

1 98107. Telephone: (206) 264-8600 and email: newman@bnd-law.com, griefen@bnd-law.com.
2 with copies to shaffer@bnd-law.com.

3 **II. THE CHALLENGED ACTION**

4 5. Petitioners challenge Thurston County Ordinance 16575 and Resolution 16574, both
5 adopted on December 16, 2025. Specifically, Petitioners challenge the Black Lake Quarry Land Use
6 Amendments (CPA-24), which amended the Future Land Use Map (L-1) and the Official Zoning Map
7 to rezone approximately 270 acres (Parcels 12718310000, 1371344000, 13724110000, 13724140000)
8 from Rural One Dwelling Unit per Twenty Acres (R 1/20) to Rural Resource Industrial (RRI).
9 Petitioners also challenge the County’s amendments to TCC 20.29.020. (All challenged actions
10 collectively referred to as the “Black Lake Quarry Land Use Amendments”). Copies of Thurston
11 County Ordinance 16575 and Resolution 16574 are attached to this Petition for Review as
12 Attachments A and B.
13
14

15 **III. DETAILED STATEMENT OF THE ISSUES**

16 6. Did the County violate RCW 36.70A.070 and RCW 36.70A.040(3)’s internal
17 consistency requirement by adopting amendments inconsistent with the locational guidelines for Rural
18 (1/20) and Rural Resource Industrial designations, because the properties are within the Black River
19 corridor, lack proximity to transportation infrastructure, contain more than minimal environmental
20 constraints, not free of critical areas, outside of urban water and sewer services, and where allowed
21 uses will cause significant adverse effects to surface and groundwater?
22

23 7. Did the County violate RCW 36.70A.040(3), RCW 36.70A.070, and RCW
24 36.70A.130(1)(e) by adopting amendments that conflict with Policies LU-1.B.10 and LU-1.B.11,
25 where the record affirmatively shows noncompliance and/or where there is an absence of analysis or
26 evidence demonstrating compliance with the policies’ mandatory criteria?

1 8. Did the County violate RCW 36.70A.040(3), RCW 36.70A.070, and RCW
2 36.70A.130(1)(e)'s consistency requirements by adopting amendments that are inconsistent with
3 Comprehensive Plan Policies NR-8.A.1, NR-8.A.2, and NR-9.A.1, where conflicts cannot be avoided
4 or minimized, the land is characterized by a predominance of environmental constraints, allowed uses
5 will adversely impact adjacent or nearby land uses, and post-extractive uses will conflict with those
6 identified at permitting?
7

8 9. Did the County violate RCW 36.70A.040(3), RCW 36.70A.070, and RCW
9 36.70A.130(1)(e)'s consistency requirements and fail to be guided by RCW 36.70A.020(10) by
10 adopting amendments that are inconsistent with Policies EROS-2.A.2 and EROS-2.A.3 where the
11 rezone authorizes permanent intensive industrial activity in extreme and highly sensitive aquifer
12 recharge areas?
13

14 10. Did the County violate RCW 36.70A.040(3), RCW 36.70A.070, and RCW
15 36.70A.130(1)(e)'s consistency requirements and fail to be guided by RCW 36.70A.020(10) by
16 adopting amendments inconsistent with Policies EROS 3.A.1, EROS 3.A.2, EROS 3.A.4, EROS
17 3.A.5, EROS-6.A.1, EROS 6.A.5, EROS 6.A.8, EROS 6.A.14, and EROS 6.A.16 where the rezone
18 authorizes permanent intensive industrial activity on properties immediately adjacent to a national
19 wildlife refuge, critical fish and wildlife habitat, listed species, and a natural shoreline designation?
20

21 11. Did the County fail to be guided by the goals in RCW 36.70A.020(2), (3), (4), (5), (9),
22 (10), and (14) by adopting amendments inconsistent with Comprehensive Plan policies and locational
23 guidelines identified above, where the subject properties lie within the Black River corridor; lack
24 proximity to transportation infrastructure, and where allowed uses will conflict with existing land uses
25 and cause direct harm to critical areas, fish and wildlife, and a national wildlife refuge?
26

1 is an all volunteer-based, non-profit, public interest organization whose 1300+ members share interests
2 in birds and other wildlife, their habitats and natural history. The Alliance's goals are to promote
3 environmental education and recreation and to maintain and protect our ecosystems for future
4 generations. While many members volunteer on committees as well, what makes the Alliance an
5 organization is the members' shared love of birds and wildlife, and enjoying them in their native
6 habitats. Knowing that bird populations are under threat, their conservation focus is on conserving and
7 protecting the ecosystems and habitat necessary for birds and all wildlife to thrive. They have a
8 particular focus on supporting endangered species and actively work to support all species' resilience
9 to a host of threats from development to climate change.
10

11 18. The Alliance has participation standing because they participated in the public
12 participation process for the adoption of the Black Lake Quarry Land Use Amendments via public
13 testimony and written correspondence. Their participation was reasonably related to the issues that are
14 presented in this Petition for Review.
15

16 19. The Alliance also has standing pursuant to RCW 34.05.530 because the Alliance and
17 members of the Alliance are prejudiced or likely to be prejudiced by the challenged legislation. The
18 Alliance actively advocated against further industrialization of the subject property for more than 25
19 years, due to its proximity to the precious Black River Corridor, which includes the Black River unit
20 of the Nisqually National Wildlife Refuge. The mine is adjacent to and in some places, overlaps with
21 Designated Critical Habitat for the federally endangered Oregon Spotted Frogs. Downstream from
22 the rezoned land is a National Audubon Important Bird Area (Mima Prairie/Glacial Heritage Preserve)
23 bordered on the eastern side by the extensive riparian habitat on the Black River.
24

25 20. The Alliance regularly schedules birding events in these areas, and several of its
26 members canoe or kayak on the Black River. Some members bird watch regularly at the 110th and

1 123rd Street bridges. The United States Fish and Wildlife Service and the County have just opened up
2 an elk viewing station within binocular distance of the 123rd Street bridge, and there is talk of
3 providing birding platforms in this area as a way to further Thurston county as a birding/eco-tourism
4 draw.

5
6 21. Rezoning this property to RRI will result in loss and degradation of habitat along the
7 Black River Corridor, both in the “pipeline” area by the mine and flowing south beyond the Audubon
8 Important Bird Area by Glacial Heritage down into the Chehalis River. Locally, loss of habitat means
9 fewer birds and lower biodiversity along this corridor, which will adversely impact the enjoyment that
10 members derive from birding in any of the areas served by the Black River’s extensive wetlands.
11 Members’ ability to recreate in the area and their enjoyment of the birds and other wildlife it supports
12 will be significantly impaired by the rezone.

13
14 22. In a broader context, the loss of freshwater/wetland habitat in the Black River Corridor
15 is likely to have an outsized impact in reducing bird and other wildlife populations. When that happens,
16 the Alliance’s organizational goals to protect bird species from threat cannot be met.

17 23. Industrial development that causes loss to ESA species in and near the Black River
18 will prevent the Alliance from meeting its goal of protecting ESA species from extirpation, leading
19 to extinction. That will be an environmental disaster that cannot be reversed.

20
21 24. The Alliance had expected the mine to be reclaimed and envisioned a future for this
22 site as part of the third aquatic wildlife corridor, as the Alliance proposed to Thurston County during
23 the Comprehensive Plan process. This corridor would have enabled wildlife movement and over time,
24 would have become a permanently conserved corridor. If the land is not reclaimed and instead is
25 industrialized, the Alliance’s vision for this corridor cannot be realized.

26

1 25. Robert Metzger has participation standing because he participated in the public
2 participation process for the adoption of Ordinance 16575 via public testimony. His participation was
3 reasonably related to the issues that are presented in this Petition for Review.

4 26. Robert Metzger also has standing pursuant to RCW 34.05.530 because he is prejudiced
5 or likely to be prejudiced by the challenged legislation. Mr. Metzger canoes the Black River adjacent
6 to and downstream of the parcels at least once each calendar year to enjoy the National Wildlife
7 Refuge, the unspoiled habitat, wildlife, and solitude. The adoption of the Black Lake Quarry Land Use
8 Amendments will adversely impact Mr. Metzger's enjoyment of the area for the reasons described
9 above, but also by increasing noise from nearby industrial activities, reducing water quality and
10 reducing potential wildlife sightings.

11 27. Gordon White has participation standing because he participated in the public
12 participation process for the adoption of Ordinance 16575 via public testimony and written
13 correspondence. His participation was reasonably related to the issues that are presented in this Petition
14 for Review.

15 28. Gordon White also has standing pursuant to RCW 34.05.530 because he is prejudiced
16 or likely to be prejudiced by the challenged legislation. Mr. White visits various locations along the
17 Black River Corridor yearly to appreciate the clean water, wildlife and ecologically valuable wetlands
18 of the corridor. The rezone allows development of industrial uses along the Black River Corridor that
19 could cause pollution of the air and water of the corridor. This causes harm to Mr. White's personal
20 enjoyment of the area. It also undermines his professional career spent assisting landowners and
21 conservation organizations on the corridor with research and funding for protecting water quality and
22 conserving wildlife habitat. Mr. White is one of the few who have canoed the full distance from the
23 South end of Black Lake all the way to the confluence with the Chehalis River. This has given him
24
25
26

1 firsthand knowledge of the fragile and unique ecology of the Black River. Allowing industrial uses
2 threatens harm to these interests.

3 29. Petitioners' interests are among those that the County was required to consider when
4 it adopted the Ordinance.

5 30. A judgment in favor of Petitioners would substantially eliminate or redress the
6 prejudice to them caused by the adoption of Ordinance 16575.
7

8 **V. ESTIMATED TIME FOR THE HEARING ON THE MERITS**

9 31. Petitioners estimate that the hearing on this matter will take up to 4 hours.

10 **VI. RELIEF SOUGHT**


11 Petitioner requests that the Board rule that the challenged action is noncompliant with the
12 GMA and that it issue a Declaration of Invalidity. Petitioner also seeks any other relief deemed
13 necessary by the Board.
14

15 The Petitioners have read this Petition for Review and believe the contents to be true.

16 Dated this 17th day of February, 2026.

17 Respectfully submitted,

18 BRICKLIN & NEWMAN, LLP

19 By: 
20 _____
21 Claudia M. Newman, WSBA No. 24928
22 Zachary Griefen, WSBA No. CITE.
23 123 NW 36th Street, Suite 205
24 Seattle, WA 98107
25 Tel: (206) 264-8600
26 Email: newman@bnd-law.com
griefen@bnd-law.com
Attorneys for Petitioners

ATTACHMENT A

ORDINANCE NO. 16575

AN ORDINANCE IMPLEMENTING CHANGES TO THE THURSTON COUNTY COMPREHENSIVE PLAN; AMENDING TITLES 18 AND 20 TCC; ADDING A NEW CHAPTER 20.30E TO ESTABLISH A MILITARY INFLUENCE OVERLAY DISTRICT, ADDING NEW CHAPTERS 20.55A AND 20.55B FOR ELECTRIC VEHICLE INFRASTRUCTURE AND SOLAR ENERGY STORAGE SYSTEMS; AND FULFILLING THE REQUIREMENTS OF THE WASHINGTON STATE GROWTH MANAGEMENT ACT BY AMENDING THE OFFICIAL ZONING MAP FOR THURSTON COUNTY, SECTION 20.06.010 TCC, AND THE OFFICIAL ZONING MAP FOR THURSTON COUNTY, WASHINGTON NORTH URBAN GROWTH AREAS AND TO PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Thurston County is required to plan under Chapter 36.70A RCW, the Growth Management Act (GMA), which contains fifteen goals that are intended to guide the development and adoption of comprehensive plans, which relate to urban growth, rural development, reduced sprawl, transportation, housing, economic development, property rights, permits, natural resource industries, open space and recreation, environment, citizen participation and coordination, public facilities and services, historic preservation, and shoreline management act goals and policies; and

WHEREAS, the GMA requires the comprehensive plan to demonstrate and uphold the concepts of internal consistency, conformity, and concurrency; and

WHEREAS, the GMA also requires a process of early and continuous citizen participation for amending comprehensive plans; and

WHEREAS, other Comprehensive Plan amendments are being pursued by Thurston County to address its current GMA update requirement; and

WHEREAS, the Board of County Commissioners (Board) has made findings of fact relating to the Thurston County Comprehensive Plan Amendments referenced in this resolution supporting said amendments which are set forth below for adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THURSTON COUNTY, AS FOLLOWS:

SECTION 1. FINDINGS. For the purposes of effective land use planning, the Board of County Commissioners of Thurston County adopts the following legislative findings of fact for adopted amendments:

A. GENERAL FINDINGS

1. Thurston County is required to plan under Chapter 36.70A RCW, the Growth Management Act (GMA), and has performed professional review, public notice, and comment with respect to these amendments.

2. The Thurston County Comprehensive Plan, as amended, collectively includes joint plans with the cities of Bucoda, Lacey, Olympia, Rainier, Tenino, Tumwater, and Yelm, as well as the

Nisqually, Rochester, and Grand Mound subarea plans. Plans contain chapters on land use, natural resource lands, housing, transportation, capital facilities, utilities, economic development, the natural environment, archaeological and historic resources, and climate change and resiliency that govern development throughout unincorporated Thurston County and comply with GMA requirements for comprehensive plans.

3. The development regulations in the Thurston County Zoning Ordinance (Title 20 TCC) apply to the unincorporated rural county as well as the unincorporated Urban Growth Areas (UGA) of Rainier, Yelm, Tenino, and Grand Mound. The locations and boundaries of the zoning districts established in the Thurston County Zoning Ordinance are shown on the Official Zoning Map, Thurston County, Washington (Chapter 20.06 TCC).

4. The GMA requires counties to adopt county-wide planning policies to guide the adoption of comprehensive plans and associated development regulations. The principal purpose of these policies is to ensure that the comprehensive plans and development regulations of counties and the cities within them are coordinated with each other.

5. The amendments to the TCC, the Thurston County Zoning Ordinance, adopted by this ordinance were prepared, considered, and adopted in compliance with county-wide planning policies.

6. The development regulation amendments adopted by this ordinance are consistent with and are intended to implement Comprehensive Plan amendments that were included on the 2024-2025 Official Comprehensive Plan Docket as required by Chapter 2.05 Thurston County Code (TCC), Growth Management Public Participation.

7. The County uses several methods to ensure early and continuous public participation and open discussion in the review of proposed amendments including but not limited to direct mailing, email lists, public town halls, internet information pages, and posted public notices.

8. The amendments to the Thurston County Code adopted by this ordinance were the subject of a series of public hearings before the Thurston County Planning Commission and the Thurston County Board of County Commissioners (Board) and separate work sessions by each body as required by the GMA and the Thurston County Code.

9. In formulating its recommendations, the Planning Commission considered public comments received through public hearings and the public process.

10. In formulating its decision, the Board considered comments received through public hearings and the public process.

11. This ordinance will amend the Thurston County Code, including the Thurston County Zoning Ordinance, the Official Zoning Map for Thurston County, WA, and the Official Zoning Map Thurston County, Washington North County Urban Growth Area.

12. The amendments contained in this ordinance will implement the corresponding Resolution.

13. In formulating the development regulations adopted by this ordinance, the Board has considered the goals contained in the GMA. The Board has weighed the goals as they apply to the subject matter of this ordinance.

14. The findings below and the record generated in the public hearing and review process and at the adoption of this ordinance show that the amendments are consistent with GMA goals.

15. The Board believes adopting the amendments are necessary for the preservation of the public health, safety, and general welfare of Thurston County residents.

16. The same findings of fact that support the comprehensive plan amendments contained in the corresponding Resolution are also relevant to the specific amendments to the official zoning map contained in this ordinance and are incorporated herein by this reference.

B. FINDINGS

TEN-YEAR PERIODIC UPDATE

IMPLEMENTING CODE UPDATES IN TITLES 18 AND 20

1. The GMA requires Thurston County to follow a schedule of review and update its Comprehensive Plan and development regulations known as the “periodic update” on a ten-year cycle, pursuant to RCW 36.70A.130(5). Associated development regulations were reviewed pursuant to the ten-year update schedule.

2. This periodic update, termed “Thurston 2045”, revises associated development regulations to ensure internal consistency and compliance with the Comprehensive Plan and GMA. Amendments as contained in this ordinance implement changes of the Comprehensive Plan adopted under corresponding resolution.

3. Under the schedule established in RCW 36.70A.130(5), the deadline established for the County to comply with the next update required by RCW 36.70A.130(1) is December 31, 2025.

4. The County reviewed and evaluated the Thurston County Comprehensive Plan and development regulations for the protection of critical areas in 2023 using the Department of Commerce Critical Areas Checklist 2022 and in 2024 using the Department of Commerce Critical Areas Checklist 2024 and determined no revisions are required at this time. This is presumed valid to satisfy this portion of the requirements of the ten-year update.

5. The County intends to pursue elective updates to the Critical Areas Ordinance in 2026 as a separately docketed project.

6. The Board approved a Scope of Work for the Thurston County Comprehensive Plan Periodic Update on May 2, 2023 under Resolution 16269.

7. Associated changes to the Thurston County Code as part of the periodic comprehensive plan update address military compatibility; forward climate mitigation efforts by providing clear land use standards for renewable energy projects; increase housing options in the rural area through streamlined mobile home permitting, detached accessory dwelling units, and incentives for cluster developments; provide for emergency and transitional housing opportunities; and address a projected low-income housing deficit in the Grand Mound Urban Growth Area by increasing minimum and maximum housing densities and housing types within Residential 3-6/1 and 4-16/1.

8. To ensure rural accessory dwelling units are only permitted consistent with historical rural density patterns, County staff shall prepare and present a written report to the Board at least once per year. At a minimum the report shall include tracking of permits issued for rural accessory dwelling units, including confirmation that no more than fifty (50) rural ADUs have been approved

annually, and reporting on progress towards that cap; calculation and reporting of impervious surface area associated with approved accessory dwelling units, including an evaluation of cumulative impacts in rural areas; review of applicable development standards, including but not limited to, setbacks, size, height, access, and siting requirements to assess whether these standards are consistent with rural character and environmental protection goals; and review or permitting constraints and conditions, including infrastructure capacity, compliance with critical areas regulations, and any trends, issues, or concerns identified through the permitting process. The annual review shall serve as a formal opportunity for the Board to evaluate the effectiveness of the regulations and to identify any needed adjustments. Any recommended changes may be brought forward through the County's annual permit review process or other appropriate legislative action, ensuring ongoing Board oversight while maintaining predictability for applicants.

9. A new chapter to add regulations for coordination with the neighboring military installation on proposed amendments and permits is added as Chapter 20.30E, and includes a new overlay to the Official Zoning map of Thurston County, Washington as adopted by this ordinance. The overlay does not change the underlying zoning.

10. Thurston 2045 outreach occurred at more than sixty-seven events, including some topic specific presentations to external community groups. Events and groups presented to included but were not limited to Nisqually Pride and Health Fair, Rochester-Grand Mound Chamber of Commerce, Local Good Governance Coalition, Juneteenth Celebration, Back to School Bash, LatinX, Cielo, Alliance for a Healthy South Sound, Olympia Master Builders, Storm and Surface Water Advisory Board, Historic Commission, and South Thurston Economic Development Initiative.

11. Thurston County hosted listening sessions in 2023 on July 18 and August 5 and several in-person and online open house events in 2024 on June 13 and 14, September 18, and December 4 and in 2025 on February 15, April 23 and 26, and June 21.

12. The Thurston County Planning Commission reviewed topics of the periodic update at 39 work sessions between November 2022 and September 2025.

13. The Thurston County Planning Commission held two public hearings on Thurston 2045 on April 23 from 6-9 PM and April 26, 2025 from 10 AM to 2 PM.

14. At 10 work sessions following the public hearings, the Thurston County Planning Commission reviewed and made recommendations on the Thurston 2045 drafts.

15. The Thurston County Planning Commission made a series of recommendations on August 27, 2025 to recommend that industrial uses be limited to those that support natural resource operations, that changes be pursued to achieve 5% rural growth over the next planning period with implementation beginning in the next 2-6 years, that housing densities be increased within residential areas of Grand Mound to meet housing deficits, that rural detached accessory dwelling units ("ADUs") be allowed within 100 feet of the primary structure on a parcel, and that conservation subdivisions with a density bonus provision be allowed.

16. The Board reviewed Thurston 2045 prior to holding a public hearing over a series of 7 work sessions that focused on element updates of the Comprehensive Plan and 1 work session focused on public comment received.

17. The Board held a public hearing on November 4, 2025. Following the public hearing, the Board held 1 work session to provide preliminary direction on major policy decisions.

18. The Board concurs with the Planning Commission’s recommendation. The Board further recognizes that attaining an approximate five percent share of countywide growth in the rural area during the next planning period depends on actions by external partners—including the cities, regional service providers, and other agencies and therefore should not be construed as a standard of strict compliance. Accordingly, the Comprehensive Plan shall express this as an aspirational objective to strive toward approximately five percent rural growth, while preserving flexibility to adjust strategies and tools if partner actions or market conditions prevent achievement of that level.

19. A SEPA Determination of Significance was issued on July 18, 2024 (Project No. 2024102629). A draft SEIS was issued on February 13, 2025. A Final SEIS was issued on December 5, 2025.

20. Pursuant to RCW 36.70A.106, a notice of intent to adopt (ID 2025-S-8490) was sent to the Washington State Department of Commerce on August 11, 2025.

21. Associated development regulations reflect the Planning Commission’s recommendation and the Board’s clarification and amend Title 18 and Title 20 to implement policy changes of the Comprehensive Plan.

22. The Board finds that changes to the associated development regulations will increase types of housing availability, respond to projected housing deficits for the low income 0-80% income bracket in Grand Mound, provide for transitional and emergency housing, improve compatibility with the neighboring military installation Joint Base Lewis-McChord, and forward climate mitigation efforts.

23. The Board finds the amendments are consistent with other sections of the Thurston County Code.

24. The Board finds the amendments are consistent with the Thurston County Comprehensive Plan.

C. FINDINGS

MINOR LAND USE AND ZONING CORRECTIONS

1. Thurston County GeoData annually conducts a review of the land use and zoning layer to identify and address misalignments from the parcel boundaries that warrant correction.

2. Misalignments between land use, zoning, and parcel boundaries may occur when the parcel fabric is updated.

3. Corrections of split land use and zoning designations were made on parcels to conform land use designation and zoning boundaries with current parcel boundaries and to provide uniform land use and zoning across the property.

4. All corrections of split zoning designations as contained in this ordinance are displayed in the Official Zoning Map, Thurston County, Washington and the Official Zoning Map Thurston County, Washington North County Urban Growth Areas.

5. All corrections contained in this ordinance are implemented on map L-1 Future Land Use, and the future land use maps of Urban Growth Areas, as applicable, through the corrections adopted under corresponding Resolution.

D. FINDINGS

FORT EATON PARK ZONING MAP AMENDMENT

1. Thurston County GeoData annually conducts a review of the land use and zoning layer to identify and address misalignments from the parcel boundaries that warrant correction.

2. In 2022, Thurston County Development Services and Thurston County GeoData identified the area zoned as Public Parks at parcels 21706130101, 21706130102, 21706130103, 21706130104, 21706130105, 21706130106, 21706130107, 21706130108, 21706130109, 21706130111, and 77000600200 (collectively, east parcels) as an error that should be corrected to McAllister Geologically Sensitive Area and an error at parcel 09610023015 (west parcel) that should be corrected to Public Park.

3. The east parcels were previously identified as a “public park” prior to 2015 through a parks layer and was designated and zoned as such when the public parks zoning district was first created. In 2015, the eastern portion of the park was removed from the parks layer, but the eastern portion of the property was not re-designated back to residential.

4. The western portion of the park was never appropriately designated or zoned as a public park.

5. The land use and zoning designation of the eastern parcels are corrected to match their existing uses – residential within the McAllister Geologically Sensitive Area.

6. This correction is reflected on the Official Zoning Map, Thurston County Washington.

7. All corrections contained in this Ordinance are implemented in the Official Zoning Map, Thurston County Washington, adopted under the corresponding Resolution.

E. FINDINGS

GRAND MOUND ZONING MAP AMENDMENT

1. Regional analysis conducted through the TRPC Thurston County 2020-2045 Housing Need Allocations by Income (December 2024) shows capacity and needs. TRPC forecasts 54,356 net new homes countywide (2020–2045). The rural county is assigned 7,531 homes by 2045 and does not show any deficit by income bracket. Grand Mound is assigned 310 units through 2045 and shows a deficit of units in the 0-80% income bracket of approximately 222 units.

2. Thurston County is obligated under the Growth Management Act to plan for and accommodate housing affordable to all income levels—including emergency housing, emergency shelters, and permanent supportive housing—identify sufficient land capacity at appropriate densities (primarily within UGAs), specify programs and actions to achieve housing availability, and review and remove policies that cause racially disparate impacts, displacement, or exclusion, consistent with RCW 36.70A.070(2).

3. Changes made within the Comprehensive Plan adopted by corresponding Resolution and within associated development regulations under Section B of this Ordinance provide for housing within Grand Mound in the 0-80% income bracket, including Accessory Dwelling Units and Low-Rise Multifamily, as well as other types of multi-family housing. They also increase densities.

4. This ordinance updates the titles of the zoning districts consistent with other amendments adopted by this ordinance and corresponding resolution. Residential 3–6 units per acre is updated to Residential 5–12 units per acre, and Residential 4–16 units per acre is updated to Residential 8–24 units per acre. The Arterial Commercial district does not have a name change, but consistent with code changes in Section B of this Ordinance now allows residential up to 24 units per acre with higher minimums to support compact, sewer-served urban form.

F. FINDINGS

BLACK LAKE QUARRY ZONING MAP AMENDMENT

1. The Black Lake Quarry Land Use Amendment and Associated Rezone updates the Official Zoning Map Thurston County, Washington. It also updates the Thurston County Future Land Use Map in corresponding Resolution.

2. The Thurston County Official Zoning Map Thurston County, Washington is amended to change the land use designation of approximately 270 acres (Parcels 12718310000, 1371344000, 13724110000, 13724140000) at 4741 88th Ave SW from Rural One Dwelling per 20 Acres (R 1/20) to Rural Resource Industrial (RRI).

3. Public outreach for the amendment was conducted and included a community open house held in April 2025, a webpage that included staff contact information and engagement options, a postcard sent to property owners of parcels within 500 feet of the subject parcels, notices and updates via webmail, a social media post, a project fact sheet, and general solicitation of written comments.

4. The Thurston County Planning Commission reviewed the proposed amendment over four work sessions in 2025 on June 4, June 18, July 2, and September 3. A public hearing with the Planning Commission was held on August 6, 2025. The Planning Commission voted 6-3 to recommend denial of the requested amendment on September 3, 2025.

5. Pursuant to RCW 36.70A.106, a notice of intent to adopt (2025-S-10987) was sent to the Washington State Department of Commerce on October 10, 2025.

6. A SEPA Mitigated Determination of Non-significance was issued on September 18, 2025 for the Black Lake Quarry property (SEPA Folder No. 25-112064) under SEPA (RCW 43.21C) for the changes therein. The SEPA comment period ended October 2, 2024 with thirty-two public comments received. The SEPA appeal period ended on October 9, 2025 with no appeals of the determination received.

7. The Board held a briefing on the proposed land use amendment and rezone on October 15, 2025 and a follow up briefing on October 21, 2025

8. On October 21, 2025 the Board scheduled a public hearing for November 12, 2025.

9. The Board considered public testimony and recommendations by the Planning Commission in light of GMA, including its goals, the Thurston County Comprehensive Plan, and other related plans.

10. The Board has determined that the proposed land use and rezone amendment provides land use and zoning for rural resource industries that support natural resources and the rural economy, without increasing or requiring urban services, and is consistent with rural character.

11. The Board has determined that the amendments contained in this resolution are consistent with the Thurston County Comprehensive Plan and Thurston County Code (TCC).

SECTION 2. THURSTON COUNTY ZONING ORDINANCE AMENDMENTS. In accordance with the provisions of this ordinance, the Thurston County Zoning Ordinance (Title 18 and 20) is hereby amended as shown in Attachment A to this Ordinance.

SECTION 3. MINOR ZONING CORRECTIONS. In accordance with the provisions of this ordinance, the Official Zoning Map, Thurston County Washington and the Official Zoning Map for Thurston County, Washington North County Urban Growth Areas is hereby amended as shown in Attachment B to include reflected minor zoning corrections.

SECTION 4. FORT EATON ZONING CORRECTION. In accordance with the provisions of this ordinance, the Official Zoning Map, Thurston County Washington is hereby amended as shown in Attachment C.

SECTION 5. GRAND MOUND ZONING DISTRICT RENAMING. In accordance with the provisions of this ordinance, the Official Zoning Map, Thurston County Washington is hereby amended as shown in Attachment D, and renames Residential 3-6/1 to Residential 5-12/1 and Residential 4-16/1 to Residential 8-24/1.

SECTION 6. BLACK LAKE QUARRY ZONING AMENDMENT. In accordance with the provisions of this ordinance, the Official Zoning Map, Thurston County Washington is hereby amended as shown in Attachment E.

SECTION 7. MILITARY INFLUENCE AREA OVERLAY ZONING OVERLAY. In accordance with the provisions of this ordinance, the Official Zoning Map of Thurston County, Washington is hereby amended to show a new Military Influence Area Overlay as shown in Attachment F.

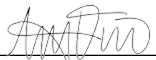
SECTION 8. SEVERABILITY. If any section, subsection, sentence, clause, phrase or other portion of this resolution or its application to any person is, for any reason, declared invalid, illegal or unconstitutional in whole or in part by any court or agency of competent jurisdiction, said decision shall not affect the validity of the remaining portions hereof.

SECTION 9. CORRECTIONS. Upon approval of the Prosecuting Attorney's Office, the Clerk of the Board is authorized to make any necessary corrections to any map, mapped boundary, section, subsection, sentence, clause, phrase or other portion of this resolution for scrivener or clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

SECTION 10. EFFECTIVE DATE. This ordinance shall take effect immediately upon adoption.


ADOPTED: December 16, 2025

ATTEST:



Clerk of the Board

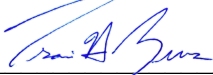
BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington



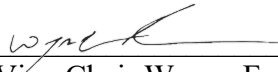
Chair Tye Menser

APPROVED AS TO FORM:

JON TUNHEIM
PROSECUTING ATTORNEY



Travis Burns,
Deputy Prosecuting Attorney



Vice-Chair Wayne Fournier



Commissioner Carolina Mejia



Commissioner Rachel Grant

Opposed

Commissioner Emily Clouse