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ATTACHMENT 1

Downtown Skyline and View Protection

Introduction

The scale of buildings and development in downtown Olympia and the relationship to views valued by the public have been topics of community interest since Olympia's prominent bluff-top location was proposed for the state's capital building. Although view protection and skyline form are planning issues common to all growing metropolitan areas, in Olympia they are heightened by Olympia's spectacular views of mountains and nearby water bodies and our role as the capital city of Washington and particularly the location of the capitol campus and the Capitol grouping of buildings.

Policy Questions

- Should Olympia continue to emphasize protection of public views, as opposed to private property views?
- Should different views be protected than those identified in the current Comprehensive Plan?
- Should Olympia revise its plan and programs with respect to the permitted scale of buildings and other structures in the downtown area?

Origin of Question

Multiple sources, but primarily downtown focus meetings.

Regulatory Framework

The rules for implementing Washington’s Growth Management Act describe “view corridors” as one of pieces of information that “may be useful to inform future land use decisions.” The related Shoreline Management Act requires that local Shoreline Master Programs address public access including visual access to major water bodies. The Shoreline Act also requires that Olympia prohibit structures over 35 feet that would obstruct the view of substantial number of residences on areas adjoining shorelines except where “overriding considerations of the public interest would be served.” (Note, this is the only view protection provision in Olympia that directly protects private views.)

Although not a regulation, the State’s 2006 “Master Plan for the Capitol of the State of Washington,” references the State’s interest in view protection. In particular it includes a statement that, “view corridors (from outside looking in) should be protected. Likewise, there are views (from inside looking out) of the Olympic Mountains to the north, Capitol Lake to the west, and Mount Rainier to the east, all of which should be preserved.” (See attached ‘organizing elements’ map.)

Existing Conditions

Land Use Policy 2.2 of the Comprehensive Plan reads, “Protect, to the greatest extent practical, scenic views of the Capitol Dome, Budd Inlet, Mount Rainier, the Black Hills, Capitol Lake, and the Olympic Mountains from designated viewing points and corridors.” Land Use Policy 2.10 adds, “Retain view corridors of Budd Inlet and Capitol Lake by: [a]voiding vacation of platted street rights-of-way which abut the water. This would include that portion adjacent to the water and the next block upland; [a]nd siting waterfront buildings on public lands in a way that avoids blocking view corridors on adjacent streets pointed toward the water.” Olympia’s Urban Waterfront Plan adds a policy that, “Key views, as mapped in Figure 9 [attached], should be protected when considering over-the-water development.” (Application of this last policy through SEPA authority has resulted in ‘considering’ including impacts of proposed upland development on views from existing over-the-water structures.)

These policies, and that of the Shoreline Management Act, are implemented by a variety of regulations. Among these are:

- A design requirement that impacts to significant views of Mt. Rainier, the Olympic Mountains, Budd Inlet, the Black Hills, the Capitol Building, and Capitol Lake and its surrounding hillsides where significant numbers of the general public from public rights-of-way must be considered by development applicants. Developments must reserve a “reasonable portion” of such views and provide viewpoints to maintain existing views. This requirement does not apply to small projects not subject to design review. (A copy of the ‘existing views’ map will be available at the meeting.)
- Shoreline Master Program requirements of a shoreline “variance” for any residential structures exceeding 35 feet and capping building heights on certain blocks east of Columbia Street at 70 feet. (Note that in general shoreline regulations only apply to projects within 200 feet of major water bodies.)
- Urban waterfront regulations generally limiting overwater structures to a height of 20 feet and requiring that key views of Budd Inlet, the Capitol, and the Olympic Mountains be protected and, if possible, requiring that view access be enhanced.
- Specific view protection zoning overlays include:
 - The State Capitol Group height district limiting building heights between the ‘Union Pacific’ (Seventh Avenue) railroad and the capitol campus.
 - The Sylvester Park height district limiting building heights on the half block immediately south of the Park.
 - Certain downhill properties east of West Bay Drive where buildings may not exceed five feet above the street centerline.
 - Certain properties west of East Bay Drive where view obstruction must be minimized while allowing “reasonable use.”
- And, West Bay Drive area zoning that includes bonus provisions for projects that make provisions for public views.

Note that unlike zoning height limits that allow portions of structures to extend above the height limit, Olympia’s view protection regulations generally are strict limits with only a ‘does not obstruct view’ exception.

Best Practices

There are no known “best practices” for skylines and view protection that can readily be applied to all communities. Instead, the appropriate views to be preserved and building skyline form for each municipality are particular to the interests and circumstances of that community. However, successful policy decisions regarding views and skylines, i.e., those to which a community subscribes over a long period of time, do have a few elements in common. They usually balance the public interest with private property rights, they have broad public support, they address views valued by many members of the public, and they include a combination of regulatory and perpetual property right approaches.

Options & Analysis

OPTIONS	OPTION 1: NO CHANGE - CONTINUE CURRENT POLICIES.	OPTION 2: EMPHASIZE PRESERVATION AND ENHANCEMENT OF VIEWS FROM KEY POINTS.	OPTION 3: INITIATE EXTENSIVE PUBLIC PROCESS REGARDING SKYLINE FORM AND VIEW PRESERVATION.
Budget Impact	Low	Medium	High
Focus	Maintaining <i>status quo</i> .	Shift from street view protection to views from public spaces.	Public process examining multiple aspects of building size and placement.
Examples	Olympia’s 1994 Plan - views not an issue.	Capitol Height district; e.g., create version for Madison Scenic Park.	Vancouver, British Columbia, mid-90s analysis; and “Shape Vancouver”
Timeline	Not applicable.	Begin now and complete in 2012.	Begin in 2013 or 2014 and complete by 2016.
Considerations	Difficult to apply equitably and fairly by regulation.	Would require selection of key public viewpoints.	Subject of broad and intense public interest.

Preferred Option

Option 2. In staff's opinion, resources for an extensive view and skyline analysis probably will not be available in the next few years. The ongoing Comprehensive Plan update would provide a timely forum for a more limited shift from protecting views from streets, which seem to have been an auto-oriented policy dating from the 1980s, to an emphasis on a few selected public views.

Resources

- See Olympia Municipal Code Chapter 18.10 for zoning height overlay regulations.
- Official scenic view map of Olympia - to be presented at meeting.
- Three-dimensional illustration of permitted building heights in downtown Olympia - a 'work in progress' to be presented at meeting if available.
- Figure 9 of Urban Waterfront Plan (attached)
- Map M-9, "Organizing Elements," of Master Plan for the Capitol (attached)
- "Shape Vancouver" website (<http://www.shapevancouver.com>) - example of public participation tool.