



Community Planning and Development

City of Olympia

601 4th Avenue E – PO Box 1967

Olympia WA 98507-1967

Phone: 360.753.8314

Date: July 24, 2015

To: Olympia Hearing Examiner

From: Todd Stamm, Principal Planner *TS*

Subject: Medela Rezone - Development Scenarios Comparing Potential Land Use Zones

This memorandum responds to the Examiner’s questions regarding the mix of housing types likely in the three land use zones being considered for this nine-acre property as asked at the hearing on July 20. As described below, this memo includes some broad assumptions to arrive at conclusions and is provided solely to provide one comparison of possibilities. No conclusion should be drawn from this approach regarding the actual development that may result from any particular land use zoning.

Assumptions for all scenarios

- The development will exceed the density common to the zone in other Olympia locations, i.e., the developer will seek to build a higher density than is projected citywide for the zone.
- The gross developable area of the site will be eight acres, i.e., one acre of the site will be ‘lost’ to critical area buffers and inefficiency related to the existing development on the site.
- No ‘bonuses,’ variances, or other discretionary approvals related to density will be obtained.
- The developer will seek to mitigate conflicts with neighboring properties by lowering densities on the west boundary of the site. Impacts to the north may also be mitigated, but are likely to be by means that do not affect overall density or the mix of housing types.
- The net buildable area (gross area less streets, stormwater facilities, etc.) of the site would be a little over 5 acres. The lack of perimeter street connections could increase this number, but other inefficiencies of the site could lower it.
- Apartments would have surface parking, and not be located under the buildings.

Summary result of scenarios described below

Zone	Single-family detached homes	Townhouse units	Duplex or Triplex units	Units in Apartment Buildings with 5 or more	Total housing units
R 4-8	20	40	0	0	60
MR 10-18	13	22	30	24	89
RM-18	13	24 townhouse or triplex units		78	115



Single- Family Residential 4-8 units per acre zone

Between 25 and 35% of a single-family development site is generally required for streets, tree tracts, and stormwater facilities. Minimum lot sizes of 5,000 square feet and larger control the density of single-family detached homes. Thus this site could readily accommodate between 30 and 45 detached homes. Developers seeking to increase densities exercise the smaller-lot 'reduced setback' and townhouse options of the zone. Without discretionary approvals, the maximum density provisions of the zone would limit the site to about 60 units. A developer could achieve that type of density by building 5 pairs of townhomes in the land area usually required for 6 detached homes.

Assuming a net buildable area of about 5.2 acres, this approach leads to a scenario of about 20 detached homes and 40 townhomes (20 pairs). For comparison with this total of 60 units; 30 homes on 8 acres would result from the average city-wide density in this zone of 3.75 units/acre gross density.

Mixed Residential 10 to 18 unit per acre

This zone allows all types of housing, but requires that 35 to 75% of housing be single-family dwellings (detached or townhomes), the remainder are to be apartments, but only 35% of all units can be in buildings with 5 or more units (OMC 18.04.060.Q), across Chambers Street from the single-family zone only detached homes and duplexes are allowed (OMC 18.04.060.N) and lot sizes along Chambers Street may be no less than 85% of the minimum size of the adjacent R 4-8 zone (OMC 18.04.080.D). (Note: OMC 18.04.060.Q also requires mixing of the housing types – but this minimally affects overall densities.)

Assuming 13 standard single-family homes on 45' x 100' lots are constructed along Chambers Street (about 680 feet of frontage less two new east-west streets) and given minimum lots sizes -- the remaining 3.85 net acres could include 11 pairs of townhomes, 30 units in 10 triplexes, and 24 apartment units in 4 or less larger buildings. (Equal to 39% single-family housing and 27% in larger apartment buildings.) This total of 89 units may be compared with the common city-wide density of 6 units per acre for this zone which would result in about 48 units.

Multi-family Residential 18 units per acre

In this zone, no more than 70% of the housing may be of one type – detached, townhouse, duplex, triplex, or larger apartment building, and across Chambers Street from the single-family zone only detached homes and duplexes are allowed. (OMC 18.04.060.N) Lot sizes along Chambers Street may be no less than 85% of the minimum size of the adjacent R 4-8 zone. (OMC 18.04.080.D)

The combination of these limitations as applied to the net area of a little over five acres could result in 13 single family homes along Chambers Street as assumed above for MR 10-18 zone, plus 24 units in triplexes or townhomes) and 78 units in large apartment buildings for a total of 115 units. The common density in this zone is 10.8 units per acre which would equal about 86 units.



Community Planning and Development

City of Olympia

601 4th Avenue E – PO Box 1967

Olympia WA 98507-1967

Phone: 360.753.8314

MEMORANDUM

Date: July 24, 2015
To: Olympia Hearing Examiner
From: Todd Stamm, Principal Planner *TS*
Subject: Medela Rezone – Sample Daily Traffic Counts

During the public hearing of July 20, 2015, many interested parties commented on the current and anticipated or projected traffic associated with future development in the area. Various numbers were stated regarding future daily traffic counts, sometimes referred to as “ADT” (average daily traffic). In general the stated numbers referred to the total traffic on a street in both directions.

Raw traffic numbers sometimes have little meaning for understanding the scale of the traffic being discussed. The attached summary of actual traffic numbers at other residential locations in Olympia was offered by staff and is provided to provide examples of locations in Olympia that have traffic levels in the range addressed at the hearing, and to illustrate that the estimates discussed at the meeting are not dissimilar to actual traffic in other residential locations.

In interpreting this table, please note that “w/o” means “west off,” “s/o” means “south off,” etc., i.e., these designations indicate where along the particular street the traffic was counted. Count dates are provided just to document the specific count being transmitted to the Examiner and not as evidence of the merit or accuracy of any particular count.

Attachment: Table of July 22 prepared by Public Works Department Transportation Engineering



City of Olympia
Public Works Department
Transportation Engineering

Street Sections with ADT in approximate ranges of
300 (250-450), 600 (450-750), and 900 (750-1100)

Location	Date	NB	SB	Total	EB	WB	Total
250-450 ADT							
Madison Ave w/o Percival St	1/27/15	117	110	227	-	-	0
Fairview St s/o 5th Ave	6/17/15	246	155	401	-	-	0
Giles Ave e/o Division St	2/12/14	-	-	0	105	156	261
Conger Ave e/o Division St	2/12/14	-	-	0	163	106	269
450-750 ADT							
Bush Ave e/o Bing St	4/14/15	-	-	0	325	251	576
Central St n/o State Ave	1/13/15	368	294	662	-	-	0
Plymouth St n/o Jackson Ave	1/27/15	263	441	704	-	-	0
Fir St s/o 5th Ave	6/17/15	402	304	706	-	-	0
Fir St n/o State Ave	1/13/15	409	337	746	-	-	0
Pine Ave w/o Garrison St	5/20/14	-	-	0	334	372	706
26th Ave NE w/o Bethel St	5/20/14	-	-	0	368	375	743
750-1100 ADT							
Bush Ave w/o Bing St	4/14/15	-	-	0	450	352	802
Rogers St s/o Madison Ave	1/27/15	423	351	774	-	-	0
Rogers St n/o Garfield Ave	5/12/15	482	395	877	-	-	0
Crestline Blvd s/o Oriole Ln	3/31/15	542	421	963	-	-	0
Quince St n/o State Ave	1/13/15	400	678	1078	-	-	0
Cooper Crest n/o 20th Ave NW	4/22/15	550	558	1108	-	-	0
9th Ave SW e/o Decatur St	2/12/14	-	-	0	575	334	909
Fir St s/o 4th Ave	5/20/14	470	295	765	-	-	0
Pattison St n/o Martin Way	4/22/14	463	392	855	-	-	0
Percival St s/o 9th Ave	2/12/14	576	288	864	-	-	0
Central St n/o Legion Way	9/2013			975			
Central St s/o Legion Way	9/2013			848			

Ordinance No. 6973

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, REDUCING FROM TEN ACRES TO FIVE ACRES THE THRESHOLD FOR REQUIRING THAT MULTIFAMILY HOUSING PROJECTS IN THE RM-18 AND RMU ZONES INCLUDE A VARIETY OF HOUSING TYPES; AND AMENDING OLYMPIA MUNICIPAL CODE SUBSECTION 18.04.060.N.

WHEREAS, the Washington State Growth Management Act requires that development codes be consistent with Comprehensive Plans; and

WHEREAS, Olympia's Comprehensive Plan update, adopted in December of 2014, includes a policy update in PL16.12 that was made for the purpose of addressing public concerns about large-scale apartment projects with regard to their aesthetics and ability to provide a diversity of housing types within a neighborhood; and

WHEREAS, the updated policy PL16.12 requires a mix of single-family and multi-family structures in villages, mixed residential density districts, and apartment projects when these exceed five acres; and

WHEREAS, this amendment to Olympia Municipal Code (OMC) Subsection 18.04.060.N would be consistent with the updated policy by reducing from ten acres to five acres the threshold for requiring that multifamily projects in the Residential Multifamily 18-units per Acre (RM-18) and Residential Mixed Use (RMU) zoning districts include a variety of housing types (not more than 70% of any one housing type); and

WHEREAS, the Olympia Planning Commission received a briefing on the proposed code amendment on August 19, 2013, held a public hearing on February 10, 2014, and deliberated on February 24, 2014, and April 21, 2014; and

WHEREAS, following the public hearing and deliberations, the Planning Commission recommended amending OMC Subsection 18.04.060.N to reduce from ten acres to five acres the threshold for requiring multifamily projects in the RM-18 and RMU zoning districts to include a variety of housing types (not more than 70% of any one housing type); and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), the City issued a Determination of Non-significance on the proposed code amendment on March 25, 2015; and

WHEREAS, no appeal of the SEPA Determination of Non-significance was submitted; and

WHEREAS, this Ordinance meets the goals and requirements of the Growth Management Act; and

WHEREAS, Chapters 35A.63 and 36.70A RCW and Article 11, Section 11 of the Washington State Constitution authorize and permit the City to adopt this Ordinance; and

WHEREAS, this Ordinance is supported by the staff report and materials associated with this Ordinance, along with other documents on file with the City of Olympia, including but not limited to documents relating to the 2014 Comprehensive Plan update; and

WHEREAS, this Ordinance is also supported by the professional judgment and experience of the City staff who have worked on this proposal; and

WHEREAS, City Staff are known to the City Council, and staff's curriculum vitae shall be part of the record in support of this Ordinance; and

WHEREAS, the above recitals shall be treated as findings of fact in support of this Ordinance;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amendment of OMC 18.04.060. Olympia Municipal Code Subsection 18.04.060.N is hereby amended to read as follows:

N. LARGE MULTIFAMILY HOUSING PROJECTS.

To ensure that large multifamily housing projects provide a transition to adjoining lower density development, multifamily projects shall be subject to the following requirements:

1. Mix of Dwelling Types.

a. In the RM-18 and RMU districts, no more than seventy (70) percent of the total housing units on sites of ~~ten (10) five (5)~~ or more acres shall be of a single dwelling type (e.g., detached single-family units, duplexes, triplexes, multi-story apartment buildings, or townhouses).

b. Multifamily housing projects in the RM-18 or RMU districts on sites of five (5) or more acres, which abut an existing or approved multifamily development of five (5) or more acres, shall contain a mix of dwelling types such that no more than eighty (80) percent of the total units in both projects (combined) are of one (1) dwelling type. The Director (or Hearing Examiner if applicable) shall grant an exception to this requirement if s/he determines that topography, permanent buffers, or other site features will sufficiently distinguish the developments.

2. Transitional Housing Types. In the RM-18, MR 7-13 and MR 10-18 districts detached single-family houses or duplexes shall be located along the perimeter (i.e., to the depth of one (1) lot) of multifamily housing projects over five (5) acres in size which are directly across the street and visible from existing detached single-family houses. Townhouses, duplexes, or detached houses shall be located along the boundary of multifamily housing sites over five (5) acres in size which adjoin, but do not directly face, existing detached single-family housing (e.g., back to back or side to side). The Director (or Hearing Examiner) may allow exceptions to these requirements where existing or proposed landscaping, screening, or buffers provide an effective transition between the uses. (See Chapters 18.170 Multi-Family Residential Design Guidelines and 18.36.140 Residential Landscape requirements.)

Section 2. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

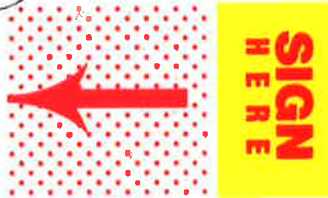
Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 4. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.


MAYOR

ATTEST:


CITY CLERK



APPROVED AS TO FORM:


CITY ATTORNEY

PASSED: 7/21/2015

APPROVED: 7/21/2015

PUBLISHED: 7/23/2015

RESOLUTION NO. 15019

A RESOLUTION AMENDING THE THURSTON COUNTY COMPREHENSIVE PLAN TO AMEND THE LAND USE PLAN MAP, AMEND THE COMPREHENSIVE PLAN FOR OLYMPIA AND THE OLYMPIA URBAN GROWTH AREA LAND USE PLAN MAP, AMEND THE COMPREHENSIVE PLAN FOR GROWTH MANAGEMENT AND JOINT COMPREHENSIVE PLAN WITH THURSTON COUNTY FOR THE CITY OF RAINIER, AMEND THE CITY OF LACEY AND THURSTON COUNTY LAND USE PLAN FOR THE LACEY URBAN GROWTH AREA; CLARIFY THE METHODS FOR LEGISLATIVE AND NON-LEGISLATIVE COMPREHENSIVE PLAN AMENDMENTS, 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 fourteen 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, the adoption of the Thurston County Comprehensive Plan must be processed in compliance with the requirements of the State Environmental Policy Act (SEPA); and

WHEREAS, the Board of County Commissioners (Board) has made findings of fact relating to the Thurston County Comprehensive Plan and Joint 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, provided public notice, and received public comment with respect to these amendments; and

2. The GMA requires counties to adopt county-wide planning policies to guide the adoption of comprehensive plans. The principle purpose of these policies is to insure

that the comprehensive plans of counties and the cities within them are coordinated and consistent with each other. The amendments to the Thurston County Comprehensive Plan adopted by this resolution were prepared, considered and adopted in compliance with the county-wide planning policies; and

3. The Thurston County Comprehensive Plan, as amended, collectively includes joint plans with the cities of Bucoda, Lacey, Olympia, Rainier, Tenino, Tumwater, Yelm, and other sub-area plans, with chapters on land use, natural resource lands, housing, transportation, capital facilities, utilities, economic development, the natural environment, archeological and historic resources that govern development throughout unincorporated Thurston County and comply with GMA requirements for comprehensive plans; and

4. The amendments to the Thurston County Comprehensive Plan adopted by this resolution were included on the 2013-14 Comprehensive Plan Official Docket as required by Chapter 2.05 Thurston County Code (TCC), Growth Management Public Participation; and

5. The amendments to the Thurston County Comprehensive Plan adopted by this resolution were the subject of a series of public hearings before the Thurston County Planning Commission and the Board and separate work sessions by each body as required by the GMA and the Thurston County Code; and

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

7. The Board held a duly noticed public hearing on March 25, 2014 for the changes contained in this resolution; and

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

9. This resolution will amend the Thurston County Comprehensive Plan and related joint plans; and

10. In formulating the Comprehensive Plan amendments adopted by this resolution, 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 resolution; and

11. 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, internet information pages, and posted public notices; and

12. The findings below and the record generated in the public hearing process and at the adoption of this resolution show that this measure is consistent with the GMA goals; and

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

B. FINDINGS

MEDELA LAND USE PLAN AMENDMENT REQUEST.

1. The Medela Group, LLC, requested consideration of a site specific Comprehensive Plan amendment of approximately 9.01 acres of property located in an unincorporated county island in Olympia's Urban Growth Area; and
2. The request would change the land use and zoning from Residential Four to Eight Units per Acre (R 4-8) to Residential Multifamily Eighteen Units per Acre (RM-18); and
3. Access to the property is provided from Boulevard Street SE and provides access to 7th Avenue SE and 9th Avenue SE which tie into Chambers Street SE and tie into 8th Avenue SE; and
4. The Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area was adopted in 1994 by the City of Olympia and Thurston County; and
5. The City of Olympia and Thurston County jointly plan for the unincorporated portion of the City of Olympia Urban Growth Area as required by the Thurston County County-Wide Planning Policies; and
6. Thurston County is the lead SEPA agency for this proposal and issued a Determination of Non-Significance (DNS) on October 11, 2012; and
7. The SEPA DNS was appealed on November 1, 2012 by "Concerned Eastside Neighbors/Teresa Goen-Burgman, Joe Hanna, et al; and
8. On April 10, 2013, following a public hearing on the SEPA appeal and subsequent recommendation by the County's Hearing Examiner, the Board of County Commissioners upheld the SEPA Determination of Non-Significance (DNS) and denied the appeal; and
9. The Thurston County and Olympia Planning Commissions held a joint public hearing on October 10, 2012; and
10. On October 22, 2012, the Olympia Planning Commission issued a 5-2 majority recommendation of approval; and
11. On November 7, 2012, the Thurston County Planning Commission failed to pass a recommendation on to the Board due to a lack of votes by the majority of the Planning Commission membership; and
12. On January 7, 2014, the Olympia City Council issued a 4-2 majority recommendation of approval to the Board of County Commissioners; and
13. Written and oral comments have been received on the proposal by the public. Concerns raised by the public include traffic, pending annexation, neighborhood safety and character, flooding and loss of wildlife habitat related to the development of the site; and
14. The City of Olympia has begun to review the land use designations of this area of the City, including this property, for possible area-wide land use designation changes; and

15. In reviewing the land use amendment proposal, the Board considered the recommendation by the City of Olympia taking into account the goals of the GMA, the Thurston County Comprehensive Plan, the Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area, other related plans, and the evidence presented during this amendment process and described herein; and

16. The Board finds that the piecemeal re-designation of the subject property is not a sound planning practice and the site should be considered for possible redesignation in conjunction with the surrounding area; and

17. The Board also finds that the property is currently being annexed by the City of Olympia and any land use amendment should be left for the City to decide as they plan for the surrounding area.

SECTION C:

KEN LAKE LAND USE PLAN AMENDMENT

1. The City of Olympia and Thurston County jointly plan for the unincorporated portion of the City of Olympia Urban Growth Area as required by the Thurston County County-Wide Planning Policies; and

2. The Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area was adopted in 1994 by the City of Olympia and Thurston County; and

3. In reviewing the land use amendment proposal, the Board considered recommendations by the City of Olympia and the Thurston County Planning Commission taking into account the goals of the GMA, the Thurston County Comprehensive Plan, the Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area, other related plans, and the evidence presented during this amendment process and described herein; and

4. The Ken Lake land use plan amendment project includes the reassessment of land use and zoning of properties in the study area described below taking into consideration drainage issues and impacts on neighboring properties, and flooding, among other limitations; and

5. The properties in the Ken Lake Land Use Plan amendment include approximately 106 acres in the unincorporated City of Olympia Urban Growth Area generally located south of the 101 freeway and to the east and west of Kaiser Rd SW; and

6. The area is currently designated Residential Four (4) Dwelling Units per Acre (R-4) in the Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area; and

7. The proposed amendment would change the land use designation to Residential Low Impact 2-4 Units per acre; and

8. On December 7, 2010 the Board approved Ordinance No. 14443 which established interim zoning and regulations for the study area; and

9. According to the Thurston County Comprehensive Plan, the County should weigh the need to accommodate projected growth in a particular area against the potential

impacts of that growth on critical areas, other environmentally sensitive areas, and impacts on neighboring properties; and

10. The proposed amendment was reviewed by the City of Olympia through their Comprehensive Plan docketing and amendment process; and

11. The Thurston County Planning Commission held a duly noticed public hearing on January 15, 2014; and

12. The City of Olympia Planning Commission held a duly notice public hearing on August 15, 2011, and following the public hearing on August 29, 2011 recommended adoption of the land use plan amendment as shown in Attachment A to this resolution; and

13. The City of Olympia City Council held a duly noticed public hearing on November 1, 2011, and following the public hearing adopted Ordinance No. 6775 amending the Olympia Comprehensive Plan, and recommended adoption of the amendment as shown in Attachment A to this resolution to the Board; and

14. The Thurston County Planning Commission recommended adoption of the amendment on January 15, 2014 as shown in Attachment A to this resolution; and

15. The Board held a duly noticed public hearing on this amendment to the Comprehensive Plan for Olympia and the Olympia Urban Growth Area on March 25, 2014, along with other comprehensive plan amendments; and

16. The Board considered public comment received for the March 25, 2014 public hearing, recommendations by the City of Olympia and the Thurston County Planning Commission in light of the GMA, including its goals, the Thurston County Comprehensive Plan, the Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area; and

17. The Board finds that the Thurston County Urban Growth Areas as a whole will accommodate projected growth and development over the 30 year planning horizon; and

18. The City of Olympia served as the Lead Agency under SEPA (Chapter 43.21C RCW) for the changes contained in this resolution relating to this amendment; and

19. A determination of non-significance was issued by the City of Olympia under SEPA (Chapter 43.21C RCW) on October 10, 2011 for the changes contained in this resolution for the Comprehensive Plan for the City of Olympia and the Olympia UGA.

D. FINDINGS

NORTH THURSTON SCHOOL DISTRICT LAND USE PLAN AMENDMENT

1. The North Thurston School District requested a site specific Comprehensive Plan amendment and associated rezone for 72.09 acres for a future school campus, and an amendment to the Urban Growth Area of the City of Lacey for inclusion of the subject property; and

2. The City of Lacey and Thurston County jointly plan for proposed changes in the Urban Growth Area for the unincorporated portion of the City of Lacey as required by the Thurston County County-Wide Planning Policies; and
3. The area is currently designated Rural Residential/Resource One Unit per Five Acres (RRR 1/5) in the Thurston County Comprehensive Plan; and
4. The Open Space/Institutional (OSI) land use designation and zoning district is intended to protect and preserve certain areas of land devoted to existing and future uses for civic, cultural, educational and similar facilities; and
5. The proposed amendment was reviewed by the City of Lacey; and the City supported the efforts of the North Thurston School District to bring the site into the Urban Growth Area; and
6. On February 10, 2014, the proposed amendment to the Urban Growth Boundary to the City of Lacey was reviewed by the Urban Growth Management Subcommittee of the Thurston Regional Planning Council as provided for in the County-Wide Planning Policies and it recommended adding the property into the City of Lacey Urban Growth Area; and
7. Inclusion of the property in the Urban Growth Area for the City of Lacey will allow the site to be served by municipal water and sewer and provide for increased protection of the Henderson Inlet Shellfish Protection Area; and
8. The proposal is consistent with the goals and policies contained in the Comprehensive Plan and the criteria contained in the County Wide Planning Policies; and
9. In reviewing the UGA resizing and land use proposal, the Board considered recommendations by the City of Lacey, the Urban Growth Management Subcommittee and the Thurston County Planning Commission taking into account the goals of the GMA, the Thurston County Comprehensive Plan, the Comprehensive Plan for the City of Lacey and the Lacey Urban Growth Area, other related plans, and the evidence presented during this amendment process and described herein; and
10. The Thurston County Planning Commission held a duly noticed public hearing on January 15, 2014; and
11. A determination of non-significance was issued by Thurston County under SEPA (Chapter 43.21C RCW) on February 6, 2014 for the changes contained in this resolution for the Comprehensive Plan and amendment of the urban growth boundary to the City of Lacey; and
12. The Thurston County Planning Commission recommended adoption of the amendment on January 15, 2014 as shown in Attachment B to this resolution, which shows the Open Space Institutional designation applied to the property for the reasons stated herein; and
13. The Board held a duly noticed public hearing on the amendments to the Comprehensive Plan and the Lacey Urban Growth Area on March 25, 2014; and
14. The Board considered public comment received for the March 25, 2014 public hearing, recommendations by the City of Lacey, the Urban Growth Management

Subcommittee of Thurston Regional Planning Council, and the Thurston County Planning Commission in light of the GMA, including its goals. The Board also considered the Thurston County Comprehensive Plan, and the Comprehensive Plan for the City of Lacey; and

15. The Board concurs with the recommendation of the Thurston County Planning Commission, the Urban Growth Management Subcommittee of Thurston Regional Planning Council, and the City of Lacey for the reasons stated herein and the information provided during the public process.

E. FINDINGS

CITY OF RAINIER LAND USE PLAN AMENDMENT AND UGA RESIZING

1. The City of Rainier Comprehensive Plan for Growth Management and Joint Comprehensive Plan with Thurston County serves as the comprehensive plan and land use plan for the unincorporated portion of the City of Rainier's UGA; and

2. Thurston County received a letter on November 23, 2010 requesting the County amend the City of Rainier UGA to add the recently constructed Southeast Thurston Fire Authority (Fire District #4) fire station located on a one acre property at 12506 133rd Avenue SE; and

3. With this amendment, the land use designation will change from Rural Residential/Resource One Unit per Five Acres to Public Facility on the future land use map in the joint plan with the City of Rainier; and

4. Property in the unincorporated City of Rainier UGA remains zoned as Rural Residential/Resource One Unit per Five Acres until such time as a property is annexed; and

5. The Board finds that the proposed amendment will not add any development capacity to the City of Rainier UGA and the Thurston County UGA as a whole due to its current development with an existing fire station and the Public Facility land use designation; and

6. The City of Rainier and Southeast Thurston Fire Authority (Fire District #4) had agreed on annexation of the subject property once the station was built, however, without this amendment to the City of Rainier UGA, annexation may not occur; and

7. The Thurston County Planning Commission held a duly noticed public hearing on September 4, 2013, and following the public hearing, voted to recommend approval of the proposed land use plan and UGA boundary amendment; and

8. The City of Rainier conducted its own separate public process, and on March 11, 2014 the City of Rainier City Council voted unanimously to approve the expansion of the Rainier UGA; and

9. The Board of County Commissioners held a duly noticed public hearing on March 25, 2014; and

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

11. The City of Rainier served as the Lead Agency under SEPA (Chapter 43.21C RCW) for the changes contained in this resolution relating to this amendment; and

12. A determination of non-significance was issued by the City of Rainier under SEPA (Chapter 43.21C RCW) on August 31, 2013 for the changes contained in this resolution relating to this amendment.

F. FINDINGS

COMPREHENSIVE PLAN AMENDMENT METHODS

CHAPTERS 12 AND 13 OF THE COMPREHENSIVE PLAN

1. Resolution No. 14845 added a Plan Amendments chapter to the Comprehensive Plan and renumbered Chapters 12 and 13 of the Comprehensive Plan; and

2. The language in Chapters 12 and 13 of the Thurston County Comprehensive Plan is inconsistent with state law and case law regarding the nature of comprehensive plan amendments and needs to be updated; and

3. Current text in Chapters 12 and 13 state that comprehensive plan amendments may be considered quasi-judicial; and

4. Zoning changes where there is no corresponding comprehensive plan amendment are classified as a project action under state law (RCW 36.70B.020(4)); and

5. Amending a comprehensive plans and development regulations are legislative processes governed by Chapter 36.70A RCW, the Growth Management Act, and Chapter 35.63 RCW; and

6. Under RCW 42.36.010, comprehensive plan amendments are specifically excluded from the list of quasi-judicial actions because these amendments are classified as legislative; and

7. Recent case law has shed some light on the ongoing question of whether or not a site-specific rezone that requires a comprehensive plan amendment is a project action subject to Chapter 36.70B RCW; and

8. The appeals court in *Kittitas County v. Kittitas County Conservation District* (No. 30728-0-III) and in *Spokane County v. Eastern Washington Growth Management Hearings Board* (No. 30725-5-III) found that rezones already authorized by a comprehensive plan are a project action subject to Chapter 36.70B RCW and Chapter 36.70C RCW, and rezones that require a comprehensive plan amendment to be approved are legislative amendments; and

9. The Thurston County Planning Commission held a duly noticed public hearing on January 15, 2014 to take public testimony as required by Chapter 2.05 TCC Growth Management Public Participation; and

10. On January 15, 2014, the Thurston County Planning Commission recommended adoption of the amendment; and

11. On March 25, 2014, the Board held a duly noticed public hearing on the amendment; and

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

13. The Board concurs with the Thurston County Planning Commission's recommendation and county staff recommendations for the reasons stated herein and the information provided during the public process; and

14. A determination of non-significance was issued by Thurston County under SEPA (Chapter 43.21C RCW) on February 7, 2014 for the changes contained in this resolution.

G. FINDINGS

AGRICULTURAL LANDS OF LONG TERM COMMERCIAL SIGNIFICANCE

I. General

1. Chapter 36.70A RCW, the Growth Management Act, requires local governments to maintain and enhance natural resource based industries, including agricultural lands by the conservation of productive agricultural lands and to discourage incompatible land uses; and

2. Chapter 365-190 WAC establishes the minimum guidelines for classifying and designating agricultural resource lands and criteria established by local government; and

3. On December 29, 2008, Resolution No. 14180 was adopted which amended the Natural Resource chapter of the Thurston County Comprehensive Plan and established revised criteria to be used to designate long term commercially significant agricultural lands; and

4. In December, 2012, the Board of County Commissioners approved the redesignation of 186 acres of property from Long Term Agriculture to Rural One Unit per Ten Acres; and

5. On March 13, 2013, Futurewise filed a Petition for Review with the Western Washington Growth Management Hearings Board challenging the de-designation of 186 acres from Long Term Agriculture and cited the failure to designate and assure the conservation of agricultural lands of long-term commercial significance; and

6. The Western Washington Growth Management Hearings Board requested that the parties engage in settlement discussion to resolve the issues presented in the Petition for Review; and

7. A negotiated settlement agreement by Futurewise, Thurston County, and the property owner was reached which required an amendment of the Comprehensive Plan; and

8. Section 20.59.050 TCC contains the procedural provisions for legislative rezones and text amendments that pertain to public participation requirements; and

9. Chapter 20.08A of the Thurston County Zoning Ordinance contains the provisions that guide the purpose, uses, subdivision and design standards for lands zoned Long-Term Agriculture District (LTA).

II. Schader Crown Ranch

1. Judy Schader Rogers, owner of approximately 188.5 acres of property located at 19726 128th Avenue SE, Yelm, has agreed to an amendment that would change the land use and zoning designations for the 188.5 acres to Long-Term Agriculture (LTA); and
2. The site contains existing agricultural uses including the grazing of cattle; and
3. Adjacent properties include a mixture of grazing lands, timbered areas and scattered residential use; and
4. The parcels subject to this request are contained in a Grassland Reserve Program Conservation Easement to the United States Department of Agriculture's Natural Resources Conservation Service; and
5. The Thurston County Planning Commission held a duly noticed public hearing on January 15, 2014 to take public testimony as required by Chapter 2.05 TCC Growth Management Public Participation; and
6. On January 15, 2014, the Thurston County Planning Commission recommended that 188.5 acre be redesignated and zoned Long Term Agriculture (LTA) from Rural/Residential Resource – One Unit per Five Acres (RRR 1/5); and
7. On March 25, 2014, the Board held a duly noticed public hearing on the amendment; and
8. The Board considered recommendations by the Thurston County Planning Commission and planning staff in light of the GMA, including its goals, and the Thurston County Comprehensive Plan; and
9. A determination of non-significance was issued by Thurston County under SEPA (Chapter 43.21C RCW) on February 6, 2014. The SEPA comment period ended on February 27, 2014 and there were no public comments received and no appeal of the SEPA determination; and
10. The Board decided to re-designate all 188.5 acres to the Long Term Agriculture (LTA) designation based on the Planning Commission recommendation, public testimony, and information in the record.

III. Soils Amendment

1. Resolution No. 14180 adopted December 29, 2008 amended the Natural Resource chapter of the Thurston County Comprehensive Plan and established revised criteria to be used to designate long term commercially significant agricultural lands; and
2. Chapter 3 of the Thurston County Comprehensive Plan contains designation criteria that are to be used by the County when designating lands as LTA; and
3. Soil characteristics are one aspect of the criteria to be considered for designation as Long Term Agriculture; and
4. A negotiated settlement agreement has been reached between Futurewise and Thurston County to add language to the text of the Comprehensive Plan stating that the

list of prime farmland soil types listed in the plan are not intended to be exclusive criteria; and

5. The Thurston County Planning Commission held a duly noticed public hearing on January 15, 2014 to take public testimony as required by Chapter 2.05 TCC Growth Management Public Participation; and

6. On January 15, 2014, the Thurston County Planning Commission recommended the inclusion of the proposed language to Chapter 3 of the Comprehensive Plan soil criteria; and

7. On March 25, 2014, the Board held a duly noticed public hearing on the amendment; and

8. The Board considered recommendations by the Thurston County Planning Commission and planning staff in light of the GMA, including its goals, and the Thurston County Comprehensive Plan; and

9. A determination of non-significance was issued by Thurston County under SEPA (Chapter 43.21C RCW) on February 6, 2014. The SEPA comment period ended on February 27, 2014 and there were no public comments received and no appeal of the SEPA determination; and

10. The Board decided to include text language in Chapter Three, Natural Resource Lands, Agricultural Lands Soil Types based on the Planning Commission recommendation, public testimony, and information in the record.

SECTION 2. KEN LAKE LAND USE PLAN AMENDMENT. In accordance with the provisions of this resolution, the Future Land Use Map 1-3 in the Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area as adopted by Thurston County is hereby amended as shown in Attachment A.

SECTION 3. NORTH THURSTON LAND USE PLAN AMENDMENT. In accordance with the provisions of this resolution, the Future Land Use Map M-15 and the Thurston County Urban Growth Area Map M-14 in the Thurston County Comprehensive Plan and the future land use map in the Comprehensive Plan for the City of Lacey and the Lacey UGA as adopted by Thurston County is hereby amended as shown in Attachment B.

SECTION 4. CITY OF RAINIER LAND USE PLAN AMENDMENT. the Future Land Use Map M-15 and the Thurston County Urban Growth Area Map M-14 in the Thurston County Comprehensive Plan and the future land use map in the Comprehensive Plan for the City of Rainier Comprehensive Plan for Growth Management and Joint Comprehensive Plan with Thurston County as adopted by Thurston County is hereby amended as shown in Attachment C.

SECTION 5. COMPREHENSIVE PLAN AMENDMENT METHODS. In accordance with the provisions of this resolution, Chapters 12 and 13 are hereby amended as shown in Attachment D to this resolution.

SECTION 6: SCHADER CROWN RANCH LAND USE PLAN AMENDMENT. In accordance with the provisions of this resolution, Map M-15, Future Land Use, in Chapter 2 of the Thurston County Comprehensive Plan is hereby amended as shown in Attachment E to this resolution.

SECTION 7: LONG TERM AGRICULTURE SOILS AMENDMENT. In accordance with the provisions of this resolution, Chapter 3 of the Thurston County Comprehensive Plan is hereby amended as shown in Attachment F of this resolution.

SECTION 8. LAND USE ALLOCATION TABLES. In accordance with the provisions of this resolution, Table 2-1A, Percentage of Land Allocated for Rural Uses, in Chapter 2 Land Use in the Thurston County Comprehensive Plan is hereby amended as shown in Attachment G to this resolution.

SECTION 9. 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 10. EFFECTIVE DATE. This resolution shall take effect immediately upon adoption.

ADOPTED: May 20, 2014

ATTEST:

Laborita J. Boyman
Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington

Karen Valenzuela
Chair

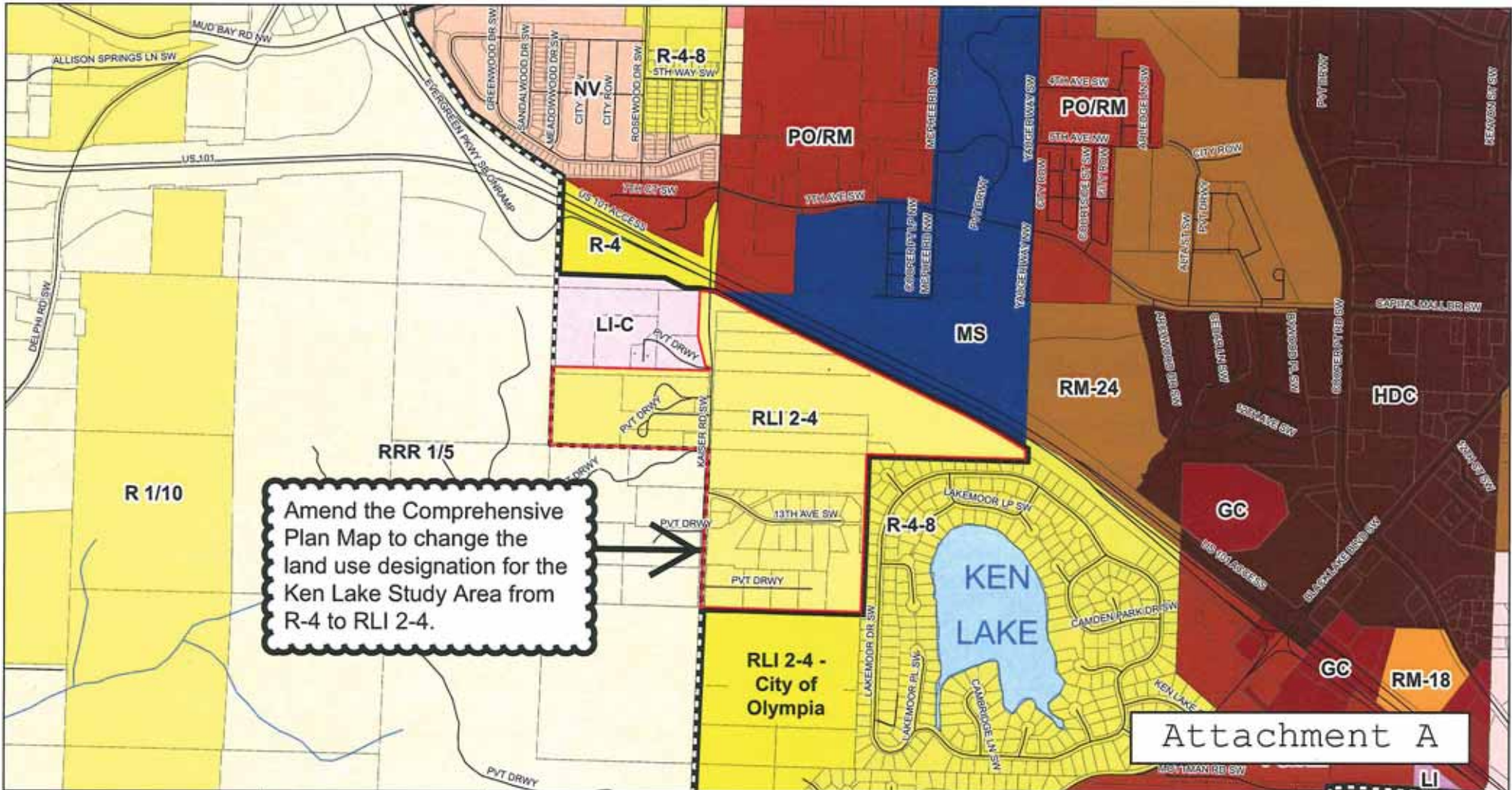
APPROVED AS TO FORM:

JON TUNHEIM
PROSECUTING ATTORNEY

Andrea Romero
Vice-Chair

Jeffrey G. Fancher
Deputy Prosecuting Attorney

Cathy Stalpe
Commissioner



**Ken Lake Study Area
Land Use Plan
Amendment
Attachment A**

Thurston County Planning Department
21 Feb 2012 - 101



- Thurston County Zoning**
- R 1/10 - Rural 1/10
 - RRR 1/5 - Rural Residential Reserve 1/5
- Olympia UGA Zoning**
- RLI 2-4
 - NV - Neighborhood Village
 - LI-C - Light Industrial Commercial

- City of Olympia Zoning**
- R-4 Single Family Residential 4 Units per Acre
 - R-4-8 - Residential 4-8 Units per Acre
 - R-6-12 - Residential 6-12 Units per Acre
 - RM-18 Residential Multifamily 18 Units per Acre
 - RM-24 Residential Multifamily 24 Units per Acre
 - AS - Auto Services

- NV - Neighborhood Village
- NR - Neighborhood Retail
- PO/RM - Professional Office/Residential
- GC - General Commercial
- HDC - High Density Center
- LI - Light Industrial
- MS - Medical Service



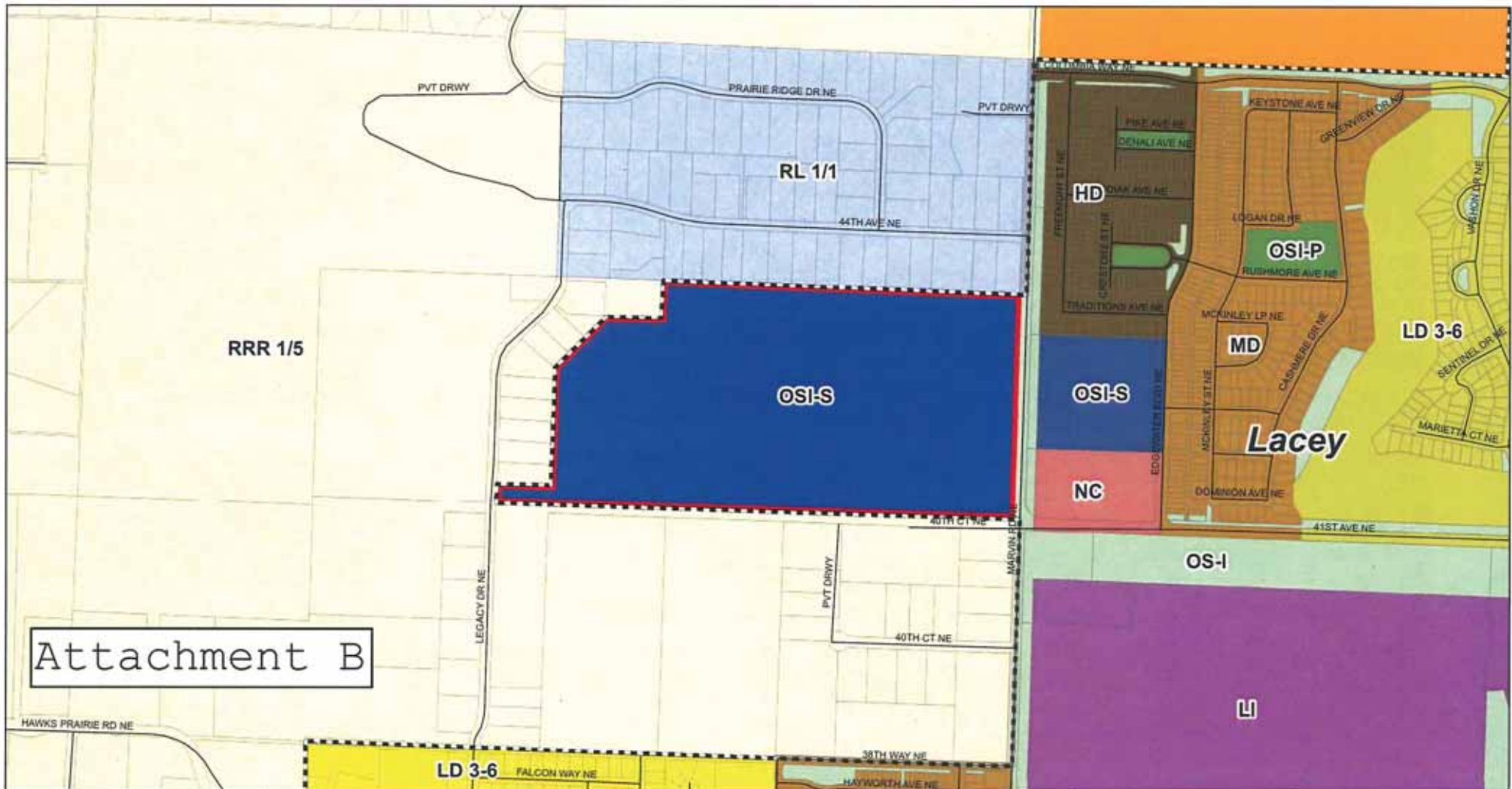
THURSTON COUNTY
WASHINGTON
NMCT 1052

Thurston County makes every effort to ensure that this map is a true and accurate representation of the work of County Government. However, the county and all related personnel make no warranty, express or implied, regarding the accuracy, completeness or convenience of any information disclosed on this map. Nor does the County accept liability for any damage or injury caused by the use of this map.

To the fullest extent permissible pursuant to applicable law, Thurston County disclaims all warranties, express or implied, including, but not limited to implied warranties of merchantability, data fitness for a particular purpose, and non-infringement of proprietary rights.

Under no circumstances, including but not limited to negligence, shall Thurston County be liable for any direct, indirect, incidental, special or consequential damages that result from the use of, or the inability to use, Thurston County materials.

Attachment B



Attachment B

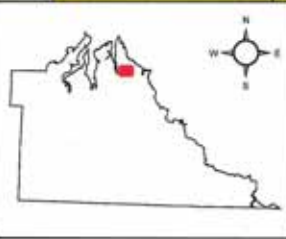
Applicant:
North Thurston Public Schools District #3

Amendment:
Adjust UGA Boundary; Rural Residential/Resource One Unit per Five Acres to Open Space Institutional (Lacey UGA)

Project Info:
72.09 Acres

Application #:
2010103630

Thurston County Planning Department
Map Created on 17 Sept 2012 - 38



County Zoning

- RRR1/5 - Rural Residential Resource 1/5
- UR 1/5 - Urban Reserve 1/5
- RL1/1 - Residential LAMIRD 1/1
- Applicant Parcels
- Urban Growth Area

0 250 500 750 1,000 Feet

City of Lacey Zoning

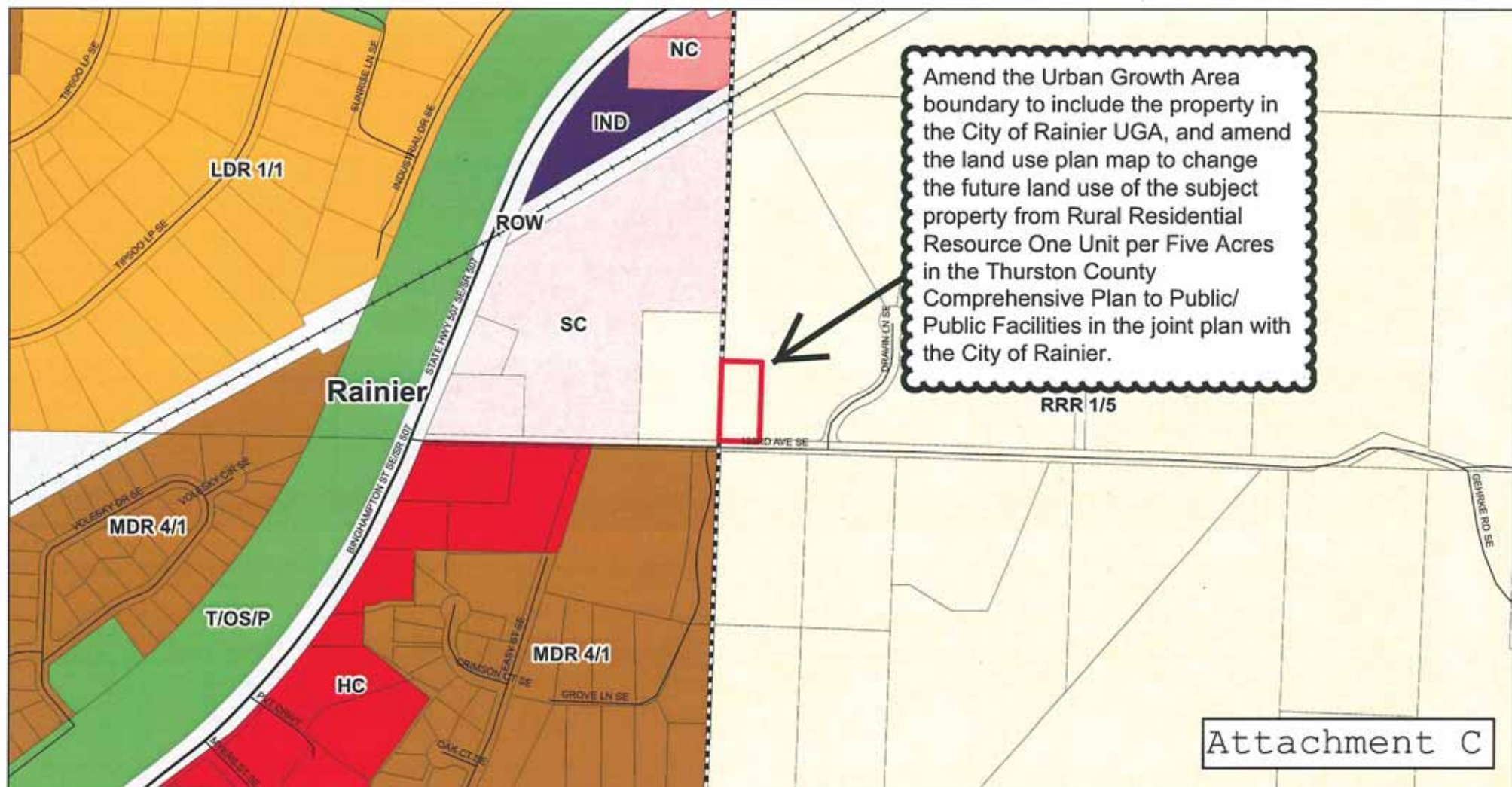
- OS-I - Open Space Institutional
- OS-I-P - Open Space Park
- OS-I-S - Open Space School
- HD - High Density Residential
- MD - Moderate Density Residential
- LD 3-6 - Low Density Residential 3-6
- NC - Neighborhood Commercial
- LI - Light Industrial



Thurston County makes every effort to ensure that this map is a true and accurate representation of the work of County Government. However, the county and all related personnel make no warranty, express or implied, regarding the accuracy, completeness or correctness of any information disclosed on this map. Nor does the County accept liability for any damage or injury caused by the use of this map.

To the fullest extent permissible pursuant to applicable law, Thurston County disclaims all warranties, express or implied, including, but not limited to implied warranties of merchantability, data fitness for a particular purpose, and non-infringement of proprietary rights.

Under no circumstances, including, but not limited to negligence, shall Thurston County be liable for any direct, indirect, incidental, special or consequential damages that result from the use of, or the inability to use, Thurston County materials.



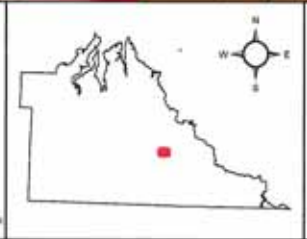
Applicant:
City of Rainier - Fire District #4

Amendment:
Adjust UGA Boundary; Rural Residential/Resource One Unit per Five Acres to Public Facility

Project Info:
1 Acre

Joint Plan Amendment

Thurston County Planning Department
Map Created on 17 Sept 2012 - 81



Rainier Zoning

- RRR1/5 - Rural Residential Resource 1/5
- LDR1/1 - Low Density Residential 1/1
- MDR4/1 - Medium Density Residential 4/1
- SC - Service Commercial
- Applicant Parcels
- Urban Growth Area

Scale: 0 100 200 400 600 800 Feet

- NC - Neighborhood Commercial
- HC - Highway Commercial
- IND - Industrial
- T/OS/P - Trails/Open Space/Parks
- ROW - Right of Way
- County Zoning**
- RRR1/5 - Rural Residential Resource 1/5
- RL1/1 - Residential LAMIRD 1/1



Thurston County makes every effort to ensure that this map is a true and accurate representation of the work of County Government. However, the county and all related personnel make no warranty, express or implied, regarding the accuracy, completeness or convenience of any information disclosed on this map. Nor does the County accept liability for any damage or injury caused by the use of this map.

To the fullest extent permissible pursuant to applicable law, Thurston County disclaims all warranties, express or implied, including, but not limited to implied warranties of merchantability, data fitness for a particular purpose, and non-infringement of proprietary rights.

Under no circumstances, including, but not limited to negligence, shall Thurston County be liable for any direct, indirect, incidental, special or consequential damages that result from the use of, or the inability to use, Thurston County materials.

Attachment D:

Site Specific Comprehensive Plan Amendment
Procedure

CHAPTER TWELVE -- PLAN AMENDMENTS

This chapter provides information about the process for amending the Comprehensive Plan and related plans.

Appendix D includes, for reference, the adopting resolutions for all amendments to the Comprehensive Plan since its initial adoption in 1975. All amendments are incorporated into this revised Comprehensive Plan.

I. GENERAL PROVISIONS

A. Growth Management Act-Compliance with State Law:

1. All amendments to this Comprehensive Plan must conform to the Washington State Constitution.
2. All amendments to this Comprehensive Plan must conform with the requirements of the Washington State Growth Management Act, Chapter 36.70A RCW.
3. All amendments to this Comprehensive Plan must conform with the requirements of other applicable state laws. Other state laws that may apply include the Planning Commission Act (Chapter 35.63 RCW), the State Environmental Policy Act (Chapter 43.21C RCW), the Subdivision Act (Chapter 58.17 RCW), the Shoreline Management Act (Chapter 90.58 RCW), the Watershed Management Act (Chapter 90.82 RCW), and other laws regarding drinking water, water rights, municipal services, and pollution control.

B. Timing:

1. Proposed amendments to this Comprehensive Plan will be considered no more frequently than once per year, and all proposals will be considered concurrently so the cumulative effect of the various proposals can be ascertained. Information about the County's annual schedule for processing Comprehensive Plan amendments is available from the ~~Development Services~~ Planning Department. The table shown below describes, in general, the amendment review process.
2. The County may adopt amendments more frequently than once per year if an emergency exists, or if otherwise permitted by law.
3. In addition to the amendment schedule described above, the Comprehensive Plan will be reviewed ~~amended every seven (7) years, beginning in 2004,~~ pursuant to the timelines established in RCW 36.70A.130.

II. TYPES OF COMPREHENSIVE PLAN AMENDMENTS

A. ~~Multiple Processes~~

The Thurston County Comprehensive Plan is composed of numerous separate plan documents, including this Comprehensive Plan, which focuses on the rural area, joint plans for each Urban Growth Area in the County, subarea plans for specific geographic areas of the County, and functional plans, such as the Sewerage General Plan and the Grand Mound Water General Plan. ~~All plan amendments are considered only once per year.~~ Joint plan amendments require review by both the County and the city or town for which the urban growth area is established. In some cases, the city, town, or County proposes the change; in other cases, the amendment is proposed by a member of the public. All amendments are reviewed by the Thurston County Planning Commission, with final decision by the Board of County Commissioners.

The docketing process for considering amendments to the Thurston County Comprehensive Plan is in Growth Management Public Participation, Chapter 2.05, Thurston County Code. Docketing refers to the process of establishing and maintaining a list of proposals that may be considered by the Board for possible amendment of the Comprehensive Plan. Dockets are useful for providing information about amendment proposals that may be considered by Thurston County in advance of public hearings and other review procedures. This chapter also establishes the County's minimum public participation and notification requirements when amending the Comprehensive Plan and associated development regulations.

For information about the different processes for amending the Comprehensive Plan, contact the ~~Development Services~~ Resource Stewardship Department - Long Range Planning or check the Long Range Planning Department website www.thurstonplanning.orgwww.co.thurston.wa.us/permitting/.

B. ~~Legislative and Quasi-Judicial Amendments~~

1. ~~Whether a proposed action is characterized as legislative or quasi-judicial is a legal determination made on a case-by-case basis. A decision that formulates a general policy applicable to a broad class of situations and to a large number of parcels and persons, not readily identifiable, is generally legislative in nature.~~

~~A decision that applies an existing policy to a specific number of parcels in readily identifiable ownership is generally a quasi-judicial action. Furthermore, a decision which formulates policy yet affects relatively few individuals will generally be characterized as a quasi-judicial action, regardless of who applied for the change.~~

~~Plan amendments that apply to a specific site, frequently in conjunction with an identifiable development proposal, may be initiated by an applicant. For further information, contact the Development Services Department.~~

2. — In evaluating whether a proposed amendment is quasi-judicial or legislative, the Development Services Department will use the criteria described in 1, above, and the following criteria:

a. — Would the proposed amendment support or conflict with existing Comprehensive Plan goals and policies? Amendments that include or require changes to broadly applied policies are generally legislative amendments.

b. — Would the proposed amendment support or conflict with existing interjurisdictional policies or agreements? Amendments that would require changes to such policies or agreements are generally legislative amendments.

c. — Would the proposed amendment support or conflict with County Wide Planning Policies? Proposed Comprehensive Plan amendments that would require amendments to the County Wide Planning Policies are legislative amendments and cannot be initiated by an applicant.

d. — Any amendments to urban growth area boundaries are generally legislative amendments.

III. APPEALS

A. Growth Management Hearings Board Review:

Challenges to amendments to the Comprehensive Plan or related plans that are within the jurisdiction of the Growth Management Hearing Board, shall be processed according to the law governing such challenges.

B. Judicial Review:

Judicial appeals to review any decision concerning the amendment of the Comprehensive Plan, including related plans, must meet all procedural requirements provided by law. The plaintiff bringing any such action shall pay the full cost of transcription of the record prepared for judicial review.

Table 12-1:

**GENERAL STEPS FOR ANNUAL
COMPREHENSIVE PLAN AMENDMENTS**

County-Initiated Amendments	Joint Plan Amendments*	Quasi-Judicial Citizen Initiated Amendments
Staff Development of Proposals and Public Involvement	Staff Development of Proposals and Public Involvement <u>and</u> <u>Cities/Towns Submit Amendments</u>	Applicant Prepares Complete Application and SEPA document(s)
<u>Placement on the Preliminary Comprehensive Plan Docket</u>	<u>Placement on the Preliminary Comprehensive Plan Docket</u>	<u>Placement on the Preliminary Comprehensive Plan Docket</u>
Internal Staff Review <u>and Initial County Commissioner Review</u>	<u>Cities/Towns Submit Amendments</u> ; Internal Staff Review <u>and Initial County Commissioner Review</u>	Internal Staff Review <u>and Initial County Commissioner Review</u>
<u>Public Review of Preliminary Docket</u>	<u>Public Review of Preliminary Docket</u>	<u>Public Review of Preliminary Docket</u>
<u>Final Docketing Decision by the Board</u>	<u>Final Docketing Decision by the Board</u>	<u>Final Docketing Decision by the Board</u>
Thurston County Planning Commission (TCPC) Briefing	Thurston County Planning Commission (TCPC) Briefing	Thurston County Planning Commission (TCPC) Briefing
TCPC Public Hearing(s) and Recommendation	TCPC Public Hearing(s) and Recommendation	TCPC Public Hearing(s) and Recommendation
Board of County Commissioners (BOCC) Briefing	Board of County Commissioners (BOCC) Briefing	Board of County Commissioners (BOCC) Briefing
BOCC Public Hearing(s) and Action	BOCC Public Hearing(s) and Action	BOCC Public Hearing(s) and Action

* Each city will conduct its own review and decision on joint plan amendments.

CHAPTER THIRTEEN -- GLOSSARY

...

~~**Legislative Amendments.** Whether a proposed action is characterized as legislative or quasi-judicial is a legal determination made on a case-by-case basis. A decision which formulates a general policy applicable to a broad class of situations and to a large number of parcels and persons, not readily identifiable, is generally legislative in nature.~~

...

~~**Quasi-Judicial Amendments.** Whether a proposed action is characterized as legislative or quasi-judicial is a legal determination made on a case-by-case basis. A decision which applies an existing policy to a specific number of parcels in readily identifiable ownership is generally a quasi-judicial action. Furthermore, a decision which formulates policy yet affects relatively few individuals will generally be characterized as a quasi-judicial action.~~

...

Chapter ~~Eleven~~Twelve describes the process for amending this Comprehensive Plan. This Appendix contains a list of the resolutions adopting amendments to this Plan. Reference copies of the resolutions are available ~~at~~from the Clerk of the Board~~Development Services Department~~. Adoption of Capital Facilities Plan updates usually occurs with the adoption of the annual County budget and may not be listed below.

(Resolution 11589, 12/15/97)

APPENDIX D

LIST OF PLAN AMENDMENTS

<u>Date Adopted:</u>	<u>Description of Amendment</u>	<u>Resolution Number</u>
May 12, 1986	Boston Harbor Sewerage General Plan	8344
July 20, 1987	Boston Harbor Water General Plan	8687
January 11, 1988	Grand Mound Sewerage General Plan	8833
April 17, 1990	Thurston County Sewerage General Plan	9445
June 4, 1990	Tamoshan Comprehensive Water System Plan	9472
January 30, 1992	Interim Capital Facilities Plan 1992-1997	9995
November 16, 1992	Nisqually Sub-Area Plan and Zoning	Ord. 10199
April 20, 1993	Grand Mound Water General Plan	10316
August 16, 1993	Amendments to Resource Lands Element	10400
April 11, 1994	Amendments to West Olympia Urban Growth Management Boundaries	10605
April 18, 1994	Capital Facilities Plan 1994-1999	10617
May 9, 1994	Carlyon Beach Sewerage General Plan	10634
July 25, 1994	Comprehensive Plan for Olympia and the Olympia Growth Area	10683
August 22, 1994	City of Tenino Comprehensive Plan for Growth Management and the Joint Comprehensive Plan for Growth Management	10702

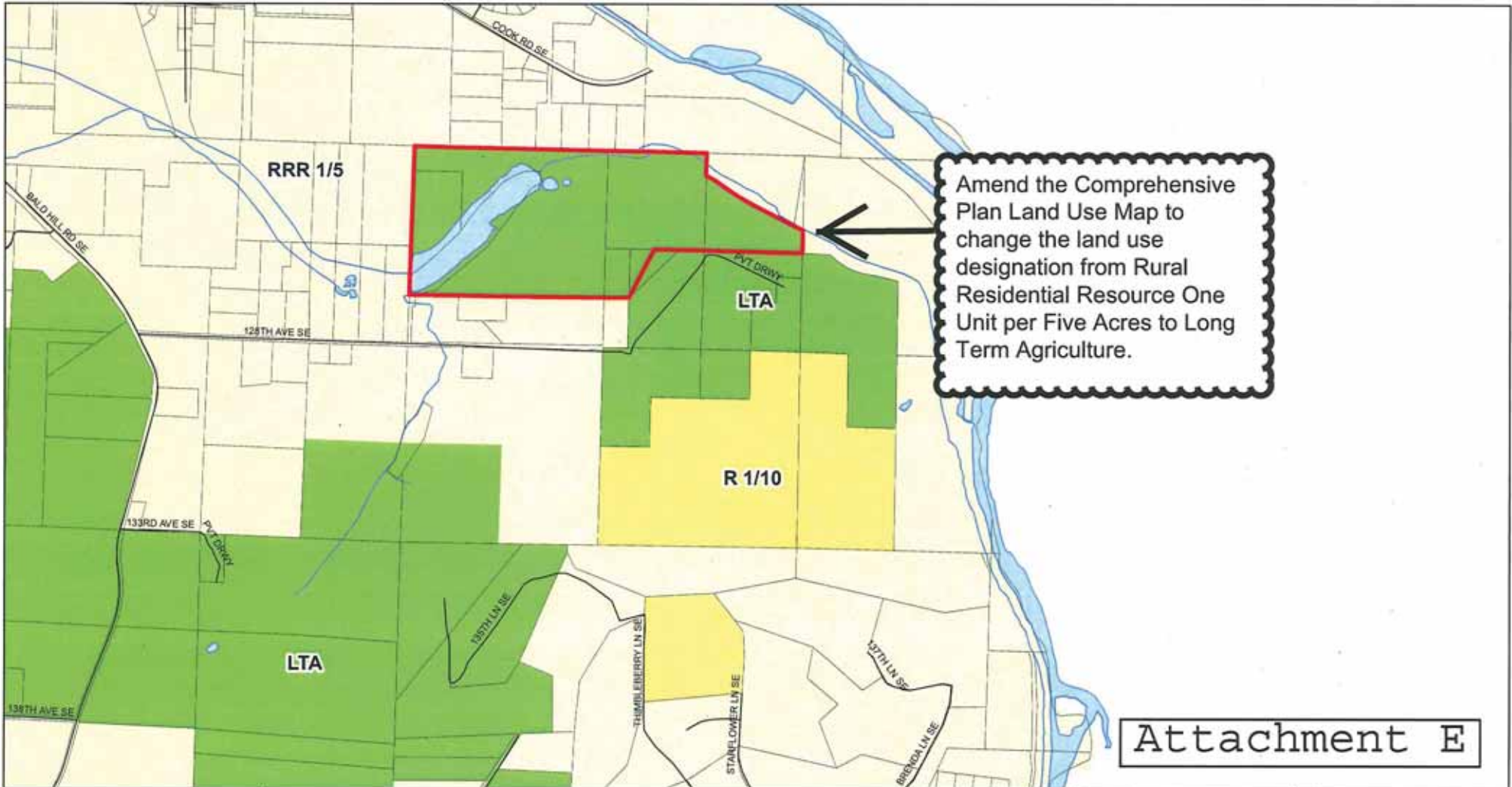
<u>Date Adopted:</u>	<u>Description of Amendment</u>	<u>Resolution Number</u>
	in the Tenino Urban Growth Area	
December 5, 1994	Lacey and Thurston County Joint Plan for the Lacey Urban Growth Area	10786
December 12, 1994	1994 Olympia Joint Plan Updates	10791
February 27, 1995	City of Yelm Comprehensive Plan Joint Plan with Thurston County	10851
April 17, 1995	Town of Rainier Comprehensive Plan for Growth Management and Joint Comprehensive Plan with Thurston County for Growth Management in the Rainier Urban Growth Area	10894
April 17, 1995	Tumwater/Thurston County Joint Plan	10895
April 17, 1995	Thurston County Comprehensive Plan Growth Management Amendments	10896
June 12, 1995	Bucoda Urban Growth Boundary Correction	10949
December 11, 1995	1995 Clean-Up Amendments	11069
June 24, 1996	Grand Mound Subarea Plan, Grand Mound Wastewater Comprehensive Plan, and Grand Mound Water System/Project Report	11219
July 15, 1996	Rochester Subarea Plan	11236
July 29, 1996	Tenino Urban Growth Boundary Correction	11255
August 26, 1996	Tumwater Urban Growth Boundary Correction	11273
December 23, 1996	Annual Amendments: Thurston County Comprehensive Plan and the Joint Plans with Olympia, Tumwater, Lacey, and Yelm.	11322
December 15, 1997	Annual Amendments: Thurston County Comprehensive Plan and Joint Plans with Olympia, Tumwater, Yelm, Tenino and Rainier	11589

<u>Date Adopted:</u>	<u>Description of Amendment</u>	<u>Resolution Number</u>
December 21, 1998	Annual Amendments: Thurston County Comprehensive Plan and Joint Plans with Olympia, Tumwater, Yelm, Tenino and Rainier	11866
December 20, 1999	Annual Amendments: Thurston County Comprehensive Plan and Joint Plans with Olympia, Tumwater, Yelm, Tenino and Rainier	12108
November 13, 2000	Annual Amendments: Thurston County Comprehensive Plan, Nisqually Sub-Area Land Use Plan, and Joint Plans with the cities of Tumwater, Lacey, and Yelm.	12356
August 27, 2001	Annual Amendments: Thurston County Comprehensive Plan and Joint Plans with the cities of Olympia, Lacey, Tumwater, and Yelm.	12576
July 8, 2002	Annual Amendments: Thurston County Comprehensive Plan and Joint Plan with the city of Tumwater.	12788
November 10, 2003	Annual Amendments: Thurston County Comprehensive Plan and Joint Plans with the cities of Tumwater, Lacey, and Olympia in partial satisfaction of the seven-year update requirement of the Growth Management Act.	13039
November 22, 2004	SEVEN YEAR UPDATE: Thurston County Comprehensive Plan and Joint Plans with the cities of Tumwater, Rainier, Bucoda, and Tenino. Establishing an urban growth area for Bucoda.	13234
<u>December 19, 2005</u>	<u>Annual Amendment: Lacey joint plan land use map, housing and utilities chapter updates; Olympia transportation and housing chapter updates; and adding the Grand Mound Water Service Plan to the Thurston County Comprehensive Plan.</u>	<u>13493</u>

<u>Date Adopted:</u>	<u>Description of Amendment</u>	<u>Resolution Number</u>
<u>December 20, 2006</u>	<u>Annual Amendment: Yelm joint plan updates including planning parameters, land use chapter, housing chapter, and new population forecast; Grand Mound Subarea Plan update to transportation chapter.</u>	<u>13734</u>
<u>December 20, 2006</u>	<u>Annual Amendment: Thurston County Comprehensive Plan mineral resource land map designation.</u>	<u>13736</u>
<u>December 20, 2006</u>	<u>Annual Amendment: Thurston County urban growth area and future land use map; and Tenino joint plan urban growth area and zoning maps, updates to the background chapter, and population forecast updates.</u>	<u>13737</u>
<u>May 30, 2007</u>	<u>Compliance Amendment: Amend the designation criteria in the Thurston County Comprehensive Plan to comply with a Growth Management Hearings Board order.</u>	<u>13815</u>
<u>June 18, 2007</u>	<u>Compliance Amendment: Amend the Thurston County Comprehensive Plan land use chapter to add designations for Limited Areas of More Intensive Rural Development (LAMIRD) to comply with a Growth Management Hearings Board order.</u>	<u>13833</u>
<u>August 27, 2007</u>	<u>Compliance Amendment: Amend the Thurston County Comprehensive Plan to add three new land use designations to comply with a Growth Management Hearings Board order.</u>	<u>13885</u>
<u>December 18, 2007</u>	<u>Annual Amendment: Ground Mound Water System amendments; Olympia joint plan utilities and environment chapter and transportation chapter; Tumwater joint plan parks and recreation chapter; Yelm joint plan introduction chapter and transportation chapter.</u>	<u>13986</u>

<u>Date Adopted:</u>	<u>Description of Amendment</u>	<u>Resolution Number</u>
<u>March 3, 2008</u>	<u>Compliance Amendment: Resize the North County Urban Growth Area removing a portion of the Tumwater Urban Growth Area to comply with a Growth Management Hearings Board Order.</u>	<u>14034</u>
<u>December 29, 2008</u>	<u>Annual Amendments: Amend the land use and zoning to designate agricultural lands; amend the land use and zoning for two site-specific amendments in the north county urban growth area; and redesignate and rezone properties removed from the Tumwater Urban Growth Area with Resolution No. 14035.</u>	<u>14180</u>
<u>July 15, 2009</u>	<u>Compliance Amendment: Amend the agricultural lands of long term commercial significance designation criteria and amend the future land use map accordingly to comply with a Growth Management Hearings Board order.</u>	<u>14254</u>
<u>September 7, 2010</u>	<u>Annual Amendment: Change the land use and zoning in the Tumwater Urban Growth Area; resize the Urban Growth Area to remove properties impacted by high ground water; change the land use and zoning in the Maytown area; change the criteria for mineral lands designation; and update the joint plans with Olympia and Lacey.</u>	<u>14401</u>
<u>April 17, 2012</u>	<u>Compliance Amendment: Amend the mineral lands designation criteria to comply with a Growth Management Hearings Board decision on Resolution No. 14401.</u>	<u>14739</u>

<u>Date Adopted:</u>	<u>Description of Amendment</u>	<u>Resolution Number</u>
January 8, 2013	Annual Amendment: Change the land use and zoning in the Olympia Urban Growth Area to change the land use and zoning for the French Road and Chambers study areas; update the parks and recreation element; add a health and human services chapter, and reconsider two areas designated as Long Term Agriculture.	14845



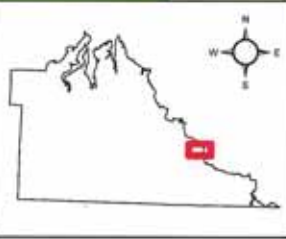
Applicant:
Schader Crown Ranch

Amendment:
Rural Residential/Resource One Unit per Five Acres to Long-Term Agriculture

Project Info:
188.5 Acres

Application #:
2009102978

Thurston County Planning Department
25 April 2014 - jsl



Thurston County Zoning

- R 1/10 - Rural 1/10
- RRR1/5 - Rural Residential Resource 1/5
- LTA - Long-Term Agriculture

Applicant Parcels

Applicant Parcels



Thurston County makes every effort to ensure that this map is a true and accurate representation of the work of County Government. However, the county and all related personnel make no warranty, express or implied, regarding the accuracy, completeness or convenience of any information disclosed on this map. Nor does the County accept liability for any damage or injury caused by the use of this map.

To the fullest extent permissible pursuant to applicable law, Thurston County disclaims all warranties, express or implied, including, but not limited to implied warranties of merchantability, data fitness for a particular purpose, and non-entanglements of proprietary rights.

Under no circumstances, including, but not limited to negligence, shall Thurston County be liable for any direct, indirect, incidental, special or consequential damages that result from the use of, or the inability to use, Thurston County materials.

Attachment F:

Long Term Agriculture Soils Amendment

CHAPTER THREE -- NATURAL RESOURCE LANDS

The Washington State Growth Management Act of 1990, (RCW 36.70A.020) states the following goal for natural resource industries: "Maintain and enhance natural resource based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses."

Thurston County implements this statewide goal through policies and programs tailored to our local community's vision for the future of agriculture, aquaculture, forestry, and mineral resources.

I. AGRICULTURE RESOURCES

...

1. Soil Type:

The classification and identification of agricultural lands of long-term commercial significance is based upon the land capability classification system of the United States Department of Agriculture Handbook No. 210. Those classes of agricultural lands are based upon consideration of growing capacity, productivity, and soil composition. They have been incorporated into map units of the Department's soil surveys. The following list of prime farmland soils in Thurston County is based on the Soil Conservation Service's Soil Survey of Thurston County, Washington, 1990. Designated lands should include predominantly prime farmland soils. The enumerated list of prime farmland soil types below is not intended as exclusive criteria.

SCS Map Unit Soil Description

14	Bellingham silty clay loam (where drained)*
26	Chehalis silt loam
29	Dupont muck (where drained)*
31	Eld loam
36	Everson clay loam (where drained)*
37	Galvin silt loam, 0 to 5 percent slope
38	Giles silt loam, 0 to 3 percent slope
41	Godfrey silty clay loam (where drained)*
50	Kapowain silt loam, 0 to 3 percent slope
64	Maytown silt loam
69	Mukilteo muck (where drained)*
70	Mukilteo muck (drained)*
71	Newberg fine sandy loam
72	Newberg loam

SCS Map Unit Soil Description

#

73	Nisqually loamy fine sand 0-3 percent slope (where irrigated)
75	Norma fine sandy loam (where drained)*
76	Norma silt loam (where drained)*
86	Prather silty clay loam, 3 to 8 percent slope
88	Puget Silt loam (where drained)*
89	Puyallup silt loam
97	Salkum silty clay loam, 3 to 8 percent slope
100	Scamman silty clay loam, 0-5 percent slope (where drained)*
104	Semiahmoo muck (where drained)*
105	Shalcar muck (where drained)*
106	Shalcar Variant muck (where drained)*
107	Skipopa silt loam, 0-3 percent slope
115	Sultan silt loam
120	Tisch silt loam (where drained)*
126	Yelm fine sandy loam, 0 to 3 percent slope

** Large areas which are known to qualify as Class I wetlands, (wetlands with threatened or endangered species) and which are not already in agricultural use, should be excluded from designation.*

Attachment G:

Land Use Allocation Tables

CHAPTER TWO--LAND USE

Table 2-1A

Percentage of Land Allocated for Rural Uses¹

Land Use Category	Total Acres	Percent Designated
Designated resource use (designated agriculture, forestry, and mineral lands) ²	<u>156,685</u> 156,497 <i>(with mineral lands overlay: <u>162,309</u> 162,121)</i>	39.87% (41.32%) ³
Rural (residential density 1 dwelling unit per 20 acres)	14,176	3.6%
Rural (residential density 1 dwelling unit per 10 acres)	4,978	1.3%
Rural resource and residential (residential density 1 unit per 5 acres)	<u>177,942</u> 178,203	45.3%
Urban Reserve (residential density 1 unit per five acres)	1,752	0.4%

¹ Excludes all lands within Urban Growth Areas, areas covered by water, public and railroad rights-of-way. Source: Thurston County Geo Data & Buildable Lands Work Program, Thurston Regional Planning Council.

² Low density residential uses are permitted in some of these areas, at densities ranging from 1 unit per 20 acres to 1 unit per 80 acres. Note that agriculture, forestry, and mining activities occur throughout the county, not just on land dedicated for these purposes. See Chapter 3.

Land Use Category	Total Acres	Percent Designated
Limited Areas of More intensive Rural Development (LAMIRDs) (densities greater than 1 dwelling unit per 5 acres)	10,082	2.6%
Public Parks, Trails, and Preserves and Institutional Lands	8,394	2.1%
Military Reservation	18,404	4.7
Rural commercial and industrial use	870	0.2%
Totals	<u>393,283</u> 393,356	100% (101.5%)

RECEIVED
JUL 24 2015
COMMUNITY PLANNING
AND DEVELOPMENT DEPT.

July 24, 2015

HAND DELIVERED



Mark C. Scheibmeir
City of Olympia Hearing Examiner
c/o City of Olympia
Community Planning & Development
601 4th Avenue East
PO Box 1967
Olympia, WA 98501-1967

Todd Stamm
City of Olympia
Community Planning & Development
601 4th Avenue East
PO Box 1967
Olympia, WA 98501-1967

**RE: Olympia Hearing Examiner File No. 15-0709
Olympia CP&D File No. 15-0010 (Medela Group, LLC)
Public Hearing – July 20, 2015**

Dear Examiner Scheibmeir and Mr. Stamm:

This letter transmits the following items on behalf of applicant Medela Group, LLC consistent with the Examiner's rulings related to the status of the record at the July 20 public hearing on Olympia File No. 15-0010:

1. Original Applicant Medela Group, LLC's Post-hearing Memorandum in Support of Rezone Application, together with Attachments 1 through 8;
2. Copy of the memorandum and attachments designated for Mr. Stamm.

Thank you.

Sincerely,

Joseph A. Rehberger
Direct Line: (360) 786-5062
Email: jrehberger@cascadialaw.com
Office: Olympia

JR:en

Enclosures

cc: Matthew Edwards, Owens Davies, P.S.
Client

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27



BEFORE THE HEARING EXAMINER
CITY OF OLYMPIA

IN RE:
MEDELA REZONE,
OLYMPIA FILE NO.: 15-0010

HEARING NO. 15-0709
[OLYMPIA CP&D FILE NO. 15-0010]
APPLICANT MEDELA GROUP, LLC'S
POST-HEARING MEMORANDUM IN
SUPPORT OF REZONE APPLICATION

Applicant Medela Group, LLC (“Applicant” or “Medela”), by and through its counsel Joseph A. Rehberger and Cascadia Law Group PLLC, submits this post-hearing memorandum in support of Medela’s application to rezone (the “Rezone Proposal”). A public hearing on this matter was held July 20, 2015. At the close of the public hearing on the Rezone Proposal, the Examiner left the record open through July 24, 2015 to allow the City to respond to specific inquires from the Examiner, and to allow the parties to respond to new issues raised at the hearing.

I. RESPONSE TO HEARING COMMENTS

Medela submits the following in response to certain issues raised at the public hearing.

A. Prior County Action on Former Rezone Proposal

At the hearing, the Examiner inquired regarding the prior processing of this rezone by Thurston County. Until 2014, the subject property was part of an unincorporated County island (an island of unincorporated property completely surrounded by the City of Olympia). As part of a joint planning process by both the City and the County, the City Planning Commission and the

ORIGINAL

1 City Council both voted in favor of rezoning the property from R 4-8 to RM-18,¹ and forwarded
2 their recommendations to the County. Because rezone of the property would have required an
3 update to the County's comprehensive plan, Thurston County considered this issue as part of its
4 comprehensive plan annual update process. As a comprehensive plan proposal, the County's
5 decision was considered legislative in nature (as opposed to a quasi-judicial rezone amendment
6 under the County Code standards). Despite the City's positive recommendation, the County
7 denied the proposal,² including the following findings in its resolution:

8 16. The Board finds that the piecemeal re-designation of the subject property is not
9 a sound planning practice and the site should be considered for possible
10 redesignation in conjunction with the surrounding area. [*Note: The City has now
done this.*]

11 17. The Board also finds that the property is currently being annexed by the City of
12 Olympia and any land use amendment should be left for the City to decide as they
plan for the surrounding area. [*Note: The City has now done this.*]

13 Thurston County Resolution No. 15019 (May 20, 2014). Following this decision, the City
14 completed the annexation of the County island, including the Medela property, updated the City's
15 comprehensive plan, and updated its Future Land Use Map with respect to the Medela property
16 and the surrounding area. Rezone of the property to RM-18 is consistent with the new
17 comprehensive plan designation of the property and area.

18 **B. Compatibility with Adjoining Zoning Districts and Uses**

19 Testimony was presented at the hearing regarding the compatibility of RM-18 with
20 adjoining zoning districts and uses. This issue is relevant to criteria .050(D) which requires the
21 City to consider whether the rezone will result in a district that is compatible with adjoining
22 districts. OMC 18.59.050(D). First, from a legal standpoint, the Code considers only whether the
23 "rezone will result in a district" that is "compatible with adjoining zoning districts." *Id.* (Emphasis

24 _____
25 ¹ Attached as **Attachment 1** is a copy of the City of Olympia Planning Commission Meeting Minutes (Oct. 22, 2012).
26 Copies of letters from the City of Olympia to Thurston County detailing the City's prior action on the rezone proposal
are included in the Hearing Examiner's exhibit marked as Exhibit 27, and as numbered exhibits 5 and 5 on Medela's
list of exhibits therein.

27 ² Medela understands City Staff is to be submitting a full copy of the County's final decision, Thurston County
Resolution No. 15019 (adopted May 20, 2014). Attached as **Attachment 2** is an excerpted copy of the County
resolution.

1 added). Districts here refer to the applicable zoning districts themselves, and not the particular
2 current uses. Here, the subject property is bordered on three sides by districts equally or more
3 intense than that proposed here, consisting of General Commercial (GC) and High Density
4 Corridor (HDC). Further, where it is bordered by existing single family residential, the RM-18
5 designation restricts site layout to require transitioning, requiring single family homes or duplexes
6 be placed across the street from existing single family homes and including required setbacks. The
7 height limitations in the proposed RM-18 zone are significantly less than what is allowable in the
8 GC and HDC adjoining districts and exactly the ~~exact~~-same as what is already allowed in the
9 adjoining R 4-8.

10 That the zoning code's analysis focuses on districts and not uses makes sense. Cities adopt
11 zoning codes to govern the general development and planning for a City's long term growth; not to
12 address specific property-to-property issues of the nature better addressed on a case-by-case basis
13 at the time of project development. No current project is being considered by the City. The actual
14 impacts of any project are best addressed at the time of project review. In this case, we know that
15 will include the restrictions already set forth in chapter 14.04 (environmental review and SEPA
16 compliance), chapter 18.04 (governing residential districts), chapter 18.36 (governing landscape
17 and screening), chapter 18.100 (governing design review), and chapter 18.170 (governing multi-
18 family). For example, and without limitation, in addition to the height limits and setback
19 requirements within RM-18 classification, OMC 18.170 requires multi-family buildings be
20 developed to minimize any appearance of scale differences between project buildings and existing
21 neighborhood buildings, OMC 18.100.060(A)(5) specifically requires design review for all multi-
22 family projects. However, the time to consider these issues and impacts, if any, are at the time of
23 project level review, and not general rezone. It is at this time, during project level review, that
24 design review can consider issues such as setbacks, appropriate screening, height setbacks,
25 location of single-family units, townhomes, and multifamily, orientation of buildings, windows,
26 decks, and patios, location and screening of parking and amenities, location and nature of open
27 space, site specific information, including considerations related to the sloping of the property

1 away from the cemetery to the north, potentially minimizing height issues, and any other myriad
2 of development options that can be incorporated into a site plan in order to integrate a
3 development with adjoining property uses and neighborhood characteristics. Developing those
4 restrictions now, and without benefit of a project proposal, would require assumptions not based
5 on evidence in the record and would necessarily be arbitrary in nature. The time for these
6 considerations is following development of a full record and at the time of actual project proposal.³

7 While arguably not necessary at this planning level stage, review of various area urban
8 cemeteries reveals adjoining land uses not dissimilar from that proposed here. Attached as
9 **Attachment 3** are Google Earth aerial photographs of the Greenwood Memorial Park in Renton,
10 WA⁴ and the Olympic Memorial Garden Cemetery (Mills and Mills) in Tumwater, WA. Both of
11 these cemeteries show adjoining residential and commercial, with differing degrees of appropriate
12 screening and landscaping. Also attached as **Attachment 4** are photographs of the existing Fir
13 Grove Business Park buildings, as discussed at the hearing, showing existing buildings.⁵ The July
14 20, 2015 letter submitted on behalf of Southwick, Inc. as operator of the Forest Memorial
15 Cemetery argues that “high-rise apartment buildings” consisting of up to “six-story apartment
16 buildings immediately adjacent to the cemetery” and “looming” over it, is inaccurate and
17 premature. See Letter from M. Edwards to M. Scheibmeier dated July 20, 2015. Six-story high-
18 rise apartment complexes are quite simply not permitted in the RM-18 zone, and the cemetery
19 cites no authority for this alleged worst-case scenario. See *contra* OMC 18.04.080 – Table 4.04
20 (restricting heights in the RM-18 zone to 35’ feet and three stories). The allowable height in the
21 RM-18 zone is exactly the same as what is allowed in the current R 4-8 and less than the adjoining
22 GC and HDC districts. *Id.* These facts and erroneous interpretation of code cannot support

23

24

³ At least one individual testified at the hearing that the complexities of the site are such that density is required for it to be economically developed at all, and that maximum flexibility should be permitted to allow for creative development proposals. See *Testimony of J. Davis*. These considerations support considering these impact issues at the project proposal and design review stage, and not now at the planning and rezoning stage.

26

⁴ Music fans may best know this cemetery as the interment place of Jimi Hendrix.

27

⁵ Note that site topography and elevations indicate that the buildings at the Fir Grove Business Park would be expected to sit at an elevation above the cemetery, while the subject rezoning parcel slopes downward from north to south and away from the cemetery property. See attached Thurston County GIS topography map at **Attachment 5**.

1 limiting the rezone now.⁶ The OMC and design review process are the appropriate place to
2 consider these issues, and following presentation with an actual project proposal.

3 **C. Urban Corridor Nature of Subject Property**

4 Testimony was presented at the public hearing regarding the location of the property and
5 whether it is or should be included within the City's designated urban corridor area. This issue is
6 relevant to criteria .050(A) which requires the City to consider whether the rezone is consistent
7 with the Comprehensive Plan, including the Plan's Future Land Use Map. OMC 18.59.050(A).
8 Testimony at hearing included assertions that the property was at the far end of the corridor, that
9 there was no direct access to Pacific Avenue, and that if portions of the property were more than ¼
10 mile and up to ½ mile from Pacific Avenue that the Examiner should look to this as an example of
11 urban sprawl. What remains undisputed is that the subject rezone property falls within the City's
12 designated urban corridor area and that rezone is consistent with the City's Comprehensive Plan,
13 including the Plan's Future Land Use Map.⁷ The City agrees that the property falls within the
14 urban corridor, and no evidence was presented to the contrary. *See* Future Land Use Map; *see*
15 *also* Staff Report at 16 ("The site is within the area designated as an Urban Corridor and the
16 proposed RM-18 is consistent with that designation"). The Rezone Proposal conclusively satisfies
17 OMC 18.59.050(A).

18 Testimony presented at hearing focused on details unnecessary for the Examiner's
19 determination, including walking distances to certain specific amenities and access to Pacific
20 Avenue. None of these comments affect whether the rezone parcel is or is not within the urban
21 corridor area already designated by the City Council.⁸

22
23
24 ⁶ Further, generalized opposition to increased density generally, or bias against multi-family projects generally, does
25 not equate to actual harm. *See, e.g., Sunderland Servs. v. Pasco*, 127 Wn.2d 782, 797 (1995) (community opposition
26 alone cannot justify a local land use decision); *see also Marantha Mining, Inc. v. Pierce County*, 59 Wn. App. 795
27 (1990) (land use decision must be based on compliance with policies standards and not community displeasure).

⁷ In fact, City staff testified that the current zoning of R 4-8 would not be consistent with the City's Comprehensive
Plan, including the Plan's Future Land Use Map for purposes of a rezone. *Testimony of T. Stamm*.

⁸ The RM-18 zone itself is not restricted to urban corridors, noting instead that it should be located along or near (e.g.,
one-fourth (¼) mile) arterial or major collector streets. The proposed rezone subject property is not only within the
urban corridor, but is one-block from a major collector street (Boulevard Road SE) and from the corner of the property
is less than a ¼ mile from an arterial (Pacific Avenue SE) walking distance, and less than ¼ mile pure distance.

1 As the Senior Planner for the Thurston Regional Planning Council (TRPC) testified to at
 2 the hearing, for urban corridors, neighborhood centers, and walkable neighborhoods to be
 3 successful, two things must be developed and supported – densities and destinations. *Testimony of*
 4 *T. Black; see also Testimony of J. Huber; see also Testimony of F. Peakor.* TRPC’s planning
 5 documents in the record support this testimony:

6 To be economically viable without complete reliance on drive-by traffic, small,
 7 neighborhood-scale businesses require about 3,500 households to be located within
 8 ½ mile. Policies that increase residential densities in city centers, strategically
 9 located districts in urban transit corridors, and in some neighborhoods expand the
 potential for small, locally-owned businesses to start-up and succeed in serving
 these areas.

10 *Thurston Regional Planning Council, Land Use Transportation & Climate Change White Paper at*
 11 *35-36;*⁹ *see Thurston Regional Planning Council, Revitalizing Urban Transit Corridors at 8-9.*¹⁰

12 The priority goal first identified in *Sustainable Thurston* provides:¹¹

Priority Goal	Target	First Action Steps
Create vibrant centers, corridors, and neighborhoods while accommodating growth.	By 2035, 72 percent of all (new and existing) households in our cities, towns, and unincorporated growth areas will be within a half-mile (comparable to a 20-minute walk) of an urban center, corridor, or neighborhood center with access to goods and services to meet some of their daily needs.	Rethink our existing land-use zoning and regulations in the urban areas to allow for greater mix of uses and densities to support efficient provision of services. Identify priority areas, begin neighborhood-level planning to create clarity about design, mix of uses, and density, and take actions. Find resources for continuing the community conversation about land-use and zoning changes.

14 (Emphasis added). From the corner of the Medela Property to Pacific Avenue is less than ¼ mile,
 15 from the corner of 9th Avenue SE and Chambers Street SE, the distance is just over ¼ mile,
 16 representing an approximate 5 to 7 minute walk. From the corner of 9th Avenue SE and Chamber
 17

18
 19
 20
 21
 22
 23
 24 ⁹ A copy of Thurston Regional Planning Council, Land Use Transportation & Climate Change White Paper (Jan. 2013) is included in the Hearing Examiner’s exhibit marked as Exhibit 27, and is numbered exhibit 17 on Medela’s list of exhibits therein.

25 ¹⁰ A copy of Thurston Regional Planning Council, Revitalizing Urban Transit Corridors (July 2012) is included in the Hearing Examiner’s exhibit marked as Exhibit 27, and is numbered exhibit 18 on Medela’s list of exhibits therein.

26 ¹¹ See Thurston Regional Planning Council, Creating Places Preserving Spaces, A Sustainable Development Plan for the Thurston Region at 3 (Nov. 2013). A copy of the plan is available online at: <http://www.trpc.org/260/Sustainable-Thurston-Plan> (last visited July 24, 2015), and an excerpt of the same is included in the Hearing Examiner’s exhibit marked as Exhibit 27, and numbered exhibits 15 (excerpt) and 16 (Executive Summary) on Medela’s list of exhibits therein

1 Street SE, the property is just over ½ mile to the nearest grocery store, representing an
2 approximate 13 minute walk or 7 minute bicycle ride. From the corner of 9th Avenue SE and
3 Chamber Street SE, the property is under ¼ mile to three separate Intercity Transit stops.¹² From
4 the corner of 9th Avenue SE and Chamber Street SE, the property is just over ¼ mile to the
5 trailhead for the Woodland Trail, representing an approximate 3 minute bicycle ride. The
6 Woodland Trail connects the property to the Capital Campus to the west and to the Chehalis-
7 Western Trail to the east. Attached as **Attachment 6** are Google Maps showing walking and
8 biking distances and estimated times to existing locations. Attached as **Attachment 7** are Google
9 Maps showing walking distances to nearby existing transit stops. Sustainable Thurston’s planning
10 documents, in which the City was intricately involved in developing, related to urban corridors,
11 have established measurable outcomes by 2035 of locating 43% of households within ¼ mile of
12 transit service and within ½ mile of goods and services.¹³ This Rezone Proposal furthers these
13 precise measurable outcomes, as well as the goals and policies set forth in the City’s own
14 Comprehensive Plan documents. *See* Comprehensive Plan at GL13 (PL13.1 – PL13.7); *see also*
15 Medela’s Pre-Hearing Memorandum at 4-6

16 **D. Traffic Impacts**

17 Testimony was presented at the public hearing consisting of comments and questions
18 related to traffic impacts associated with a new development. With regard to specific traffic or
19 pedestrian access upgrades, such issues would be fully addressed at the time of project submittal
20 and review. *See Spokane County v. Eastern Wash. Growth Mgmt. Hearings Bd.*, 173 Wn. App.
21 310 (2013) (development impacts, including transportation-related impacts, are properly
22 considered at the project level review, and not at the non-project planning phase). The City’s
23 traffic engineer further testified that Boulevard Road SE had capacity to handle significant
24 additional traffic and that any specific traffic impacts, including level of service (LOS),

25 _____
26 ¹² *See cf.* Comprehensive Plan GL 13, PL13.4 (“Establish minimum housing densities in urban corridors to support
27 frequent transit service and sustain area businesses”). This is exactly what the rezone is intended to accomplish. A
copy of the Land Use and Urban Design chapter within the Plan is included in the Hearing Examiner’s exhibit marked
as Exhibit 27, and is numbered exhibit 14 on Medela’s list of exhibits therein.

¹³ *See* Sustainable Thurston, Creating Places Preserving Spaces at 55 (Exhibit 27; Medela exhibit 15).

1 intersection capacity, and safety would be addresses through a Traffic Impact Analysis (TIA)
2 required as part of a project submittal. *See Testimony of D. Smith.* While there was much
3 discussion of the proposed upgrade to 9th Avenue SE, that proposal is being separately processed
4 by the City pursuant to its annual Comprehensive Plan update process.¹⁴ Of note, however, both
5 the City Planning Commission and the City Council have previously positively recommended that
6 9th Avenue SE be upgraded, and that access to this part of the City be improved. Upgrades to the
7 access and interior streets to this newly annexed part of the City would be expected to bring these
8 streets into compliance with typical municipal streets throughout the City.

9 **E. Most Appropriate Zoning Designation (RM-18 or MR 10-18)**

10 Testimony was presented at the public hearing consisting of comments and questions
11 related to the appropriate zoning designation. In the application presented here, the Applicant has
12 requested a rezone to RM-18. The City testified that the RM-18 zone is consistent with the City’s
13 Future Land Use Map, *see Testimony of T. Stamm*, and the City’s staff report identifies rezone to
14 RM-18 as the first recommended alternative. *See Staff Report at 1, 17; see also Staff Report at 8*
15 (insert table detailing appropriate zoning districts within urban corridor designated areas).

16 Compared to MR 10-18, RM-18 provides maximum flexibility with respect to site
17 configuration and density, facilitating actual future development of the property consistent with its
18 urban corridor designation and the City’s comprehensive plan goals and policies. *See OMC*
19 *18.04.080 (Table 4.04); see also Testimony of J. Davis.* Further, addressing the specific concerns
20 raised related to height and compatibility,¹⁵ RM-18 provides for more restrictive height restrictions
21 as compared to the MR 10-18 (35’ versus 45’ and 3 stories versus 4 stories), which provides
22 increased continuity with existing adjoining single-family residential, and reduced likelihood of
23 perceived impacts on adjoining existing uses. *See OMC 18.04.080 (Table 4.04).* Finally, RM-

24

25 ¹⁴ Attached as **Attachment 8** is the Notice of Public Hearing for the Olympia Planning Commission’s August 3, 2015
26 hearing on the proposed Comprehensive Plan Amendments.

27 ¹⁵ *See* Letter from M. Edwards to M. Scheibmeier dated July 20, 2015 (raising concerns regarding “high-rise
apartment buildings” consisting of up to “six-story apartment buildings immediately adjacent to the cemetery”) (see
discussion above regarding factual inaccuracies and code restrictions prohibiting high-rise six story apartments in the
RM-18 district). The RM-18 zoning district restricts height to that already allowable in the R 4-8 zone.

1 18's potential for increased multi-family units has the potential to lead to reduced average daily
2 trips (ADT) generated per units developed.¹⁶


3 In reality, given the transition requirements applicable to RM-18 where said district adjoins
4 existing single-family residential, *see* OMC 18.04.060(N), development patterns between RM-18
5 and MR 10-18 could very likely be similar. However, as the applicant has request RM-18 here,
6 and because RM-18 provides increased flexibility in site arrangement, typically develops at
7 densities most consistent with the City's density goals (average of 15 units per acre in the urban
8 corridor), and provides more restrictive and compatible height restriction, the evidence at hearing
9 supports the rezone to RM-18.

10 **II. CONCLUSION**

11 Medela respectfully requests the Examiner recommend the City Council approve the
12 Rezone Proposal. The Rezone Proposal meets each of the criteria established in the Code. The
13 rezone also would further the goals and policies in the City's Comprehensive Plan, and allow this
14 underutilized property to be planned for and developed consistent with its Urban Corridor
15 designation, and in furtherance of the City's long-range planning goals. Any associated project-
16 specific impacts would be addressed and appropriately mitigated at the time of project
17 development.

18
19 DATED this 24th day of July 2015.

20
21 CASCADIA LAW GROUP PLLC

22 
23 _____
24 Joseph A. Rehberger, WSBA No. 35556

25 Attorneys for Applicant Medela Group, LLC
26
27

¹⁶ See Memorandum from D. Smith, City Transportation Project Engineer II to T. Stamm dated July 10, 2015.

ATTACHMENT 1



City of Olympia

City Hall
601 4th Avenue E
Olympia, WA 98501

Meeting Minutes - Final Planning Commission

Contact: Amy Buckler
(360) 570-5847

Monday, October 22, 2012

6:30 PM

Council Chambers

Special Meeting

1. CALL TO ORDER

1.A ROLL CALL

Present: 7 - Commissioner Judy Bardin, Commissioner Roger Horn, Commissioner Paul Ingman, Vice Chair Larry Leveen, Commissioner Jerome Parker, Commissioner James Reddick, and Chair Amy Tousley

Excused: 2 - Commissioner Agnieszka Kiswa, and Commissioner Rob Richards

2. APPROVAL OF AGENDA

Chair Tousley proposed moving two agenda items: 1) Approval of minutes before Item 8 - Reports; 2) Provide a 5-minute break following Trillium deliberations. Commissioner Horn stated the Planning Commission approved the September 24, 2012 Commission minutes at the October 15 Commission meeting. The September 24 minutes were removed from the agenda. Chair Horn corrected Item 7 to read Long-Range Investment Strategy, not Long-Term Investment Strategy.

Commissioner Reddick moved, seconded by Commissioner Parker, to approve the agenda as amended. Motion passed unanimously.

4. PUBLIC COMMENT

00:04:09 - Teresa Goen-Burgman (2525 9th Avenue SE, Olympia). Staff report states that most of the Medela site is within one-quarter mile from Pacific Avenue. That is factually true; however, people cannot access the site from Pacific Avenue, and that increases the distance once accessed from Boulevard Road.

00:06:12 - Gus Guethlien (3322 Wiggins Rd., Olympia). A few weeks ago he mentioned the need to provide value for environmental resources. SUBMITTED "THE NATURAL VALUE OF THURSTON COUNTY" STUDY to Commissioners.

5. ANNOUNCEMENTS

Chair Tousley announced the November 12 meeting has been rescheduled to December 10 due to November 12 being a City holiday. The Commission will further discuss the December date at the end of the meeting, and may decide to hold the meeting on December 17 instead.

Chair Tousley announced she will be at the Council's Land Use and Environment Committee on Thursday, October 25, regarding a request to extend the OPC's Comprehensive Plan Update review schedule through March 31, 2013. The meeting begins at 5:30 p.m.

Commissioner Bardin moved, seconded by Commissioner Ingman, that General

Government look into changing the advisory board by-laws to allow members to vote by phone this year. Chair Tousley stated she conveyed this issue to General Government earlier this year. They expressed support for the idea, but said they may not discuss it further due to a full work program this year. The motion failed for lack of a majority.

6. BUSINESS ITEMS

[12-0673](#)

Deliberations and Recommendation on Trillium Comprehensive Plan Amendment and Rezone (Case #11-0152, 12-0001)

Attachments: [1.Vicinity Map.pdf](#)
[2.Future Land Use Map.pdf](#)
[3.Zoning Map.pdf](#)
[4.Responses to Deliberations.pdf](#)
[5.Analysis.pdf](#)

Staff Nemens answered questions regarding the ability of the City to restrict a development proposal based on environmental regulations. He said the City reviews projects for compliance with zoning and the State Environmental Protection Act, and may impose restrictions. There was further discussion about the SEIS, the original rezone proposal, the ridgeline, and why the City does not support the split zone.

Public Works Staff Eric Christensen responded to questions about the acreage and ridgeline. Mr. Nemens clarified the County and City assessments of the site in response to questions from Commissioner Parker. Mr. Christensen answered questions about the effect of development on stormwater discharge. There was a discussion about provisions for maintenance of the ditch and City-County coordination. Questions were raised about how this project might worsen flooding conditions for other jurisdictions. County Staff Jeremy Davis answered questions about wetland buffers in the County and a buffer review area which is shown on the County map in the Commissioner's packet. There was then a discussion of whether or not there are wetlands on the Trillium site. Chambers Basin moratorium evaluation was also discussed.

Commissioners discussed the options for zoning on the site including balancing density with environmental concerns. Commissioner Reddick proposed R4 on 50 acres to the east and R6-12 for the remainder. Chair Tousley was in agreement that a mixed zone would be good. Commissioners discussed concerns about flooding on the site, the ditch, SEPA, and lack of consensus on the site between the City and the County. It was noted that the City Council will hold its public hearing in less than two weeks and stated that the Commission should not delay in providing a recommendation. After Commissioner Reddick's motion failed, the Commissioners discussed presenting their concerns to the City Council without a formal proposal. Chair Tousley proposed a letter to the Council that expresses their concerns and why they couldn't agree on a recommendation. Commissioners discussed preparing a formal letter to the Council. Key concerns are:

- Community concerns
- Difference in stormwater assessment between County and City
- SEPA addressing stormwater
- Better coordination between City, County and ditch district
- Impervious surface
- Higher density in NW corner
- No higher density than R4 on east side
- Need to meet density goals

- Need for coordinated intergovernmental approach for Chambers Basin so there aren't offsite impacts
- Pipe needs to be constructed

Commissioner Reddick moved, seconded by Chair Tousley, that this report be failed for want of a majority and with Commissioner Parker abstaining.

Commissioner Ingman moved to zone the entire area R-4; the motion died for lack of a second. Commissioner Ingman moved, seconded by Chair Tousley for discussion, that half the site be zoned R-4 on the eastern side and the remaining western portion be zoned R4-8. Commissioners discussed other possible designations such as low impact development, R4-CB (Chambers Basin), and stormwater development standards. Commissioner Parker mentioned in absence of a decision the fallback speaks to the staff recommendation which is R4-8 for the entire site. Three Commissioners voted in support of the motion; three voted against. Commissioner Reddick called for another vote on his earlier motion for R-4 designation on the east side 50 acres and R4-8 on the remaining 30 acres on the west side. Commissioner Barden abstained. There was no reconsideration of the motion, though Commissioners agreed that the 50 acres on the eastern side should be designated R-4. The Commission did not reach consensus regarding zoning for the remaining 30 acres.

[12-0679](#)

JOINT OLYMPIA/THURSTON COUNTY COMPREHENSIVE PLAN AMENDMENTS

Attachments:

- [1. Joint Plan Amendment Process](#)
- [2. Future Land Use Map Showing County Rezone Areas](#)

Chair Tousley reviewed the topics for the Commissioners to discuss. Staff Buckler described the proposals and process for review.

The report was received.

[12-0678](#)

Deliberation and Recommendation on S. Olympia/Chambers Proposed Joint Plan Amendments and Rezones

Attachments:

- [1. City Staff Recommendation.S. Olympia/Chambers.](#)
- [2. Olympia Zoning Map](#)
- [3. 2008 Olympia Chambers Basin Moratorium Study](#)
- [4. Olympia Chambers Moratorium Map](#)
- [5. Preliminary County Staff Report. French Loop/Chambers](#)
- [6. Public Comments. S Oly/Chambers](#)
- [7. SEPA Determination for French Loop & Chambers](#)

Staff Buckler explained the staff proposals for the S. Olympia/Chambers proposed joint plan amendment and rezone. Staff clarified the different zoning east and west of Wiggins Road. There was a discussion about issues with splitting the zoning. City Staff Christensen talked about stormwater issues and County Staff Jeremy Davis explained the County's Moratorium Map. Staff clarified development regulations and stormwater dispersion. Staff Christensen talked about soil and water infiltration. Staff

Davis said County staff was waiting to make a recommendation to the County Planning Commission until after the Olympia Planning Commission made theirs. Commissioners discussed building coverage in different zones. Staff Davis explained the County water staff recommendation and the staff review. Staff explained the County and City zoning tables and what would happen if the County and City don't agree on zoning. The final decision rests with the County Commissioners.

Commissioner Reddick moved to recommend the staff recommendations to re-designate the area north of Chambers Ditch from Residential 4-8 units per acre (R4-8) to Residential 4-Chambers Basin (R-4CB); re-designate the area south of Chambers Ditch from Residential 4-8 units per acre (R4-8) to Residential 4 units per acre, and keep the entire area within the Urban Growth Area (UGA); seconded by Commissioner Horn, that the recommendation be approved. Motion passed unanimously.

[12-0676](#)

Recommendation on Medela Site Specific Proposed Olympia/Thurston Joint Plan Amendment and Rezoning

- Attachments:**
- [1. City Staff Recommendation. Medela](#)
 - [2. Neighborhood Collector Design](#)
 - [3. Preliminary County Staff Report. Medela](#)
 - [4. Public Comments. Medela](#)
 - [5. SEPA Determination for Medela](#)

Staff Buckler described the proposed rezone of the "Medela" site within the City's Urban Growth Area and the staff's recommendation. City Staff David Smith explained the current right-of-way and what the staff recommendation for Local Access street would be, as well as what street frontage improvements would be made. There was a discussion of other possible access points such as Devoe St. Staff Buckler noted that the Washington State Department of Transportation does not have a setback from the freeway and the County has no specific setback or screening requirements for I-5. Staff Buckler explained the County's SEPA Determination of Nonsignificance and County Staff explained the appeal process. Staff Buckler explained the recent attempts by the City to annex "islands" within the City borders. City Staff David Smith responded to questions about drivers cutting through private property. There was then a discussion about the City's connected streets policy, and safe crosswalks on Boulevard Road. Staff Smith answered questions about how trip generation is calculated for street classification. Staff Buckler answered questions about parcel ownership, zoning designation and freeway buffers. There was a discussion about urban corridors; neighborhood collector road improvement requirements related to traffic impact analysis. Staff Smith explained what neighborhood collector and local access streets are. There was a discussion of new County impact fees, SEPA, and possible mitigations for the freeway proximity. Staff Smith answered questions about the roadway network related to the site. Commissioners discussed whether or not they support the staff recommendation and why. Support for the staff proposal was cited for consistency with citywide goals for urban corridors, the need to annex the site, and the proximity of other high density areas. Concerns include lack of more access to the site, proximity to the freeway and environmental issues related to high density building on the site. There was a discussion of other possible zoning designations that staff reviewed.

A motion was made by Commissioner Reddick to recommend the staff recommendation - redesignate the area from Residential 4-8 units per acre (R4-8) to Residential Multi-Family 18 units per acre (RM 18) and reclassify 9th Avenue between Boulevard Road and Chambers Street from Local Access Street to Neighborhood Collector; seconded by Commissioner Horn, but died for lack of

a majority vote. A motion was made by Commissioner Parker to approve RM 18 for the parcel in single ownership and retain R 4 for the two parcels adjacent to the freeway. The motion died for lack of a second.

Commissioner Parker moved, seconded by Commissioner Reddick, to adopt the staff recommendation. Motion passed 5-2.

[12-0677](#)

Recommendation on French Road and Chambers Proposed Joint Plan Amendment and Rezone

Attachments:

- [1. City Staff Recommendation. French Loop/Butler Cove](#)
- [2. Long and Short Term Growth Boundaries](#)
- [3. Preliminary County Staff Report. French Loop & Chambers](#)
- [4. Public Comments. French Loop](#)
- [5. SEPA Determination for French Loop/Butler Cove](#)

Staff Buckler explained the staff proposal to rezone French Loop/Butler Cove area of the Urban Growth Area (UGA). Staff Steve Sperr discussed waste water challenges and possible systems that could work on the site. There was a discussion on the benefits of connecting houses to the sewer system and also on whether this site is appropriate for development given its topography and traffic concerns. There was a discussion about other possible designations of the site and why staff didn't recommend them, for example, there's a difference between County and City impervious surface standards. County Staff Jeremy Davis answered questions about allowing sewer connections where it is already available. He went on to explain sewer connection issues if the properties are removed from the Urban Growth Area. Staff Buckler said higher density is possible if the properties were connected to sewer. Staff Davis discussed the right-of-way and engineering challenges to widen the roads in this area. Draft Land Use Option One was discussed, which proposes to leave part of the area in the UGA and remove other parts. Commissioners discussed whether or not they support the motion and why.

Commissioner Horn moved to concur with the staff recommendations; seconded by Commissioner Reddick. Motion passed unanimously.

7. [12-0681](#) Final Recommendation on Long Term Community Development Investment Plan

Attachments: [1. Final Draft Letter](#)

Commissioner Horn described a Finance Committee letter related to a Long-Term Community Development (LTCD) Investment Plan. There was a discussion on adding "community groups" to the stakeholders, a typo was found on 5, and clarification was made about what the LTCD would focus on.

Commissioner Ingman left the meeting prior to the vote.

Vice Chair Leveen moved, seconded by Commissioner Reddick to approve the letter as amended. The motion carried by unanimous vote. Commissioner Ingman departed the meeting prior to the vote.

3. **APPROVAL OF MINUTES**

[12-0608](#)

Approval of August 10, 2012 Planning Commission Finance Subcommittee Meeting Minutes

Attachments: [Draft Minutes](#)

Approval of the minutes was postponed to a later meeting.

[12-0680](#) Approval of September 17, 2012 Planning Commission Meeting Minutes

Attachments: [Draft minutes](#)

Approval of the minutes was postponed to a later meeting.

[12-0646](#) Approval of September 24, 2012 Planning Commission Meeting Minutes

Attachments: [Draft Minutes](#)

Approval of the minutes was postponed to a later meeting.

[12-0668](#) Approval of October 3, 2012 Planning Commission Finance Subcommittee Meeting Minutes

Attachments: [Draft minutes](#)

Approval of the minutes was postponed to a later meeting.

8. REPORTS

Reports were deferred to a later meeting.

9. ADJOURNMENT

Commissioner Leveen complimented Staff Buckler on her fine work. The meeting adjourned at 10:38 p.m.

Accommodations

The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the City Advisory Committee meeting, please contact Community Planning & Development at (360) 753-8314 at least 48 hours in advance of the meeting. For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1.800.833.6384.

ATTACHMENT 2

RESOLUTION NO. 15019

A RESOLUTION AMENDING THE THURSTON COUNTY COMPREHENSIVE PLAN TO AMEND THE LAND USE PLAN MAP, AMEND THE COMPREHENSIVE PLAN FOR OLYMPIA AND THE OLYMPIA URBAN GROWTH AREA LAND USE PLAN MAP, AMEND THE COMPREHENSIVE PLAN FOR GROWTH MANAGEMENT AND JOINT COMPREHENSIVE PLAN WITH THURSTON COUNTY FOR THE CITY OF RAINIER, AMEND THE CITY OF LACEY AND THURSTON COUNTY LAND USE PLAN FOR THE LACEY URBAN GROWTH AREA; CLARIFY THE METHODS FOR LEGISLATIVE AND NON-LEGISLATIVE COMPREHENSIVE PLAN AMENDMENTS, 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 fourteen 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, the adoption of the Thurston County Comprehensive Plan must be processed in compliance with the requirements of the State Environmental Policy Act (SEPA); and

WHEREAS, the Board of County Commissioners (Board) has made findings of fact relating to the Thurston County Comprehensive Plan and Joint 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, provided public notice, and received public comment with respect to these amendments; and

2. The GMA requires counties to adopt county-wide planning policies to guide the adoption of comprehensive plans. The principle purpose of these policies is to insure

that the comprehensive plans of counties and the cities within them are coordinated and consistent with each other. The amendments to the Thurston County Comprehensive Plan adopted by this resolution were prepared, considered and adopted in compliance with the county-wide planning policies; and

3. The Thurston County Comprehensive Plan, as amended, collectively includes joint plans with the cities of Bucoda, Lacey, Olympia, Rainier, Tenino, Tumwater, Yelm, and other sub-area plans, with chapters on land use, natural resource lands, housing, transportation, capital facilities, utilities, economic development, the natural environment, archeological and historic resources that govern development throughout unincorporated Thurston County and comply with GMA requirements for comprehensive plans; and

4. The amendments to the Thurston County Comprehensive Plan adopted by this resolution were included on the 2013-14 Comprehensive Plan Official Docket as required by Chapter 2.05 Thurston County Code (TCC), Growth Management Public Participation; and

5. The amendments to the Thurston County Comprehensive Plan adopted by this resolution were the subject of a series of public hearings before the Thurston County Planning Commission and the Board and separate work sessions by each body as required by the GMA and the Thurston County Code; and

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

7. The Board held a duly noticed public hearing on March 25, 2014 for the changes contained in this resolution; and

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

9. This resolution will amend the Thurston County Comprehensive Plan and related joint plans; and

10. In formulating the Comprehensive Plan amendments adopted by this resolution, 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 resolution; and

11. 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, internet information pages, and posted public notices; and

12. The findings below and the record generated in the public hearing process and at the adoption of this resolution show that this measure is consistent with the GMA goals; and

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

B. FINDINGS

MEDELA LAND USE PLAN AMENDMENT REQUEST.

- 1.** The Medela Group, LLC, requested consideration of a site specific Comprehensive Plan amendment of approximately 9.01 acres of property located in an unincorporated county island in Olympia's Urban Growth Area; and
- 2.** The request would change the land use and zoning from Residential Four to Eight Units per Acre (R 4-8) to Residential Multifamily Eighteen Units per Acre (RM-18); and
- 3.** Access to the property is provided from Boulevard Street SE and provides access to 7th Avenue SE and 9th Avenue SE which tie into Chambers Street SE and tie into 8th Avenue SE; and
- 4.** The Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area was adopted in 1994 by the City of Olympia and Thurston County; and
- 5.** The City of Olympia and Thurston County jointly plan for the unincorporated portion of the City of Olympia Urban Growth Area as required by the Thurston County County-Wide Planning Policies; and
- 6.** Thurston County is the lead SEPA agency for this proposal and issued a Determination of Non-Significance (DNS) on October 11, 2012; and
- 7.** The SEPA DNS was appealed on November 1, 2012 by "Concerned Eastside Neighbors/Teresa Goen-Burgman, Joe Hanna, et al; and
- 8.** On April 10, 2013, following a public hearing on the SEPA appeal and subsequent recommendation by the County's Hearing Examiner, the Board of County Commissioners upheld the SEPA Determination of Non-Significance (DNS) and denied the appeal; and
- 9.** The Thurston County and Olympia Planning Commissions held a joint public hearing on October 10, 2012; and
- 10.** On October 22, 2012, the Olympia Planning Commission issued a 5-2 majority recommendation of approval; and
- 11.** On November 7, 2012, the Thurston County Planning Commission failed to pass a recommendation on to the Board due to a lack of votes by the majority of the Planning Commission membership; and
- 12.** On January 7, 2014, the Olympia City Council issued a 4-2 majority recommendation of approval to the Board of County Commissioners; and
- 13.** Written and oral comments have been received on the proposal by the public. Concerns raised by the public include traffic, pending annexation, neighborhood safety and character, flooding and loss of wildlife habitat related to the development of the site; and
- 14.** The City of Olympia has begun to review the land use designations of this area of the City, including this property, for possible area-wide land use designation changes; and

15. In reviewing the land use amendment proposal, the Board considered the recommendation by the City of Olympia taking into account the goals of the GMA, the Thurston County Comprehensive Plan, the Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area, other related plans, and the evidence presented during this amendment process and described herein; and

16. The Board finds that the piecemeal re-designation of the subject property is not a sound planning practice and the site should be considered for possible redesignation in conjunction with the surrounding area; and

17. The Board also finds that the property is currently being annexed by the City of Olympia and any land use amendment should be left for the City to decide as they plan for the surrounding area.

SECTION C:

KEN LAKE LAND USE PLAN AMENDMENT

1. The City of Olympia and Thurston County jointly plan for the unincorporated portion of the City of Olympia Urban Growth Area as required by the Thurston County County-Wide Planning Policies; and

2. The Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area was adopted in 1994 by the City of Olympia and Thurston County; and

3. In reviewing the land use amendment proposal, the Board considered recommendations by the City of Olympia and the Thurston County Planning Commission taking into account the goals of the GMA, the Thurston County Comprehensive Plan, the Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area, other related plans, and the evidence presented during this amendment process and described herein; and

4. The Ken Lake land use plan amendment project includes the reassessment of land use and zoning of properties in the study area described below taking into consideration drainage issues and impacts on neighboring properties, and flooding, among other limitations; and

5. The properties in the Ken Lake Land Use Plan amendment include approximately 106 acres in the unincorporated City of Olympia Urban Growth Area generally located south of the 101 freeway and to the east and west of Kaiser Rd SW; and

6. The area is currently designated Residential Four (4) Dwelling Units per Acre (R-4) in the Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area; and

7. The proposed amendment would change the land use designation to Residential Low Impact 2-4 Units per acre; and

8. On December 7, 2010 the Board approved Ordinance No. 14443 which established interim zoning and regulations for the study area; and

9. According to the Thurston County Comprehensive Plan, the County should weigh the need to accommodate projected growth in a particular area against the potential

impacts of that growth on critical areas, other environmentally sensitive areas, and impacts on neighboring properties; and

10. The proposed amendment was reviewed by the City of Olympia through their Comprehensive Plan docketing and amendment process; and

11. The Thurston County Planning Commission held a duly noticed public hearing on January 15, 2014; and

12. The City of Olympia Planning Commission held a duly notice public hearing on August 15, 2011, and following the public hearing on August 29, 2011 recommended adoption of the land use plan amendment as shown in Attachment A to this resolution; and

13. The City of Olympia City Council held a duly noticed public hearing on November 1, 2011, and following the public hearing adopted Ordinance No. 6775 amending the Olympia Comprehensive Plan, and recommended adoption of the amendment as shown in Attachment A to this resolution to the Board; and

14. The Thurston County Planning Commission recommended adoption of the amendment on January 15, 2014 as shown in Attachment A to this resolution; and

15. The Board held a duly noticed public hearing on this amendment to the Comprehensive Plan for Olympia and the Olympia Urban Growth Area on March 25, 2014, along with other comprehensive plan amendments; and

16. The Board considered public comment received for the March 25, 2014 public hearing, recommendations by the City of Olympia and the Thurston County Planning Commission in light of the GMA, including its goals, the Thurston County Comprehensive Plan, the Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area; and

17. The Board finds that the Thurston County Urban Growth Areas as a whole will accommodate projected growth and development over the 30 year planning horizon; and

18. The City of Olympia served as the Lead Agency under SEPA (Chapter 43.21C RCW) for the changes contained in this resolution relating to this amendment; and

19. A determination of non-significance was issued by the City of Olympia under SEPA (Chapter 43.21C RCW) on October 10, 2011 for the changes contained in this resolution for the Comprehensive Plan for the City of Olympia and the Olympia UGA.

D. FINDINGS

NORTH THURSTON SCHOOL DISTRICT LAND USE PLAN AMENDMENT

1. The North Thurston School District requested a site specific Comprehensive Plan amendment and associated rezone for 72.09 acres for a future school campus, and an amendment to the Urban Growth Area of the City of Lacey for inclusion of the subject property; and

2. The City of Lacey and Thurston County jointly plan for proposed changes in the Urban Growth Area for the unincorporated portion of the City of Lacey as required by the Thurston County County-Wide Planning Policies; and
3. The area is currently designated Rural Residential/Resource One Unit per Five Acres (RRR 1/5) in the Thurston County Comprehensive Plan; and
4. The Open Space/Institutional (OSI) land use designation and zoning district is intended to protect and preserve certain areas of land devoted to existing and future uses for civic, cultural, educational and similar facilities; and
5. The proposed amendment was reviewed by the City of Lacey; and the City supported the efforts of the North Thurston School District to bring the site into the Urban Growth Area; and
6. On February 10, 2014, the proposed amendment to the Urban Growth Boundary to the City of Lacey was reviewed by the Urban Growth Management Subcommittee of the Thurston Regional Planning Council as provided for in the County-Wide Planning Policies and it recommended adding the property into the City of Lacey Urban Growth Area; and
7. Inclusion of the property in the Urban Growth Area for the City of Lacey will allow the site to be served by municipal water and sewer and provide for increased protection of the Henderson Inlet Shellfish Protection Area; and
8. The proposal is consistent with the goals and policies contained in the Comprehensive Plan and the criteria contained in the County Wide Planning Policies; and
9. In reviewing the UGA resizing and land use proposal, the Board considered recommendations by the City of Lacey, the Urban Growth Management Subcommittee and the Thurston County Planning Commission taking into account the goals of the GMA, the Thurston County Comprehensive Plan, the Comprehensive Plan for the City of Lacey and the Lacey Urban Growth Area, other related plans, and the evidence presented during this amendment process and described herein; and
10. The Thurston County Planning Commission held a duly noticed public hearing on January 15, 2014; and
11. A determination of non-significance was issued by Thurston County under SEPA (Chapter 43.21C RCW) on February 6, 2014 for the changes contained in this resolution for the Comprehensive Plan and amendment of the urban growth boundary to the City of Lacey; and
12. The Thurston County Planning Commission recommended adoption of the amendment on January 15, 2014 as shown in Attachment B to this resolution, which shows the Open Space Institutional designation applied to the property for the reasons stated herein; and
13. The Board held a duly noticed public hearing on the amendments to the Comprehensive Plan and the Lacey Urban Growth Area on March 25, 2014; and
14. The Board considered public comment received for the March 25, 2014 public hearing, recommendations by the City of Lacey, the Urban Growth Management

Subcommittee of Thurston Regional Planning Council, and the Thurston County Planning Commission in light of the GMA, including its goals. The Board also considered the Thurston County Comprehensive Plan, and the Comprehensive Plan for the City of Lacey; and

15. The Board concurs with the recommendation of the Thurston County Planning Commission, the Urban Growth Management Subcommittee of Thurston Regional Planning Council, and the City of Lacey for the reasons stated herein and the information provided during the public process.

E. FINDINGS

CITY OF RAINIER LAND USE PLAN AMENDMENT AND UGA RESIZING

1. The City of Rainier Comprehensive Plan for Growth Management and Joint Comprehensive Plan with Thurston County serves as the comprehensive plan and land use plan for the unincorporated portion of the City of Rainier's UGA; and
2. Thurston County received a letter on November 23, 2010 requesting the County amend the City of Rainier UGA to add the recently constructed Southeast Thurston Fire Authority (Fire District #4) fire station located on a one acre property at 12506 133rd Avenue SE; and
3. With this amendment, the land use designation will change from Rural Residential/Resource One Unit per Five Acres to Public Facility on the future land use map in the joint plan with the City of Rainier; and
4. Property in the unincorporated City of Rainier UGA remains zoned as Rural Residential/Resource One Unit per Five Acres until such time as a property is annexed; and
5. The Board finds that the proposed amendment will not add any development capacity to the City of Rainier UGA and the Thurston County UGA as a whole due to its current development with an existing fire station and the Public Facility land use designation; and
6. The City of Rainier and Southeast Thurston Fire Authority (Fire District #4) had agreed on annexation of the subject property once the station was built, however, without this amendment to the City of Rainier UGA, annexation may not occur; and
7. The Thurston County Planning Commission held a duly noticed public hearing on September 4, 2013, and following the public hearing, voted to recommend approval of the proposed land use plan and UGA boundary amendment; and
8. The City of Rainier conducted its own separate public process, and on March 11, 2014 the City of Rainier City Council voted unanimously to approve the expansion of the Rainier UGA; and
9. The Board of County Commissioners held a duly noticed public hearing on March 25, 2014; and
10. The Board considered public testimony and recommendations by the Thurston County Planning Commission in light of the GMA, including its goals, and the Thurston County Comprehensive Plan; and

11. The City of Rainier served as the Lead Agency under SEPA (Chapter 43.21C RCW) for the changes contained in this resolution relating to this amendment; and

12. A determination of non-significance was issued by the City of Rainier under SEPA (Chapter 43.21C RCW) on August 31, 2013 for the changes contained in this resolution relating to this amendment.

F. FINDINGS

COMPREHENSIVE PLAN AMENDMENT METHODS

CHAPTERS 12 AND 13 OF THE COMPREHENSIVE PLAN

1. Resolution No. 14845 added a Plan Amendments chapter to the Comprehensive Plan and renumbered Chapters 12 and 13 of the Comprehensive Plan; and

2. The language in Chapters 12 and 13 of the Thurston County Comprehensive Plan is inconsistent with state law and case law regarding the nature of comprehensive plan amendments and needs to be updated; and

3. Current text in Chapters 12 and 13 state that comprehensive plan amendments may be considered quasi-judicial; and

4. Zoning changes where there is no corresponding comprehensive plan amendment are classified as a project action under state law (RCW 36.70B.020(4)); and

5. Amending a comprehensive plans and development regulations are legislative processes governed by Chapter 36.70A RCW, the Growth Management Act, and Chapter 35.63 RCW; and

6. Under RCW 42.36.010, comprehensive plan amendments are specifically excluded from the list of quasi-judicial actions because these amendments are classified as legislative; and

7. Recent case law has shed some light on the ongoing question of whether or not a site-specific rezone that requires a comprehensive plan amendment is a project action subject to Chapter 36.70B RCW; and

8. The appeals court in *Kittitas County v Kittitas County Conservation District* (No. 30728-0-III) and in *Spokane County v Eastern Washington Growth Management Hearings Board* (No. 30725-5-III) found that rezones already authorized by a comprehensive plan are a project action subject to Chapter 36.70B RCW and Chapter 36.70C RCW, and rezones that require a comprehensive plan amendment to be approved are legislative amendments; and

9. The Thurston County Planning Commission held a duly noticed public hearing on January 15, 2014 to take public testimony as required by Chapter 2.05 TCC Growth Management Public Participation; and

10. On January 15, 2014, the Thurston County Planning Commission recommended adoption of the amendment; and

11. On March 25, 2014, the Board held a duly noticed public hearing on the amendment; and

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

13. The Board concurs with the Thurston County Planning Commission's recommendation and county staff recommendations for the reasons stated herein and the information provided during the public process; and

14. A determination of non-significance was issued by Thurston County under SEPA (Chapter 43.21C RCW) on February 7, 2014 for the changes contained in this resolution.

G. FINDINGS

AGRICULTURAL LANDS OF LONG TERM COMMERCIAL SIGNIFICANCE

I. General

1. Chapter 36.70A RCW, the Growth Management Act, requires local governments to maintain and enhance natural resource based industries, including agricultural lands by the conservation of productive agricultural lands and to discourage incompatible land uses; and

2. Chapter 365-190 WAC establishes the minimum guidelines for classifying and designating agricultural resource lands and criteria established by local government; and

3. On December 29, 2008, Resolution No. 14180 was adopted which amended the Natural Resource chapter of the Thurston County Comprehensive Plan and established revised criteria to be used to designate long term commercially significant agricultural lands; and

4. In December, 2012, the Board of County Commissioners approved the redesignation of 186 acres of property from Long Term Agriculture to Rural One Unit per Ten Acres; and

5. On March 13, 2013, Futurewise filed a Petition for Review with the Western Washington Growth Management Hearings Board challenging the de-designation of 186 acres from Long Term Agriculture and cited the failure to designate and assure the conservation of agricultural lands of long-term commercial significance; and

6. The Western Washington Growth Management Hearings Board requested that the parties engage in settlement discussion to resolve the issues presented in the Petition for Review; and

7. A negotiated settlement agreement by Futurewise, Thurston County, and the property owner was reached which required an amendment of the Comprehensive Plan; and

8. Section 20.59.050 TCC contains the procedural provisions for legislative rezones and text amendments that pertain to public participation requirements; and

9. Chapter 20.08A of the Thurston County Zoning Ordinance contains the provisions that guide the purpose, uses, subdivision and design standards for lands zoned Long-Term Agriculture District (LTA).

II. Schader Crown Ranch

1. Judy Schader Rogers, owner of approximately 188.5 acres of property located at 19726 128th Avenue SE, Yelm, has agreed to an amendment that would change the land use and zoning designations for the 188.5 acres to Long-Term Agriculture (LTA); and
2. The site contains existing agricultural uses including the grazing of cattle; and
3. Adjacent properties include a mixture of grazing lands, timbered areas and scattered residential use; and
4. The parcels subject to this request are contained in a Grassland Reserve Program Conservation Easement to the United States Department of Agriculture's Natural Resources Conservation Service; and
5. The Thurston County Planning Commission held a duly noticed public hearing on January 15, 2014 to take public testimony as required by Chapter 2.05 TCC Growth Management Public Participation; and
6. On January 15, 2014, the Thurston County Planning Commission recommended that 188.5 acre be redesignated and zoned Long Term Agriculture (LTA) from Rural/Residential Resource – One Unit per Five Acres (RRR 1/5); and
7. On March 25, 2014, the Board held a duly noticed public hearing on the amendment; and
8. The Board considered recommendations by the Thurston County Planning Commission and planning staff in light of the GMA, including its goals, and the Thurston County Comprehensive Plan; and
9. A determination of non-significance was issued by Thurston County under SEPA (Chapter 43.21C RCW) on February 6, 2014. The SEPA comment period ended on February 27, 2014 and there were no public comments received and no appeal of the SEPA determination; and
10. The Board decided to re-designate all 188.5 acres to the Long Term Agriculture (LTA) designation based on the Planning Commission recommendation, public testimony, and information in the record.

III. Soils Amendment

1. Resolution No. 14180 adopted December 29, 2008 amended the Natural Resource chapter of the Thurston County Comprehensive Plan and established revised criteria to be used to designate long term commercially significant agricultural lands; and
2. Chapter 3 of the Thurston County Comprehensive Plan contains designation criteria that are to be used by the County when designating lands as LTA; and
3. Soil characteristics are one aspect of the criteria to be considered for designation as Long Term Agriculture; and
4. A negotiated settlement agreement has been reached between Futurewise and Thurston County to add language to the text of the Comprehensive Plan stating that the

list of prime farmland soil types listed in the plan are not intended to be exclusive criteria; and

5. The Thurston County Planning Commission held a duly noticed public hearing on January 15, 2014 to take public testimony as required by Chapter 2.05 TCC Growth Management Public Participation; and

6. On January 15, 2014, the Thurston County Planning Commission recommended the inclusion of the proposed language to Chapter 3 of the Comprehensive Plan soil criteria; and

7. On March 25, 2014, the Board held a duly noticed public hearing on the amendment; and

8. The Board considered recommendations by the Thurston County Planning Commission and planning staff in light of the GMA, including its goals, and the Thurston County Comprehensive Plan; and

9. A determination of non-significance was issued by Thurston County under SEPA (Chapter 43.21C RCW) on February 6, 2014. The SEPA comment period ended on February 27, 2014 and there were no public comments received and no appeal of the SEPA determination; and

10. The Board decided to include text language in Chapter Three, Natural Resource Lands, Agricultural Lands Soil Types based on the Planning Commission recommendation, public testimony, and information in the record.

SECTION 2. KEN LAKE LAND USE PLAN AMENDMENT. In accordance with the provisions of this resolution, the Future Land Use Map 1-3 in the Comprehensive Plan for the City of Olympia and the Olympia Urban Growth Area as adopted by Thurston County is hereby amended as shown in Attachment A.

SECTION 3. NORTH THURSTON LAND USE PLAN AMENDMENT. In accordance with the provisions of this resolution, the Future Land Use Map M-15 and the Thurston County Urban Growth Area Map M-14 in the Thurston County Comprehensive Plan and the future land use map in the Comprehensive Plan for the City of Lacey and the Lacey UGA as adopted by Thurston County is hereby amended as shown in Attachment B.

SECTION 4. CITY OF RAINIER LAND USE PLAN AMENDMENT. the Future Land Use Map M-15 and the Thurston County Urban Growth Area Map M-14 in the Thurston County Comprehensive Plan and the future land use map in the Comprehensive Plan for the City of Rainier Comprehensive Plan for Growth Management and Joint Comprehensive Plan with Thurston County as adopted by Thurston County is hereby amended as shown in Attachment C.

SECTION 5. COMPREHENSIVE PLAN AMENDMENT METHODS. In accordance with the provisions of this resolution, Chapters 12 and 13 are hereby amended as shown in Attachment D to this resolution.

SECTION 6: SCHADER CROWN RANCH LAND USE PLAN AMENDMENT. In accordance with the provisions of this resolution, Map M-15, Future Land Use, in Chapter 2 of the Thurston County Comprehensive Plan is hereby amended as shown in Attachment E to this resolution.

SECTION 7: LONG TERM AGRICULTURE SOILS AMENDMENT. In accordance with the provisions of this resolution, Chapter 3 of the Thurston County Comprehensive Plan is hereby amended as shown in Attachment F of this resolution.

SECTION 8. LAND USE ALLOCATION TABLES. In accordance with the provisions of this resolution, Table 2-1A, Percentage of Land Allocated for Rural Uses ,in Chapter 2 Land Use in the Thurston County Comprehensive Plan is hereby amended as shown in Attachment G to this resolution.

SECTION 9. 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 10. EFFECTIVE DATE. This resolution shall take effect immediately upon adoption.

ADOPTED: May 20, 2014

ATTEST:

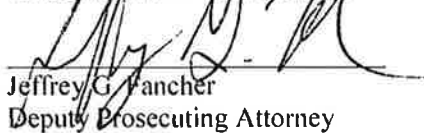

Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington


Chair

APPROVED AS TO FORM:

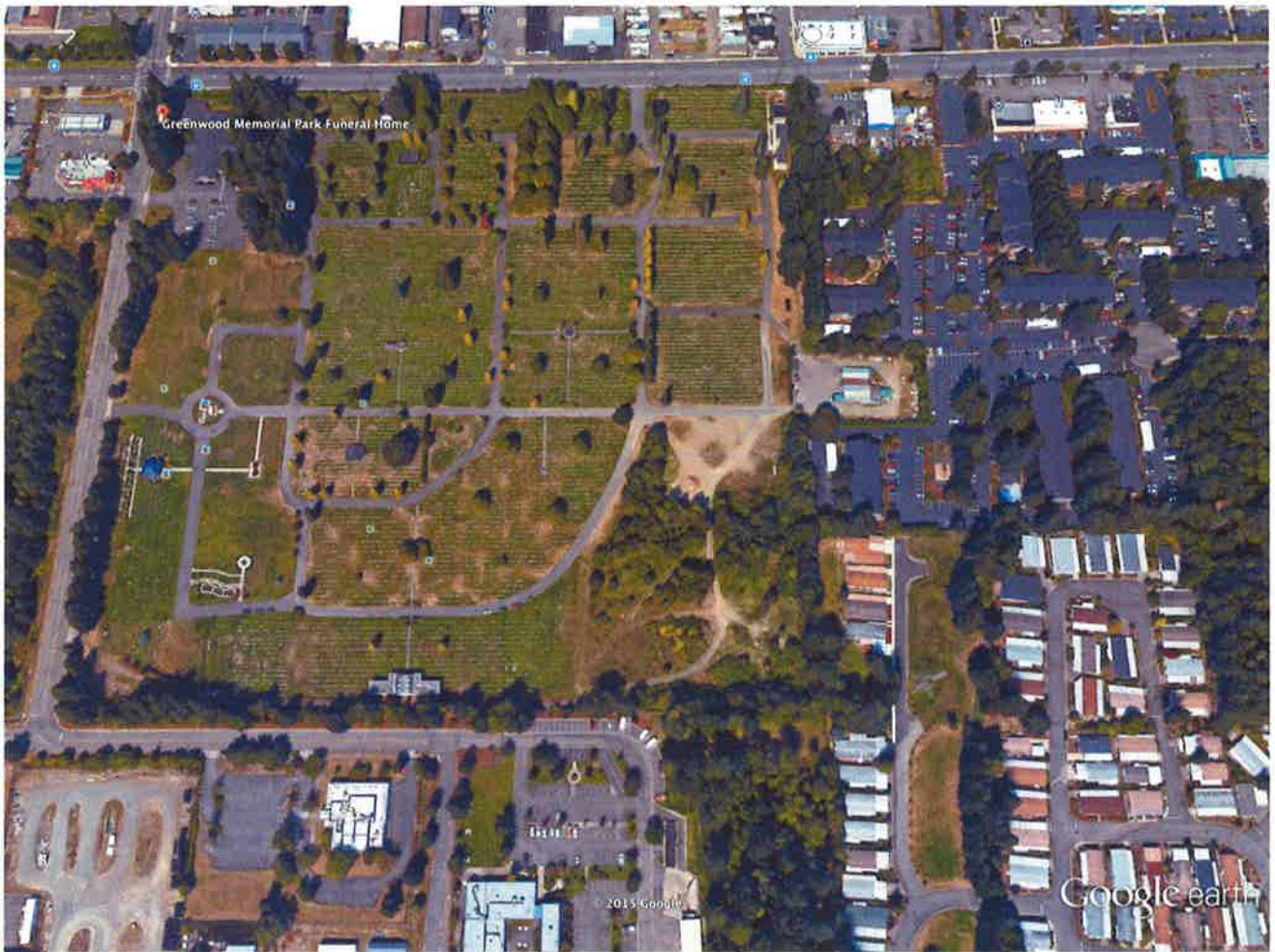
JON TUNHEIM
PROSECUTING ATTORNEY


Jeffrey G. Fancher
Deputy Prosecuting Attorney


Vice-Chair


Commissioner

ATTACHMENT 3



Google earth

feet
meters

1000

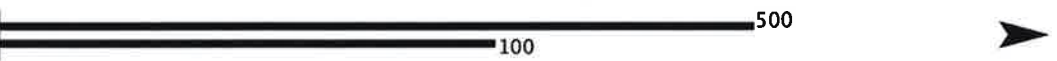
400





Google earth

feet
meters





Google earth

feet
meters





Google earth

feet
meters





Google earth

feet
meters





Google earth

feet
meters



ATTACHMENT 4













ATTACHMENT 5

Thurston County Map

LEGEND

- | | |
|---|--|
|  Major Roads |  Flood Zones |
|  Roads |  Water Bodies |
|  Streams |  Zoning |
|  Contours |  Cities |
|  Wetlands |  Parcels |
|  Wetland Buffers | |



Disclaimer: Thurston County makes every effort to ensure that this map is a true and accurate representation of the work of County government. However, the County and all related personnel make no warranty, expressed or implied, regarding the accuracy, completeness or convenience of any information disclosed on this map. Nor does the County accept liability for any damage or injury caused by the use of this map.

To the fullest extent permissible pursuant to applicable law, Thurston County disclaims all warranties, express or implied, including, but not limited to, implied warranties of merchant ability, data fitness for a particular purpose, and non-infringements of proprietary rights. Under no circumstances, including, but not limited to, negligence, shall Thurston County be liable for any direct, indirect, incidental, special or consequential damages that result from the use of, or the inability to use, Thurston County materials.



© 2015 - Thurston GeoData Center
 929 Lakeridge Drive SW, Suite 216
 Olympia, WA 98502-6031

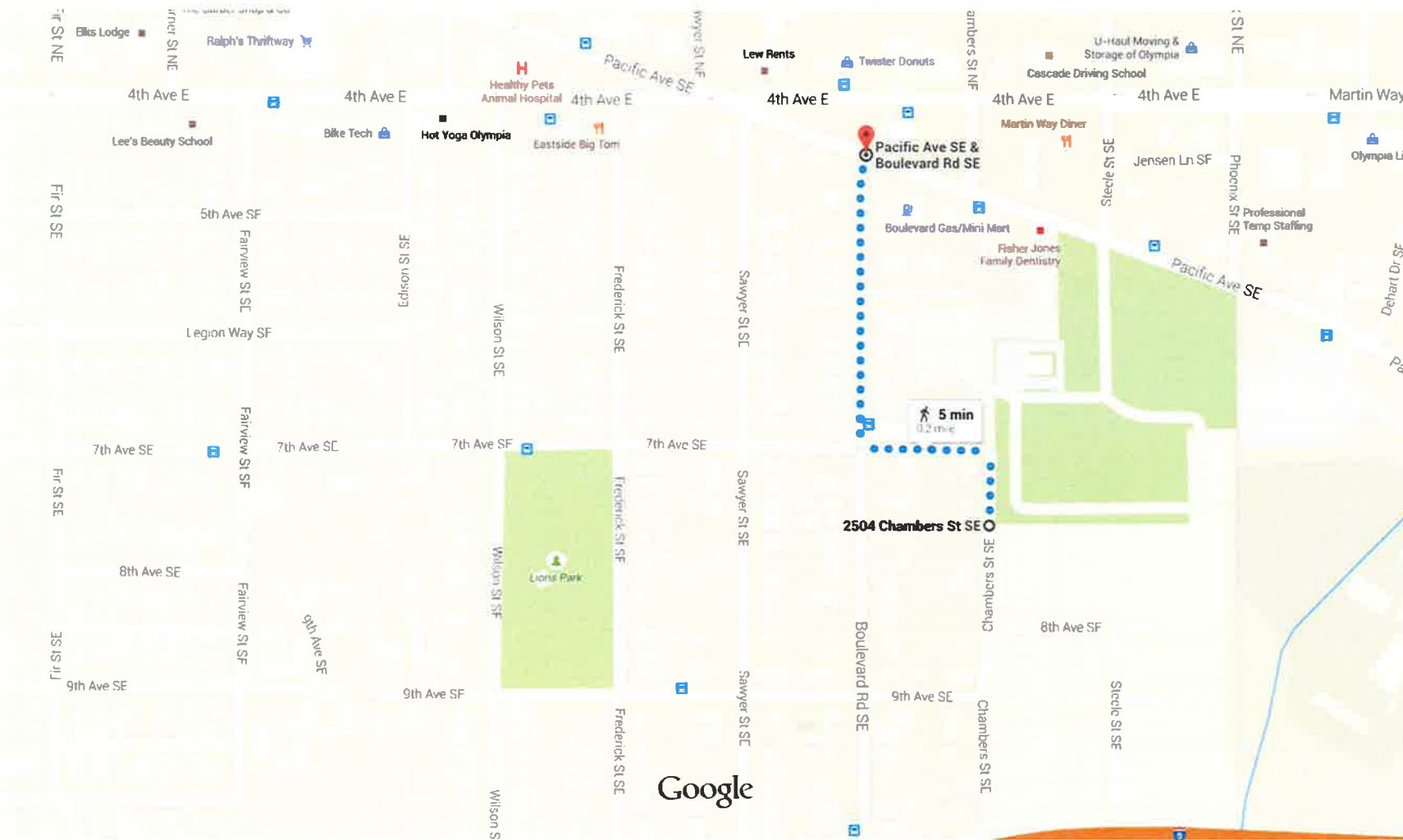
ATTACHMENT 6



Google

2504 Chambers St SE, Olympia, WA 98501 to Pacific Ave SE & Boulevard Rd SE

Walk 0.2 mile, 5 min



via 7th Ave SE and Boulevard Rd SE

5 min

Show terrain

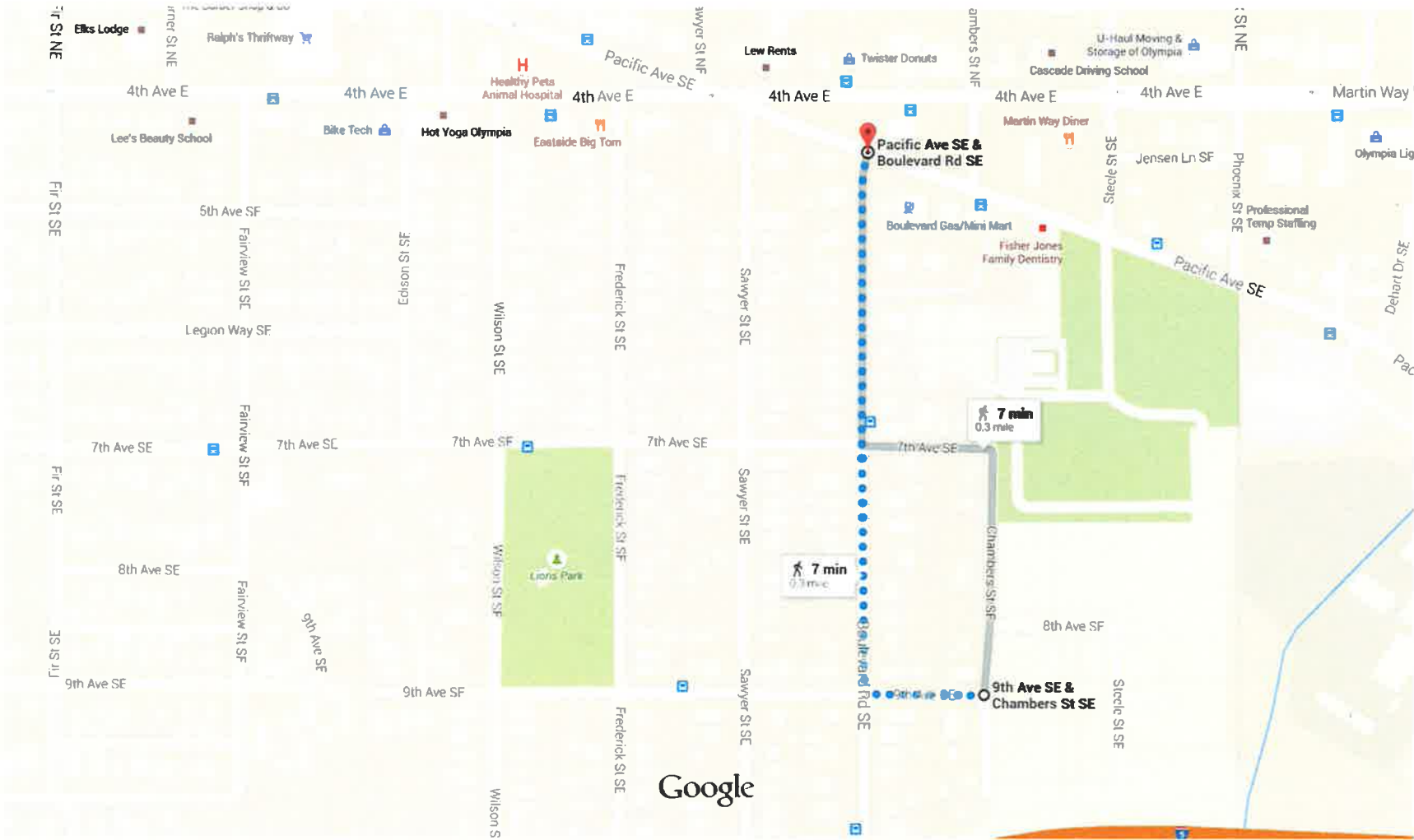
0.2 mile

Details



9th Ave SE & Chambers St SE to Pacific Ave SE & Boulevard Rd SE

Walk 0.3 mile, 7 min



Google

via Boulevard Rd SE

7 min

Show terrain

0.3 mile

Details

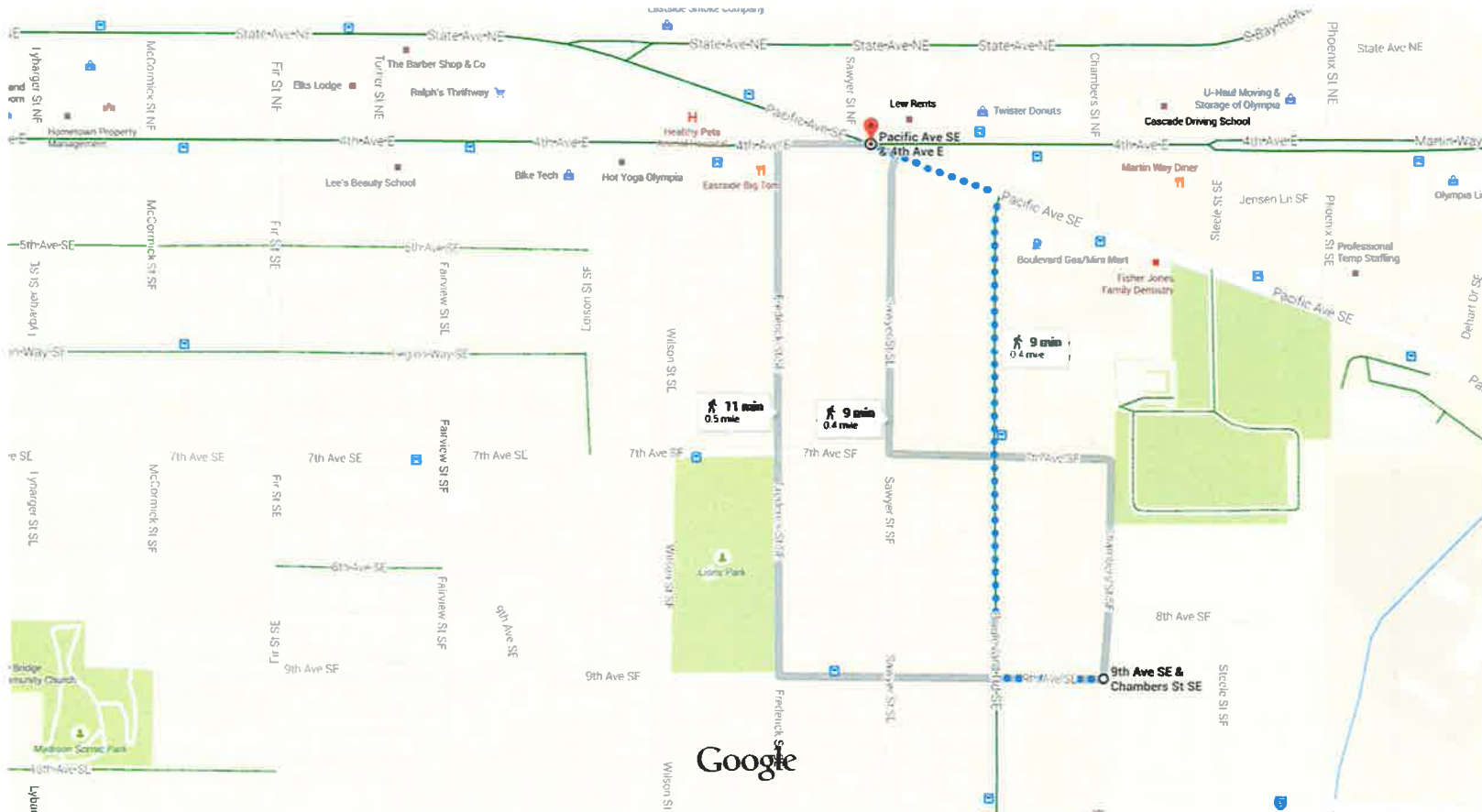
via Chambers St SE and Boulevard Rd SE

7 min



9th Ave SE & Chambers St SE to Pacific Ave SE & 4th Ave E, Olympia, WA

Walk 0.4 mile, 9 min



via Boulevard Rd SE

9 min

Show terrain

0.4 mile

Details

via Chambers St SE, 7th Ave SE and Sawyer St SE

9 min

via 9th Ave SE and Frederick St SE

11 min

Trails

Bicycle-friendly roads

Dedicated lanes

Dirt/unpaved trails

Map data ©2015 Google 200 ft



9th Ave SE & Chambers St SE to Ralph's Thriftway

Walk 0.6 mile, 13 min



via Boulevard Rd SE and 4th Ave E

13 min

Show terrain

0.6 mile

Details

via 9th Ave SE and Wilson St SE

13 min

via 7th Ave SE and Edison St SE

13 min

Trails

Dedicated lanes

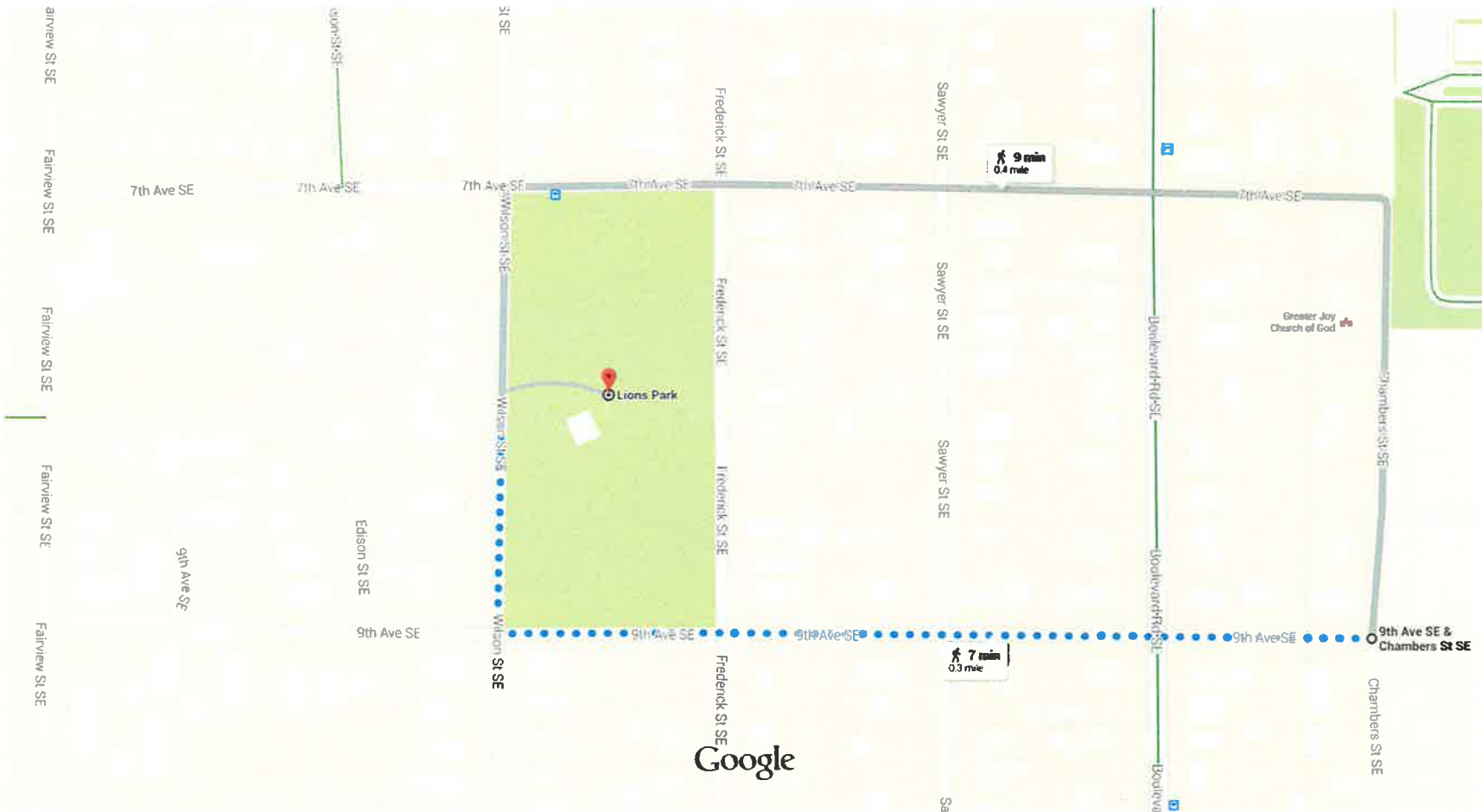
Bicycle-friendly roads

Dirt/unpaved trails



9th Ave SE & Chambers St SE to Lions Park

Walk 0.3 mile, 7 min



via 9th Ave SE

7 min

Show terrain

0.3 mile

Details

via Chambers St SE and 7th Ave SE

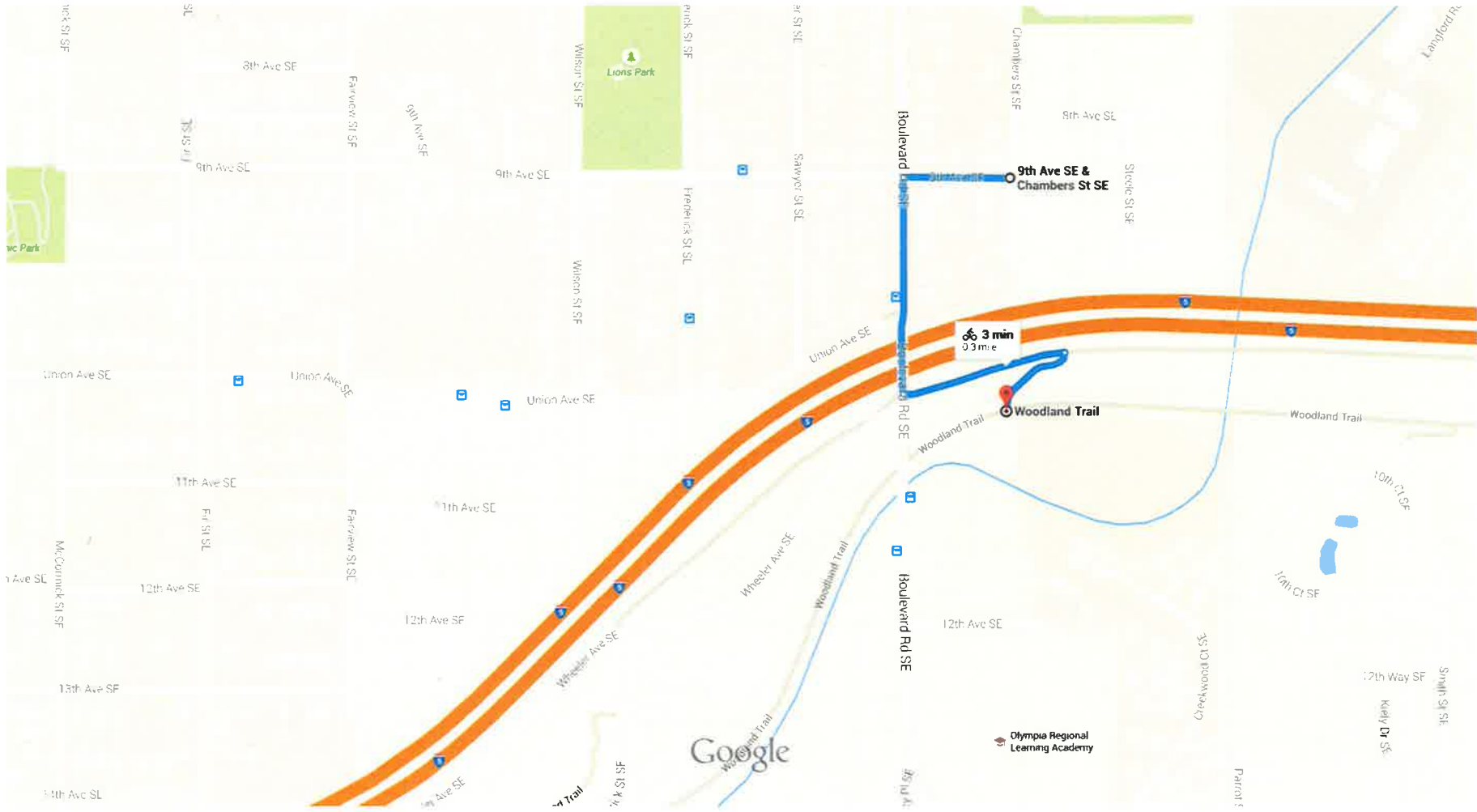
9 min

- Trails
- Dedicated lanes
- Bicycle-friendly roads
- Dirt/unpaved trails



Google 9th Ave SE & Chambers St SE to Woodland Trail, Olympia, WA 98501

Bicycle 0.3 mile, 3 min



 via Boulevard Rd SE
 † 16 ft · ‡ 43 ft · Show bike paths

3 min
 0.3 mile





9th Ave SE & Chambers St SE to Ralph's Thriftway

Bicycle 0.7 mile, 5 min



🚲 via 9th Ave SE

↑ 46 ft · ↓ 7 ft · Hide bike paths

5 min

0.7 mile

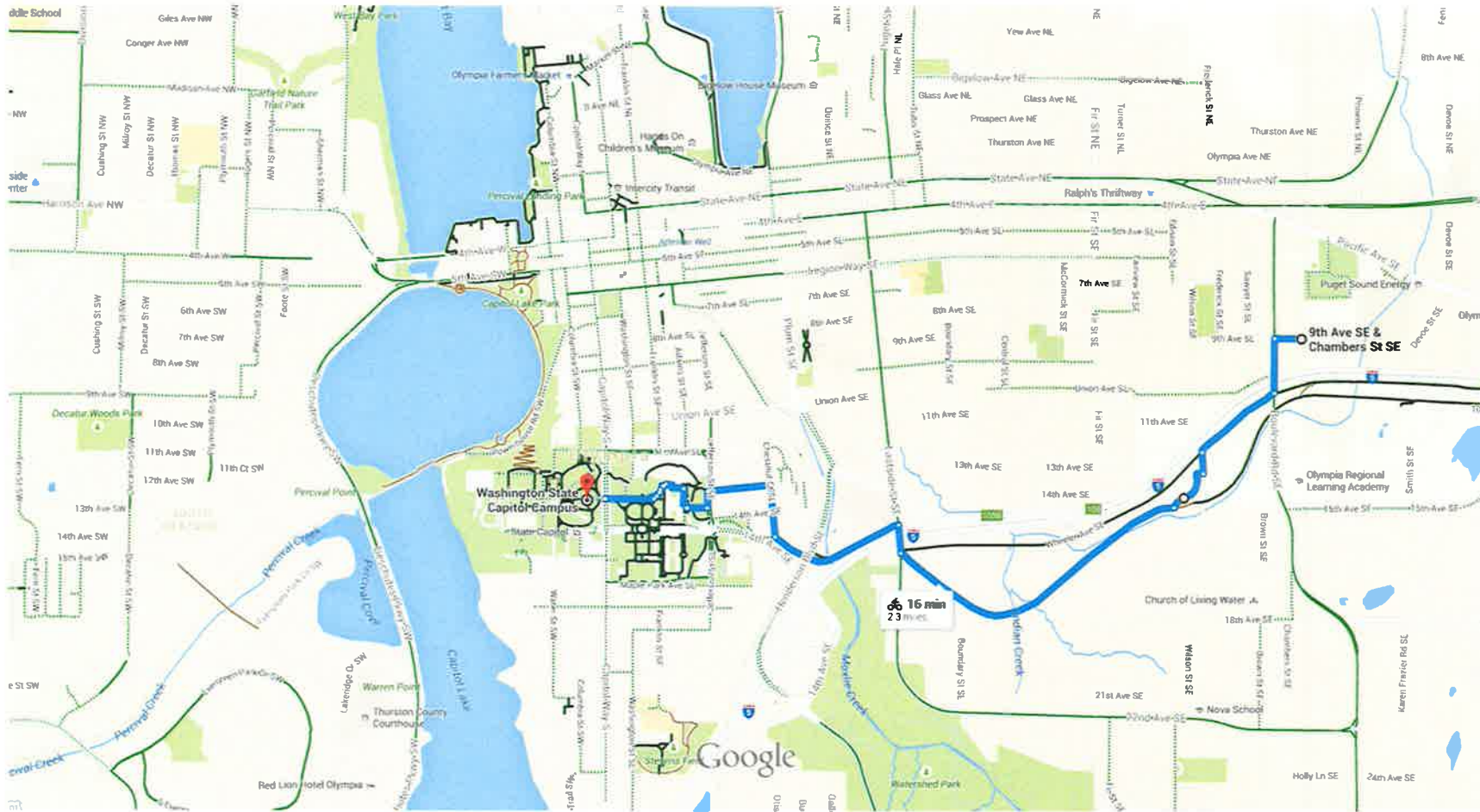


- Trails
- Dedicated lanes
- Bicycle-friendly roads
- Dirt/unpaved trails



9th Ave SE & Chambers St SE to Washington State Capitol Campus

Bicycle 2.3 miles, 16 min



🚲 via Woodland Trail

16 min

↑ 98 ft · ↓ 161 ft · Hide bike paths

2.3 miles

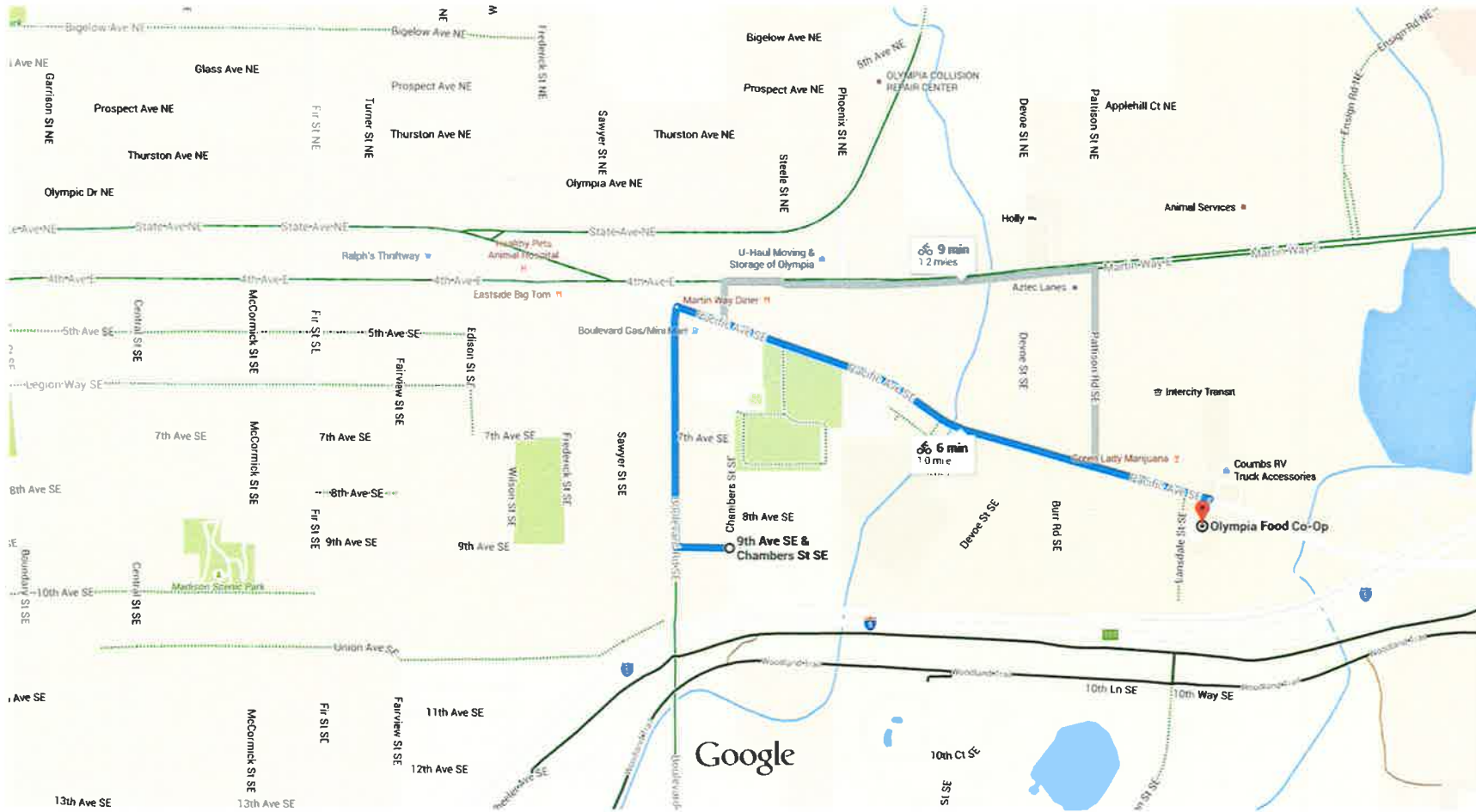


- Trails
- Dedicated lanes
- ... Bicycle-friendly roads
- Dirt/unpaved trails



9th Ave SE & Chambers St SE to Olympia Food Co-Op

Bicycle 1.0 mile, 6 min



via Boulevard Rd SE and Pacific Ave SE **6 min**
 Mostly flat · Hide bike paths
 1.0 mile

Details

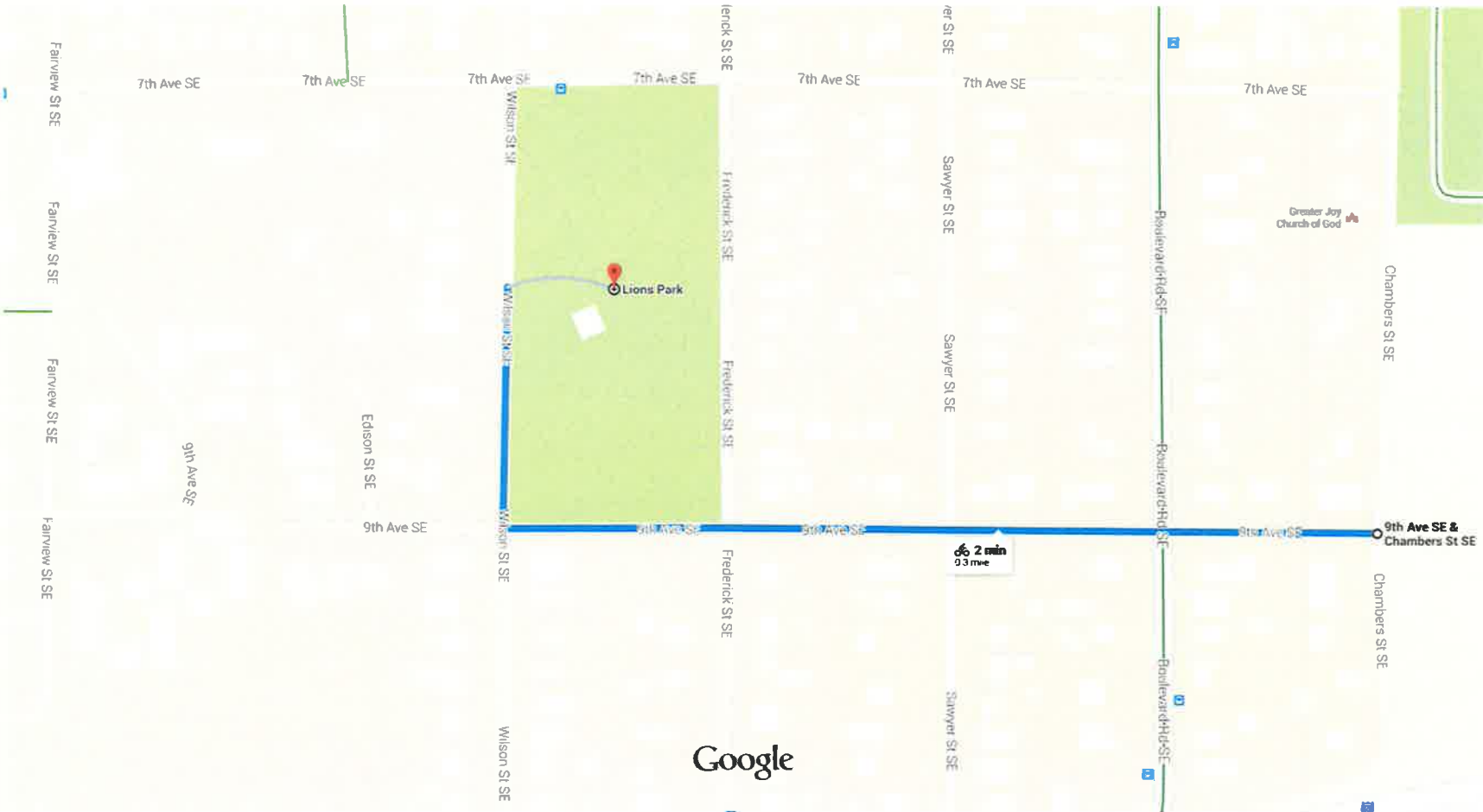
via Martin Way E **9 min**

- Trails
- Dedicated lanes
- Bicycle-friendly roads
- Dirt/unpaved trails



9th Ave SE & Chambers St SE to Lions Park

Bicycle 0.3 mile, 2 min



via 9th Ave SE

↑ 33 ft · ↓ 0 ft · Hide bike paths

2 min

0.3 mile



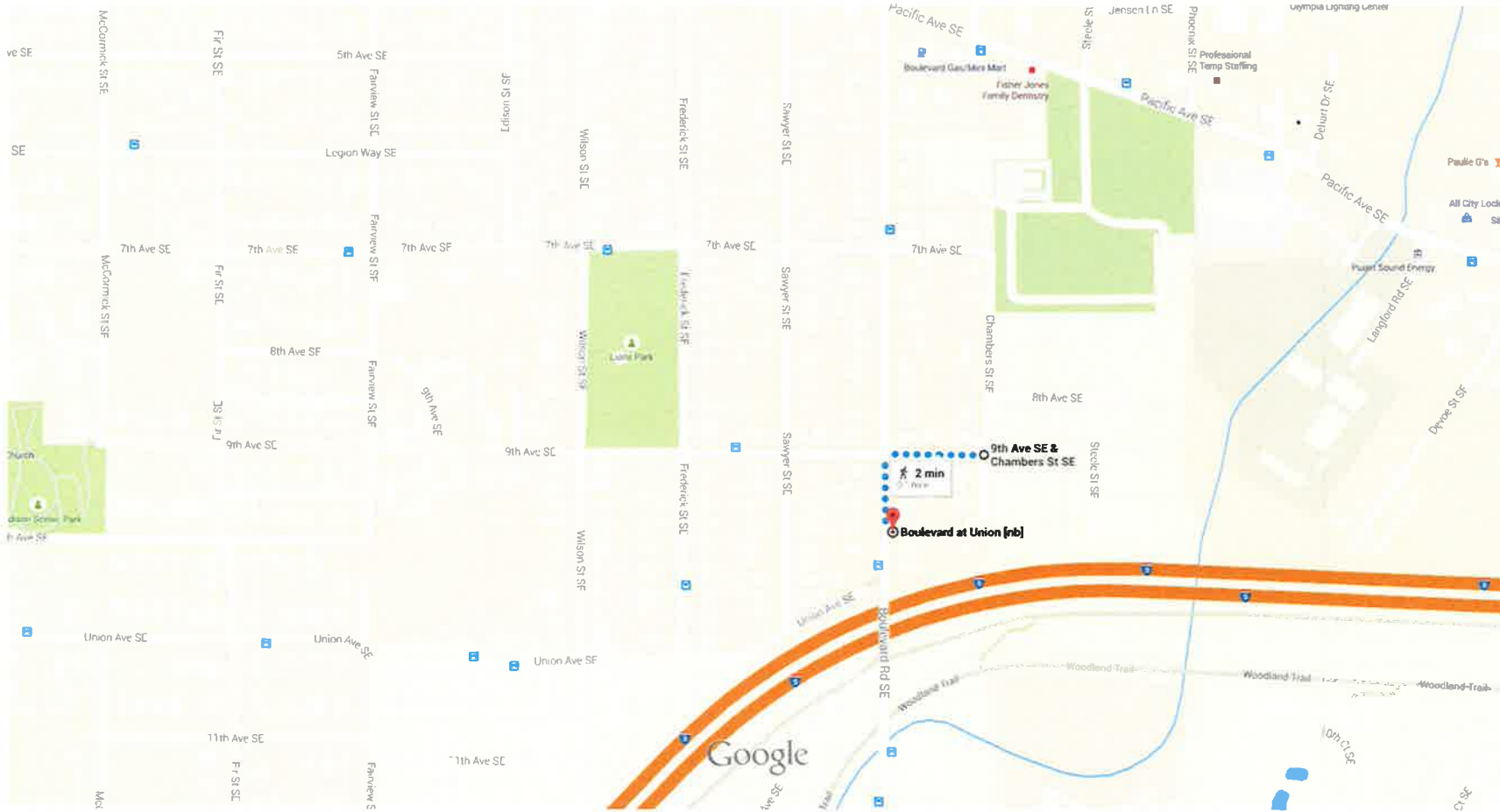
- Trails
- Dedicated lanes
- Bicycle-friendly roads
- Dirt/unpaved trails

ATTACHMENT 7



Google 9th Ave SE & Chambers St SE to Boulevard at Union [nb]

Walk 0.1 mile, 2 min

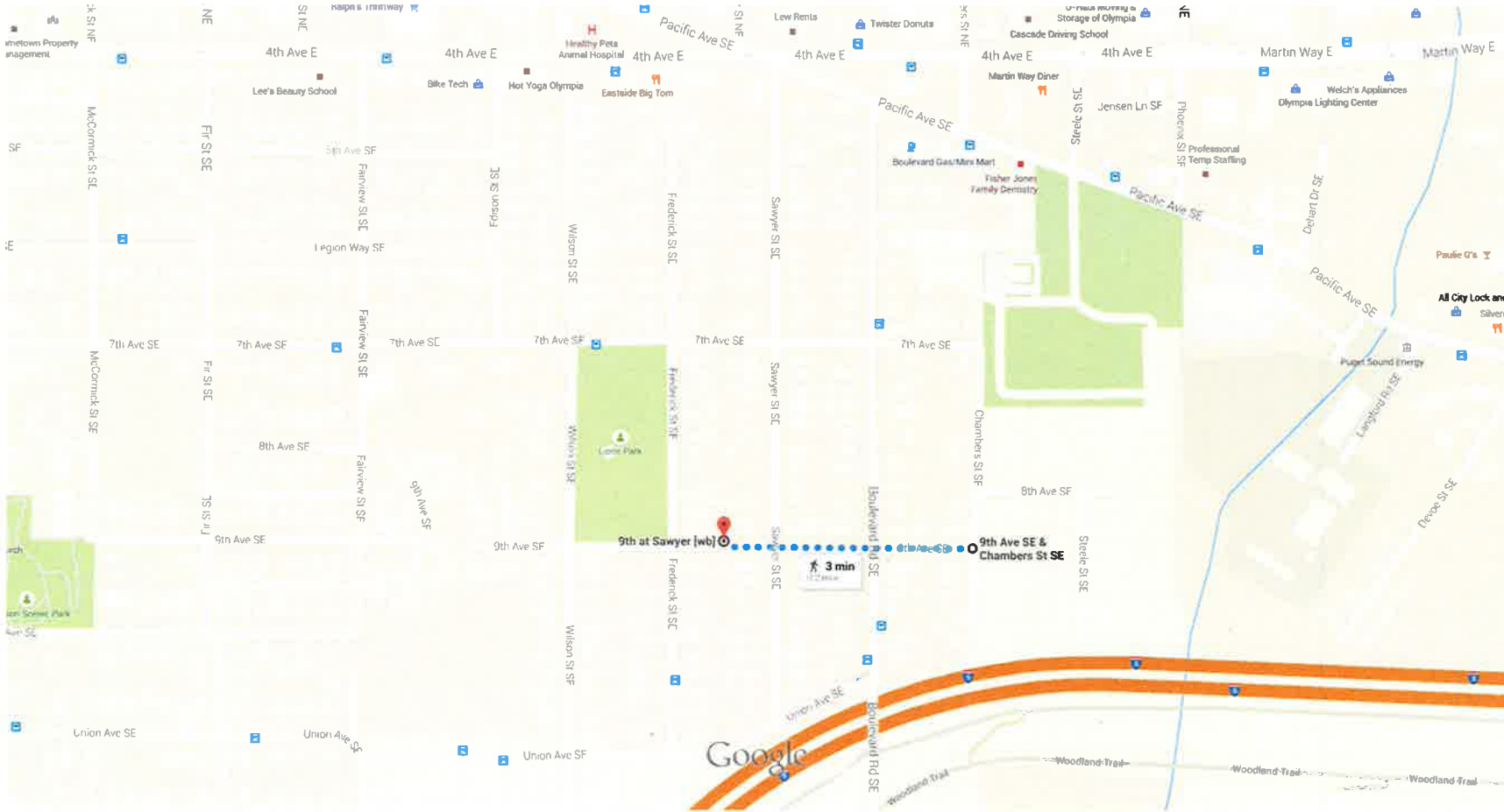


Map data ©2015 Google 200 ft



Google 9th Ave SE & Chambers St SE to 9th at Sawyer [wb]

Walk 0.2 mile, 3 min



via 9th Ave SE

3 min

Show terrain

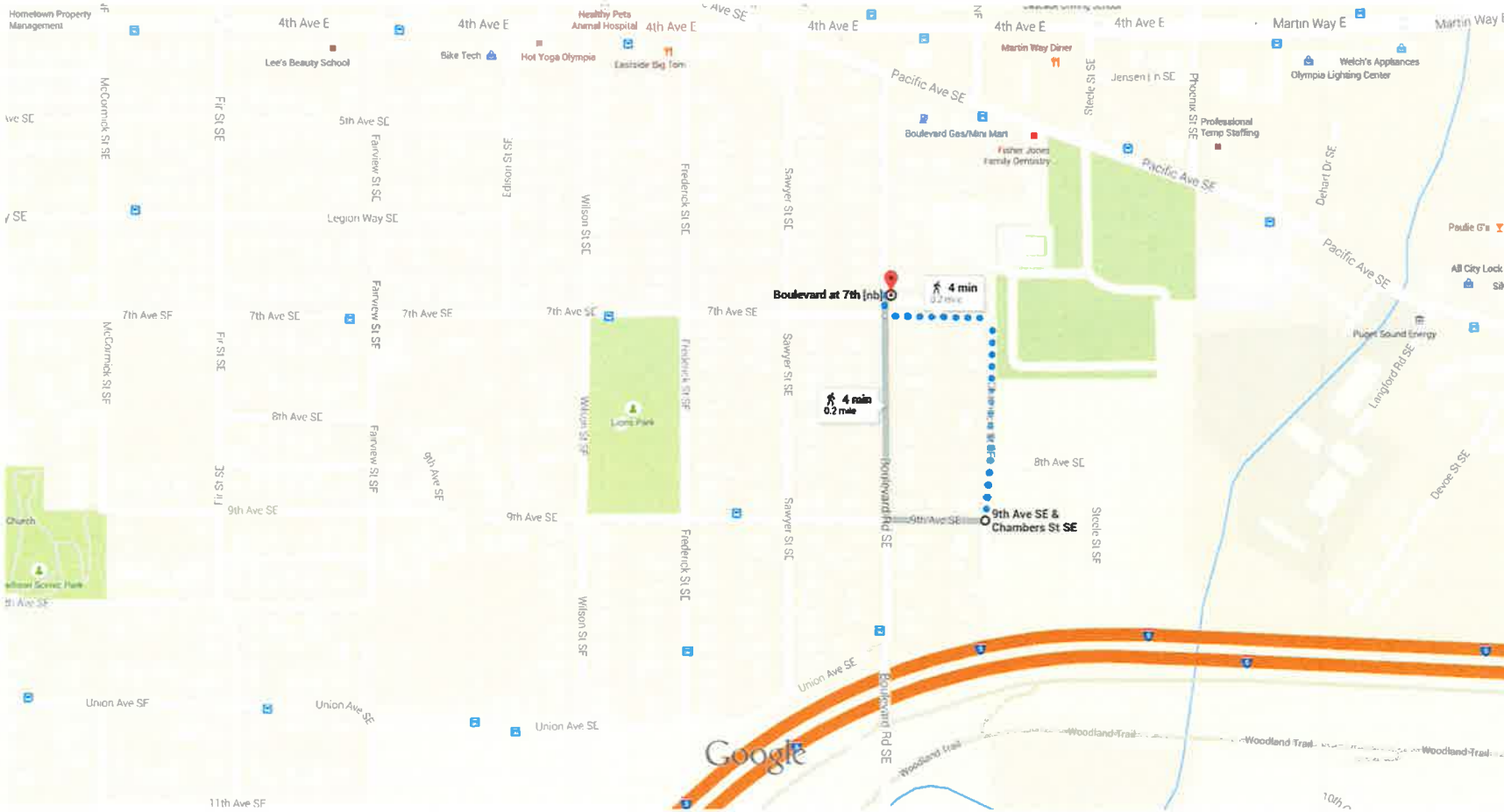
0.2 mile


Details




Google 9th Ave SE & Chambers St SE to Boulevard at 7th [nb]

Walk 0.2 mile, 4 min



 via Chambers St SE and 7th Ave SE **4 min**
 Show terrain 0.2 mile

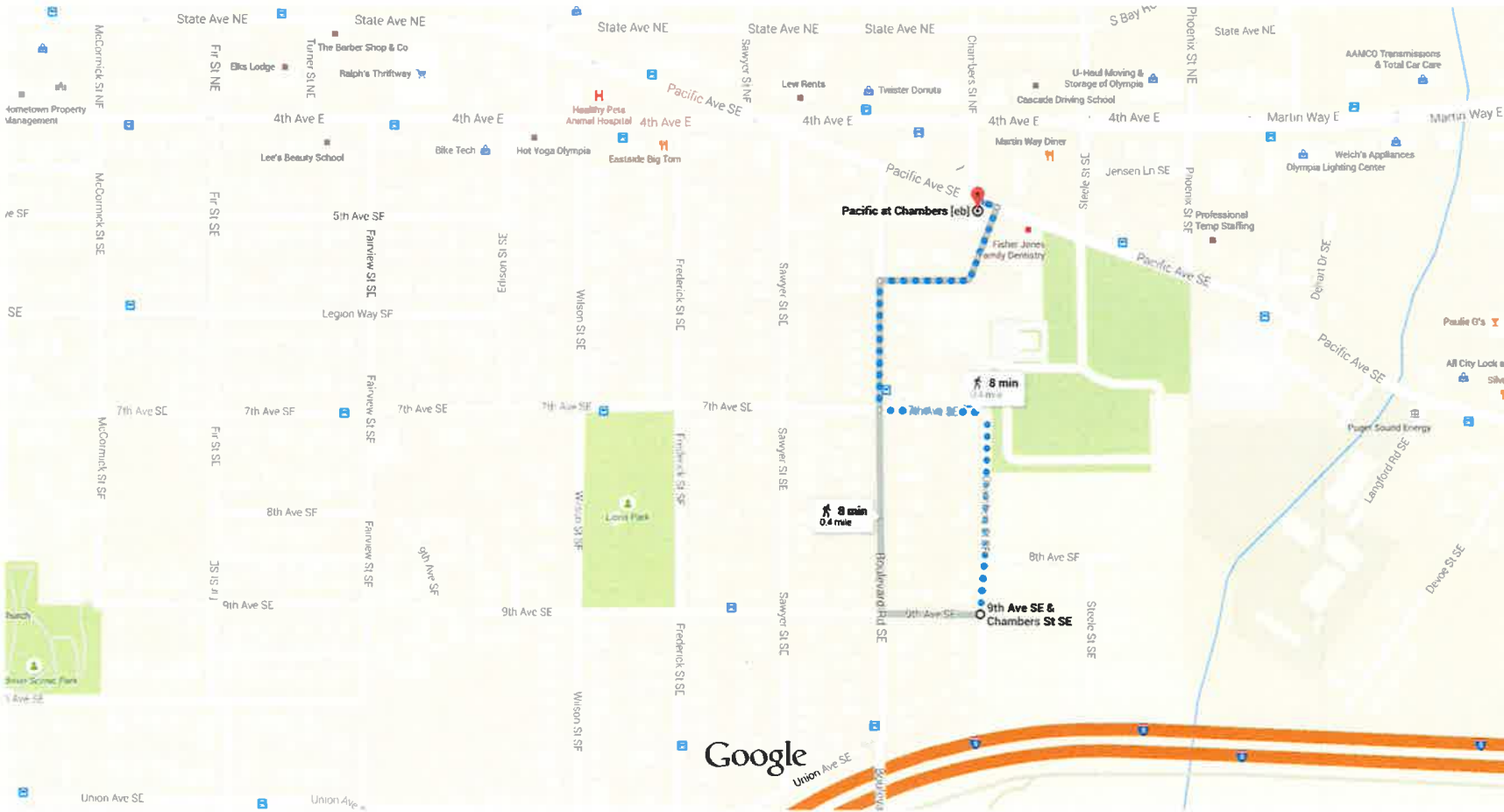
Details

 via 9th Ave SE and Boulevard Rd SE **4 min**



9th Ave SE & Chambers St SE to Pacific at Chambers [eb]

Walk 0.4 mile, 8 min



via Chambers St SE

8 min

Show terrain

0.4 mile

Details

via Boulevard Rd SE

8 min

ATTACHMENT 8

NOTICE OF PUBLIC HEARING OLYMPIA PLANNING COMMISSION NINTH AVENUE AMENDMENT OF COMPREHENSIVE PLAN

The Olympia Planning Commission will hold a public hearing at or after **6:30 p.m., on Monday, August 3, 2015, in Room 207 of City Hall, 601 4th Avenue East, Olympia, Washington**, to receive public comments prior to making a recommendation to the City Council regarding a set of proposed Comprehensive Plan amendments. The proposed amendment described below may be of special interest to you.

City of Olympia staff proposes an amendment of the 'Transportation 2030' maps of the Comprehensive Plan to **change the designation of Ninth Avenue SE from 'local access' to 'neighborhood collector'** from Boulevard Road to Chambers Street.

Among other changes, this amendment would mean that if this roadway is improved it would include a parking lane and two travel lanes providing more capacity than the narrower 'local access' street now planned for this block. Upon improvement either version of the street could have sidewalks on both sides and other similar features outside the curb lines. Both versions would fit within the existing 60-foot right-of-way.

The general location is site 2C on the accompanying Future Land Use Map. The more specific location of this street is shown in the detailed map below.

More information may be obtained by contacting Todd Stamm, Principal Planner, at (360) 753-8597, at tstamm@ci.olympia.wa.us, or at Olympia City Hall, 601 Fourth Avenue East during regular business hours. In addition, City staff will be available at City Hall to answer questions and discuss this proposal with members of the public from 5:30 p.m. to 8:00 p.m. on the evening of Wednesday, July 29. A staff report regarding this proposal will be available and posted on the City website, olympiawa.gov, under "Planning Commission" and the meeting date, by Thursday, July 30, 2015.

Anyone interested is invited to attend the hearing and present comments regarding the above proposal. To assure consideration, written comments must be presented at the hearing or received prior to 5:00 p.m. on Friday, August 7, 2015. Written statements may be submitted to the Commission at the hearing, or in care of the Olympia Community Planning and Development Department, PO Box 1967, Olympia, WA 98507-1967; to cpdinfo@ci.olympia.wa.us or by fax to (360) 753-8087.






If you need special accommodations to participate in this meeting, please call (360) 753-8314, at least 48 hours in advance and ask for the ADA Coordinator.

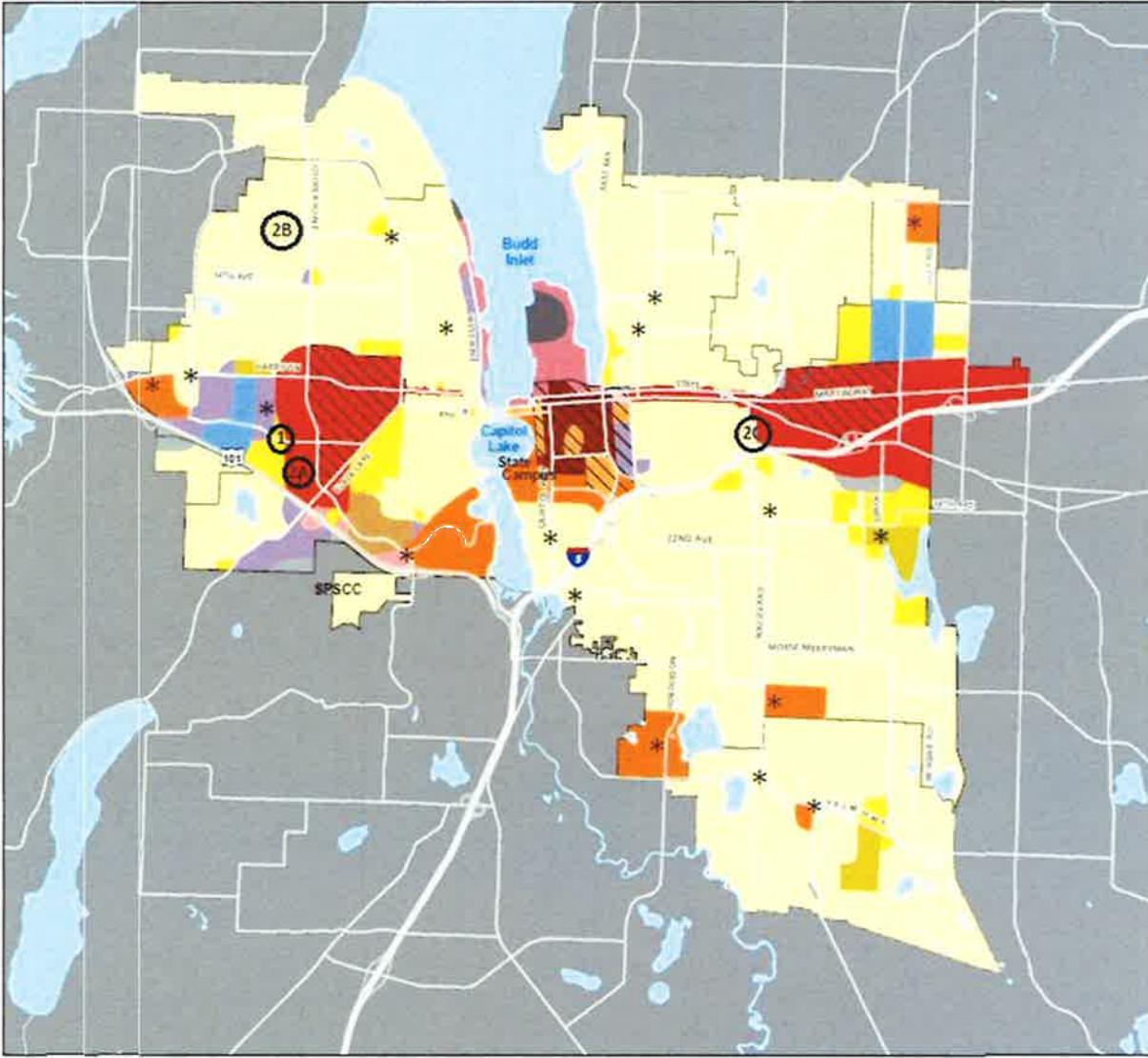
OLYMPIA COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT

Future Land Use

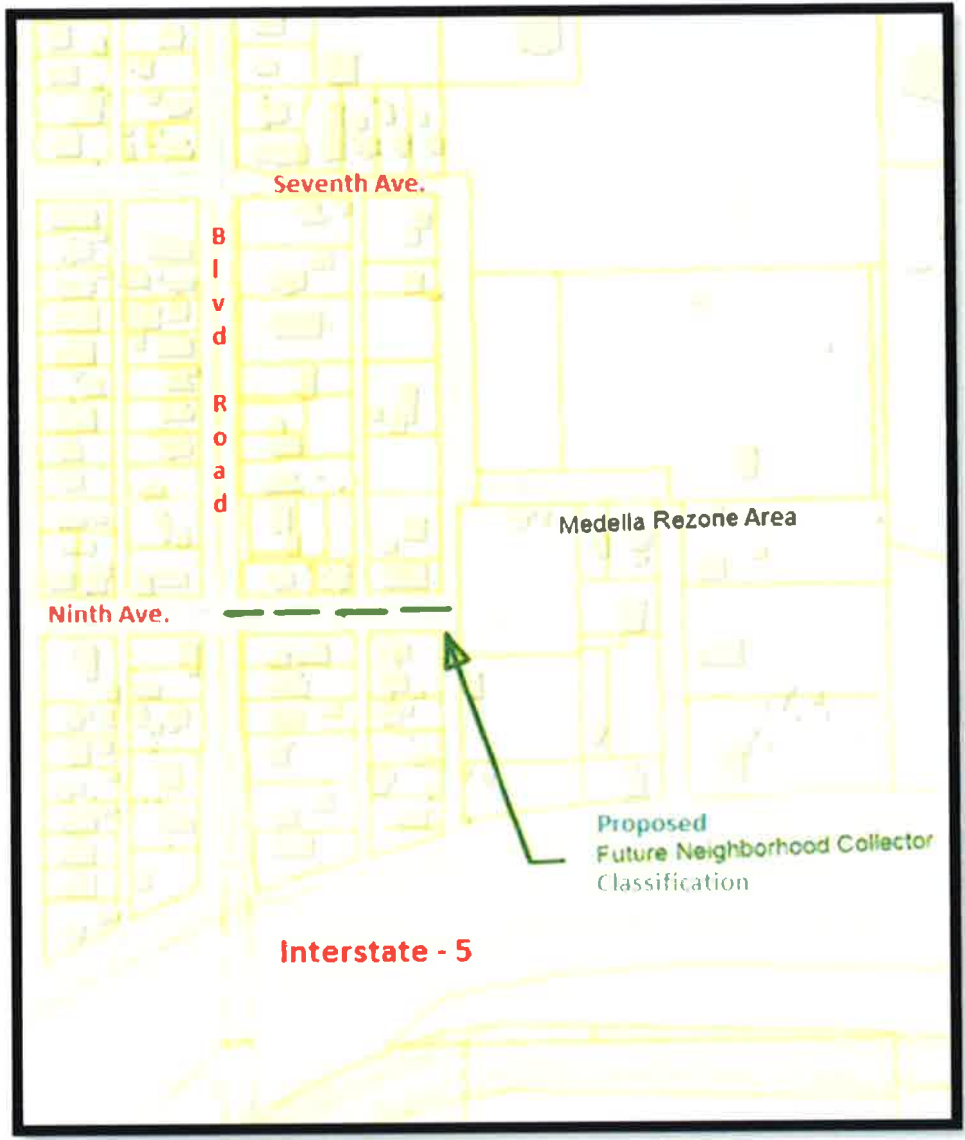
Publication Date: 12/18/2014 Effective Date: 12/23/2014

Ordinance #6945

-  High Density Neighborhoods Overlay
-  Low Density Neighborhoods
-  Medium Density Neighborhoods
-  Mixed Residential
-  Neighborhood Centers
-  Residential Mixed Use
-  Planned Developments
-  Professional Office & Multi-family Housing
-  Urban Corridor
-  Urban Waterfront
-  Central Business District
-  General Commerce
-  Auto Services
-  Medical Services
-  Light Industry
-  Industry
-  City Limits
-  Urban Growth Area



This map is a representation of the City of Olympia's future land use plan. It is not a guarantee of any specific future development or action. The City of Olympia reserves the right to amend this plan at any time without notice. This map is for informational purposes only and should not be used as a basis for any legal or financial decisions. The City of Olympia is not responsible for any errors or omissions in this map. The City of Olympia is not responsible for any damages or losses resulting from the use of this map. The City of Olympia is not responsible for any claims or liabilities arising from the use of this map. The City of Olympia is not responsible for any claims or liabilities arising from the use of this map.



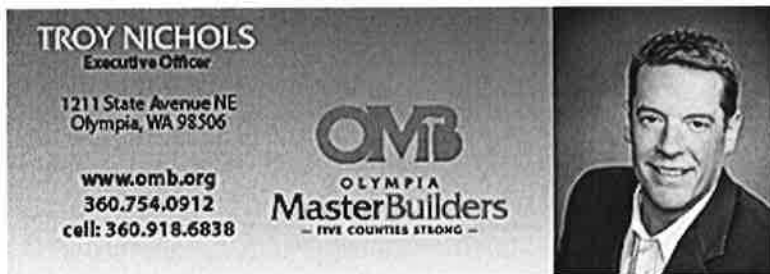
Ninth Avenue SE – Proposed Street Reclassification

Nancy Lenzi

From: Troy Nichols <troy@omb.org>
Sent: Friday, July 24, 2015 11:22 AM
To: Todd Stamm
Cc: Ron Niemi; Ron
Subject: Medela Rezone
Attachments: Letter of Support for Medela Rezone.pdf

Hello Todd!

Please accept this official letter of support from OMB's Government Affairs Committee regarding the proposed Medela Rezone. If you have any additional questions, don't hesitate to ask. Thank you!





Office:
1211 State Avenue NE
Olympia, WA 98506

Phone: 360.754.0912
Toll Free: 800.456.6473
Fax: 360.754.7448

Serving:
Thurston, Lewis, Grays Harbor,
Pacific, and Mason Counties

July 24, 2015

Todd Stamm, Principle Planner
Community Planning and Development Department
City of Olympia

Dear Mr. Stamm:

On July 23, 2015, the Olympia Master Builders' Government Affairs Committee voted to formally endorse the proposed rezone of the Medela property – nine acres within the City of Olympia near Interstate 5 and Boulevard Road – as requested by the 501(c) (3) non-profit corporation Thurston Transportation Oriented Development (TTOD).

It is our understanding that the property is currently being used as mostly low density rental housing, where the existing homes are falling into disrepair. The proposed zoning change to RM-18 would allow for greater housing densities and new construction near a vital transportation corridor.

We believe this rezone would help the City of Olympia achieve its density goals as outlined in its recently updated Comprehensive Plan, and would help fulfill the Plan's vision of vibrant neighborhood centers and transit-oriented urban corridors.

If the rezone application is approved, eventual development of the site will bring \$20 to \$30 million in new construction activity, as well as 160-200 new dwelling units within the City of Olympia, serving individuals and families at all levels of income. We believe that this development would help fulfil our association's core mission of providing affordable housing for all segments of society.

We also feel that a successful housing development at the Medela site will lead to other successful infill projects throughout a city that expects to receive 20,000 new residents over the next 20 years.

Thank you for your consideration of the Medela rezone application. We strongly support TTOD's application and look forward to working together with them to create more affordable housing opportunities for all segments of our community.

Sincerely,

Ron Deering
Government Affairs Committee Chair
First Vice President, Olympia Master Builders

Troy Nichols
Executive Officer
Olympia Master Builders

Master Builders -
BUILDING STRONG COMMUNITIES,
ONE HOME AT A TIME.

www.omb.org

Nancy Lenzi

From: Teresa Burgman <teresa@woodlawn-funeralhome.com>
Sent: Friday, July 24, 2015 2:34 PM
To: mscheibmeir@localaccess.com; Todd Stamm; Matthew Edwards
Subject: Follow up comments on Medela Rezone hearing of 7-20-15
Attachments: Follow up comments on Medela hearing of 7-20-15.docx

Dear Mr. Sheibmeir,

Thank you for the opportunity to follow up on testimony given at the Medela Rezone hearing of 7-20-2015. Attached are the Forest Funeral Home and Cemetery follow up comments.

Sincerely,
Teresa Goen-Burgman

Dear Mr. Scheibmeir,

Below are the follow up comments from Forest Funeral Home and Cemetery.

General Commercial Designation of Forest Cemetery

During testimony, Joe Hanna from Concerned Eastside Neighbors mentioned that Forest Cemetery was seeking a change in zoning from General Commercial. I wish to clarify his statements. Prior to annexation and the Medela LLC rezone efforts, Forest Cemetery had no need to consider its zoning status; it had been a cemetery since 1857 and, we assumed, had some type of "open space" designation. During the process of annexation, we became aware of our zoning designation of General Commercial (GC).

During the community meeting for annexation in which Todd Stamm (lead planner for the annexation) took questions, as Forest's Cemetery Authority, we asked about Forest Cemetery coming into the city with a more appropriate zoning designation. Mr. Stamm said that zoning was a separate issue aside of annexation and would have to be addressed later.

Mr. Stamm met with Joe Hanna, Concerned Eastside Neighbor's land use attorney Allen Unzelman, and myself; we were told that an application for rezoning could not occur until one year after the date of annexation. Hence, Forest Cemetery was waiting until after June 20, 2015 in order to explore a change in zoning. Then, in April, we received notice of the Medela LLC rezone proposal.

The premise seems to be that since Forest Cemetery is GC, there is the potential for higher intensity uses along the High Density Corridor (HDC). However, according to our understanding of state law governing cemeteries, that is not the case.

Construction on cemetery grounds is severely limited relative to what is called for in the HDC. Forest Cemetery is limited to ground burial plots, mausoleum, and columbarium (RCW 68.04.040).

Cemetery" means: (1) Any one, or a combination of more than one, of the following, in a place used, or intended to be used for the placement of human remains and dedicated, for cemetery purposes:

- (a) A burial park, for earth interments.*
- (b) A mausoleum, for crypt interments.*
- (c) A columbarium, for permanent niche interments; or*

(2) For the purposes of chapter 68.60 RCW only, "cemetery" means any burial site, burial grounds, or place where five or more human remains are buried. Unless a cemetery is designated as a parcel of land identifiable and unique as a cemetery within the records of the county assessor, a cemetery's boundaries shall be a minimum of ten feet in any direction from any burials therein.

[2005 c 365 § 29; 1990 c 92 § 7; 1979 c 21 § 1; 1943 c 247 § 4; Rem. Supp. § 3778-4.]

Dedication is permanent and the only way to construct other buildings on a cemetery is for a portion of the property to be removed from dedication. As with Forest, most cemeteries have removed a section for office construction. Forest's office building and morgue are on separate parcels. Below is the procedure for removal of dedication. City of Olympia is restrictive in its municipal code for a higher intensity for Forest Cemetery in GC, but Washington State certainly does lay out far more restrictive uses of a cemetery.

RCW 68.24.090

Removal of dedication — Procedure.

Property dedicated to cemetery purposes shall be held and used exclusively for cemetery purposes, unless and until the dedication is removed from all or any part of it by an order and decree of the superior court of the county in which the property is situated, in a proceeding brought by the cemetery authority for that purpose and upon notice of hearing and proof satisfactory to the court:

(1) That no placements of human remains were made in or that all placements of human remains have been removed from that portion of the property from which dedication is sought to be removed.

(2) That the portion of the property from which dedication is sought to be removed is not being used for placement of human remains.

(3) That notice of the proposed removal of dedication has been given in writing to both the funeral and cemetery board and the department of archaeology and historic preservation. This notice must be given at least sixty days before filing the proceedings in superior court. The notice of the proposed removal of dedication shall be recorded with the auditor or recording officer of the county where the cemetery is located at least sixty days before filing the proceedings in superior court.

[2009 c 102 § 13; 2005 c 365 § 75; 1999 c 367 § 2; 1987 c 331 § 34; 1943 c 247 § 76; Rem. Supp. 1943 § 3778-76.]

Notes:

Funeral directors and embalmers account and cemetery account abolished, moneys transferred to funeral and cemetery account -- 2009 c 102: See note following RCW [18.39.810](#).

Effective date -- 1987 c 331: See RCW 68.05.900.

RCW 68.24.070

Permanency of dedication.

After property is dedicated to cemetery purposes pursuant to RCW 68.24.010 through 68.24.060, neither the dedication, nor the title of a plot owner, shall be affected by the dissolution of the cemetery authority, by nonuser on its part, by alienation of the property, by any encumbrances, by sale under execution, or otherwise except as provided in *this act.

[1943 c 247 § 67; Rem. Supp. 1943 § 3778-67.]

Notes:

*Reviser's note: For "this act," see note following RCW 68.04.020.

Forest Cemetery can never fulfill PL 13.3: 'Transform Urban Corridors into areas with excellent transit service; multi-story building fronting major streets with trees, benches and landscaping, parking lots behind building, and a compatible mix of residential uses close to commercial uses.'

I would further mention that, although Puget Sound Energy (PSE) and the 911 Call Center are also listed as GC, they do not fit with plans for HDC activity; this is just an area where density levels cannot be reached due to topography, critical areas, and state statute.

Screening from GC Surrounding Forest Cemetery

During the hearing, questions arose regarding screening from both neighbors and GC uses:

Along Chambers and 7th Ave., there are 4-5 homes that have views of one section of Forest Cemetery (Garden of Devotion); this amount of exposure is minor compared to a more intense use such as RM-18. In the 1990s, we limited access from the corner of Chambers St. SE and 7th Ave. SE in order to keep the exposure to a minimum. At that time, we had an access gate and casual traffic would flow through the cemetery in order to avoid the intersection at Pacific Ave. and Boulevard Rd. This use became excessive and disruptive, particularly during graveside services.

A portion of our Chapel Garden is in view of Pacific Ave. and Fir Grove Business Park; most families in this section elect to bury closer to our office building, which provides more screening.

One major concern is screening along our common border with Medela LLC. RM 18 would expose our largest sections (Devotion, Good Shepherd, and Cham Muslim Community). Along the area closest to Medela LLC are a number of infant burials. The Cham Muslim Community chose Forest because of its access to Pacific Ave. and the fact that their burial practices are screened from view due to the topography of the land. Individuals paying their bills at PSE or visiting the 911 Call Center do not have a view into Forest Cemetery or Cham Community ceremonies.

The radio antennas, in Forest's opinion, are an eyesore. We objected to their construction, but to no avail. However, they are quiet and do not impede the serenity of services.

Traffic Noise and Sound Suppression

Also brought up at the hearing was the noise level. Currently, I-5 traffic noise is noticeable at Forest Cemetery and sounds a bit like ocean waves. Forest is buffered by a substantial tree and shrub barrier on the Medela LLC property. If the site were developed, that buffer would most likely be lessened severely. I contacted WSDOT regarding sound suppression for any future development. Below are notes I took from my conversation with Jeb Sawyer of WSDOT:

Traffic Sound Suppression Information

Jeb Sawyer: (360) 570-6701: Environmental and Hydrolics Manager for Olympic Region.

Medela LLC project would not qualify for a retrofit and would be the responsibility of the developer to provide sound suppression.

Equivalent to sound suppression barrier is a 200 ft. buffer with thick, mature trees and shrubs.

Barrier, if built, would have to start at Boulevard Rd. and extend the length of the site. Cost is approx. \$75/sq. ft. (info. on WSDOT internet site; specifically the acoustics page in the 2011 policy and procedures manual).

Orientation to HDC

According to the Comp Plan, activity should be oriented toward the high density corridor; however, in instance after instance, this activity is directed toward the Eastside Neighborhood. The representative from the Eastside Neighborhood Association (ENA) expressed opposition on the grounds that the elements of involvement that are called for in the comp plan are not being met. In context, ENA has never before taken a stance on this project, choosing to remain neutral over the last 3 years related to this project; At least, ENA did not take a stance until the day of the hearing. There are many individuals in ENA that are very much in favor of walkable, bikeable, pedestrian-friendly development, but do not see that in Medela LLC's proposal.

In written testimony, you also received information from Dr. Matt Fisher from the Fir Grove Business Park. Dr. Matt "walks the walk"---he literally walks miles to work and home from work every day. He is a proponent for walkable communities, but again does not see this proposal advancing the goals of the comp plan. This proposal is not oriented in walking, transport, or pedestrian-friendliness toward the high density corridor. This is in direct opposition to the goals of the comp plan.

Sincerely,

Teresa Goen-Burgman

Nancy Lenzi

From: DBloom@intercitytransit.com
Sent: Friday, July 24, 2015 4:14 PM
To: Todd Stamm
Cc: CArnett@intercitytransit.com; SSwan@intercitytransit.com
Subject: Medela Rezone File #: 15-0010 - Public Hearing
Attachments: Transit Routes Serving Proposed Medela Rezone.pdf

City of Olympia Hearing Examiner
Todd Stamm, Principal Planner
Community Planning and Development
City of Olympia
Re: Medela Rezone - File # 15-0010

Dear Hearing Examiner,

Thank you for extending the public comment period regarding the proposed Medela Rezone. Intercity Transit, the public transit provider in this region, is submitting details (attached pdf) in relationship to the property concerning:

- a) Existing fixed route service,
- b) Service Frequency of these routes,
- c) Corridor Frequency of the service routes along specific streets, and
- d) Bus stop locations and approximate walking distant to those stops from the middle of the Medela property (reference: Google Earth map, 2015/Imagery: 2013).

Given the proposed rezone is for residential, multi-family development, the question has been raised in public meetings about the provision of public transit service currently provided near the proposed rezone. The attached pdf/maps provide the details listed above on page 1, "Transit Routes Serving the Pacific Ave – Boulevard Road Area," and page 2, which is a system map providing the larger context of where Intercity Transit routes operate throughout the tri-city area of Olympia, Lacey and Tumwater. Intercity Transit also provides service from the tri-city area to the City of Yelm, Express service between the tri-city area and Lakewood and Tacoma (Pierce County), and local on-demand paratransit "Dial-A-Lift" service for qualified ADA clients.

As for the proposed Medela rezone and property, there are currently 5 local routes that are in close proximity, all of them providing service 7 days a week. These local routes operate between Olympia and Lacey and provide both neighborhood routing (Rts 60, 64) and higher frequency service along a major arterials (Rts 60, 62A, 62B, 66). All the routes serve residential and commercial areas and Route 60, for example, also provides service to our region's major medical facilities (hospital) and clinics along Lilly Road, about 1.5 miles east of Boulevard/Pacific Ave intersection. In addition, these routes provide connections to other local and regional bus service at downtown Olympia and Lacey transit hubs, and Route 64 also provides service to Centennial Station, the regional Amtrak station in southeast Lacey.

Bus stops for these routes are at various distances from the Medela property, but in terms of pedestrian walking distance, many of the stops are within a $\frac{1}{4}$ - $\frac{1}{2}$ mile of the property. These are well within the generally accepted distance for walking to and from transit bus stops in North America. Certainly many people walk greater distances to get to a bus or train but the distance represents a 5 -10 minute walk for able bodied transit users (TCRP Report 165, *Transit Capacity and Quality of Service Manual*, 3rd edition, 2013). And the area around a bus stop is typically referenced as the 'market demand area' to that stop, which considers the number of people or a facility that has access to bus service at that location. While the "walkability" of getting to and from the Medela property appears to currently lack sidewalks, as do other neighborhoods within the City of Olympia, utilization of the street as a pathway is typical in these instances. But if the rezone is granted we would anticipate the City requiring street and pedestrian improvements for any proposed development of the Medela property.

Finally, Intercity Transit is supportive of increased density, greater than 6 – 8 units per acre, along and near the street corridors of Boulevard Road, Pacific Ave, and Martin Way. As noted in the City's recently completed update of their Comprehensive Plan, the surrounding areas are being zoned to accommodate additional residential growth that is anticipated over the next 25 years. The City is also relying on public transit to help reduce motor vehicle trips and help improve transportation options for those going to work, shopping, recreation, appointments, etc., in these developing areas. Likewise, increasing use of transit service also means improvements in system efficiency for both transit and roadway infrastructure. It provides more choices that support 'quality of life' for a neighborhoods and residents alike. As you are probably well aware, land use and transportation go hand-in-hand when looking at how well various types of land use activities can function, especially in neighborhoods that are in transition. Consideration of transportation choices is a key element when looking at increased density and one that the City's Comprehensive Plan also recommends.

Thank you again for the opportunity and consideration to provide comments to the public process underway for the proposed Medela rezone. If there are any additional questions you may have about my comments and/or map details, please let me know at your earliest convenience.

Sincerely,
Dennis Bloom

Planning Manager
Intercity Transit
360.705.5832
E: dbloom@intercitytransit.com
W: www.intercitytransit.com

INTER*city*
TRANSIT

Transit Routes Serving the Pacific Ave - Boulevard Road Area



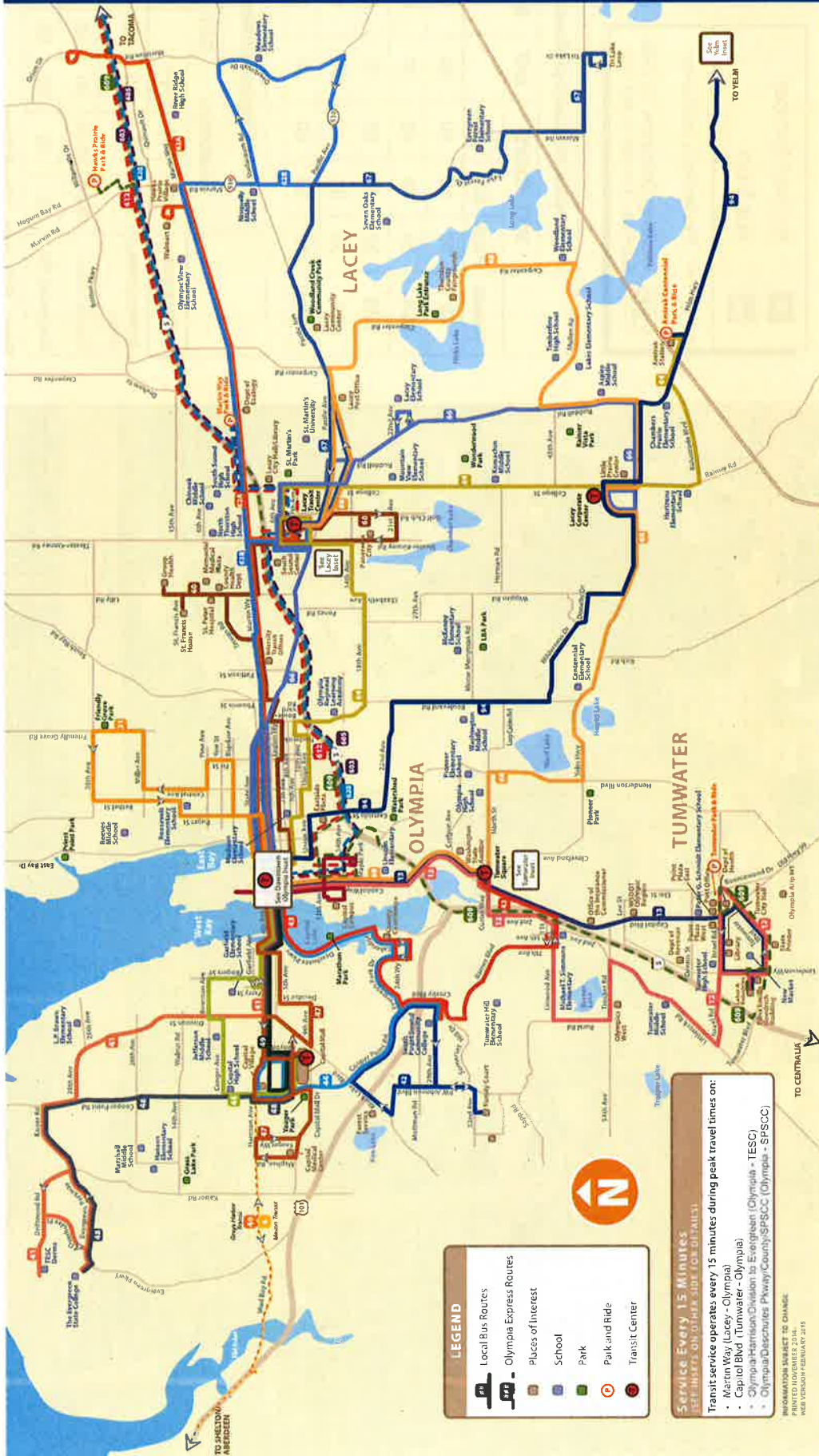
#	Route/Number
	Bus Stop
	Pedestrian pathway
.25	Walking Distance by Mile Example: 1/4 mile to Bus Stop

Route	Service Frequency/Minutes				
	WEEKDAYS			SAT	SUN
	Peak	Mid	Night		
60	30	60	60	60	60
62A	30	30	60	30	60
62B	30	30	60	30	60
64	30	60	60	60	60
66	30	30	60	30	30

Corridor	Corridor Frequency/Minutes				
	Weekdays			SAT	SUN
	Peak	Mid	Night		
4th/MartinWay/ State	15	15	30	15	30
Pacific Ave	10-20	10-20	30	30	30
Boulevard Rd	30	30	60	60	60

Peak: 6:15 - 9am, 3:30 - 6:30pm
Mid: 10:30a - 1:30p
Night: 6:30 pm - end of service day

INTERcityTRANSIT System Map



LEGEND

- Local Bus Routes
- Olympia Express Routes
- Places of Interest
- School
- Park
- Park and Ride
- Transit Center

Service Every 15 Minutes
(SEE SIDES OF THIS SIDE FOR DETAILS)

Transit service operates every 15 minutes during peak travel times on:

- Martin Way (Lacey - Olympia)
- Capitol Blvd (Tumwater - Olympia)
- Olympia-Harrison Division to Everett (Olympia - TESC)
- Olympia/Disburts Pkwy/County/SPSCC (Olympia - SPSCC)

INFORMATION SUBJECT TO CHANGE
 PRINTED NOVEMBER 2014
 PLS VISIT WWW.INTCITYTRANSIT.COM



Nancy Lenzi

From: Paul Ingman <paulingman@ymail.com>
Sent: Friday, July 24, 2015 4:55 PM
To: Todd Stamm; mscheibmeir@localaccess.com
Subject: Medela Rezone

RE: OPPOSE THE MEDELA REZONE PROPOSAL
“Follow the Comprehensive Plan”

Dear Mr. Scheibmeir: Hearing Examiner, City of Olympia

Please ensure that the Medela's Rezone Proposal is consistent with the City of Olympia's Comprehensive Plan as per OMC 18.59.050.

The Medela Rezone Proposal is located inside the “General Boundary” designation of the Urban Corridor, but the Medela Rezone Proposal **is NOT consistent** with the specific provisions and policies of the Urban Corridor designation to upzone the Medela land use to high density residential. The Forest Memorial Cemetery, like the Meleda site is in the Urban Corridor designation but neither site will ever be consistent with the Comprehensive Plan's Urban Corridor.

“FOLLOW THE PLAN”:

Under Public Policy - **PL14.2: “High density neighborhoods are highly walkable.”**

The Medela site is **NOT** walkable. “Walkability” is defined in the city's public documents, as the Maximum Allowable Walking Distance of a ¼ mile. I measured the walking distance from the center of the Medela site to the Urban Corridors and the neighborhood 's only shopping center..

Medela is **NOT** “walkable” to support services or the transportation corridors from the center of the Medela site to the centerline of the transportation corridors: US 99 or Pacific Ave; or to the center of the Shopping Center: grocery store, pharmacy, post office, coffee shop, and other retail. Even when Olympia's Maximum Allowable Walking distance is doubled, Medela is still not “walkable”. What narrow demographic group could walk more than one mile, climb 6 or 7 stories in elevation, and weave through neighborhoods without the safety of sidewalks and lighting to a grocery store in inclement weather? The new Comprehensive Plan requires walking lanes that are direct, convenient, easy, safe, and in close proximity to commercial services.

Medela is **NOT** part of the Urban Corridor (UC).

Urban Corridors require:

- Walkable access to support services
- Reduce motorized vehicles.
- Access along the Transportation Corridors (TC)
- Compatibility with existing zoning and density
- Alternatives to driving

Medela Rezone Proposal **is inconsistent** with the following public policies within the Comprehensive Plan. Medela is an **auto-dependent** site.

A – **Comprehensive Plan Requires: “WALKABILITY”**

PL14.2 – “**High density neighborhoods are highly walkable.**”

PL1.6 – “**Provide ...sites** that enable people to **walk to ...shopping...**”

PL1.9 – “**Require direct and convenient pedestrian access to commercial...buildings.**”

PL11.7 – “**Provide convenient pedestrian access** to ... businesses.”

PL12.8 – “...ensure pedestrians ...have **direct, convenient access to commercial ...buildings.**”

PL13.1 – “...**urban corridors ...with ... residential density to support ...pedestrian traffic ...**”

PT12.3 – “...**pedestrian pathways for safe and direct non-motorized access.**”

PT5.3 – “...**priority will be given to pedestrian(s)...**”

PT12.1 – “...**encourage walking...**”

PT15.2 – “...**easily walk ...**”

PT15.3 – “...**can easily walk...**”

PT21.1 – “**Encourage walking ...**”

PT21.2 – “**Ensure ...the importance of walking ...**”

PT12.3 – “...**be more inviting for walking ...**”

PT12.5 – “**Consider the needs of people walking...**”

PT21.6 – “...**provide ...direct route ...for people walking...**”

PT21.7 – “Require direct, safe, convenient pedestrian access to commercial ... buildings...”

PT12.1 – “...encourage walking ...”

If the car density would be tripled by the Medela Rezone Proposal, then how would the rezone be consistent with the following provisions of the Comprehensive Plan?

B – Comprehensive Plan Requires: “REDUCING CARS”

PL11.1 – “...reduce reliance on cars...”

PL11.4 – “...decrease reliance on cars ...”

PL13.1 – “...urban corridors ...with ...residential density ... to minimize auto use for local trips.”

PT12.3 – “...reduce...car trips...”

PT13.4 – “Encourage alternatives to driving.”

PT4.4 – “Reduce “...motor-vehicle trips...to save fuel ...travel time, and reduce pollution.”

PT12.1 – “...reduce car trips...”

PT25.11 – “...reduce motorized travel...”

-
-
-
-
-
-

“FOLLOW THE PLAN”:

Under Public Policy Plan - PL11.9: “Outside urban corridors provide for low-intensity ...that depend on automobile access...”

The Comprehensive Plan's triangulation of independent variables is: Project Location (Urban Corridor (In or Out); Mode of Travel (Walk or Auto); and Intensity of Development (High or Low)

Projects sites that “...depend on automobile access...” are:

(1) "...outside urban corridors..." and requires (2) "...low-intensity..." development.:

Projects sites that depend on walking access are:

(1) inside urban corridors and involves (2) "...high-intensity..." residential development.

Intercity Sprawl, like the Medela Rezone Proposal , contributes to Urban Sprawl. Meleda Rezone Proposal is born in "yesterdays car culture" and not Olympia's new Comprehensive Plan.

Great time and effort was spent to deliver Olympia's Comprehensive Plan. To ignore the evidence in the Comprehensive plan by supporting the Medela Rezone Proposal to high-density residential is inconsistent with the Urban Corridor provisions and it is detrimental to the sustainability of the Comprehensive Plan and the innocence of the adjoining single family neighborhood and Forest Memorial Cemetery. Your guidance in this matter is to "Follow the Plan" – be it forever.

Thank you for your consideration to deny the Medela Rezone Proposal.

Paul Christian Ingman, Ph.D., Architect