also subsection C8 below,~~

~~* If the applicant is denied information by adjacent property owners relative to water supply sources, the applicant shall document their efforts to gather this information and submit that documentation along with the project application. If the applicant questions the accuracy of information gathered from adjacent property owners relative to the location of water supply sources, the applicant shall raise those questions in their project application for further follow-up investigation by the county.~~

~~i. The location of any area protected by covenant on the project site for water supply sources,~~

~~j. Existing location, flow direction and name of drainage/surface water on-site and the extent of the one hundred year floodplain based upon the Thurston County Flood Insurance Rate Maps (FIRMs). Watercourses and drainage ways shall be located within an easement which grants to Thurston County the right to enter such properties for the purpose of flood control or maintenance,~~

~~k. Type and location of proposed stormwater drainage facilities,~~

~~l. All means, existing and proposed, of vehicular and pedestrian ingress and egress to and from the site, including disabled parking and access provision, and the size and location of sidewalks (within urban areas), driveways, streets, internal circulation roads, and fire access roads, including existing and proposed road names, width and location, and existing easements and county and state rights-of-way. The location, width and names of all existing and proposed easements and rights-of-way adjacent to the project site shall also be provided.~~

~~m. General type and location of all existing vegetation proposed to remain on-site and proposed to be removed from the site,~~

~~n. Location of any existing critical areas or buffers affecting the site, both on-site and on adjacent properties, including, but not limited to, shorelines, wetlands, streams, steep slopes and special habitats. Off-site information obtained from available county mapping is sufficient.~~

- ~~o. If the subdivision constitutes a replat, the lots, blocks and streets, of the original subdivision shall be shown with dotted lines in their proper positions in relation to the new arrangement of the subdivision; the new subdivision being clearly shown in solid lines so as to avoid ambiguity.~~
 - ~~p. A north arrow, map scale, datum, date, site address and directions to the site.~~
 - ~~q. Topographic information showing two-foot contours for the entire subject parcels or parcels and a minimum of fifty feet into adjacent parcels, based on available county information. The topographic information may be generalized to the smallest, even-numbered, contour interval that is legible in areas of steep slopes where two-foot contour lines would otherwise be illegible to read.~~
 - ~~r. For preliminary plats only, proposed name of the subdivision. This name shall not duplicate nor resemble the name of another subdivision in Thurston County and shall be approved by the department;~~
- ~~4. Vicinity sketch, at a scale of not less than three inches to the mile, indicating the boundary lines and names of adjacent developments, streets and boundary lines of adjacent parcels, and the relationship of the proposed development to major roads and highways, schools, parks, shopping centers and similar facilities. This sketch may be placed on the preliminary map/site plan or on a separate sheet;~~
 - ~~5. Written estimate of trips to and from the site daily for the proposed use. Specifically list trucks and other traffic;~~
 - ~~6. Description of proposed grading, including a written estimate of both cut and fill quantities in cubic yards and a map showing the location of cut and fill areas;~~
 - ~~7. The proposed number of dwelling units in the development, including the density calculation method used in deriving the total number of units for the project;~~
 - ~~8. For preliminary, plat applications where new or altered on-site sewage systems are proposed, a soils report, as prescribed in Article IV of the Thurston County Sanitary Code ("Sanitary Code"), shall be submitted and soil test pits shall be dug in the proposed location of the on-site sewage system, as prescribed in Article IV, Section 11.3.2, Sanitary Code. For short plat and large lot applications where new or altered on-site sewage systems are proposed, soil test pits shall be dug in the proposed location of the on-site sewage system, as prescribed in Article~~

~~IV, Section 11.3.2, Sanitary Code, and during the review of the project, county staff will initially perform the soils review. The location of soil test pits shall be shown on the site plan. In some instances, the applicant may be required to retain the services of an on-site sewage system designer, as defined in Article IV, Sanitary Code, to conduct further analysis of soil and site conditions;~~

~~9. Applicable fees;~~

~~10. Applicable environmental documents, e.g., SEPA Checklist, critical areas permit application or review form under the Thurston County Critical Areas Ordinance (Title 24) or the Thurston County Agricultural Activities Critical Areas Ordinance (Chapter 17.15), or written agreement to complete an environmental impact statement;~~

~~11. For multi-family developments (more than two dwelling units on a single parcel), the following additional information is required:~~

~~a. Program for development, including estimated phasing or timing of development, and estimated build-out data for each year during the construction period;~~

~~b. Provisions to assure permanence and maintenance of common open space through homeowner's association formation, condominium development or other means acceptable;~~

~~c. Dwelling unit breakdown by type and size.~~

~~18.10.060—Fees.~~

~~Applicants for permits or other approvals pursuant to this title shall pay to the department the applicable fees identified on the approved fee schedule, which is adopted by reference.~~

~~18.10.070—Appeal procedures.~~

~~A. Appeals of Administrative Decisions. Appeals may be taken to the hearing examiner by any person aggrieved or by any officer, department, board or commission of the county affected by any order, requirement, permit, decision or determination made by an administrative official in the administration or enforcement of this title or any amendment thereto (Type I and II actions; see Table 1). Appeals shall be filed in writing with the department within fourteen calendar days of the date of the notice of the decision being appealed, on a form provided by the department. Appeals shall be considered in the manner prescribed by Chapter 2.06 TCC.~~

~~B. Appeals of Hearing Examiner Decisions. The final decision by the hearing examiner on Type III actions and on Type I and II appeals, as provided in Table 1,~~

~~may be appealed to the board of county commissioners by any aggrieved person or agency directly affected by the hearing examiner's decision, unless otherwise provided in this title. Appeals shall be filed in writing with the department within fourteen calendar days of the date of the notice of the decision being appealed, on a form provided by the department. Appeals shall be considered in the manner prescribed by Chapter 2.06 TCC.~~

~~C. Judicial Appeals. The final decision by the board of county commissioners on Type I, II and III appeals, as provided in Table 1, may be appealed to superior court, as follows:~~

- ~~1. Any judicial action to challenge, set aside or void any amendment to this title or any decisions made pursuant to the provisions of this title must be commenced within twenty calendar days from the date of amendment or decision.~~
- ~~2. The plaintiff bringing any such action shall pay the full cost of transcription of the record prepared for judicial review of the matter being appealed.~~

~~18.10.080—Code interpretations.~~

~~Any person may request in writing an interpretation of any provision of this title that pertains to an application under review or to a proposal that has been the subject of a presubmission conference. The department shall issue a written determination to the person requesting the interpretation in accordance with the Type I procedures in Section 18.10.030A. The letter of request shall serve as the Type I application for code interpretations.~~

~~18.10.090—Permit Approval Limitations.~~

~~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 of the Thurston County Code), the Thurston County Agricultural Activities 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 (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).~~

~~A permit or approval may be granted if conditioned on having the violation remedied within a reasonable time as provided by the approval authority. If a permit or approval is conditioned on remedial action, security in the form of a letter of credit or similar instrument shall be required unless waived by the approval authority for good~~

~~cause. This section shall not apply to requests for a permit or approval to remedy a violation.~~

...

V. Thurston County Code Chapter 20.03 TCC (STRUCTURE, INTERPRETATIONS AND DEFINITIONS) shall be amended to read as follows:

...

20.03.040 – Definitions.

...

7. Automobile Service Station. ~~See “Service station.”~~ Building and premises for dispensing motor vehicle fuels, oil, grease and related supplies, and which may provide automobile servicing and repair or automobile washing.

...

~~57. “Gasoline dispensing station” means building and premises for dispensing motor vehicle fuels, oil, grease and related supplies, and which may provide automobile servicing and repair.~~

57.2 “Geo-tourism” means best practice tourism that sustains or enhances the geographical character of a place, culture, environment, heritage and well-being of its residents and often includes many elements of nature tourism and ecotourism.

...

66.5 “Hobby-Farm Animals” include a small number of farm animals (less than 10 total) that are for personal use or pleasure rather than profit and include chickens, rabbits, ducks, goats, geese, and sheep.

...

70 “Junk vehicle” means any inoperable, abandoned, disassembled, or extensively damaged automobile, truck, bus, van, sport utility vehicle, motorcycle, recreational vehicle, boat, trailer, or other vehicle, or any parts thereof, excluding farm equipment or prominently displayed, ornamental machinery. A combination of two or more of the following conditions, as determined by the compliance officer constitute prima facie evidence of a junk vehicle: a buildup of debris moss or weeds on, in, under, or around the vehicle that obstructs use; damage to the frame or more than one vehicle panel/surface; more than one missing or shattered window/windshield; more than one inoperable or missing headlight or taillight; more than one flat tire; a missing or inoperable engine or transmission; a missing wheel, tire, body panel, door, hood, or other obvious part, not including a bumper; a missing license plate; a license plate that has

been invalid for more than sixty days; a missing exterior mirror on the driver's side; or evidence demonstrating that the vehicle has not moved in at least sixty days. This does not include special interest vehicles undergoing active restoration that are free of debris, moss and weeds that could obstruct their use or associated parts vehicles consistent with ~~§ 20.34.020~~ 20.34.030. This definition only applies to privately owned land.

...

97.3 “Outdoor recreation” means a type of passive and low-impact recreation type that occurs outdoors and can consist of bird watching, boating, bicycling, canoeing, fishing, hiking, hunting, jogging, photography, swimming, and similar activities.

...

129.9 “Storage Container” means a freight shipping container that is a hollow reusable box and is used to store items or transport goods.

...

138.4 “Swimming pool” means any structure intended for swimming or recreational bathing that includes water over 24 inches. It may be prefabricated, above-ground, or in-ground. It can also be temporary or permanent.

a. “Swimming pool, temporary” is a pool that is erected and dismantled easily for seasonal use. It typically includes above-ground pools and may be inflatable or metal frames with liners.

b. “Swimming pool, permanent” is a pool that is designed to be a long-term fixture and is typically in-ground or partially in-ground with durable materials and cannot be easily moved.

...

VI. Thurston County Code Chapter 20.07 TCC (LOT, YARD, USE AND STRUCTURE REGULATIONS) shall be amended to read as follows:

...

20.07.030 – Minimum yards required for building setbacks.

1. General Requirements. Except where specifically provided in this title, all structures over two hundred square feet in floor area shall meet the following minimum yard (setback) requirements:

Front Yards

Building Type	Arterial, State Highway and RR ROW	Collector, Local and Private Roads	Side Yard	Rear Yard
a. Commercial, industrial and other nonresidential	20' from right-of-way easement or property line; 10' from right-of-way of a flanking street	10' from right-of-way easement or property line; 10' from right-of-way of a flanking street	5'	5'
b. Residential exceeding two units per structure	25': 10' from right-of-way of a flanking street	20': 10' from right-of-way of a flanking street	5'	5'
c. Single family and two family structures	25': 10' from right-of-way of a flanking street	20': 10' from right-of-way of a flanking street	5'	5'
d. Buildings housing animals	50'	50'	35'	35'

<u>Building Type</u>	<u>Front Yard</u>		<u>Flanking Front Street</u>	<u>Side Yard</u>	<u>Rear Yard</u>
	<u>Arterial, State Highway, and RR ROW</u>	<u>Collector, Local, and private roads</u>			
<u>Commercial, industrial, and other nonresidential</u>	<u>20'</u>	<u>10'</u>	<u>10'</u>	<u>5'</u>	<u>5'</u>
<u>Residential and residential accessory</u>	<u>25'</u>	<u>20'</u>	<u>10'</u>	<u>5'</u>	<u>5'</u>
<u>Buildings housing animals</u>	<u>50'</u>	<u>50'</u>	<u>35'</u>	<u>35'</u>	<u>35'</u>
<u>Buildings housing hobby farm animals (less than 10 total)</u>	<u>25'</u>	<u>20'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
<u>All above setbacks are measured from the edge of public right of way, easement, or property lines, whichever is closer to the proposed structure.</u>					

2. Yard Regulations for Through Lots. For through lots, minimum front yard requirements shall apply to the yard oriented to the structure's front door. The opposing yard shall be deemed to be the rear yard.

...

20.07.040 – Measurement of required yards.

...

5. A private swimming pool shall not be constructed in any required yard. Private swimming pools shall be enclosed by a fence or other barrier ~~at least forty-two inches in height, with a self-latching gate. Above ground pools with a vertical barrier of at least forty-two inches that are made inaccessible by removal of the ladder or similar measure are allowed without a fence or other barrier. The fence or other barrier shall not allow passage of a four inch diameter sphere.~~ consistent with Title 14 and the International Building Code (IBC).

...

20.07.060 – Unclassified uses.

1. Determination. In the event a use is proposed which is not listed in the title as permitted, accessory or special use, the director shall determine whether the use should be treated as one of the listed uses. Such determination shall be based on:

- a. Similarity to a listed use;
- b. Consistency with the intent of the district in which the use is listed.

~~2. Appeal. Appeals of this determination may be made to the hearing examiner pursuant to Chapter 20.60, or a request submitted to the board of county commissioners for consideration of a text amendment.~~

...

VII. Thurston County Code Chapter 20.27 TCC (PLANNED INDUSTRIAL PARK DISTRICT (PI)*) shall be amended to read as follows:

...

20.27.020 – Permitted uses.

Subject to the provisions of this title, the following uses are permitted in planned industrial districts:

...

5. Other.

...

f. Unclassified uses.

i. Determination. In the event a use is proposed which is not listed in the title as permitted, the director shall determine whether the use should be treated as one of the listed uses. Such determination shall be based on:

(A) Similarity to a listed use,

(B) Consistency with the intent of the district,

~~ii. Appeal. Appeals of this determination may be made to the hearing examiner pursuant to Section 20.60.060 (Appeal procedures), or a request submitted to the board of county commissioners for consideration of a text amendment.~~

g. Public facilities and utilities except sanitary land fills.

...

VIII. Thurston County Code Chapter 20.28 TCC (LIGHT INDUSTRIAL DISTRICT (LI)*) shall be amended to read as follows:

...

20.28.020 – Permitted uses.

Subject to the provisions of this title, the following uses are permitted in the light industrial district:

...

5. Other.

...

i. Unclassified Uses.

i. Determination. In the event a use is proposed which is not listed in the title as permitted, the director shall determine whether the use should be treated as one of the listed uses. Such determination shall be based on:

(A) Similarity to a listed use,

(B) Consistency with the intent of the district,

~~ii. Appeal. Appeals of this determination may be made to the hearing examiner pursuant to Section 20.60.060 (Appeal procedures), or a request submitted to the board of county commissioners for consideration of a text amendment.~~

...

IX. Thurston County Code Chapter 20.34 TCC ('ACCESSORY USE STRUCTURES') shall be amended to read as follows:

...

20.34.030 – Limitations on accessory uses.

...

9. Storage.

- a. General Provision. Outside storage shall be maintained in an orderly manner and shall create no fire, safety, health or sanitary hazard.
- b. Residential Districts. Outside storage incidental to permitted uses is allowed in all residential districts listed in this title subject to the following:

- i. Required front yard shall not be used for storage (except firewood).

- ii. [Storage containers are permitted in residential districts on a temporary basis provided they are not inhabited. They shall not exceed thirty days in any six-month period or two thirty-day occupancies within any twelve-month period. They must only be used for personal use and directly related to an approved building permit or clearing and grading permit for the site.](#)

- iii. [Any storage container placed on the property longer is considered permanent and is treated as a structure subject to building permit requirements.](#)

- iv. Junk vehicles.

- (A) A maximum of two junk vehicles or parts vehicles may be stored on a lot, or contiguous lots in a single ownership, in the RL 2/1, R 3-6/1, R 4-16/1 districts and on lots of one-half acre (21,780 square feet) or less in the R 1/20, R 1/10, UR 1/5, RR 1/5, RRR 1/5, RL 1/2, RL 1/1, LTF, LTA and MGSA districts.

...

X. Thurston County Code Chapter 20.39 TCC (PLANNED COMMUNITY REVIEW) shall be amended to read as follows:

...

20.39.070 – Administration and enforcement.

- 1. Building permits and other permits required for the construction or development of property under the provisions of this chapter shall be issued only when the work to be performed meets the requirements of the master plan.

2. Amendments to the Master Plan. The hearing examiner may make changes in the master plan or the zoning as long as the changes are consistent with conceptual approval and other applicable county plans and policies. Such changes shall be considered pursuant to the procedures for master plan approval as contained in this title, ~~except that the examiner's decision shall be final unless appealed to the board of county commissioners.~~ Other changes to the master plan or zoning map may be made only if conceptual approval or other plans or policies are first amended accordingly.

~~3. Minor Administrative Alterations. Once a preliminary plat, site plan or other development permit reviewed by the hearing examiner has been approved, it shall not be altered unless approved by both the planner and the public works department upon a determination that the alteration is not substantial enough to constitute a change to the master plan.~~

3. Minor Administrative Alterations. Once a preliminary plat, site plan or other development permit reviewed by the hearing examiner has been approved, it shall not be altered unless approved by both the planner and the public works department upon a determination that the alteration is not substantial enough to constitute a change to the master plan.

...

XI. Thurston County Code Chapter 20.52 TCC (VARIANCES*) shall be amended to read as follows:

...

20.52.080 – Action final.

The order of the hearing examiner on an application for a variance shall be final and conclusive unless appealed to superior court ~~the board of county commissioners~~ in accordance with Chapter 2.06 TCC (Hearing Examiner). The filing of the appeal within such time limit shall stay the effective date of the order of the hearing examiner until such time the appeal has been adjudicated or withdrawn.

...

XII. Thurston County Code Chapter 20.60 TCC (ADMINISTRATIVE PROCEDURES) shall be amended to read as follows:

...

20.60.020 – Application review procedures.

1. Type I Procedure—Ministerial Decision ~~(see Appendix Figure 15).~~

~~a. Within twenty-eight calendar days of receiving a Type I application, the department shall decide whether the application includes the applicable~~

~~information listed in Section 20.60.030. If the application is deemed complete, the department shall begin substantive review of the application. If the application is deemed incomplete, the department shall notify the applicant in writing as to what basic submittal information is required to make the application complete. The department shall make a determination of completeness within fourteen calendar days of submittal of any additional information. An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection.~~

- a. Within twenty-eight (28) calendar days of receiving a Type I application, the department shall decide whether the application includes the applicable information listed in Section 20.60.030. If the application is deemed complete, the department shall notify the applicant of complete application and shall begin substantive review of the application. If the application is deemed incomplete, the department shall notify the applicant of incomplete application, listing the basic submittal information that is required to make the application complete. The department shall make a determination of completeness within fourteen (14) calendar days of submittal of any additional information. An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection.
- b. Within three calendar days of application submittal (~~or six calendar days if application is mailed in or dropped off~~), the applicant shall post an identification sign at a location on the project site that is visible from the access road, giving the name and general description of the proposed project and a contact name and phone number for more information. This sign is for the purpose of project identification rather than public notification. The sign shall be provided by Thurston County. The posted sign may be removed no earlier than fourteen calendar days after the decision on the application.
- c. Within sixty-five (65) ~~fifty-eight~~ calendar days of the date that the Type I application is ~~submitted~~ deemed complete, the approval authority, as provided in Table 2, shall approve, approve with conditions, or deny the application, and shall ~~mail the decision to~~ notify the applicant of the decision. In determining the number of days that have elapsed after the application submittal date, the following periods shall be excluded:
- i. Any period during which the applicant has been requested by the department to correct plans, perform required studies, or provide additional required information;
 - ii. Any period of time during which an administrative appeal is being processed;

- iii. Any extension of time mutually agreed upon in writing by the applicant and the department.
- d. At any time after the application is submitted, the department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified in writing as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The review clock will begin again once this additional information is submitted and deemed complete. The department shall make a determination of completeness within fourteen (14) calendar days of submittal of any additional information.

Table 2
Permit Review Matrix
Thurston County Zoning Ordinance

DRAFT

Permit/Review	Staff/ Director	Hearing Examiner	Planning Commission	Board of County Commissioners	Required Presubmission Conference	Review Process Timeline			
						Type I	Type II	Type III	Type IV
Administrative variance	D	A		A		✓			
Variance	R	D*		A				✓	
Family member units	D	A		A		✓			
Unclassified uses	D	A		A		✓			
S Administrative site plan review	D	A		A	✓***	if SEPA exempt	✓		
Waiver of standards	R	D		A				✓	
Planned residential development (PRD)	R	D		A	✓			✓	
Minor adjustments	D	A		A		✓			
Major adjustments	R	D		A				✓	
Planned rural residential development (PRRD)			(Initial PRRD approval follows process of accompanying plat, per Chapter 18.12, 18.28 or 18.32 TCC)						
Minor adjustments (short plats and long plats)	D	A		A		✓			
Major adjustments (short plats)	D	A		A		✓ (if SEPA exempt)	✓		
Major adjustments (long plats)	R	D		A				✓	
Planned community conceptual approval	R		R	D (open hearing)	✓				✓
Master plan	R	R		D (open hearing)	✓				✓
Time extension	R	D		A				✓	
Amendments	R	D		A				✓	
Minor administrative alterations	D	A		A		✓			
Administrative special use permits (e.g., home occupations, mobile home parks (two to four per lot and certain temporary uses), expansion of nonconforming uses over five percent)	D	A		A		✓			
Hearing examiner Special use permits: all others (including expansion of nonconforming uses over five percent or conversion and certain temporary uses)	R	D		A	✓***			✓	
Site-specific rezones**	R	D	A		✓			✓	✓ (if Comp Plan amendment required)
Comprehensive Plan and zoning text amendments, and legislative rezones	R		R	D* (open hearing)	✓				✓
Designation of future mineral resource lands (reviewed as a comprehensive plan amendment)	R		R	D (open hearing)	✓				✓

Removal of designated mineral resource lands status (reviewed as a comprehensive plan amendment)	R		R	D (open hearing)	✓				✓
Classification of essential public facilities (for review purposes)	D	A				✓			
Transfer of development rights allocation	D					✓			
Extension of time				(Same approval authority and review process as for original permit)					
Other administrative decisions/code interpretations	D	A				✓			
Temporary use permit for homeless encampments (20.35 TCC) ¹	D		Appealable directly to superior court			✓			
Amendments to administrative actions	D	A				✓			

¹ Permits for homeless encampments are considered a temporary use. Where application requirements and procedures for review differ from those laid out in this chapter, the requirements and procedures in Chapter 20.35 TCC apply. Administrative decisions made by the director are considered final and are directly appealable to superior court.

* Decision-making authority mandated by state law.

** Site-specific rezones for which a corresponding joint plan amendment is required, which are approved by the board of county commissioners, follows the process for comprehensive plan amendments, zoning text amendments, and legislative rezones.

*** Refer to TCC 20.37.020 and/or 20.54.060 for additional requirements.

Approval Authority
R = Recommendations
D = Decision
A = Appeal

Review Process
I = Ministerial process
II = Administrative process
III = Quasi-judicial process
IV = Legislative process

e. The decision may be appealed pursuant to Section [20.60.060](#).

f. If the approval authority is unable to issue its decision within the time limits provided for in subsection (1)(c) of this section, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of a decision. ~~A copy of this notice shall be forwarded to the board of county commissioners.~~

2. Type II Procedure—Administrative Decision ~~(see Appendix Figure 16)~~.

a. Within twenty-eight ([28](#)) calendar days of receiving a Type II application, the department shall decide whether the application includes the applicable information listed in Section 20.60.030. If the application is deemed complete, the department shall send a letter of complete application to the applicant and shall begin substantive review of the application. If the application is deemed incomplete, the department shall send a letter of incomplete application to the applicant, listing the basic submittal information that is required to make the application complete. ~~An application shall be deemed complete if the~~

~~department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection.~~

- b. The department shall make a determination of completeness within fourteen (14) calendar days of submittal of any additional information. An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection. ~~Within fourteen calendar days after an applicant has submitted the additional information identified in the letter of incomplete application as being necessary for a complete application, the department shall notify the applicant in writing whether the application is complete or what basic submittal information is still needed to make the application complete.~~
- c. Once the application is deemed complete, a one hundred (100) calendar day review clock begins. ~~Either as part of the letter of complete application or as a separate written notification during the formal review period,~~ The department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified in writing as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The department shall make a determination of completeness within fourteen calendar days of submittal of any additional information. The review clock will begin again once this additional information is submitted and deemed complete.
- d. Within ~~nine~~ fourteen (14) calendar days after the application is deemed complete, the department shall ~~mail a notice of application to~~ notify all owners of property within a radius of three hundred feet of the project site if the site is inside an urban growth area or to owners of property within a radius of five hundred feet of the project site if the site is outside an urban growth area. It shall also be mailed to the applicant and other interested parties. The notice of application shall include the following:
 - i. The date of application, the date of the letter of complete application, and the date of the notice of application;
 - ii. A description of the proposed project and a list of the project permits included in the application and, if applicable, a list of any additional information or studies requested under Section 20.60.020(2)(c) above;
 - iii. The identification of other permits not included in the application to the extent known by the department;
 - iv. The identification of existing environmental documents that evaluate the proposed project, and the location where the application and any studies can be reviewed;
 - v. A statement of the public comment period and statements of the right of any person to comment on the application, receive notice of and

- participate in any hearings if applicable, request a copy of the decision once made, and any appeal rights;
- vi. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency;
 - vii. A map showing the project site in relation to other properties; and
 - viii. Any other information determined appropriate by the department.
- e. The department shall accept public comments in response to the notice of application for up to twenty (20) calendar days from the date of such notice. The department shall ~~mail to~~ provide the applicant a copy of comments timely received in response to the notice and shall consider such comments in the review of the application. The department may consider comments received after the twenty-day period has elapsed.
 - f. Except for a determination of significance, the department shall not issue its SEPA threshold determination or issue a decision on the application until the expiration of the public comment period on the notice of application. However, the department may combine the comment period for a determination of nonsignificance with the comment period on the notice of application. Once the combined comment period ends, the department shall issue the threshold determination with or without a comment period, pursuant to Chapter 17.09 of this code.
 - g. Within one hundred (100) calendar days of the date of the ~~letter~~ notification of complete application, the approval authority, as provided in Table 2, shall approve, approve with conditions, or deny the application.
 - h. If the SEPA threshold determination is appealed, the hearing examiner shall hold a combined open record hearing on both the SEPA appeal and the Type II application and shall render a decision on both actions.
 - i. Within the time limits provided in subsection (2)(g) of this section, the department shall ~~mail a~~ provide notice of decision to the applicant, to the county assessor, and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application. The notice of decision shall include a description of the decision, any mitigating conditions, a statement of any SEPA threshold determination made under Chapter 17.09 of this code, notice that affected property owners may request a change in valuation for property tax purposes, and the procedures for appeal. The decision may be appealed pursuant to Section [20.60.060](#).
 - j. In determining the number of days that have elapsed after the department has issued the ~~letter~~ notice of complete application, the following periods shall be excluded:

- i. Any period during which the applicant has been requested by the department to correct plans, perform required studies, or provide additional required information;
 - ii. Any period of time during which an administrative appeal is being processed;
 - iii. Any period of time during which an environmental impact statement is being prepared;
 - iv. Any extension of time mutually agreed upon in writing by the applicant and the department.
- k. The time limits in subsection (2)(g) of this section do not apply if a Type II application:
- i. Requires an amendment to the Comprehensive Plan or a development regulation;
 - ii. Requires approval of a new fully contained community, a master planned resort, or the siting of an essential public facility; or
 - iii. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.
- l. If the approval authority is unable to issue its decision within the time limits provided for in subsection (2)(g) of this section, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of decision. ~~A copy of this notice shall be forwarded to the board of county commissioners.~~
3. Type III Procedure—Quasi-Judicial Decision (~~see Appendix Figure 17~~):
- a. Within twenty-eight (28) calendar days of receiving a Type III application, the department shall decide whether the application includes the applicable information listed in Section 20.60.030. The department shall render its decision on the completeness of the application in the manner prescribed in Section 20.60.020(2)(a) and (b) above.
 - b. Once the application is deemed complete, a one hundred ~~twenty~~ seventy (170) calendar day review clock begins. ~~Either as part of the letter of complete application or as a separate written notification during the one hundred twentyday review period, t~~The department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified ~~in writing~~ as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The department shall make a determination of completeness within fourteen calendar days of submittal of any additional information. The review clock

will begin again once this additional information is submitted and deemed complete.

- c. Within ~~nine~~ fourteen (14) calendar days after the application is deemed complete, the department shall mail out a notice of application in the manner prescribed in subsection (2)(d) of this section, except that the mailing radius from the project site shall be expanded for the following special use permit applications:
 - i. One thousand four hundred-foot radius: airfields and landing strips, jails, juvenile detention facilities, junk yards—wrecking yards, and work release facilities;
 - ii. Two thousand six hundred-foot radius: composting facilities, feed lots, mineral extraction, petroleum products—processing/storage, plastics, paints, commercial chemicals—manufacture, prisons and pre-release facilities, secure community transition facilities, rifle, pistol and archery ranges, solid waste disposal facilities, and freestanding WCFs and other antenna support structures.
- d. The department shall accept public comments in response to the notice of application in the manner prescribed in Section 20.60.020(2)(e) above.
- e. Except for a determination of significance, the department shall not issue its SEPA threshold determination or issue a decision on the application until the expiration of the public comment period on the notice of application. However, the department may combine the comment period for a determination of nonsignificance with the comment period on the notice of application. Once the combined comment period ends, the department shall issue the threshold determination with or without a comment period, pursuant to Chapter 17.09 of this code.
- f. At least ten (10) calendar days prior to the hearing examiner public hearing, the department shall complete the SEPA review and appeal process, pursuant to Chapter 17.09 of this code.
- g. At least ten (10) calendar days prior to the hearing examiner public hearing on a Type III application, the department shall provide notice of the public hearing as follows:
 - i. Publish ~~N~~notice; The Department shall provide published notice, including the project location, description, type of permit(s) required, comment period dates and location where the complete application may be reviewed, in the newspaper of ~~general circulation in~~ record for Thurston County;
 - ii. Mail ~~N~~notice; The Department shall provide mail notice, including all items described in subsection (3)(g)(i) of this section, to owners of property surrounding the project site, the applicant and other interested parties in the same manner prescribed in Section 20.60.020(3)(c) above;

- iii. Posted Notice: The Department shall prepare a sign board for the applicant, including the project number, name and description, parcel number, date, time and location of public hearing, and telephone number where the county staff can be contacted for more information, in a conspicuous place visible to the public on or near the project site.
 - A. The applicant shall post one (1) county-provided sign board on the property subject to the development application as follows:
 - i. The sign board shall be installed in a conspicuous place visible to the public, the midpoint along the site street frontage at a location five (5) feet inside the property line, or as otherwise directed by the responsible official to maximize visibility.
 - ii. The sign board shall be secured to a stationary object such as a fence, post, or other object that may be able to withstand typical weather conditions including high wind and heavy rain. The top of the sign board shall be designed to be between four (4) and six (6) feet above grade.
 - iii. Installation and Removal Requirements. The sign board shall be installed on the site at least ten (10) calendar days in advance of the public hearing. The applicant shall maintain the sign board in good condition throughout the application review period, which shall extend through the time of the final county decision on the proposal, including the expiration of the applicable appeal period of the hearings examiner's superior court's decision if submitted. If the sign board is removed, county review of the land use application may be discontinued until the board is replaced and has remained in place for the required period of time.
 - iv. The applicant shall remove the sign board within fourteen (14) calendar days after final county decision on the application, including expiration of applicable appeal periods, and return the sign board to the county.
 - v. Affidavit of Installation. The applicant shall execute an affidavit certifying where and when the sign board was posted and submit to the responsible official for inclusion in the project file at least seven (7) days prior to the hearing. The applicant shall provide digital proof to the responsible official that the sign has been posted according to the requirements.
 - vi. If for some reason the required posted sign boards in the area or on the site for which the public hearing is being held is inadvertently moved through no fault of the county of applicant, this in no way invalidates the legal notice requirements of the scheduled public hearing or other public comment opportunity.
- h. ~~Within one hundred twenty calendar days of the date of the letter of complete application,~~ The hearing examiner shall hold an open record public hearing

on the Type III application and shall approve, approve with conditions, or deny the application.

- i. If the SEPA threshold determination is appealed, the hearing examiner shall hold a combined open record hearing on both the SEPA appeal and Type III application and shall render a decision on both actions.
- j. Within the time limits provided in subsection (3)(h) of this section, the department shall ~~mail a notice of decision to~~ notify the applicant, the county assessor, and ~~to~~ any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application. The notice of decision shall include a description of the decision, any mitigating conditions, a statement of any SEPA threshold determination made under Chapter 17.09 of this code, notice that affected property owners may request a change in valuation for property tax purposes, and the procedures for appeal. The decision may be appealed pursuant to Section 20.60.060.
- k. In determining the number of days that have elapsed after the department has issued the letter of complete application, the following periods shall be excluded:
 - i. Any period during which the applicant has been requested by the department to correct plans, perform required studies, or provide additional required information;
 - ii. Any period of time during which an administrative appeal is being processed;
 - iii. Any period of time during which an environmental impact statement is being prepared;
 - iv. Any extension of time mutually agreed upon in writing by the applicant and the department.
- l. The time limits in subsection (3)(h) of this section do not apply if a Type III application:
 - i. Requires an amendment to the Comprehensive Plan or a development regulation;
 - ii. Requires approval of a new fully contained community, a master planned resort, or the siting of an essential public facility; or
 - iii. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.
- m. If the approval authority is unable to issue its decision within the time limits provided for in subsection (3)(h) of this section, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and

an estimated date for issuance of the notice of decision. ~~A copy of this notice shall be forwarded to the board of county commissioners.~~

4. Type IV Procedure—Legislative Decision. Type IV actions shall be processed pursuant to [Chapter 20.59](#). Amendments to comprehensive plans and development regulations shall also be processed in accordance with the docketing and public participation requirements of [Chapter 2.05](#) of this code. Planned communities shall also be reviewed in accordance with [Chapter 20.39](#).

5. The following permit types are exempt from the permitting timelines within 20.60.020:

- a. Building permits exempt from the State Environmental Policy Act (SEPA) as minor new construction under TCC 17.09.55.
- b. Land disturbing activity permits exempt from SEPA.
- c. All other construction permits under 17.09.55 that are exempt from SEPA; and
- d. Project permits for which a SEPA review and threshold determination were completed in connection with other project permits for the same proposal, to the extent the proposal has no substantively changed in a manner requiring further review.

For purposes of this section, interior alterations include construction activities that do not modify the existing site layout or current use and do not involve exterior work that adds to the building footprint. Per RCW 36.70B.140, building permits for interior alterations are exempt from site plan review provided the alterations do not result in:

- a. Additional sleeping quarters or bedrooms;
- b. Nonconformity with federal emergency management agency substantial improvement thresholds; or
- c. An increase in the total square footage or valuation of the structure that would require upgraded fire access or fire suppression systems.

Per RCW 36.70B.080, the following permit, use, and critical areas are exempt from the established permitting timelines:

- a. Type VI Permits (Legislative)
- b. Mining Applications
- c. Oregon Spotted Frog (May to December)
- d. Prairie Review (September to April)

...

20.60.030 – Contents of application.

...

3. Type II and III Applications. Each application for a Type II or III permit shall contain the following in clear and intelligible form (with exceptions as provided in Section [20.60.030](#)(3)(p) and (q) below):

...

- q. Each application for the designation [or removal](#) of mineral lands of long-term commercial significance [requires a comprehensive plan amendment and shall contain the information listed in 20.30B.030, 20.30B.040, and the Thurston County Comprehensive Plan.](#) ~~shall contain only the information listed in Section [20.30B.030](#)(2). Each application for removal of designation status shall contain the information required in Section [20.30B.040](#).~~

...

20.60.060 – Appeal procedures.

...

2. Appeals of Hearing Examiner Decisions. The final decision by the hearing examiner on Type III permits and on Type I and II appeals, as provided in Table 2 [is conclusive and final.](#) ~~may be appealed to the board of county commissioners by any aggrieved person or agency directly affected by the hearing examiner's decision. Appeals shall be filed in writing with the department within fourteen calendar days of the date of the notice of the decision being appealed, on a form provided by the department. Appeals shall be considered in the manner prescribed by Chapter [2.06](#) TCC.~~

3. ~~Judicial Appeals. The final decision by the board of county commissioners on Type IV actions and on Type I, II and III appeals, as provided in Table 2, may be appealed to Superior Court, as follows:~~

1. ~~Any judicial action to challenge, set aside or void any amendment to this title or any decisions made pursuant to the provisions of this title must be commenced within twenty calendar days from the date of amendment or decision.~~
2. ~~The plaintiff bringing any such action shall pay the full cost of transcription of the record prepared for judicial review of the matter being appealed.~~

...

XIII. Thurston County Code Chapter 20.64 TCC (MAJOR EDUCATIONAL INSTITUTION (MEI)) shall be amended to read as follows:

...

20.64.020 – Permitted uses.

Subject to the provisions of this title, the permitted uses within this district include:

...

3. Similar or related uses as are typical on residential and nonresidential higher education campuses. Criteria for determination of similarity or relatedness, are as follows:
 - a. Uses similar to, or related to, those listed in Section [20.64.020](#) are permitted upon a finding of the department that a particular unlisted use does not conflict with the intent of this chapter or the policies of the Comprehensive Plan;
 - b. The criteria for such finding of similarity shall include but not be limited to the following:
 - i. The proposed use is appropriate in this area;
 - ii. The development standards for permitted uses can be met by the proposed use;
 - iii. The public need is served by the proposed use.
 - ~~c. Appeals of this determination may be made to the hearing examiner pursuant to Section [20.60.060](#) (Appeal procedures), or a request submitted to the board of county commissioners for consideration of a text amendment.~~

...

XIV. Thurston County Code Chapter 21.50 TCC (VILLAGE CENTER ORDINANCE) shall be amended to read as follows:

...

21.50.030 – Review process.

...

D. Binding Master Plan.

...

4. The determination of the hearing examiner shall be binding and final, ~~unless appealed to the board of county commissioners pursuant to TCC Section [2.06.070](#).~~

...

XV. Thurston County Code Chapter 21.81 TCC (ADMINISTRATION AND ENFORCEMENT) shall be amended to read as follows:

...

21.81.040 – Application review procedures.

- A. Type I Procedure—Ministerial Decision ~~(see Appendix Figure 15).~~

1. Within twenty-eight (28) calendar days of receiving a Type I application, the department shall decide whether the application includes the applicable information listed in Section 21.81.060. If the application is deemed complete, the department shall notify the applicant of complete application and shall begin substantive review of the application. If the application is deemed incomplete, the department shall notify the applicant ~~in writing as to what basic submittal~~ of incomplete application, listing the basic submittal information that is required to make the application complete. The department shall make a determination of completeness within fourteen (14) calendar days of submittal of any additional information. An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection.
2. Within three calendar days of application submittal ~~(or six calendar days if application is mailed in or dropped off)~~, the applicant shall post an identification sign at a location on the project site that is visible from the access road, giving the name and general description of the proposed project and a contact name and phone number for more information. This sign is for the purpose of project identification rather than public notification. The sign shall be provided by Thurston County. The posted sign may be removed no earlier than fourteen calendar days after the decision on the application.
3. Within ~~sixty-five (65) fifty-eight~~ calendar days of the date that the Type I application is ~~submitted~~ deemed complete, the approval authority, as provided in Illustration 1 of this chapter, shall approve, approve with conditions, or deny the application, and shall ~~mail~~ notify the applicant of the decision ~~to the applicant~~. In determining the number of days that have elapsed after the application submittal date, the following periods shall be excluded:
 - a. Any period during which the applicant has been requested by the department to correct plans, perform required studies, or provide additional required information;
 - b. Any period of time during which an administrative appeal is being processed;
 - c. Any extension of time mutually agreed upon in writing by the applicant and the department.

Illustration 1.
Permit Review Matrix
Lacey UGA Zoning Ordinance

DRAFT

Appeal Process Update – Permit Review Process Annual Update

Permit/Review	Staff/ Director	Hearing Examiner	Planning Commission	Board of County Commissioners	Required Presubmission Conference	Review Process Timeline			
						Type I	Type II	Type III	Type IV
Administrative variance	D	A		A		✓			
Variance	R	D*		A				✓	
Unclassified uses	D	A		A		✓			
Sign permit	D	A		A		✓			
Design review	D	A		A		✓			
Planned industrial development (< twenty acres)	D	A		A		if SEPA exempt			
Planned industrial development (>/= twenty acres)	D	A		A		if SEPA exempt			
Site plan review (administrative)	D	A		A	✓***	✓			
Mobile home park	R	D		A				✓	
Planned residential development (PRD)	R	D		A	✓			✓	
Minor adjustments	D	A		A		✓			
Major adjustments	R	D		A				✓	
Planned community conceptual approval	R		R	D (open hearing)	✓				✓
Master plan	R	R		D (open hearing)	✓				✓
Time extension	R	D		A				✓	
Amendments	R	D		A				✓	
Minor administrative alterations	D	A		A		✓			
Administrative special use permits (e.g., expansion of nonconforming uses up to five percent)	D	A		A		✓			Special use permits
Hearing examiner special use permits All others (including expansion of noneonforming uses over five percent or conversion)	R	D		A	✓***			✓	
Site-specific rezones**	R	D	R	A	✓			✓	✓ (if Joint Plan amendment required)
Joint plan and zoning text amendments, and legislative rezones	R		R	D* (open hearing)	✓				✓
Village center – binding master plan	R	D		A				✓	
Townhouse development (≤ four lots)	D	A		A		✓			
Townhouse development (> four lots)	R	D		A				✓	
Classification of essential public facilities (for review purposes)	D	A				✓			
Transfer of development rights approval	D					✓			
Extension of time				(Same approval process and review process as for original permit)					

Appeal Process Update – Permit Review Process Annual Update

Other administrative decisions/code interpretations	D	A		A		✓			
Temporary use permit for homeless encampments (21.64 TCC) ¹	D					✓			
Amendments to administrative actions	D	A			A	✓			
Temporary use permit for homeless encampments (20.35 TCC) ¹	D		Appealable directly to superior court			✓			

¹ Permits for homeless encampments are considered a temporary use. Where application requirements and procedures for review differ from those laid out in this chapter, the requirements and procedures in Chapter 21.64 TCC apply. Administrative decisions made by the director are considered final and are directly appealable to superior court.

* Decision-making authority mandated by state law.

** Except for site-specific rezones for which a corresponding joint plan amendment is required, which are approved by the board of county commissioners, follows the process for comprehensive plan amendments, zoning text amendments, and legislative rezones.

*** [Refer to TCC 21.66.030 and/or TCC 21.84.050 for additional requirements.](#)

Approval Authority
 R = Recommendations
 D = Decision
 A = Appeal

Review Process
 I = Ministerial process
 II = Administrative process
 III = Quasi-judicial process
 IV = Legislative process

4. At any time after the application is submitted, the department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified in writing as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The review clock will begin again once this additional information is submitted and deemed complete. The department shall make a determination of completeness within fourteen (14) calendar days of submittal of any additional information.
5. The decision may be appealed pursuant to Section [21.81.070](#).
6. If the approval authority is unable to issue its decision within the time limits provided for in subsection (A)(3) above, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of a decision. ~~A copy of this notice shall be forwarded to the board of county commissioners.~~
7. For applications requiring design review, the process requirements of Section [21.70.040](#) shall also apply.
8. Final review of planned industrial developments shall also follow the procedures in [Chapter 21.43](#).

B. Type II Procedure – Administrative Decision (~~see Appendix Table 21T.27~~).

1. Within twenty-eight (28) calendar days of receiving a Type II application, the department shall decide whether the application includes the applicable information listed in Section 21.81.060. If the application is deemed complete, the department shall send a letter of complete application to the applicant and shall begin substantive review of the application. If the application is deemed incomplete, the department shall send a letter of incomplete application to the applicant, listing the basic submittal information that is required to make the application complete. ~~An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection.~~
2. The department shall make a determination of completeness within fourteen days of submittal of any additional information. An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection. ~~Within fourteen calendar days after an applicant has submitted the additional information identified in the letter of incomplete application as being necessary for a complete application, the department shall notify the applicant in writing whether the application is complete or what basic submittal information is still needed to make the application complete.~~
3. Once the application is deemed complete, a one hundred (100) calendar day review clock begins. ~~Either as part of the letter of complete application or as a separate written notification during the formal review period, t~~The department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified in writing as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The department shall make a determination of completeness within fourteen calendar days of submittal of any additional information. The review clock will begin again once this additional information is submitted and deemed complete.
4. Within ~~nine~~ fourteen (14) calendar days after the application is deemed complete, the department shall ~~mail a notice of application to~~ notify all owners of property within a radius of three hundred feet of the project site. It shall also be mailed to the applicant and other interested parties. The notice of application shall include the following:
 - a. The date of application, the date of the letter of complete application, and the date of the notice of application;

- b. A description of the proposed project and a list of the project permits included in the application and, if applicable, a list of any additional information or studies requested under Section 21.81.040(B)(3) above;
 - c. The identification of other permits not included in the application to the extent known by the department;
 - d. The identification of existing environmental documents that evaluate the proposed project, and the location where the application and any studies can be reviewed;
 - e. A statement of the public comment period and statements of the right of any person to comment on the application, receive notice of and participate in any hearings if applicable, request a copy of the decision once made, and any appeal rights;
 - f. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency;
 - g. A map showing the project site in relation to other properties; and
 - h. Any other information determined appropriate by the department.
5. The department shall accept public comments in response to the notice of application for up to twenty (20) calendar days from the date of such notice. The department shall ~~mail to~~ provide the applicant a copy of comments timely received in response to the notice and shall consider such comments in the review of the application. The department may consider comments received after the twenty-day period has elapsed.
 6. Except for a determination of significance, the department shall not issue its SEPA threshold determination or issue a decision on the application until the expiration of the public comment period on the notice of application. However, the department may combine the comment period for a determination of nonsignificance with the comment period on the notice of application. Once the combined comment period ends, the department shall issue the threshold determination with or without a comment period, pursuant to [Chapter 17.09](#) ~~TCC~~ of this code.
 7. Within one hundred (100) calendar days of the date of the ~~letter~~ notification of complete application, the approval authority, as provided in Illustration 1, shall approve, approve with conditions, or deny the application.
 8. If the SEPA threshold determination is appealed, the hearing examiner shall hold a combined open record hearing on both the SEPA appeal and the Type II application and shall render a decision on both actions.

9. Within the time limits provided in subsection (B)(7) above, the department shall ~~mail a notice of decision to~~ notify the applicant, the county assessor, and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application. The notice of decision shall include a description of the decision, any mitigating conditions, a statement of any SEPA threshold determination made under Chapter 17.09 TCC of this code, notice that affected property owners may request a change in valuation for property tax purposes, and the procedures for appeal. The decision may be appealed pursuant to Section 21.81.070.
10. In determining the number of days that have elapsed after the department has issued the ~~letter~~ notice of complete application, the following periods shall be excluded:
 - a. Any period during which the applicant has been requested by the department to correct plans, perform required studies or provide additional required information;
 - b. Any period of time during which an administrative appeal is being processed;
 - c. Any period of time during which an environmental impact statement is being prepared;
 - d. Any extension of time mutually agreed upon in writing by the applicant and the department.
11. The time limits in subsection (B)(7) above do not apply if a Type II application:
 - a. Requires an amendment to the Comprehensive Plan or a development regulation;
 - b. Requires approval of a new fully contained community, a master planned resort, or the siting of an essential public facility; or
 - c. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.
12. If the approval authority is unable to issue its decision within the time limits provided for in subsection (B)(7) above, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of decision. ~~A copy of this notice shall be forwarded to the board of county commissioners.~~

13. Final review of planned industrial developments shall also follow the procedures in [Chapter 21.43](#).

C. Type III Procedure—Quasi-Judicial Decision (~~see Appendix Table 21T.28~~).

1. Within twenty-eight (~~28~~) calendar days of receiving a Type III application, the applicable information listed in Section [21.81.060](#). The department shall render its decision on the completeness of the application in the manner prescribed in Section 21.81.040(B)(1) and (2) above.
2. Once the application is deemed complete, a one hundred ~~seventy (170) twenty~~ calendar day review clock begins. ~~Either as part of the letter of complete application or as a separate written notification during the one hundred twentyday review period,~~ The department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified ~~in writing~~ as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The department shall make a determination of completeness within fourteen calendar days of submittal of any additional information. The review clock will begin again once this additional information is submitted and deemed complete.
3. Within ~~nine~~ [fourteen \(14\)](#) calendar days after the application is deemed complete, the department shall mail out a notice of application in the manner prescribed in Section 21.81.040(B)(4) above, except that the mailing radius from the project site shall be expanded for the following special use permit applications:
 - a. One-thousand-four-hundred-foot radius: airports, landing strips and freestanding WCFs;
 - b. Two-thousand-six-hundred-foot radius: solid waste disposal facilities and secure community transition facilities.
4. The department shall accept public comments in response to the notice of application in the manner prescribed in Section 21.81.040(B)(5) above.
5. Except for a determination of significance, the department shall not issue its SEPA threshold determination or issue a decision on the application until the expiration of the public comment period on the notice of application. However, the department may combine the comment period for a determination of nonsignificance with the comment period on the notice of application. Once the combined comment period ends, the department shall issue the threshold determination with or without a comment period, pursuant to [Chapter 17.09](#) of this code.

6. At least ten (10) calendar days prior to the hearing examiner public hearing, the department shall complete the SEPA review and appeal process, pursuant to [Chapter 17.09](#) of this code.
7. At least ten (10) calendar days prior to the hearing examiner public hearing on a Type III application, the department shall provide notice of the public hearing as follows:
 - a. Publish ~~N~~notice; [The Department shall provide published notice](#), including the project location, description, type of permit(s) required, comment period dates and location where the complete application may be reviewed, in the newspaper of ~~general circulation in~~ [record for Thurston County](#);
 - b. Mail ~~N~~notice; [The Department shall provide mail notice](#), including all items described in subsection (3)(g)(i) of this section, to owners of property surrounding the project site, the applicant and other interested parties in the same manner prescribed in Section 21.81.040(C)(3) above;
 - c. Posted ~~N~~notice; [The Department shall prepare a sign board for the applicant](#), including the project number, name and description, parcel number, date, time and location of public hearing, and telephone number where the county staff can be contacted for more information, in a conspicuous place visible to the public on or near the project site.
 - i. [The applicant shall post one \(1\) county-provided sign board on the property subject to the development application as follows:](#)
 - A. [The sign board shall be installed in a conspicuous place visible to the public, the midpoint along the site street frontage at a location five \(5\) feet inside the property line, or as otherwise directed by the responsible official to maximize visibility.](#)
 - B. [The sign board shall be secured to a stationary object such as a fence, post, or other object that may be able to withstand typical weather conditions including high wind and heavy rain. The top of the sign board shall be designed to be between four \(4\) and six \(6\) feet above grade.](#)
 - C. [Installation and Removal Requirements. The sign board shall be installed on the site at least ten \(10\) calendar days in advance of the public hearing. The applicant shall maintain the sign board in good condition throughout the application review period, which shall extend through the time of the final county decision on the proposal. ~~including the expiration of the applicable appeal period of the hearings examiner's decision if submitted.~~ If the sign board is removed, county review of the](#)

land use application may be discontinued until the board is replaced and has remained in place for the required period of time.

D. The applicant shall remove the sign board within fourteen (14) calendar days after final county decision on the application, including expiration of applicable appeal periods, and return the sign board to the county.

E. Affidavit of Installation. The applicant shall execute an affidavit certifying where and when the sign board was posted and submit to the responsible official for inclusion in the project file at least seven (7) days prior to the hearing. The applicant shall provide digital proof to the responsible official that the sign has been posted according to the requirements.

F. If for some reason the required posted sign boards in the area or on the site for which the public hearing is being held is inadvertently moved through no fault of the county of applicant, this in no way invalidates the legal notice requirements of the scheduled public hearing or other public comment opportunity.

8. ~~Within one hundred twenty calendar days of the date of the letter of complete application,~~ The hearing examiner shall hold an open record public hearing on the Type III application and shall approve, approve with conditions or deny the application.
9. If the SEPA threshold determination is appealed, the hearing examiner shall hold a combined open record hearing on both the SEPA appeal and Type III application and shall render a decision on both actions.
10. Within the time limits provided in subsection (C)(8) of this section, the department shall ~~mail a notice of decision to~~ notify the applicant, the county assessor, and ~~to~~ any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application. The notice of decision shall include a description of the decision, any mitigating conditions, a statement of any SEPA threshold determination made under Chapter 17.09 of this code, notice that affected property owners may request a change in valuation for property tax purposes, and the procedures for appeal. The decision may be appealed pursuant to Section 21.81.070 ~~Chapter 2.06~~ of this code.
11. In determining the number of days that have elapsed after the department has issued the letter of complete application, the following periods shall be excluded:

- a. Any period during which the applicant has been requested by the department to correct plans, perform required studies, or provide additional required information;
 - b. Any period of time during which an administrative appeal is being processed;
 - c. Any period of time during which an environmental impact statement is being prepared;
 - d. Any extension of time mutually agreed upon in writing by the applicant and the department.
12. The time limits in subsection (C)(8) of this section do not apply if a Type III application:
- a. Requires an amendment to the Comprehensive Plan or a development regulation;
 - b. Requires approval of a new fully contained community, a master planned resort, or the siting of an essential public facility; or
 - c. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.
13. If the approval authority is unable to issue its decision within the time limits provided for in subsection (C)(8) of this section, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of decision. ~~A copy of this notice shall be forwarded to the board of county commissioners.~~
14. Village Center proposals shall also follow the procedures in [Chapter 21.50](#).
15. Final review of planned residential developments shall also follow the procedures in [Chapter 21.60](#).
16. Final review of planned industrial developments shall also follow the procedures in [Chapter 21.43](#).
- D. Type IV Procedure—Legislative Decision. Type IV actions shall be processed pursuant to [Chapter 21.96](#). Amendments to comprehensive plans, joint plans and development regulations shall also be processed in accordance with the docketing and public participation requirements of [Chapter 2.05](#) of this code. Review of planned communities shall also follow the procedures in [Chapter 21.44](#).

[E. The following permit types are exempt from the permitting timelines within 21.81.040:](#)

1. Building permits exempt from the State Environmental Policy Act (SEPA) as minor new construction under TCC 17.09.55.
2. Land disturbing activity permits exempt from SEPA.
3. All other construction permits under 17.09.55 that are exempt from SEPA; and
4. Project permits for which a SEPA review and threshold determination were completed in connection with other project permits for the same proposal, to the extent the proposal has no substantively changed in a manner requiring further review.

For purposes of this section, interior alterations include construction activities that do not modify the existing site layout or current use and do not involve exterior work that adds to the building footprint. Per RCW 36.70B.140, building permits for interior alterations are exempt from site plan review provided the alterations do not result in:

1. Additional sleeping quarters or bedrooms;
2. Nonconformity with federal emergency management agency substantial improvement thresholds; or
3. An increase in the total square footage or valuation of the structure that would require upgraded fire access or fire suppression systems.

Per RCW 36.70B.080, the following permit, use, and critical areas are exempt from the established permitting timelines:

1. Type VI Permits (Legislative
2. Mining Applications
3. Oregon Spotted Frog (May to December)
4. Prairie Review (September to April)

...

21.81.070 – Appeal procedures.

...

B. Appeals of Hearing Examiner Decisions. The final decision by the hearing examiner on Type III permits and on Type I and II appeals, as provided in Illustration 1, is conclusive and final. ~~may be appealed to the board of county commissioners by any aggrieved person or agency directly affected by the hearing examiner's decision. Appeals shall be filed in writing with the department within fourteen calendar days of the date of the notice of the decision being appealed, on a form provided by the department. Appeals shall be considered in the manner prescribed by Chapter 2.06 TCC.~~

C. ~~Judicial Appeals. The final decision by the board of county commissioners on Type IV actions and on Type I, II and III appeals, as provided in Table 2, may be appealed to Superior Court, as follows:~~

~~1. Any judicial action to challenge, set aside or void any amendment to this title or any decisions made pursuant to the provisions of this title must be commenced within twenty calendar days from the date of amendment or decision.~~

~~2. The plaintiff bringing any such action shall pay the full cost of transcription of the record prepared for judicial review of the matter being appealed.~~

CD. The filing of an appeal shall suspend the issuance of either a construction or land use permit related to the appeal until final action is taken on the appeal.

...

XVI. Thurston County Code Chapter 21.84 TCC (SITE PLAN REVIEW) shall be amended to read as follows:

...

21.84.030 – Appeal of decision to hearing examiner.

The hearing examiner shall, in accordance with Section [21.81.070](#) and Chapter [2.06](#) of this code, review site plan applications appealed to the examiner.

~~21.84.040—Appeal of decision to board of county commissioners.~~

~~Appeals of all site plan review decisions of the hearing examiner may be taken to the board in accordance with Section [21.81.070](#) and Chapter [2.06](#) of this code.~~

21.84.04~~50~~ – Summary site plan – Presubmission conference.

...

XVII. Thurston County Code Chapter 21.87 TCC (SPECIAL USE PERMITS) shall be amended to read as follows:

...

21.87.050 – Appeal to board of county commissioners.

The decision of the hearing examiner [shall be binding and final.](#) ~~may be appealed to the board of county commissioners pursuant to the provisions of TCC Section [2.06.070](#) of this code.~~

...

XVIII. Thurston County Code Chapter 22.36 TCC (PLANNED UNIT DEVELOPMENT OVERLAY (PUD)) shall be amended to read as follows:

...

22.36.060 – Appeal.

The decision of the hearing examiner shall be binding and final. ~~unless appealed to the board of county commissioners in accordance with the provisions of Section 2.06.070.~~

...

XIX. Thurston County Code Chapter 22.56 TCC (SPECIAL USE PERMITS) shall be amended to read as follows:

...

22.56.060 – Appeals.

The decision of the hearing examiner ~~may~~ shall be binding and final. ~~appealed to the board of county commissioners pursuant to the provisions of Section 2.06.070 of this code.~~

...

XX. Thurston County Code Chapter 22.62 TCC (ADMINISTRATION AND APPEALS) shall be amended to read as follows:

...

22.62.020 – Application and review procedures.

A. Type I Procedure—Ministerial Decision ~~(see Appendix Figure 1).~~

1. Within twenty-eight (28) calendar days of receiving a Type I application, the department shall decide whether the application includes the applicable information listed in Section 22.62.030. If the application is deemed complete, the department shall notify the applicant of complete application and shall begin substantive review of the application. If the application is deemed incomplete, the department shall notify the applicant ~~in writing as to what basic submittal~~ of incomplete application, listing the basic submittal information that is required to make the application complete. The department shall make a determination of completeness within fourteen (14) calendar days of submittal of any additional information. An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection.
2. Within three calendar days of application submittal ~~(or six calendar days if application is mailed in or dropped off)~~, the applicant shall post an identification sign at a location on the project site that is visible from the access road, giving the name and general description of the proposed project and a contact name and phone number for more information. This sign is for the purpose of project identification rather than public notification. The sign

shall be provided by Thurston County. The posted sign may be removed no earlier than fourteen calendar days after the decision on the application.

3. Within ~~sixty-five (65)~~ ~~fifty-eight~~ calendar days of the date that the Type I application is ~~submitted~~ deemed complete, the approval authority, as provided in Illustration 1 of this chapter, shall approve, approve with conditions, or deny the application, and shall ~~mail~~ notify the applicant of the decision ~~to the applicant~~. In determining the number of days that have elapsed after the application submittal date, the following periods shall be excluded:
 - a. Any period during which the applicant has been requested by the department to correct plans, perform required studies, or provide additional required information;
 - b. Any period of time during which an administrative appeal is being processed;
 - c. Any extension of time mutually agreed upon in writing by the applicant and the department
4. At any time after the application is submitted, the department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified in writing as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The review clock will begin again once this additional information is submitted and deemed complete. The department shall make a determination of completeness within fourteen (14) calendar days of submittal of any additional information.

Table 22.62
Permit Review Matrix
Tumwater UGA Zoning Ordinance

Appeal Process Update – Permit Review Process Annual Update

Permit/Review	Staff/ Director	Hearing Examiner	Planning Commission	Board of County Commissioners	Required Presubmission Conference	Review Process Timeline				
						Type I	Type II	Type III	Type IV	
Administrative variance	D	A		A		✓				
Variance	R	D*		A				✓		
Unclassified uses	D	A		A		✓				
Sign permit	D	A		A		✓				
Site plan review (administrative)	D	A		A	✓***	✓				
Mobile home park (four or fewer sites)	D	A		A		✓			Mobile home park	
Minor alteration	D	A		A		✓				
Mobile home park (five + sites)	R	D		A				✓	Mobile home park	
Substantial alteration	R	D		A				✓		
Planned unit development (PUD)	R	D		A				✓		
Minor adjustments	D	A		A		✓				
Major adjustments	R	D		A				✓		
Administrative special use permits (e.g., expansion of nonconforming uses up to five percent)	D	A		A		✓				
Temporary use permit for homeless encampments (22.51 TCC) ¹	D					✓				
Hearing examiner Special use permits: all others (including expansion of nonconforming uses over five percent or conversion)	R	D		A	✓***			✓		
Site-specific rezones**	R	D	R	A	✓			✓	✓ (if Joint Plan amendment required)	
Joint plan and zoning text amendments, and legislative rezones	R		R	D* (open hearing)	✓				✓	
Classification of essential public facilities (for review purposes)	D	A				✓				
Transfer of development rights approval	D					✓				
Extension of time			(Same approval process and review process as for original permit)							
Other administrative decisions/code interpretations	D	A		A		✓				
Temporary use permit for homeless encampments (22.51 TCC) ¹	D		Appealable directly to superior court			✓				
Amendments to administrative actions	D	A		A		✓				

¹ Permits for homeless encampments are considered a temporary use. Where application requirements and procedures for review differ from those laid out in this chapter, the requirements and procedures in eChapter 22.51 TCC apply. Administrative decisions made by the director are considered final and are directly appealable to superior court.

* Decision-making authority mandated by state law.

** Site-specific rezones for which a corresponding joint plan amendment is required, which are approved by the board of county commissioners, follows the process for comprehensive plan amendments, zoning text amendments, and legislative rezones.

*** Refer to TCC 22.56.020 and/or 22.59.080 for additional requirements

Approval Authority
R = Recommendations
D = Decision
A = Appeal

Review Process
I = Ministerial process
II = Administrative process
III = Quasi-judicial process
IV = Legislative process

5. The decision may be appealed pursuant to Section [22.62.050](#).
 6. If the approval authority is unable to issue its decision within the time limits provided for in subsection (A)(3) above, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of a decision. ~~A copy of this notice shall be forwarded to the board of county commissioners.~~
- B. Type II Procedure—Administrative Decision (see Appendix Figure 2).
1. Within twenty-eight (28) calendar days of receiving a Type II application, the department shall decide whether the application includes the applicable information listed in Section [22.62.030](#). If the application is deemed complete, the department shall send a letter of complete application to the applicant and shall begin substantive review of the application. If the application is deemed incomplete, the department shall send a letter of incomplete application to the applicant, listing the basic submittal information that is required to make the application complete. ~~An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection.~~
 2. The department shall make a determination of completeness within fourteen (14) calendar days of submittal of any additional information. An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection. ~~Within fourteen calendar days after an applicant has submitted the additional information identified in the letter of incomplete application as being necessary for a complete application, the department shall notify the applicant in writing whether the application is complete or what basic submittal information is still needed to make the application complete.~~
 3. Once the application is deemed complete, a one hundred (100) calendar day review clock begins. ~~Either as part of the letter of complete application or as a separate written notification during the formal review period, t~~The department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified in writing as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this

information. The department shall make a determination of completeness within fourteen calendar days of submittal of any additional information. The review clock will begin again once this additional information is submitted and deemed complete.

4. Within ~~nine~~ fourteen (14) calendar days after the application is deemed complete, the department shall ~~mail a notice of application to~~ notify all owners of property within a radius of three hundred feet of the project site. It shall also be mailed to the applicant and other interested parties. The notice of application shall include the following:
 - a. The date of application, the date of the letter of complete application, and the date of the notice of application;
 - b. A description of the proposed project and a list of the project permits included in the application and, if applicable, a list of any additional information or studies requested under Section 22.62.020(B)(3) above;
 - c. The identification of other permits not included in the application to the extent known by the department;
 - d. The identification of existing environmental documents that evaluate the proposed project, and the location where the application and any studies can be reviewed;
 - e. A statement of the public comment period and statements of the right of any person to comment on the application, receive notice of and participate in any hearings if applicable, request a copy of the decision once made, and any appeal rights;
 - f. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency;
 - g. A map showing the project site in relation to other properties; and
 - h. Any other information determined appropriate by the department.
5. The department shall accept public comments in response to the notice of application for up to twenty calendar days from the date of such notice. The department shall ~~mail to~~ provide the applicant a copy of comments timely received in response to the notice and shall consider such comments in the review of the application. The department may consider comments received after the twenty-day period has elapsed.
6. Except for a determination of significance, the department shall not issue its SEPA threshold determination or issue a decision on the application until the expiration of the public comment period on the notice of application.

However, the department may combine the comment period for a determination of nonsignificance with the comment period on the notice of application. Once the combined comment period ends, the department shall issue the threshold determination with or without a comment period, pursuant to [Chapter 17.09 TCC of this code](#).

7. Within one hundred calendar days of the date of the ~~letter~~ [notification](#) of complete application, the approval authority, as provided in Table 22.62, shall approve, approve with conditions, or deny the application.
8. If the SEPA threshold determination is appealed, the hearing examiner shall hold a combined open record hearing on both the SEPA appeal and the Type II application and shall render a decision on both actions.
9. Within the time limits provided in subsection [\(B\)\(7\)](#) above, the department shall ~~mail a notice of decision to~~ [notify](#) the applicant, the county assessor, and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application. The notice of decision shall include a description of the decision, any mitigating conditions, a statement of any SEPA threshold determination made under [Chapter 17.09 TCC of this code](#), notice that affected property owners may request a change in valuation for property tax purposes, and the procedures for appeal. The decision may be appealed pursuant to Section [22.62.050](#).
10. In determining the number of days that have elapsed after the department has issued the ~~letter~~ [notice](#) of complete application, the following periods shall be excluded:
 - a. Any period during which the applicant has been requested by the department to correct plans, perform required studies or provide additional required information;
 - b. Any period of time during which an administrative appeal is being processed;
 - c. Any period of time during which an environmental impact statement is being prepared;
 - d. Any extension of time mutually agreed upon in writing by the applicant and the department.
11. The time limits in subsection [\(B\)\(7\)](#) above do not apply if a Type II application:
 - a. Requires an amendment to the Comprehensive Plan or a development regulation;

- b. Requires approval of a new fully contained community, a master planned resort, or the siting of an essential public facility; or
- c. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.

12. If the approval authority is unable to issue its decision within the time limits provided for in subsection (B)(7) above, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of decision. ~~A copy of this notice shall be forwarded to the board of county commissioners.~~

C. Type III Procedure—Quasi-Judicial Decision ~~(see Appendix Figure 3).~~

- 1. Within twenty-eight (28) calendar days of receiving a Type III application, the department shall decide whether the application includes the applicable information listed in Section 22.62.030. The department shall render its decision on the completeness of the application in the manner prescribed in Sections 22.62.020(B)(1) and (2) above.
- 2. Once the application is deemed complete, a one hundred ~~seventy (170) twenty~~ calendar day review clock begins. ~~Either as part of the letter of complete application or as a separate written notification during the one hundred twentyday review period,~~ The department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified ~~in writing~~ as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The department shall make a determination of completeness within fourteen calendar days of submittal of any additional information. The review clock will begin again once this additional information is submitted and deemed complete.
- 3. Within ~~nine~~ fourteen (14) calendar days after the application is deemed complete, the department shall mail out a notice of application in the manner prescribed in Section 22.62.020(B)(4) above, except that the mailing radius from the project site shall be expanded for the following special use permit applications:
 - a. One-thousand-four-hundred-foot radius: jails, juvenile detention facilities, work release facilities, essential public facilities, and wireless communication facilities;
 - b. Two-thousand-six-hundred-foot radius: prisons and prerelease facilities; Secure community transition facilities; and solid waste handling facilities.

4. The department shall accept public comments in response to the notice of application in the manner prescribed in Section 22.62.020(B)(5) above.
5. Except for a determination of significance, the department shall not issue its SEPA threshold determination or issue a decision on the application until the expiration of the public comment period on the notice of application. However, the department may combine the comment period for a determination of nonsignificance with the comment period on the notice of application. Once the combined comment period ends, the department shall issue the threshold determination with or without a comment period, pursuant to [Chapter 17.09 TCC of this code](#).
6. At least ten calendar days prior to the hearing examiner public hearing, the department shall complete the SEPA review and appeal process, pursuant to [Chapter 17.09 TCC of this code](#).
7. At least ten (10) calendar days prior to the hearing examiner public hearing on a Type III application, the department shall provide notice of the public hearing as follows:
 - a. Publish ~~N~~notice; [The Department shall provide published notice](#), including the project location, description, type of permit(s) required, comment period dates and location where the complete application may be reviewed, in the newspaper of ~~general circulation in~~ [record for](#) Thurston County;
 - b. Mail ~~N~~notice; [The Department shall provide mail notice](#), including all items described in subsection (C)(7)(a) above, to owners of property surrounding the project site, the applicant and other interested parties in the same manner prescribed in Section 22.62.020(C)(3) above; and
 - c. Posted ~~N~~notice; [The Department shall prepare a sign board for the applicant](#), including the project number, name and description, parcel number, date, time and location of public hearing, and telephone number where the county staff can be contacted for more information, in a conspicuous place visible to the public on or near the project site.
 - i. [The applicant shall post one \(1\) county-provided sign board on the property subject to the development application as follows:](#)
 - A. [The sign board shall be installed in a conspicuous place visible to the public, the midpoint along the site street frontage at a location five \(5\) feet inside the property line, or as otherwise directed by the responsible official to maximize visibility.](#)
 - B. [The sign board shall be secured to a stationary object such as a fence, post, or other object that may be able to withstand typical weather conditions including high wind and heavy rain.](#)

The top of the sign board shall be designed to be between four (4) and six (6) feet above grade.

C. Installation and Removal Requirements. The sign board shall be installed on the site at least ten (10) calendar days in advance of the public hearing. The applicant shall maintain the sign board in good condition throughout the application review period, which shall extend through the time of the final county decision on the proposal. ~~including the expiration of the applicable appeal period of the hearing examiner's decision if submitted.~~ If the sign board is removed, county review of the land use application may be discontinued until the board is replaced and has remained in place for the required period of time.

D. The applicant shall remove the sign board within fourteen (14) calendar days after final county decision on the application, including expiration of applicable appeal periods, and return the sign board to the county.

E. Affidavit of Installation. The applicant shall execute an affidavit certifying where and when the sign board was posted and submit to the responsible official for inclusion in the project file at least seven (7) days prior to the hearing. The applicant shall provide digital proof to the responsible official that the sign has been posted according to the requirements.

F. If for some reason the required posted sign boards in the area or on the site for which the public hearing is being held is inadvertently moved through no fault of the county of applicant, this in no way invalidates the legal notice requirements of the scheduled public hearing or other public comment opportunity.

8. ~~Within one hundred twenty calendar days of the date of the letter of complete application,~~ The hearing examiner shall hold an open record public hearing on the Type III application and shall approve, approve with conditions or deny the application.
9. If the SEPA threshold determination is appealed, the hearing examiner shall hold a combined open record hearing on both the SEPA appeal and Type III application and shall render a decision on both actions.
10. Within the time limits provided in subsection (C)(8) above, the department shall ~~mail a notice of decision to~~ notify the applicant, the county assessor, and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application. The notice of decision shall include a description of the decision, any mitigating

conditions, a statement of any SEPA threshold determination made under [Chapter 17.09 TCC of this code](#), notice that affected property owners may request a change in valuation for property tax purposes, and the procedures for appeal. The decision may be appealed pursuant to [Chapter 2.06 TCC](#).

11. In determining the number of days that have elapsed after the department has issued the letter of complete application, the following periods shall be excluded:

- a. Any period during which the applicant has been requested by the department to correct plans, perform required studies or provide additional required information;
- b. Any period of time during which an administrative appeal is being processed;
- c. Any period of time during which an environmental impact statement is being prepared;
- d. Any extension of time mutually agreed upon in writing by the applicant and the department.

12. The time limits in subsection [\(C\)\(8\)](#) above do not apply if a Type III application:

- a. Requires an amendment to the Comprehensive Plan or a development regulation;
- b. Requires approval of a new fully contained community, a master planned resort, or the siting of an essential public facility; or
- c. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.

13. If the approval authority is unable to issue its decision within the time limits provided for in subsection [\(C\)\(8\)](#) above, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of decision. ~~A copy of this notice shall be forwarded to the board of county commissioners.~~

D. Type IV Procedure—Legislative Decision. Type IV actions shall be processed pursuant to [Chapter 22.60](#). Amendments to comprehensive plans, joint plans and development regulations shall also be processed in accordance with the docketing and public participation requirements of [Chapter 2.05 TCC](#).

E. The following permit types are exempt from the permitting timelines within 22.62.020:

1. Building permits exempt from the State Environmental Policy Act (SEPA) as minor new construction under TCC 17.09.55.
2. Land disturbing activity permits exempt from SEPA.
3. All other construction permits under 17.09.55 that are exempt from SEPA; and
4. Project permits for which a SEPA review and threshold determination were completed in connection with other project permits for the same proposal, to the extent the proposal has no substantively changed in a manner requiring further review.

For purposes of this section, interior alterations include construction activities that do not modify the existing site layout or current use and do not involve exterior work that adds to the building footprint. Per RCW 36.70B.140, building permits for interior alterations are exempt from site plan review provided the alterations do not result in:

1. Additional sleeping quarters or bedrooms;
2. Nonconformity with federal emergency management agency substantial improvement thresholds; or
3. An increase in the total square footage or valuation of the structure that would require upgraded fire access or fire suppression systems.

Per RCW 36.70B.080, the following permit, use, and critical areas are exempt from the established permitting timelines:

1. Type VI Permits (Legislative)
2. Mining Applications
3. Oregon Spotted Frog (May to December)
4. Prairie Review (September to April)

...

22.62.050 – Appeal procedures.

...

- B. Appeals of Hearing Examiner Decisions. The final decision by the hearing examiner on Type III permits and on Type I and II appeals, as provided in Illustration 1, is conclusive and final. ~~may be appealed to the board of county commissioners by any aggrieved person or agency directly affected by the hearing examiner's decision. Appeals shall be filed in writing with the department within fourteen calendar days of the date of the notice of the decision being appealed, on a form provided by the department. Appeals shall be considered in the manner prescribed by Chapter 2.06 TCC.~~

~~C. Judicial Appeals. The final decision by the board of county commissioners on Type IV actions and on Type I, II and III appeals, as provided in Table 2, may be appealed to Superior Court, as follows:~~

- ~~1. Any judicial action to challenge, set aside or void any amendment to this title or any decisions made pursuant to the provisions of this title must be commenced within twenty calendar days from the date of amendment or decision.~~
- ~~2. The plaintiff bringing any such action shall pay the full cost of transcription of the record prepared for judicial review of the matter being appealed.~~

CD. The filing of an appeal shall suspend the issuance of either a construction or land use permit related to the appeal until final action is taken on the appeal.

...

XXI. Thurston County Code Chapter 23.57 TCC (MASTER PLANNED DEVELOPMENT – MPD) shall be amended to read as follows:

...

23.57.040 – Approval process overview.

...

C. Master Plan Approval Process. An approved MPD is a rezone which may include an amendment to the official zoning map. Applications for MPD shall be submitted to the department for review and recommendation to the hearing examiner as follows (see Section [23.57.080](#), Master plan approval process):

...

4. Appeal. The determination of the hearing examiner shall be binding and final, ~~unless appealed to the board of county commissioners pursuant to TCC Chapter 2.06.~~

...

23.57.080 – Master plan approval process.

...

D. MPD Approval

...

3. The action of the hearing examiner approving, conditionally approving, modifying, or rejecting the MPD shall be binding and final, ~~and conclusive unless appealed to the board of county commissioners pursuant to TCC Chapter 2.06.~~

...

23.57.100 – Development permit approval process.

...

Prior to the approval of an application, the hearing examiner shall conduct a public hearing thereon, and notice thereof shall be given as provided in ~~TCC Chapter 23.72 of this code~~, Public Notification. Decisions by the hearing examiner are binding and final, ~~unless appealed to the board of county commissioners pursuant to TCC Chapter 2.06.~~

...

XXII. Thurston County Code Chapter 23.72 TCC (ADMINISTRATION) shall be amended to read as follows:

...

23.72.040 – Application review procedures.

A. Type I Procedure—Ministerial Decision (~~see Appendix Figure 1~~).

1. Within twenty-eight (28) calendar days of receiving a Type I application, the department shall decide whether the application includes the applicable information listed in Section 22.62.030. If the application is deemed complete, the department shall begin substantive review of the application. If the application is deemed incomplete, the department shall notify the applicant in writing as to what basic submittal information is required to make the application complete. The department shall make a determination of completeness within fourteen (14) calendar days of submittal of any additional information. An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection.
2. Within three calendar days of application submittal (~~or six calendar days if application is mailed in or dropped off~~), the applicant shall post an identification sign at a location on the project site that is visible from the access road, giving the name and general description of the proposed project and a contact name and phone number for more information. This sign is for the purpose of project identification rather than public notification. The sign shall be provided by Thurston County. The posted sign may be removed no earlier than fourteen calendar days after the decision on the application.

Table 72.01

Permit Review Matrix

Olympia UGA Zoning Ordinance

DRAFT

Permit/Review	Staff/ Director	Hearing Examiner	Planning Commission	Board of County Commissioners	Required Presubmission Conference	Review Process Timeline				
						Type I	Type II	Type III	Type IV	
Administrative variance	D	A		A		✓				
Variance	R	D*		A				✓		
Unclassified uses	D	A		A		✓				
Sign permit	D	A		A		✓				
Design review	D	A		A		✓				
Site plan review (administrative)	D	A		A	✓***	✓				
Historic/archaeological review	D	A		A		✓				
Planned residential development (PRD)	R	D		A	✓			✓		
Time extension	D	A		A		✓				
Minor adjustments	D	A		A		✓				
Major adjustments	R	D		A				✓		
Amendments	R	D		A				✓		
Administrative special use permits (e.g., expansion of nonconforming uses up to five percent)	D	A		A		✓				
Hearing examiner Special use permits: all others (including expansion of nonconforming uses over five percent or conversion)	R	D		A	✓***			✓		
Special use permit expansion up to twenty- five percent	D	A		A	✓		✓			
Master plan development (MPD)	R	D		A	✓			✓		
Site-specific rezones**	R	D	R	A	✓			✓	✓ (if Joint Plan amendment required)	
Joint plan and zoning text amendments, and legislative rezones	R		R	D* (open hearing)	✓				✓	
Townhouses (≤ four lots)	D	A		A		✓				
Townhouses (> four lots)	R	D		A	✓			✓		
Classification of essential public facilities (for review purposes)	D	A				✓				
Transfer of development rights approval	D					✓				
Extension of time			(Same approval process and review process as for original permit)							
Other administrative decisions/code interpretations	D	A		A		✓				
Temporary use permit for homeless encampments (23.45 TCC) ¹	D					✓				
Amendments to administrative actions	D	A		A		✓				

¹ Permits for homeless encampments are considered a temporary use. Where application requirements and procedures for review differ from those laid out in this chapter, the requirements and procedures in eChapter 23.45 TCC apply. Administrative decisions made by the director are considered final and are directly appealable to superior court.

* Decision-making authority mandated by state law.

** Site-specific rezones for which a corresponding joint plan amendment is required, which are approved by the board of county commissioners, follows the process for comprehensive plan amendments, zoning text amendments, and legislative rezones.

*** [Refer to TCC 23.48.020 and/or 23.60.080 for additional requirements.](#)

Approval Authority
R = Recommendations
D = Decision
A = Appeal

Review Process
I = Ministerial process
II = Administrative process
III = Quasi-judicial process
IV = Legislative process

3. Within ~~sixty-five (65)~~ ~~forty-eight~~ calendar days of the date that the Type I application is ~~submitted~~ ~~deemed complete~~, the approval authority, as provided in Table 72.01 of this chapter, shall approve, approve with conditions, or deny the application, and shall ~~mail the decision to~~ ~~notify~~ the applicant ~~of the decision~~. In determining the number of days that have elapsed after the application submittal date, the following periods shall be excluded:
 - a. Any period during which the applicant has been requested by the department to correct plans, perform required studies, or provide additional required information;
 - b. Any period of time during which an administrative appeal is being processed;
 - c. Any extension of time mutually agreed upon in writing by the applicant and the department
4. At any time after the application is submitted, the department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified in writing as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The review clock will begin again once this additional information is submitted and deemed complete. The department shall make a determination of completeness within fourteen calendar days of submittal of any additional information.
5. The decision may be appealed pursuant to [Chapter 23.72.190](#).
6. If the approval authority is unable to issue its decision within the time limits provided for in subsection ~~(A)(3)~~ above, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of a decision. ~~A copy of this notice shall be forwarded to the board of county commissioners.~~

B. Type II Procedure – Administrative Decision ~~(see Appendix Figure A-2).~~

1. Within twenty-eight (28) calendar days of receiving a Type II application, the department shall decide whether the application includes the applicable information listed in Section 23.72.060. If the application is deemed complete, the department shall send a letter of complete application to the applicant and shall begin substantive review of the application. If the application is deemed incomplete, the department shall send a letter of incomplete application to the applicant, listing the basic submittal information that is required to make the application complete. ~~An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection.~~
2. The department shall make a determination of completeness within fourteen (14) calendar days of submittal of any additional information. An application shall be deemed complete if the department does not provide a written determination to the applicant that the application is incomplete as provided in this subsection. ~~Within fourteen calendar days after an applicant has submitted the additional information identified in the letter of incomplete application as being necessary for a complete application, the department shall notify the applicant in writing whether the application is complete or what basic submittal information is still needed to make the application complete.~~
3. Once the application is deemed complete, a one hundred (100) calendar day review clock begins. ~~Either as part of the letter of complete application or as a separate written notification during the formal review period, t~~The department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified in writing as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The department shall make a determination of completeness within fourteen (14) calendar days of submittal of any additional information. The review clock will begin again once this additional information is submitted and deemed complete.
4. Within ~~nine~~ fourteen (14) calendar days after the application is deemed complete, the department shall ~~mail a notice of application to~~ notify all owners of property within a radius of three hundred feet of the project site. It shall also be mailed to the applicant and other interested parties. The notice of application shall include the following:
 - a. The date of application, the date of the letter of complete application, and the date of the notice of application;

- b. A description of the proposed project and a list of the project permits included in the application and, if applicable, a list of any additional information or studies requested under Section 23.72.040(B)(3) above;
 - c. The identification of other permits not included in the application to the extent known by the department;
 - d. The identification of existing environmental documents that evaluate the proposed project, and the location where the application and any studies can be reviewed;
 - e. A statement of the public comment period and statements of the right of any person to comment on the application, receive notice of and participate in any hearings if applicable, request a copy of the decision once made, and any appeal rights;
 - f. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency;
 - g. A map showing the project site in relation to other properties; and
 - h. Any other information determined appropriate by the department.
5. The department shall accept public comments in response to the notice of application for up to twenty calendar days from the date of such notice. The department shall ~~mail to~~ [provide](#) the applicant a copy of comments timely received in response to the notice and shall consider such comments in the review of the application. The department may consider comments received after the twenty-day period has elapsed.
 6. Except for a determination of significance, the department shall not issue its SEPA threshold determination or issue a decision on the application until the expiration of the public comment period on the notice of application. However, the department may combine the comment period for a determination of nonsignificance with the comment period on the notice of application. Once the combined comment period ends, the department shall issue the threshold determination with or without a comment period, pursuant to [Chapter 17.09](#) ~~TC~~ [of this code](#).
 7. Within one hundred [\(100\)](#) calendar days of the date of the ~~letter~~ [notification](#) of complete application, the approval authority, as provided in Table 72.01, shall approve, approve with conditions or deny the application.
 8. If the SEPA threshold determination is appealed, the hearing examiner shall hold a combined open record hearing on both the SEPA appeal and the Type II application and shall render a decision on both actions.

9. Within the time limits provided in subsection (B)(7) above, the department shall ~~mail a notice of decision to~~ notify the applicant, the county assessor, and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application. The notice of decision shall include a description of the decision, any mitigating conditions, a statement of any SEPA threshold determination made under Chapter 17.09 TCC of this code, notice that affected property owners may request a change in valuation for property tax purposes, and the procedures for appeal. The decision may be appealed pursuant to Section 23.72.190.
10. In determining the number of days that have elapsed after the department has issued the ~~letter~~ notice of complete application, the following periods shall be excluded:
- a. Any period during which the applicant has been requested by the department to correct plans, perform required studies or provide additional required information;
 - b. Any period of time during which an administrative appeal is being processed;
 - c. Any period of time during which an environmental impact statement is being prepared;
 - d. Any extension of time mutually agreed upon in writing by the applicant and the department.
11. The time limits in subsection (B)(7) above do not apply if a Type II application:
- a. Requires an amendment to the Comprehensive Plan or a development regulation;
 - b. Requires approval of a new fully contained community, a master planned resort, or the siting of an essential public facility; or
 - c. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.
12. If the approval authority is unable to issue its decision within the time limits provided for in subsection (B)(7) above, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of decision. ~~A copy of this notice shall be forwarded to the board of county commissioners.~~

C. Type III Procedure—Quasi-Judicial Decision (~~see Appendix Figure A-3~~).

1. Within twenty-eight (28) calendar days of receiving a Type III application, the department shall decide whether the application includes the applicable information listed in Section 23.72.060. The department shall render its decision on the completeness of the application in the manner prescribed in Sections 23.72.040(B)(1) and (2) above.
2. Once the application is deemed complete, a one hundred ~~twenty~~ seventy (170) calendar day review clock begins. ~~Either as part of the letter of complete application or as a separate written notification during the one hundred-twenty-day review period,~~ The department may request additional information or studies that are needed to complete the review due to the particular aspects of the project or site or if substantial changes are made to the proposed project. If this occurs, the applicant will be notified ~~in writing~~ as to what additional information is needed and the review clock will stop during the time that the applicant is assembling this information. The department shall make a determination of completeness within fourteen calendar days of submittal of any additional information. The review clock will begin again once this additional information is submitted and deemed complete.
3. Within ~~nine~~ fourteen (14) calendar days after the application is deemed complete, the department shall mail out a notice of application in the manner prescribed in subsection (B)(4) of this section, except that the mailing radius from the project site shall be expanded for the following special use permit applications:
 - a. ~~One-thousand-four-hundred-foot~~ radius: airports and landing strips, jails, juvenile detention facilities, junk yards—wrecking yards, and work release facilities;
 - b. ~~Two-thousand-six-hundred-foot~~ radius: composting facilities, feed lots, mineral extraction, petroleum products—processing/storage, plastics, paints, commercial chemicals—manufacture, prisons and prerelease facilities, secure community transition facilities, rifle, pistol and archery ranges—outdoor, wireless communication facilities and other antenna support structures and solid waste disposal facilities.
4. The department shall accept public comments in response to the notice of application in the manner prescribed in Section 23.72.040(B)(5) above.
5. Except for a determination of significance, the department shall not issue its SEPA threshold determination or issue a decision on the application until the expiration of the public comment period on the notice of application. However, the department may combine the comment period for a determination of nonsignificance with the comment period on the notice of

application. Once the combined comment period ends, the department shall issue the threshold determination with or without a comment period, pursuant to [Chapter 17.09](#).

6. At least ten [\(10\)](#) calendar days prior to the hearing examiner public hearing, the department shall complete the SEPA review and appeal process, pursuant to [Chapter 17.09 of this code](#).
7. At least ten [\(10\)](#) calendar days prior to the hearing examiner public hearing on a Type III application, the department shall provide notice of the public hearing as follows:
 - a. Publish ~~N~~notice; [The Department shall provide published notice](#), including the project location, description, type of permit(s) required, comment period dates and location where the complete application may be reviewed, in the newspaper of ~~general circulation in~~ [record for](#) in Thurston County;
 - b. Mail ~~N~~notice; [The Department shall provide mail notice](#), including all items described in subsection (C)(7)(1) above, to owners of property surrounding the project site, the applicant and other interested parties in the same manner prescribed in Section 23.72.040(C)(3) above; and
 - c. Posted ~~N~~notice; [The Department shall prepare a sign board for the applicant](#), including the project number, name and description, parcel number, date, time and location of public hearing and telephone number where the county staff can be contacted for more information, in a conspicuous place visible to the public on or near the project site.
 - i. [The applicant shall post one \(1\) county-provided sign board on the property subject to the development application as follows:](#)
 - A. [The sign board shall be installed in a conspicuous place visible to the public, the midpoint along the site street frontage at a location five \(5\) feet inside the property line, or as otherwise directed by the responsible official to maximize visibility.](#)
 - B. [The sign board shall be secured to a stationary object such as a fence, post, or other object that may be able to withstand typical weather conditions including high wind and heavy rain. The top of the sign board shall be designed to be between four \(4\) and six \(6\) feet above grade.](#)
 - C. [Installation and Removal Requirements. The sign board shall be installed on the site at least ten \(10\) calendar days in advance of the public hearing. The applicant shall maintain the sign board in good condition throughout the application review period, which shall extend through the time of the final county decision on the proposal. ~~including the expiration of the applicable appeal period~~](#)

~~of the hearings examiner's decision if submitted.~~ If the sign board is removed, county review of the land use application may be discontinued until the board is replaced and has remained in place for the required period of time.

D. The applicant shall remove the sign board within fourteen (14) calendar days after final county decision on the application, including expiration of applicable appeal periods, and return the sign board to the county.

E. Affidavit of Installation. The applicant shall execute an affidavit certifying where and when the sign board was posted and submit to the responsible official for inclusion in the project file at least seven (7) days prior to the hearing. The applicant shall provide digital proof to the responsible official that the sign has been posted according to the requirements.

F. If for some reason the required posted sign boards in the area or on the site for which the public hearing is being held is inadvertently moved through no fault of the county of applicant, this in no way invalidates the legal notice requirements of the scheduled public hearing or other public comment opportunity.

8. ~~Within one hundred twenty calendar days of the date of the letter of complete application,~~ The hearing examiner shall hold an open record public hearing on the Type III application and shall approve, approve with conditions or deny the application.
9. If the SEPA threshold determination is appealed, the hearing examiner shall hold a combined open record hearing on both the SEPA appeal and Type III application and shall render a decision on both actions.
10. Within the time limits provided in subsection (C)(8) above, the department shall ~~mail a notice of decision to~~ notify the applicant, the county assessor, and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application. The notice of decision shall include a description of the decision, any mitigating conditions, a statement of any SEPA threshold determination made under Chapter 17.09 of this code, notice that affected property owners may request a change in valuation for property tax purposes, and the procedures for appeal. The decision may be appealed pursuant to Chapter 2.06.
11. In determining the number of days that have elapsed after the department has issued the letter of complete application, the following periods shall be excluded:

- a. Any period during which the applicant has been requested by the department to correct plans, perform required studies or provide additional required information;
 - b. Any period of time during which an administrative appeal is being processed;
 - c. Any period of time during which an environmental impact statement is being prepared;
 - d. Any extension of time mutually agreed upon in writing by the applicant and the department.
12. The time limits in subsection (C)(8) above do not apply if a Type III application:
- a. Requires an amendment to the Comprehensive Plan or a development regulation;
 - b. Requires approval of a new fully contained community, a master planned resort, or the siting of an essential public facility; or
 - c. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.
13. If the approval authority is unable to issue its decision within the time limits provided for in subsection (C)(8) above, the department shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of decision. ~~A copy of this notice shall be forwarded to the board of county commissioners.~~
14. Master planned developments shall also follow the procedures in [Chapter 23.57](#).
15. Townhouse developments (five or more lots) shall also follow the procedures in [Chapter 23.64](#).
- D. Type IV Procedure—Legislative Decision. Type IV actions shall be processed pursuant to [Chapter 23.58](#). Amendments to comprehensive plans, joint plans and development regulations shall also be processed in accordance with the docketing and public participation requirements of [Chapter 2.05](#).
- E. The following permit types are exempt from the permitting timelines within 23.72.040:
1. Building permits exempt from the State Environmental Policy Act (SEPA) as minor new construction under TCC 17.09.55.

2. Land disturbing activity permits exempt from SEPA.
3. All other construction permits under 17.09.55 that are exempt from SEPA; and
4. Project permits for which a SEPA review and threshold determination were completed in connection with other project permits for the same proposal, to the extent the proposal has no substantively changed in a manner requiring further review.

For purposes of this section, interior alterations include construction activities that do not modify the existing site layout or current use and do not involve exterior work that adds to the building footprint. Per RCW 36.70B.140, building permits for interior alterations are exempt from site plan review provided the alterations do not result in:

1. Additional sleeping quarters or bedrooms;
2. Nonconformity with federal emergency management agency substantial improvement thresholds; or
3. An increase in the total square footage or valuation of the structure that would require upgraded fire access or fire suppression systems.

Per RCW 36.70B.080, the following permit, use, and critical areas are exempt from the established permitting timelines:

1. Type VI Permits (Legislative)
2. Mining Applications
3. Oregon Spotted Frog (May to December)
4. Prairie Review (September to April)

...

23.72.190 – Appeal procedures.

...

B. Appeals of Hearing Examiner Decisions. The final decision by the hearing examiner on Type III permits and on Type I and II appeals, as provided in Table 72.01, is conclusive and final. ~~may be appealed to the board of county commissioners by any aggrieved person or agency directly affected by the hearing examiner's decision. Appeals shall be filed in writing with the department within fourteen calendar days of the date of the notice of the decision being appealed, on a form provided by the department. Appeals shall be considered in the manner prescribed by Chapter 2.06 TCC.~~

C. ~~Judicial Appeals. The final decision by the board of county commissioners on Type IV actions and on Type I, II and III appeals, as provided in Table 2, may be appealed to Superior Court, as follows:~~

~~1. Any judicial action to challenge, set aside or void any amendment to this title or any decisions made pursuant to the provisions of this title must be commenced within twenty calendar days from the date of amendment or decision.~~

~~2. The plaintiff bringing any such action shall pay the full cost of transcription of the record prepared for judicial review of the matter being appealed.~~

CD. The filing of an appeal shall suspend the issuance of either a construction of land use permit related to the appeal until final action is taken on the appeal.

...

XXIII. Thurston County Code Chapter 24.03 TCC (DEFINITIONS) shall be amended to read as follows:

...

24.03.010 – Definitions.

...

“Administrator” means the director of the Community Planning & Economic Development department or his/her designee.

...

“Public utility” means a business or service, either governmental or having appropriate approval from the state, which is engaged in regularly supplying the public with some commodity or service which is of public consequence and need such as electricity, gas, water, transportation or communications.

“Qualified professional” means a person or a team of persons with experience, education, and professional degrees and/or training pertaining to the critical area in question, and with experience in performing delineations, analyzing critical area functions and values, analyzing critical area impacts, and recommending critical area mitigation and restoration. The administrator may require professionals to demonstrate the basis for qualifications and shall make final determination as to qualifications.

1. A qualified professional for wetlands must have a degree in biology, ecology, soil science, botany, or a closely related field and demonstrate professional experience in wetland identification, delineation, and assessment in the Pacific Northwest. Qualified professionals preparing wetland mitigation plans must have, in addition to the qualifications above, demonstrated professional experience in hydrology and other disciplines essential to the success of mitigation plans. This expertise may be provided in a team of qualified professionals each of which has expertise in relevant areas.

2. A qualified professional for habitat conservation areas must have a degree in wildlife biology, ecology, fisheries, or closely related field and demonstrated professional experience related to the subject species/habitat type.
3. A qualified professional for geologically hazardous areas must be a professional geologist, a professional engineering geologist or a professional geotechnical engineer, with specific education and demonstrated professional competence related to geologic hazards. For mine hazard assessments, a qualified professional must be a professional mining engineer, or other professional engineer with demonstrated professional competence related to mine hazards. For foundation design for mine hazard areas, a qualified professional must be a professional engineer with demonstrated professional competence related to foundation design.
4. A qualified professional for critical aquifer recharge areas means a Washington State licensed hydrogeologist, geologist, or a professional engineer, with specific education and demonstrated professional competence related to ground water hazards.
5. A qualified professional for frequently flooded areas means a Washington State licensed engineer or land surveyor (for documentation of lowest floor elevations, only), with specific education and demonstrated professional competence related to flood hazard assessment and construction requirements.
6. A qualified forester means a person with a bachelor of science degree in forestry or the equivalent in post-secondary education and work experience in forestry.

“Ravine” means a narrow gorge containing steep slopes and deeper than fifteen vertical feet as measured from the centerline of the ravine to the top of the slope. Refer to Figure 13.

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XXIV. Thurston County Code Chapter 24.05 TCC (ADMINISTRATIVE PROCEDURES) shall be amended to read as follows:

...

24.05.025 – Critical area approval authority and review processes.

- A. The approval authority for the various types of permits and actions involved in the administration of this title are shown in Table 24.05-1 TCC.
- B. In making a decision under Table 24.05-1 TCC, the approval authority may approve, approve with conditions, or deny proposed uses and activities consistent with the applicable provisions of this title. The county shall issue a decision for each application involving a critical area, associated buffer, or riparian area in

accordance with the applicable review process in TCC [24.05.020](#) and the sections of this title applicable to each decision.

C. Decisions by the hearing examiner shall conform to [Chapter 2.06](#) TCC.

D. Technical analyses, including critical area assessments, mitigation plans, and geotechnical report, that are submitted as part of an application shall be completed by a qualified professional as defined in Section 24.03.010.

E. During the course of review, the administrator may retain, at the applicant’s expense, a qualified professional to perform a peer review of the assessment and mitigation reports. The administrator may similarly consult outside agencies with expertise that pertains to the proposal when necessary.

...

24.05.030 – Coordination with other application reviews.

...

Table 24.05-1. Critical Area Review Authority and Review Processes

PERMIT/REVIEW	APPROVAL AUTHORITY					REVIEW PROCESS TYPE (Section 24.05.010)			
	Staff/Director	Hearing Examiner (HE)	Planning Commission	County Commissioners	Required Presubmission Conference	I	II	III	IV
Administrative action	D	A		A		■ ✓			
Emergency authorization (Chapter 24.90)	D	A		A		■ ✓			
Critical area determination	D	A		A		■ ✓			
Certificate of the inclusion to the Thurston HCP	D	A		A		■ ✓			
Type I critical area review permit (Chapter 24.40) (Type I application review process)*	D	A		A		■* ✓*			
Type II critical area review permit (Chapter 24.40) (all other application review processes)*	D	A		A			■* ✓*		
Critical area map amendment**	D*	A*		A*		■ ✓			
Critical area ordinance amendment	R		R	D	✓				■ ✓
Code interpretation	D	A		A		■ ✓			
Reasonable use exception (Chapter 24.45)	R	D		A				■ ✓	
Permit and administrative action amendments	Same approval authority and review process as the original action being amended.								
Time extensions	Same approval authority and review process as original decision/approval.								
LEGEND: A = Appeal D = Decision									

R = Recommendation	
	*See TCC 24.40.020 for selecting the appropriate process for a critical area review permit
	**Subject to TCC 24.05.050 and 24.91.030 , 26.05.050

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24.05.50 – Appeals.

...

B. Appeals of ~~h~~Hearing ~~e~~Examiner decisions. The final decision by the hearing examiner on Type III permits and on appeals of administrative decisions (Type I and II), as provided in Table 24.05-1 TCC, is conclusive and final. ~~may be brought to the board of county commissioners by any aggrieved party. Appeals shall be filed in writing with the department within fourteen calendar days of the date of the notice of the decision being appealed on a form provided by the department. Appeals shall be considered in the manner prescribed by Chapter 2.06 TCC.~~

~~C. Any final decision by the board of county commissioners is appealable in the manner proscribed by state law.~~

...

XXV. Thurston County Code Chapter 25.04 TCC (‘STRUCTURE, INTERPRETATIONS, AND DEFINITIONS’) shall be amended to read as follows:

...

25.04.040 – Assessment of impact fees.

...

G. Impact fees, as determined after the application of appropriate credits, shall be collected from the applicant at the time the building permit is issued for each unit in the development, unless payment of fees was deferred pursuant to TCC ~~[12.04.125](#)~~, [25.04.125](#).

...

XXVI. Thurston County Code Chapter 25.35 TCC (SPECIAL REPORTS) shall be amended to read as follows:

...

25.35.360 – Wetlands – Critical area report – Minor reports.

A. A wetland critical area report – minor projects shall be submitted for:

1. Projects with less than five thousand square feet of impervious surfaces that will not encroach into a wetland or buffer; ~~and~~ or

2. Other projects on sites containing wetlands or buffers where all of the proposed development would be located at least four hundred feet from all wetlands, as verified in the field. This does not include intensive uses identified in TCC [24.30.200](#).

...

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