



1000 Friends of Washington
1617 Boylston Avenue, Suite 200
Seattle, WA 98122
(206) 343-0681 phone
(206) 709-8218 fax
www.1000friends.org

July 29, 2004

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Board of County Commissioners for Thurston County
Thurston County Courthouse
Building One, Room 269
2000 Lakeridge Drive SW
Olympia, Washington 98502

Subject: Clustered Development Ordinance Comments

Dear Chairman Oberquell and County Commissioners:

1000 Friends of Washington is a statewide public interest group working to keep overdevelopment from destroying farms, forests, and rural areas, while making cities and towns great places to live. We work with cities and counties to effectively implement the Growth Management Act and stop sprawl. We have members in Thurston County as we do throughout the state.

We understand that Thurston County is currently considering an interim clustered development ordinance, and we appreciate the opportunity to submit comments.

We support the interim clustered development ordinance if a modification is made so that rural densities are limited to no more than one dwelling unit per five acres. Both the current and proposed clustering regulations grant bonuses that allow rural densities of greater than one dwelling unit per five acres. In order to accomplish this modification, the use of density bonuses in the rural area could be eliminated or the base density could be increased in conjunction with application of a smaller density bonus so a maximum of one dwelling unit per five acres could be reached. The Western Washington Growth Management Hearings Board has written: "We have consistently found that densities greater than 1 unit per 5 acres are not rural densities." *Yanisch v. Lewis County*, Western WWMHB Case No. 02-2-0007c, Final Decision and Order p. *12 of 30 (December 11, 2002). The Western Board has also held that bonus densities must comply with the prohibition against growth outside urban growth areas. (*Warren Dawes et al. v. Mason County*, WWMHB No. 96-2-0023 Finding of Invalidity, Partial Compliance, Continued Noncompliance, and Continued Invalidity p. *16 of 20 January 14, 1999). The other three boards have also held that densities of more than one dwelling unit per five acres are not allowed in rural areas density bonuses must comply with this rule. *See Gig Harbor, et al. v. Pierce County*, CPSGMHB Case No. 95-3-0016c Final Decision and Order pp. 44 of 50 (October 31, 1995).

We urge you to make these changes in order to come into compliance with the

Growth Management Act. It is important to have a maximum density of one dwelling unit per five acres in the rural areas in order to maintain the rural character of Thurston County and to protect rural residents and the rural environment. We are very concerned that if a new ordinance is passed that continues to allow high densities in the rural area an appeal will be required.

If you have any questions, please feel free to contact Sydney McComas or Tim Trohimovich at (206)343-0681. Sydney's e-mail is: sydney@1000friends.org and Tim's is tim@1000friends.org Thank you for considering our comments.

Sincerely,

Sydney McComas
Urban Policy Advocate
1000 Friends of Washington
1617 Boylston Avenue, Ste 200
Seattle, Washington 98122

Enclosure

cc: Iken Nwankwo, Technical and Financial Assistance Program Manager, CTED
Jennifer Hayes, Associate Planner, Thurston County