

**LAND USE AND ENVIRONMENT  
COMMITTEE  
MINUTES  
May 24, 2012**

**Members Present:** Councilmember Stephen Langer, Chair; Councilmember Jeannine Roe, and Councilmember Julie Hankins

**Staff Present:** City Manager Steve Hall, Assistant City Manager Jay Burney, City Attorney Tom Morrell, Community Planning and Development Director Keith Stahley, Downtown Liaison Ruth Snyder, Downtown Liaison Brian Wilson, Police Chief Ronnie Roberts, Associate Planner Jennifer Kenny, Community Planning Manager Todd Stamm, City Prosecutor Paul Wohl, Business Manager Karen Herald

**Guests Present:** T.J. Johnson, Sustainable South Sound, Amy Tousley, Planning Commission

The meeting was called to order at 5:33 p.m. by Councilmember Langer.

**1A. Approval of April 14, 2012 Joint Land Use and Environment Committee and Olympia Planning Commission Minutes**

The April 14, 2012 minutes were approved as presented.

**1B. Approval of April 19, 2012 Land Use and Environment Committee Summary Minutes**

The April 19, 2012 summary minutes were approved as presented.

The agenda was amended to move agenda item #2. Engineering Design and Development Standards Update to the June meeting.

**2. Downtown Project Status Report and Continuing Discussion of Approaches to Downtown Pedestrian Interference**

Downtown Liaison Ruth Snyder introduced Brian Wilson as the new Downtown Liaison who will replace Ruth when she retires at the end of May. The downtown project started in April of 2011 at Land Use and Environment Committee. It has been an exciting collaboration between departments, businesses, and social service agencies. This presentation gave a wrap up of where we are today - making Olympia a safe and welcoming place for ALL. Ruth outlined successes of the project so far: Development of bar and tavern best management practices, establishment of an alcohol impact area, and progress made with placemaking and public spaces including the Artesian Well improvement project which included a community mosaic art feature. This art project was funded by the PBI. She highlighted further opportunities: Further re-envisioning public space at the Artesian Well with placemaking projects such as umbrellas/covered areas, murals, performance space, food carts and vendors, and signage to entrance on 4<sup>th</sup> and 5<sup>th</sup> Avenues. An under-utilized portion of the parking lot could be used for these lighter-quicker-cheaper designs. The City's Probation crew turned storm-damaged Legion Way trees into tree tables and stools that can be put in the Artesian Well area. Other opportunities presented were parklets, small off-street gathering areas, and other creative ways to create gathering spaces in our under-utilized public spaces. Seven spaces were identified in the RFP, in which the PBI is funding an art grant for creative design ideas. Community Planning and Development Director Keith Stahley spoke about next steps in the downtown project and challenges. There are complaints about how sidewalks are currently being used

and about pedestrians sitting, lying and inhabiting public space. Currently this is not prohibited from 10:00 p.m. to 7:00 a.m. Safety concerns for those parking and exiting their cars, and concerns about litter and debris left on the streets in the mornings. One of the solutions being pursued is the Downtown Ambassador Program to contract with a local service agency to provide an ambassador service. Two groups responded to the RFP. The City is reviewing those proposals now. Keith stated he hopes to move forward with a contract shortly, and should have more information by June 21<sup>st</sup>. The RFP process for placemaking is moving forward, as well as the Artesian design process. The City is considering a community conversation and engagement process and amendments to the pedestrian interference ordinance. Keith mentioned the proposals from social service agencies to occupy and utilize the Smith Building and how those proposals could have an impact on this issue as well. He then opened it up for questions.

Councilmember Hankins asked for clarification on what pieces need to fall in place to reach the end goal. Keith responded that the downtown ambassador program and the sit lie ordinance go hand in hand together. In talking to other Cities, the most powerful tool the ambassadors have is the sit lie ordinance and very little law enforcement is needed to enforce that ordinance. The ambassador program will be effective if the sit lie ordinance is amended. Ruth responded that the goal of the downtown project is inclusionary; not exclusionary. Now sidewalks are dominated by a single user group and we want our sidewalks to be open to all groups within the community.

Councilmember Roe voiced her thanks to Ruth for her tremendous job on this project and bringing people together. She visited the program in Spokane, which is very effective. She voiced her excitement for the progress being made on this program and with the Smith Building becoming a resource for the homeless community.

Councilmember Langer thanked Ruth for her hard work and praised the project for being a well-coordinated effort involving many moving parts working together for the same goal. Ruth received applause and a standing ovation from the audience. He asked when the ambassador program will start. Keith answered that it will take a while to implement it, including developing a contract and protocols, selecting an agency, and will probably take until August to get to full capacity. \$50,000 in funding has been identified to take it to the end of the year. Some aspects of the program, such as some downtown cleanup, could begin as early as June.

Councilmember Roe said that other Cities with these programs offer these positions to the homeless community. Councilmember Langer asked about the hours of the program. Keith answered it will be targeted during times when the most people are out on the street. The target period for safety and hospitality type services is about 12:00 p.m. or 2:00 p.m. to 7:00 p.m., and presence during key shopping days. Councilmember Langer asked if there is a plan to assist the downtown youth. Keith said the youth may be involved in providing hospitality and cleanup services, and said that it is important to keep youth in mind and what opportunities they may get from this program.

Councilmember Langer asked about alternatives to panhandling, if citizens wish to donate money to street-dependent folks. Ruth answered that in Spokane they have a robust diversion program, diverting money from panhandling to social service agencies who serve the public. Spokane's program began in 1995 and they have made great improvements to their downtown through the program.

Councilmember Langer opened it up for audience comments. One audience member had a question about the "code words" being used for the people and asked for a definition of a single user group. Ruth answered this is any group that doesn't allow other groups to engage or be part of a public space. This is about structuring the space so that all feel welcome.

Another person identified herself as a registered nurse and spoke about addiction as a disease and that some people downtown struggling with addiction are not well. She is troubled that the Smith Building proposal by the Family Support Center would assist families and not those struggling with addiction.

Would like to be part of the conversation on what alternatives will be provided for these people. The topic of tickets was discussed and when tickets are issued, for inappropriate behavior, for example. Councilmember Langer spoke to that even though some are struggling with serious dependency and mental health issues, that does not give them the right to behave inappropriately in public spaces and we need to do everything we can including taking care of those people yet holding them accountable for not endangering others in the community. Councilmember Roe agreed a conversation with the community is needed on how we can reach out to this community since government can only do so much.

Another spoke that there are homeless in our community and it would be nice if they didn't have to sleep on the hard ground but if they were led to a safe place to sleep other than sidewalks. Councilmember Langer commented she brought up a good point - human dignity, which is why we are doing the other efforts including the alcohol impact area and the Smith Building, keeping in mind that cities are not set up to provide social services.

One asked if we are considering placing more portable bathroom facilities and garbage facilities around downtown if the cost was reasonable. Ruth responded the ambassador program will be providing some cleanup. The PBIA provided black litter cans and there should be one at every block downtown. Regarding portable bathroom facilities, they are problematic due to safety and sanitation. Availability and accessibility of restrooms should be explored. The city does not have the budget for attended restrooms at this time.

Another said she feels uncomfortable when asked to give money but have seen in other places where meters are placed around for people to donate. Councilmember Roe likes this idea, using old parking meters for this purpose. Jeff Trinin said the ODA tried collection boxes a while ago but there were issues collecting and distributing the money. He would like staff to look into this further.

Councilmember Hankins commented that government's job is to serve and protect our community members. We are not protecting our members if they are being put in danger; either those on the street or pedestrians.

Keith talked about next steps on this project. The Land Use Committee must make a recommendation to the Council on how the City will move forward on the missing piece - the pedestrian interference ordinance. Councilmember Hankins expressed desire to execute the pedestrian ordinance in conjunction with the ambassador program. She would like to see placemaking projects start right away, asking what can be done and when. Ruth responded that CP&D is working with Public Works, Brian Wilson will be downtown talking to people about the placemaking RFP and that the Artesian Well project is a good opportunity for a quick turnaround. Councilmember Hankins requested a schedule, wanting something visible in the community happening every three weeks, as an example. Councilmember Roe wants to pick some things and roll them out; chess tables in the Artesian lot which would be good for the youth, or set up a basketball hoop, skateboarding court, or other alternatives to just hanging out.

An audience member asked about community gardens. Ruth said it is one of the ideas that came out of the community meetings. One person who lived in Europe spoke in support of having free automated toilets that clean themselves, and community gardens.

Brian Wilson said he is excited to start officially on this project June 1<sup>st</sup> and hopes we can continue this engagement with each other and excitement about this project and all of the ideas shared.

Steve Hall asked for clarification on the community involvement piece. The goal is roll this out in August and should move soon on a public hearing. Steve Hall said staff will build a schedule. Councilmember Hankins encouraged the audience to stay involved in the process, providing feedback and ideas.

### **3. Potential Changes to City Code Related to Urban Agriculture Policies**

Associate Planner Jennifer Kenny gave background information from September when she briefed the Committee about this topic and is looking for direction from the Committee on the scope of urban agriculture moving forward.

T.J. Johnson, with Sustainable South Sound, said the City should get serious about sustainable agriculture if the City is serious about becoming a sustainable community. The City has been partnering with the nonprofit, Sustainable South Sound, and they had 85 people met on April 25. No one at that meeting was against urban agriculture. He recapped items discussed at that meeting: City code changes - questions around how many animals are allowed and what type. Would they be treated like pets or carved off as farm animals. Sales - ability of people who have excess produce to sell to their neighbors. Fences - being able to protect gardens from critters and environment. Gray water - innovative ways to use to support urban agriculture. Rooftop gardens and greenhouses - height issues. Solar access - when neighbors' trees shade gardens. New developments - should percentage be directed for community gardens. Right of way - what can be put in the rights of way. Moving towards an outcome-based zoning; more on quality control vs. controlling with numbers of animals allowed, for example. Use of public space to grow food. Having a website for information sharing and house information and data around urban agriculture. Landscaping on City properties - fruit trees, nut trees, edible landscaping. Aligning the City's educational programs with urban agriculture. Setting objectives such as every Olympian is within 10 minutes of a food garden. Other issues in regional policy include use of pesticides and the decline of the bee population, participation in the Food Policy Council.

T.J. asked, what level does the City want to embrace the urban agriculture revolution? The minimum is to adopt the code changes that would allow people to participate in these activities. Beyond that the City could be supportive and encourage those efforts, providing incentives. The third level would be to agree that this is a key cornerstone element toward Olympia becoming a sustainable City. He gave a reminder the average American city has a three-day food supply. "Nine meals from anarchy."

Councilmember Roe commented that she is a gardener and loves what T.J. is doing. Wants to talk about kids' gardens and more GRUB-type programs and asked for clarification about gray water. She has some concerns about not having limitations on chickens. T.J. clarified that not having a limit was a comment and most Cities do have limits. She was also supportive of a sharing program between neighbors.

Councilmember Hankins asked what are the top three things T.J. would recommend to do. He responded they have an intern who is researching what other jurisdictions are doing and are compiling this information. A big issue is dealing with the animals - that they are not pets and need to be treated differently. Sales is another big issue. The third is setbacks and fencing issues.

Councilmember Langer voiced a concern about caretaking of the animals and wants elements of animal welfare put into any ordinance that is passed. Would like to see the City plant nut or fruit trees, and acknowledged that if the fruit or nuts are not harvested they make a mess. He suggested using a phased approach and look for "low hanging fruit", things that are quick and easy changes. Moving forward slowly would lessen the workload impact for the Planning Commission as well.

Councilmember Roe would like to look at a downtown community garden this summer. Councilmember Langer mentioned the frontage on the empty lot across from the new Hands on Children's Museum as a potential site for a temporary community garden. Jennifer asked for clarification - would this be inviting people to use a space for gardening or would the City fund this. Steve Hall said some entity needs to manage the program for it to be successful. Councilmember Langer wondered if we could partner with GRUB to get started. T.J. said key is to have partnerships and to have conversations, clarify roles. Steve Hall mentioned how the comp plan ties in to this, that we should develop strong policies that become part of a community-wide actions strategy.

Councilmember Roe excused herself from the meeting at 7:33 p.m. due to another commitment.

Councilmember Hankins asked if the three issues identified can be addressed with code changes. Steve said they will review the research done in regards to policies of other jurisdictions. Jennifer said there are quick actions we can take now and there may be longer term, programmatic items that come before Council later, in 2013. Councilmember Langer wants to look at changes in development code and regulations regarding food trees. Amy Tousley, Planning Commission, liked the two prong approach; what can we get in the Comp Plan now. And asked about the EDDS and do they need amended, for example trellises. Agrees it needs to be phased over time.

T.J. was hoping code changes would be moved forward on at tonight's meeting and is pleased with the outcome of tonight's meeting.

An audience member spoke to some community garden problems, including payment of irrigation bills and difficulty with members paying on time. He liked idea of education around food security, that it is a survival issue. Increase/change the culture of food production.

Another, a current board member of GRUB, spoke to the wonderful things food can do besides just feeding people; how it can level the social status field, how they are using food to work with kids, it gives them a sense of security and confidence and helps them go beyond gardening and do things they wouldn't have been able to otherwise.

Diane Grace commented her support of this discussion. Spoke about Seattle's fruit tree harvest program. There is a program if you have fruit trees, they will send a team to harvest the trees and give the food to the food bank. Other partners could be Kiwanis, who have a successful program on the Capitol Campus. Many gardeners want land but don't have it. Luke Burns is the community garden contact with the Parks Department.

Someone spoke that we should consider the size of the household in regulating number of chickens.

Another suggested that we involve homeless in the programs, allocating them space to garden for free, reduced rate, or in exchange for working in the garden.

Angie Warner Ryan spoke about goats, and that she hopes the dialogue can distinguish between pets and agriculture. Goats are foragers and not grazers and need to move away from small pieces of property. Wants the ordinance to allow for movement of these animals, more like pets. Goats are useful for clearing unwanted foliage.

Diane Grace spoke about the three rainwater reclaiming bins at Sunrise Garden, so that there was always spigots with water available to water the garden.

Regarding water supply, Councilmember Langer said water conservation methods should be utilized in these gardens. Finding ways for sustainable watering for agricultural uses, including incentives for conservation, providing partnerships and technical assistance.

The meeting was adjourned at 7:52 p.m.

**Next meeting is scheduled for June 21, 2012 and includes:** Storm and Surface Water Utility - Tree Canopy Proposal (*Rich Hoey, Public Works*) and Community Renewal Authority (*Keith Stahley, CP&D*).