



Meeting Agenda

Land Use & Environment Committee

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Thursday, January 21, 2021

5:30 PM

Online and Via Phone

Attend: https://us02web.zoom.us/webinar/register/WN_jgl52ptJRaOhLPJJrMEYcg

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **APPROVAL OF AGENDA**

4. **PUBLIC COMMENT**

(Estimated Time: 0-15 Minutes)

During this portion of the meeting, citizens may address the Committee for up to two (2) minutes regarding the Committee's business meeting topics.

5. **APPROVAL OF MINUTES**

5.A [21-0085](#) Approval of Corrected November 19, 2020 City Council Meeting Minutes

Attachments: [Minutes](#)

6. **COMMITTEE BUSINESS**

6.A [21-0070](#) Land Use and Environment Committee 2021 Work Plan

Attachments: [2021 Committee Work Plan](#)

6.B [21-0053](#) Annual Code Enforcement Programs Status Report

6.C [21-0054](#) Summary of Accessory Dwelling Unit Program

Attachments: [Accessory Dwelling Unit Handout](#)
[ADU Plan Renderings](#)

7. **REPORTS AND UPDATES**

8. **ADJOURNMENT**

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City Hall
601 4th Avenue E.
Olympia, WA 98501
360-753-8244

Land Use & Environment Committee
Approval of Corrected November 19, 2020 City
Council Meeting Minutes

Agenda Date: 1/21/2021
Agenda Item Number: 5.A
File Number:21-0085

Type: minutes **Version:** 1 **Status:** In Committee

Title

Approval of Corrected November 19, 2020 City Council Meeting Minutes



Meeting Minutes - Draft

Land Use & Environment Committee

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Thursday, November 19, 2020

5:00 PM

Online and via phone

Register to attend:

https://us02web.zoom.us/webinar/register/WN_nG73tOaMSVyLmUMfmkbJ_w

1. CALL TO ORDER

Chair Gilman called the meeting to order at 5:00 p.m.

2. ROLL CALL

Present: 3 - Chair Clark Gilman, Committee member Dani Madrone and Committee member Jessica Bateman

2.B OTHERS PRESENT

Community Planning & Development Staff:

Leonard Bauer, Director

Joyce Phillips, Senior Planner

Cary Retlin, Home Fund Manager

Larry Merrell, Building Official

John Mahone, Code Enforcement

Jay Burney, City Manager

Kevin Bossard, Olympia Fire Department

Candi Miller, Planning Commissioner Chair

3. APPROVAL OF AGENDA

The agenda was approved.

4. PUBLIC COMMENT

The following people spoke: Jay Elder, Judy Bardin, Sean Lindemeier, Trudy Soucup, Pat Rasmussen, Mike McCormick, Janae Huber and Roger Horn.

5. APPROVAL OF MINUTES

5.A [20-0955](#) Approval of October 22, 2020 Land Use & Environment Committee Meeting Minutes

The minutes were approved.

6. COMMITTEE BUSINESS

6.A [20-0927](#) Housing Options Code Amendments Planning Commission Recommendation

Ms. Phillips presented a summary of the staff and planning commission recommendations for the Housing Options ordinance. Chair Millar discussed the Planning Commission's recommended ordinance, noting the Commission included a suggestion to review the term "multifamily" in the Comprehensive Plan and city code for consistent usage.

Committee Member Bateman moved, seconded by Committee Member Madrone, to approve and forward the Planning Commission's recommendation of the Housing Options Code Amendments to the full City Council. The motion carried with the following vote:

Aye: 3 - Chair Gilman, Committee member Madrone and Committee member Bateman

6.B [20-0941](#) Tenant-Landlord Issues Public Process

Mr. Retlin presented a draft public engagement process for rental housing discussion and community feedback.

The discussion was completed.

6.C [20-0935](#) Building Codes Update

Mr. Merrell, Mr. Mahone and Mr. Bossard reported on 2018 property maintenance code and state building codes considered for adoption, and discussed local proposed amendments and the adoption process.

Committee member Bateman moved, seconded by Committee member Madrone, to recommend approval of the building codes to the full City Council. The motion carried with the following vote:

Aye: 3 - Chair Gilman, Committee member Madrone and Committee member Bateman

7. REPORTS AND UPDATES

Mr. Bauer gave a report on agenda items for the December meeting. Committee Member Madrone reported on an upcoming urban agricultural work group meeting.

8. ADJOURNMENT

The meeting was adjourned at 6:55 p.m.



Land Use & Environment Committee

Land Use and Environment Committee 2021 Work Plan

Agenda Date: 1/21/2021
Agenda Item Number: 6.A
File Number:21-0070

Type: recommendation **Version:** 1 **Status:** In Committee

Title

Land Use and Environment Committee 2021 Work Plan

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Recommend the attached 2021 Land Use & Environment Committee (LUEC) work program to City Council.

Report

Issue:

Whether to recommend the attached draft 2021 LUEC work program.

Staff Contact:

Leonard Bauer, Director, Community Planning & Development, 360.753.8206

Presenter(s):

Leonard Bauer, Director, Community Planning & Development

Background and Analysis:

The LUEC annually sets a program of work items to consider that year. The LUEC reviewed a draft 2021 LUEC work program at its December 2020 meeting. A revised draft is attached which reflects the direction from the Committee at its December 2020 meeting.

Attachments:

2021 Committee Work Plan

<u>DRAFT</u> LAND USE AND ENVIRONMENT COMMITTEE 2021 DRAFT WORK PLAN (Last Updated 1/12/21)		
Meetings are the <u>third</u> Thursday of the month starting at 5:30 PM unless otherwise noted.		
Agenda Item	Staff Responsible	Summary
January 21, 2021		
1. LUEC 2021 Work Program*	Leonard Bauer	Recommendation
2. Annual Code Enforcement Status Report*	JW Mahone	Briefing
3. Accessory Dwelling Unit (ADU) Report	Leonard Bauer	Update on pre-approved plans and other recent changes to better enable ADUs. Includes public information plan.
February 18, 2021		
4. EDDS 2021 Update*	Steve Sperr	Briefing
5. Deschutes Watershed Restoration & Enhancement Plan	Donna Buxton	Briefing/Recommendation
6. Housing Action Plan	Amy Buckler	Briefing, including discussion of equity issues
March 18, 2021		
7. Downtown Residential Parking Exemption Boundary	Tim Smith	Discussion/Recommendation
8. MFTE 12-Year Affordable Housing Program	Cary Retlin	Discussion/Recommendation
9. PSE Franchise Agreement	Rich Hoey/Fran Eide	Recommendation
April 15, 2021		
10. Port Destination Development Plan	Leonard Bauer	Briefing
11. Parks Plan Update	Laura Keehan	Briefing
12. Shoreline Master Program Update	Joyce Phillips	Recommendation
13. Short-term Rental Regulations	Catherine McCoy/Leonard Bauer	Recommendation
May 20, 2021		
14. Housing Action Plan	Amy Buckler	Recommendation
15. Rental Housing Outreach	Cary Retlin	Briefing on rental housing public outreach program
16. Tenant Option to Purchase Ordinance	Cary Retlin	Discussion

June 17, 2021		
17. EDDS 2021 Update*	Steve Sperr	Recommendation
18. Comp Plan Periodic Update Process	Joyce Phillips	Discussion of upcoming process for 2025 Periodic Update
19. Review of City Fees/Regulations to Reduce Effects on Housing Costs	Leonard Bauer/ Multi-department staff	Update on implementation, including frontage improvements, 'change of use' definition, minimum parking requirements, etc.
20. Rental Housing Actions	Cary Retlin	Recommendation
July 15, 2021		
21. Urban Agriculture Update	Leonard Bauer	Briefing on discussions with regional partners
22. Downtown Creative District – Development Code Amendments	Marygrace Goddu	Briefing on potential zoning and development code amendments to implement Creative District
23. LOTT Cost of Service Study	Rich Hoey	Briefing
August 19, 2021		
24. Climate Action Plan Implementation/Energy Efficiency Code Updates	Climate Coordinator/Larry Merrell	Discussion of implementation and consideration of equity issues
25. Downtown Strategy Implementation*	Amy Buckler	Briefing
26. Annual Comp Plan Amendments*	Joyce Phillips	Recommendation
September 16, 2021		
27. SE Annexation Options	Tim Smith	Briefing & Discussion
28. Neighborhood Centers Review Process	Cari Hornbein	Briefing on Planning Commission's review of Neighborhood Centers designated in Comp Plan
October 21, 2021		
29. Parking Strategy Implementation Update*	Max DeJarnatt	Briefing
30. Permit Type Code Amendments	Nicole Floyd	Discussion/Recommendation. Simplifies types of permits into four categories to improve understanding of land use review process.
31. Subdivision Code Amendments	Joyce Phillips	Accompanies permit type code amendments
November 18, 2021		

32. Housing Metrics*	Amy Buckler/Joyce Phillips	Discussion of measures tracking implementation of One Community Plan and Housing Action Plan, and Housing Options Consistency Determination
33. Solid Waste Plan Update	Gary Franks	Briefing
34. Sea Level Rise Response Plan Implementation*	Eric Christensen	Briefing
December 16, 2021		
35. CPD 2022 Work Plan Update*	Tim Smith	Briefing
36. LUEC 2022 Work Plan*	Leonard Bauer	Discussion
TBD		
1. Water System Plan Update	Eric Christensen	Briefing
2. Joint Plan Update	Joyce Phillips	Briefing
3. Low Impact Development – Approach to Homeowner Improvements	Nicole Floyd	
4. Martin Way Corridor Study	Sophie Stimson	Briefing
5. Downtown Impact Fee Boundary	Tim Smith	Consider matching DT Strategy Boundary
6. West Side High-Density Neighborhood Focus Area Plan	TBD	Discussion of scope and purpose.
7.		
8.		
9.		
10.		

*=regular LUEC work program items each year



Land Use & Environment Committee

Annual Code Enforcement Programs Status Report

Agenda Date: 1/21/2021
Agenda Item Number: 6.B
File Number:21-0053

Type: report **Version:** 1 **Status:** In Committee

Title

Annual Code Enforcement Programs Status Report

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Briefing only. No action requested.

Report

Issue:

Discussion of code enforcement programs.

Staff Contact:

John Mahone Lead Code Enforcement Officer, Community Planning Development, 360.753.8393

Presenter(s):

John Mahone Lead Code Enforcement Officer, Community Planning Development

Background and Analysis:

Olympia Building-Safety and Code Enforcement programs are part of the Community Planning and Development Department (CP&D). This report will update the Committee on the activities related to these programs.

The Code Enforcement program plays an important role in the health, safety and welfare of the City of Olympia. Each year the CP&D Code Enforcement program addresses many issues related to health, safety, and welfare, as well as property violations.

Neighborhood/Community Interests (if known):

Enforcement of civil codes is of strong interest to the entire community.

Options:

1. Receive the briefing.

2. Do to receive the briefing.

Financial Impact:

N/A

Attachments:

None



Land Use & Environment Committee

Summary of Accessory Dwelling Unit Program

Agenda Date: 1/21/2021
Agenda Item Number: 6.C
File Number:21-0054

Type: report **Version:** 1 **Status:** In Committee

Title

Summary of Accessory Dwelling Unit Program

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Briefing only. No action requested.

Report

Issue:

In 2020, the committee discussed a number of changes to promote accessory dwelling units (ADUs) as an alternative housing option that is typically more affordable than single-family houses and many apartments. Staff will provide an update on implementation of these changes.

Staff Contact:

Leonard Bauer, Director, Community Planning and Development, 360.753.8206

Presenter(s):

Leonard Bauer, Director, Community Planning and Development

Background and Analysis:

ADUs have been permitted uses in most residential areas of Olympia for approximately 25 years. However, the permits issued for ADUs have been typically between 5-10 in a single year. The stakeholder work group reviewing missing middle housing types in 2017 identified several regulatory and financing hurdles that have contributed to a low number of ADUs being constructed. These included height restrictions, hookup charges, impact fees, building code restrictions, fire sprinkler requirements, and the lending institutions' requirements to finance construction through traditional housing mortgages.

Based on that input, and succeeding discussions, the Land Use and Environment Committee (LUEC) has focused on three areas in which the City can consider changes to improve the likelihood of ADUs being constructed in Olympia:

- Zoning and building regulations

- Infrastructure requirements
- Providing pre-approved building plans

Zoning and Building Regulations

The City Council first addressed zoning regulations of ADUs when it adopted the Missing Middle Ordinance (Ordinance No. 7160) November 13, 2018. However, that ordinance was later invalidated by the Western Washington Growth Management Hearings Board. The City has appealed the Board's decision to Thurston County Superior Court.

After the 2019 WA State Legislature adopted E2SHB 1923 (RCW 36.70A.600), the Olympia City Council directed the Olympia Planning Commission to develop a recommendation for additional housing options related to ADUs, as well as other types of housing as enabled by that legislation.

The City Council adopted the Housing Options Ordinance (Ordinance No. 7267), on December 15, 2020. It includes the following changes to ADU zoning regulations:

- Any ADU can be up to 850 square feet in size.
- Owner not required to live on site.
- Additional parking space not required.
- Maximum height for detached ADUs is 24 feet. This would allow an ADU to be built above garage that is not attached to the primary house.
- ADU can be up to 850 sq. ft. and can be attached to an accessory structure of its maximum size (e.g. 800 sq. ft. garage).

An updated summary of ADU zoning requirements is attached, which reflects these changes.

Building and Fire Code regulations for ADUs are being addressed by the City Council when it considers adoption of the updated International Building Codes January 12, 2021, as recommended by the LUEC. Two key provisions include:

- Adoption of a tiny homes appendix, better enabling small housing units that meet building codes
- Revisions to the City sprinkler requirements to permit new ADUs without sprinklers on lots that contain a primary house that does not have a sprinkler system. These ADUs would then not experience the cost of an additional water system hookup to serve the sprinkler system in an ADU.

Infrastructure Requirements

The Olympia Engineering Design and Development Standards (EDDS) and Municipal Code (OMC) have been revised and clarified in the past two years so that:

- The water and sewer connections to the main line in the right of way may also serve an ADU on the same property.
- For the purpose of calculating utility charges, an ADU is considered as part of the same 'equivalent residential unit (ERU)' together with a primary house.
- Impact fees for parks and transportation systems are charged at a lower rate than other housing types (OMC 15.16), reflecting their smaller impact on those infrastructure systems. (Note: ADUs are exempt from school impact fees.)

Pre-approved ADU Building Plans

The Cities of Olympia, Lacey and Tumwater entered into an agreement to develop architectural plans for four ADU designs that could be pre-approved by each city under the adopted building codes. The Artisans Group was contracted to create plans for ADUs of 480 square feet (sf), 600 sf, 800 sf (1 story), and 800 sf (2 stories). Renderings of these four ADU plans are attached. The final plans have been delivered to the cities, who are completing final review for pre-approval.

These pre-approved plans will be made available to any interested property owner. The owner would save the cost of architectural design and building permit review. They would still need site plan approval and any necessary engineering approvals for utilities by the city before starting construction.

Neighborhood/Community Interests (if known):

There is significant interest throughout the community in ADU construction, as demonstrated in the amount of public testimony during the adoption of the ordinances related to missing middle and housing options in recent years.

Options:

1. Receive the briefing.
2. Do not receive the briefing.

Financial Impact:

Implementation of the housing options ordinance will occur by city permitting staff within the adopted 2021 City operating budget. The pre-approved ADU plans were completed through an interlocal agreement between the Cities of Lacey, Olympia and Tumwater in 2020. Olympia's contribution was \$12,500. Impact fees collected by the City are accumulated in a designated fund for capital projects that make improvements to the applicable infrastructure system (e.g., parks or transportation). Any additional outreach regarding the overall ADU program would also be accomplished within the resources of the adopted budget.

Attachments:

ADU Summary
ADU Plan Renderings



ACCESSORY DWELLING UNITS & ACCESSORY STRUCTURES

December 23, 2020

ACCESSORY DWELLING UNITS (ADU)

Accessory dwelling units (ADU) are permitted in all residential districts subject to the following requirements:

- **Number.** One (1) ADU shall be allowed per residential lot in conjunction with any detached single-family structure (See Olympia Municipal Code [OMC], Section 18.04.080(A)(3) regarding ADUs in new subdivisions).
- **Location.** The ADU shall be permitted as a second dwelling unit added to, created within, or detached from the primary dwelling. The ADU shall be oriented in a way that maintains, to the extent practical, the privacy of residents in adjoining dwellings (See OMC, Chapter 18.175, Infill and Other Residential Design Guidelines).
- **Size.** The ADU shall have a gross floor area of no more than eight hundred fifty (850) square feet.
- **Occupancy.** No more than one (1) family (defined in Chapter 18.02, Definitions) is allowed to occupy an ADU.
- **Existing ADUs.** Accessory dwellings created prior to June 19, 1995, may be approved subject to applicable requirements. If the owner of an existing unauthorized ADU applies to make the unit legal, but cannot meet all of the standards, he/she will be allowed a "grace period" of six months from date of application to comply with applicable standards. However, where health and safety is an issue, the Building Official will determine when the necessary modifications must be made. If the owner cannot meet the standards, the unauthorized accessory unit must be removed or its use as a dwelling must be suspended.
- **Deviation from Requirements.** The Director or the Director's designee may allow deviation from the requirements of this section (18.04.060(A)) as follows:
 - To allow use of the entirety of a single floor in a dwelling constructed two (2) or more years prior to the date of application in order to efficiently use all floor area; and
 - To enable ADUs to be established in structures constructed prior to June 19, 1995, which are located in rear or side setbacks, provided that Building Code requirements and the Development Standards contained in Section 18.04.080 are met.

Other requirements to consider when constructing an ADU:

- Connections to city sewer and water services can share the same connections as the primary home.
- Setbacks -
 - Structure must be five (5) feet from any interior side property line and ten (10) feet from a flanking street side yard.
 - Detached ADUs may encroach into the rear yard. However, if the rear yard does not abut an alley, the accessory unit must be set back ten (10) feet from the rear property line.
- **Building Height** Maximum height of detached ADUs is **24 feet**, measured at mid gable.
- **Design Review** of the ADU is required. The review is conducted through the building permit application process. Design review fee and Residential Design Review Application id needed (design criteria below).
- **Impact fees** are applicable and are paid at building permit issuance (*see current rate schedule for fee amounts*).
- **ADU Fire Sprinklers** OMC 16.04.020, 16.04.040(6). Fire sprinklers shall be provided in all new ADUs permitted for construction after September 19, 2014. This shall apply to attached and detached ADUs. When attached, only the new ADU portion is required to be sprinkled. The attached structure is recommended to be sprinkled as well but it is not required. Detached ADUs shall be fully sprinkled.
- **Parking** A parking space is allowed but not required. Some areas of the city require a [residential parking pass](#) to park on the street.

DESIGN REVIEW for ACCESSORY DWELLING UNITS (ADU)

BUILDING DESIGN

REQUIREMENT: Reflect the architectural character of the primary residence in an ADU through use of related building features.

GUIDELINES:

1. Replicate or approximate roof forms and pitch found on the existing residence.
2. Use window patterns and proportions similar to those on existing residence.
3. Use building facade material and colors that match or are compatible with those used on the existing residence.



ADU ENTRY FEATURES

REQUIREMENT: Provide a clearly defined building entry for an ADU that is easily accessible from the street or the existing residence. Provide a well-lighted, paved sidewalk to the building entry.

GUIDELINE:

1. The entry to an ADU may be shared with the primary residence.
2. When there is a separate entry, construct an identifying feature, such as a porch, stoop and/or an eave overhang that is integral to the ADU structure.
3. When an exterior stairway to the main entrance to the ADU is needed, avoid the use of open metal, prefabricated stairs



ACCESSORY STRUCTURES

Accessory structures are permitted in all residential districts subject to the following requirements:

- **Time of Establishment.** Accessory structures shall not be built prior to commencing construction of the main building on the lot. However, lots may be created which contain an accessory structure (without an associated primary use) constructed prior to submission of the subdivision application.
- **Subordination to Primary Use.** Accessory structures shall be clearly incidental and subordinate to the use of the lot (e.g., structures used for storage of personal property or the pursuit of hobbies) or used for agricultural purposes. In low density residential zoning districts each accessory structure shall not exceed eight hundred (800) square feet in size, except for structures accessory to an agricultural use which are located on a parcel one (1) acre or larger in size.
- **Garages.** Private garages shall meet the following standards:
 - Garages shall not exceed a total of eight hundred (800) square feet of floor space per dwelling unit.
 - Garages exceeding eight hundred (800) square feet per dwelling unit may be permitted as conditional uses in the districts specified in Table 4.01 provided that they will not be adverse to the public interest and are compatible with the surrounding neighborhood. The Hearing Examiner shall establish a maximum size for garages receiving conditional use approval. See Section 18.04.080.
 - Maximum building height on detached accessory structures is **16 feet**, measure at mid-gable.

SETBACKS

A **detached garage** may be set on the property line if the garage door is at a right angle to the alley entrance. Garage walls on or within 3 feet of the side property line, however, must be fire walls and have no windows or other openings. A detached garage may be set on the rear property line, but if the garage door faces a side yard (flanking street), it must be set back 20 feet from that side yard. In this case, the wall on the rear property line needs be a fire wall. A detached garage may be set on both the rear and side property lines if it has access from the front yard. In this case, both walls must be fire walls. If the garage doors face the alley, it must be setback 10 feet from the alley.

A **detached accessory structure** may be located anywhere within the rear forty feet of the lot, except when adjacent to a flanking street side yard (10-foot setback). The structure must be at least 6 feet from other structures.







