



Meeting Agenda

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, October 8, 2019

7:00 PM

Council Chambers

1. ROLL CALL

1.A ANNOUNCEMENTS

1.B APPROVAL OF AGENDA

2. SPECIAL PUBLIC HEARINGS

- 2.A** [19-0899](#) Public Hearing on a Resolution Expressing City Council Opposition to Initiative Measure No. 976 (I-976) Related to Motor Vehicle Taxes and Fees

Attachments: [Resolution](#)

The public will be given an opportunity to speak for or against this resolution.

- 2.B** [19-0902](#) Public Hearing on a Resolution Expressing City Council Support for the Thurston County 911 Emergency Communications Systems and Facilities Levy

Attachments: [Resolution](#)

The public will be given an opportunity to speak for or against this resolution.

- 2.C** [19-0908](#) Public Hearing on a Resolution Expressing City Council Approval of Referendum No. 88 Concerning Affirmative Action

Attachments: [Resolution](#)

The public will be given an opportunity to speak for or against this resolution.

3. SPECIAL RECOGNITION

- 3.A** [19-0910](#) Special Recognition - The Bridge Music Project Partnership

- 3.B** [19-0913](#) Special Recognition - Olympia Dragon Mural

- 3.C** [19-0912](#) Special Recognition - Proclamation Declaring Support for the Land and Water Conservation Fund

Attachments: [Proclamation](#)

4. PUBLIC COMMENT

(Estimated Time: 0-30 Minutes) (Sign-up Sheets are provided in the Foyer.)

During this portion of the meeting, citizens may address the City Council regarding items related to City business, including items on the Agenda. In order for the City Council to maintain impartiality and the appearance of fairness in upcoming matters and to comply with Public Disclosure Law for political campaigns, speakers will not be permitted to make public comments before the Council in these three areas: (1) on agenda items for which the City Council either held a Public Hearing in the last 45 days, or will hold a Public Hearing within 45 days, or (2) where the public testimony may implicate a matter on which the City Council will be required to act in a quasi-judicial capacity, or (3) where the speaker promotes or opposes a candidate for public office or a ballot measure.

Individual comments are limited to three (3) minutes or less. In order to hear as many people as possible during the 30-minutes set aside for Public Communication, the City Council will refrain from commenting on individual remarks until all public comment has been taken. The City Council will allow for additional public comment to be taken at the end of the meeting for those who signed up at the beginning of the meeting and did not get an opportunity to speak during the allotted 30-minutes.

COUNCIL RESPONSE TO PUBLIC COMMENT (Optional)

5. CONSENT CALENDAR

(Items of a Routine Nature)

- 5.A [19-0916](#) Approval of September 24, 2019 City Council Meeting Minutes
Attachments: [Minutes](#)
- 5.B [19-0816](#) Approval of Annual Comprehensive Plan Amendment Schedule for 2020
- 5.C [19-0757](#) Approval of Bid Award for the 26th Avenue Shared Use Pathway and Water Main Replacement Project
Attachments: [Summary of Bids](#)
[Vicinity Map](#)
- 5.D [19-0905](#) Approval of Bid Award for LBA Park Field #3 Americans with Disabilities Act Access Project
Attachments: [Summary of Bids](#)

5. SECOND READINGS (Ordinances)

- 5.E [19-0860](#) Approval of an Ordinance Amending Ordinance 7197 (Special Funds)
Attachments: [Ordinance](#)
- 5.F [19-0869](#) Approval of an Ordinance Amending Ordinance 7196 (Capital Budget)
Attachments: [Ordinance](#)
- 5.G [19-0870](#) Approval of an Ordinance Amending Ordinance 7195 (Operating Budget)
Attachments: [Ordinance](#)
- 5.H [19-0871](#) Approval of an Ordinance to Repeal Ordinance 7200 that Imposed the Maximum Sales and Use Tax for Affordable Housing Permitted by SHB

1406

Attachments: [Ordinance](#)
[Ordinance 7200](#)

5. FIRST READINGS (Ordinances)

5.I [19-0818](#) Approval of an Ordinance Amending Multiple Chapters of the Unified Development Code

Attachments: [Ordinance](#)

5.J [19-0884](#) Approval of an Ordinance Amending Final Plat Approval Process (per RCW 58.17.100)

Attachments: [Ordinance](#)

6. **PUBLIC HEARING - None**

7. **OTHER BUSINESS - None**

8. **CONTINUED PUBLIC COMMENT**

(If needed for those who signed up earlier and did not get an opportunity to speak during the allotted 30 minutes)

9. **REPORTS AND REFERRALS**

9.A **COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS**

9.B **CITY MANAGER'S REPORT AND REFERRALS**

10. **EXECUTIVE SESSION**

10.A [19-0914](#) Executive Session Pursuant to RCW 42.30.110(1)(b); RCW 42.30.110 (1)(c) - Real Estate Matter

10. **CLOSED SESSION**

10.B [19-0915](#) Closed Session Pursuant to RCW 42.30.140 (4)(b) - Labor Negotiations

10. **ADJOURNMENT**

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 Council meeting, please contact the Council's Executive Assistant at 360.753.8244 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.



City Council

Public Hearing on a Resolution Expressing City Council Opposition to Initiative Measure No. 976 (I-976) Related to Motor Vehicle Taxes and Fees

Agenda Date: 10/8/2019
Agenda Item Number: 2.A
File Number: 19-0899

Type: public hearing **Version:** 1 **Status:** Public Hearing

Title

Public Hearing on a Resolution Expressing City Council Opposition to Initiative Measure No. 976 (I-976) Related to Motor Vehicle Taxes and Fees

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Accept testimony from everyone who wishes to speak for or against the Initiative Measure No. 976.

Motion if Council wishes to oppose the Initiative: Move to Adopt the Resolution Expressing City Council Opposition to Initiative Measure No. 976 Related to Motor Vehicle Taxes and Fees

No action is needed if Council does not wish to adopt the Resolution.

Report

Issue:

Whether the City Council will adopt the resolution expressing City Council opposition to Initiative Measure No. 976 Related to Motor Vehicle Taxes and Fees

Staff Contact:

Mark Barber, City Attorney - 360.753.8338

Background and Analysis:

The City Council requested this matter be placed on a City Council agenda so that the Council could conduct a public hearing and hear from citizens in support or opposed to I-976.

In accord with RCW 42.17A.555, any action taken by the Council to support or oppose a ballot proposition must be done at a properly noticed open public meeting with an opportunity for anyone to comment for or against the ballot measure prior to Council action.

Options:

1. Approve the Resolution as presented.
2. Amend, then take action to approve the Resolution as amended.
3. Do not take any action.

Attachments:

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, EXPRESSING OPPOSITION TO INITIATIVE MEASURE NO. 976 (I-976) WHICH SEEKS TO REPEAL AUTHORITY TO IMPOSE CERTAIN MOTOR VEHICLE TAXES AND FEES, CHANGE VEHICLE VALUATION LAWS, AND TO LIMIT MOTOR VEHICLE LICENSE FEES TO \$30.00.

WHEREAS, Washington Initiative Measure No. 976 (I-976) will be presented to the voters at the General Election on November 5, 2019, with the following official Ballot title:

Initiative Measure No. 976 concerns motor vehicle taxes and fees.

This measure would repeal, reduce, or remove authority to impose certain vehicle taxes and fees; limit annual motor-vehicle-license fees to \$30, except voter-approved charges; and base vehicle taxes on Kelley Blue Book value.

Should this measure be enacted into law?

- Yes
- No

and

WHEREAS, I-976 would reduce funding for state and local transportation projects by repealing, reducing, or removing state and local authority to impose certain vehicle taxes and fees; and

WHEREAS, the fiscal impact statement for I-976, prepared by the Washington Office of Financial Management, estimates that the initiative would result in a revenue loss to the state of \$1.9 billion and a loss to local governments of \$2.3 billion over the next six years following implementation; and

WHEREAS, as provided in Chapter 36.73 RCW, the City of Olympia formed a city-wide transportation benefit district (TBD) in 2009 to protect the City's long-term investments in its street infrastructure, reduce the risk of transportation facility failures and improve safety, continue optimal performance of the street infrastructure over time, and to avoid more expensive street infrastructure replacements or repairs in the future; and

WHEREAS, I-976 if passed by the voters at the November 2019 General Election would repeal and eliminate the authority for city transportation benefit districts to impose a car tab fee for the purposes of acquiring, constructing, providing, and funding transportation improvements and repairs; and

WHEREAS, if passed by the voters in the November 2019 General Election, I-976 would eliminate the Olympia TBD's authority to impose vehicle license fees and repeal the vehicle license fees already imposed by the Olympia TBD of \$40.00 per year, resulting in a funding loss of at least \$1.5 million annually; and

WHEREAS, in addition to the adverse financial impact to the City, I-976 would reduce state transportation funding along with voter-approved funding for Sound Transit; and

WHEREAS, RCW 42.17A.555 permits the City Council to take a position on a ballot measure at an open public meeting so long as notice of the meeting includes the ballot title and number of the ballot measure, and that those expressing an opposing view are afforded an approximately equal opportunity to express an opinion at a public hearing prior to action by the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OLYMPIA, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Olympia City Council hereby expresses its opposition to Initiative No. 976, concerning the repeal of certain motor vehicle taxes and fees, to be presented to the electorate at the General Election on November 5, 2019.

Section 2. This Resolution shall take effect and be in full force immediately upon passage by the City Council.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY



City Council

Public Hearing on a Resolution Expressing City Council Support for the Thurston County 911 Emergency Communications Systems and Facilities Levy

Agenda Date: 10/8/2019
Agenda Item Number: 2.B
File Number: 19-0902

Type: public hearing **Version:** 1 **Status:** Public Hearing

Title

Public Hearing on a Resolution Expressing City Council Support for the Thurston County
911 Emergency Communications Systems and Facilities Levy

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Accept testimony from everyone who wishes to speak for or against the Levy.

Motion if Council wishes support the Levy: Move to Adopt the Resolution Expressing City Council Support for Thurston County Emergency Communications Systems and Facilities Proposition No. 1 Levy

No action is needed if Council does not wish to adopt the Resolution.

Report

Issue:

Whether the City Council will adopt a resolution expressing City Council support for the Thurston County 911 Emergency Communications Systems and Facilities Levy

Staff Contact:

Mark Barber, City Attorney - 360.753.8338

Background and Analysis:

The City Council requested this matter be placed on a City Council agenda so that the Council could hear from the public about the proposed ballot measure and levy.

In accord with RCW 42.17A.555, any action taken by the Council to support or oppose a ballot proposition must be done at a properly noticed open public meeting with an opportunity for anyone to

comment for or against the ballot measure prior to Council action.

Options:

1. Approve the Resolution as presented.
2. Amend, then take action to approve the Resolution as amended.
3. Do not take any action.

Attachments:

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, EXPRESSING SUPPORT FOR THURSTON COUNTY EMERGENCY COMMUNICATIONS SYSTEMS AND FACILITIES PROPOSITION NO. 1, TO BE PRESENTED TO THE ELECTORATE AT THE GENERAL ELECTION ON NOVEMBER 5, 2019.

WHEREAS, Thurston County Emergency Communications Systems and Facilities Proposition No. 1 will be presented to the voters at the General Election on November 5, 2019, with the following official Ballot title:

THURSTON COUNTY EMERGENCY COMMUNICATIONS SYSTEMS AND FACILITIES
PROPOSITION NO. 1
SALES AND USE TAX

The Board of County Commissioners of Thurston County adopted Ordinance No. 15802 concerning sales and use tax for emergency communication systems and facilities. To finance costs associated with financing, design, acquisition, construction, equipping, operating, maintaining, remodeling, repairing, reequipping, and improvement of emergency communication systems and facilities; this proposition authorizes the imposition of an additional sales and use tax at the rate of one-tenth of one percent for emergency communication systems and facilities pursuant to Chapter 82.14.

Should this proposition be approved?

- Yes
 No

and

WHEREAS, all law enforcement, fire service, and Medic One agencies in Thurston County use a consolidated 911 dispatch center known as Thurston 911 Communications (TCOMM 911); and

WHEREAS, TCOMM 911 is responsible for receiving all emergency 911 calls within Thurston County and dispatching the appropriate police, fire, or emergency medical assistance to emergencies reported; and

WHEREAS, this levy would authorize Thurston County to increase the sales and use tax by one-tenth of one percent to finance the costs associated with replacing TCOMM 911's 40-year-old analog radio system with a new digital emergency communications system and facilities; and

WHEREAS, the City Council recognizes that TCOMM 911 provides critical communications between and among first responders who rely on the emergency communications system and facilities for their safety and the safety of the public; and

WHEREAS, the City Council believes this levy is important to improving TCOMM 911's emergency communication systems and facilities to provide more capacity and allow better communications between and among first responders and dispatchers; and

WHEREAS, the tax proceeds would be used for the sole purpose of funding the cost associated with financing, design, acquisition, construction, equipping, operating, maintaining, remodeling, repairing, reequipping, and improvement of the emergency communication systems and facilities provided by Thurston 911 Communications; and

WHEREAS, all Thurston County public safety agencies depend on the 911 system to answer calls for help and the current analog radio system, independent of the phone system, was installed in 1978 with the last upgrade occurring over 10 years ago, and parts for this system are no longer readily available. The current 40-year old analog system leaves areas of the county without radio coverage and responders cannot easily radio neighboring counties or sometimes even with each other; and

WHEREAS, RCW 42.17A.555 permits the City Council to take a position on a ballot measure at an open public meeting so long as notice of the meeting includes the ballot title and number of the ballot measure, and that those expressing an opposing view are afforded an approximately equal opportunity to express an opinion at a public hearing prior to action by the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OLYMPIA, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Olympia City Council hereby expresses its support of Thurston County Emergency Communication Systems and Facilities Proposition No. 1 to be presented to the electorate at the General Election on November 5, 2019.

Section 2. This Resolution shall take effect and be in full force immediately upon passage by the City Council.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY



City Council

Public Hearing on a Resolution Expressing City Council Approval of Referendum No. 88 Concerning Affirmative Action

Agenda Date: 10/8/2019
Agenda Item Number: 2.C
File Number: 19-0908

Type: public hearing **Version:** 1 **Status:** Public Hearing

Title

Public Hearing on a Resolution Expressing City Council Approval of Referendum No. 88 Concerning Affirmative Action

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Accept testimony from everyone who wishes to speak for or against the Referendum

Motion if Council wishes support the Referendum: Move to Adopt the Resolution expressing City Council approval of Referendum No. 88 concerning Affirmative Action.

No action is needed if Council does not wish to adopt the Resolution.

Report

Issue:

Whether the City Council should adopt a resolution expressing approval of Referendum No. 88 to allow Affirmative Action factors when considering a person for opportunities in the areas of public education, public employment, and public contracting as long as such policies do not constitute preferential treatment and do not use quotas.

Staff Contact:

Mark Barber, City Attorney - 360.753.8338

Background and Analysis:

The City Council requested this matter be placed on a City Council agenda so that the Council could hear from the public about the proposed Referendum.

In accord with RCW 42.17A.555, any action taken by the Council to support or oppose a ballot proposition must be done at a properly noticed open public meeting with an opportunity for anyone to comment for or against the ballot measure prior to Council action.

Options:

1. Approve the Resolution as presented.
2. Amend, then take action to approve the Resolution as amended.
3. Do not take any action.

Attachments:

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, EXPRESSING APPROVAL OF REFERENDUM NO. 88 TO ALLOW AFFIRMATIVE ACTION SUCH AS RACE, SEX, COLOR, OR AGE AS FACTORS WHEN CONSIDERING A PERSON FOR OPPORTUNITIES IN THE AREAS OF PUBLIC EDUCATION, PUBLIC EMPLOYMENT, AND PUBLIC CONTRACTING AS LONG AS SUCH POLICIES DO NOT CONSTITUTE PREFERENTIAL TREATMENT AND DO NOT USE QUOTAS.

WHEREAS, Washington Initiative Measure No. 200 (I-200) of 1998 prohibited public institutions from discriminating or granting preferential treatment based on race, sex, color, ethnicity, or national origin in the areas of public education, public employment, and public contracting; and

WHEREAS, Washington Initiative Measure No. 1000 (I-1000) was an initiative to the Washington State Legislature that was approved on April 28, 2019, meaning the measure did not have to go to the ballot for voter approval; and

WHEREAS, I-1000 allows affirmative action policies by the State of Washington in the areas of public education, public employment, and public contracting as long as such policies do not constitute preferential treatment and do not use quotas; and

WHEREAS, under I-1000 preferential treatment is prohibited as defined as using certain characteristics such as race, sex, color, or age as the sole factor for selecting a lesser-qualified candidate over another; but affirmative action is allowed as using certain characteristics such as race, sex, color, or age as factors when considering a person for education or employment opportunities; and

WHEREAS, I-1000 adds the following characteristics to the law such as sexual orientation, age, the presence of any sensory, mental, or physical disability or honorably discharged veteran or military status; and

WHEREAS, I-1000 was written to explicitly allow the State of Washington to implement affirmative action laws and policies while continuing to ban discrimination and preferential treatment; but also defining preferential treatment and affirmative action so that banning one and allowing the other is compatible; and

WHEREAS, I-1000 would also allow the State of Washington to remedy discrimination against, or under-representation of, disadvantaged groups as documented in a valid disparity study or proven in a court of law; and

WHEREAS, I-1000 will create the Governor's Commission on Diversity, Equity, and Inclusion, which would be responsible for ensuring compliance with the measure and is

required to issue an annual report on the progress of state agencies in achieving the goals under the measure; and

WHEREAS, the stated intent of I-1000 is to guarantee every resident of Washington state equal opportunity and access to public education, public employment, and public contracting without discrimination based on their race, sex, color, ethnicity, national origin, age, sexual orientation, the presence of any sensory, mental, or physical disability, or honorably discharged veteran or military status by restoring affirmative action into state law without the use of quotas or preferential treatment; defining the meaning of preferential treatment and its exceptions; and establishing governor's commission on diversity, equity, and inclusion; and

WHEREAS, Referendum No. 88 (R-88) requires a vote of the people on I-1000, meaning that an approve vote on R-88 approves I-1000 and a reject vote on R-88 rejects I-1000; an approve vote will allow I-1000 to go into effect and a reject vote on R-88 rejects I-1000 and law remains as provided in I-200; and

WHEREAS, Referendum 88 (R-88) will be presented to the voters at the General Election on November 5, 2019, with the following official Ballot title:

Referendum Measure No. 88

The legislature passed Initiative Measure No. 1000 concerning affirmative action and remedying discrimination, and voters have filed a sufficient referendum petition on this act.

Initiative 1000 would allow the state to remedy discrimination for certain groups and to implement affirmative action, without the use of quotas or preferential treatment (as defined), in public education, employment, and contracting.

Should Initiative 1000 be?

- Approved
- Rejected

and

WHEREAS, Governor Jay Inslee, and former governors Christine Gregoire, Gary Locke and Daniel Evans have endorsed an approve vote on Referendum 88 (R-88); and

WHEREAS, numerous other organizations and businesses have also endorsed an approve vote on R-88; and

WHEREAS, the approval of R-88 would provide more economic opportunities to veterans, small business owners, women, and people of color through public employment, public education and public contracting; and

WHEREAS, the Olympia City Council finds that our workplaces and our communities in Washington state are strongest when they include the most diverse range of backgrounds, experiences and perspectives, and that approval of R-88 and the Legislature's enactment of I-1000 will help to create an inclusive society, ensuring that everyone has full and fair access to opportunity; and

WHEREAS, RCW 42.17A.555 permits the City Council to take a position on a ballot measure at an open public meeting so long as notice of the meeting includes the ballot title and number of the ballot measure, and that those expressing an opposing view are afforded an approximately equal opportunity to express an opinion at a public hearing prior to action by the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OLYMPIA, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Olympia City Council hereby supports and expresses a vote of approval on Referendum 88 (R-88) to approve the Legislature's enactment of I-1000, which ballot proposition shall be presented to the electorate at the General Election on November 5, 2019.

Section 2. This Resolution shall take effect and be in full force immediately upon passage by the City Council.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY



City Council

Special Recognition - The Bridge Music Project Partnership

Agenda Date: 10/8/2019
Agenda Item Number: 3.A
File Number: 19-0910

Type: recognition **Version:** 1 **Status:** Recognition

Title

Special Recognition - The Bridge Music Project Partnership

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Recognize the Bridge Music Project Partnership,

Report

Issue:

Whether to recognize the partnership between the City of Olympia and The Bridge Music Project, which was significantly expanded in 2019.

Staff Contact:

Luke Burns, Recreation Program Specialist, Parks, Arts and Recreation, Phone: 360.570.5857

Presenter(s):

Luke Burns, City of Olympia
Bobby Williams, The Bridge Music Project

Background and Analysis:

For the past five summers, the Parks, Arts and Recreation Department has contracted with The Bridge Music Project to provide the Summer Concert Series, a series of six concerts featuring local youth and experienced musicians. This past year, in addition to the Summer Concert Series, the contract was expanded to provide enhanced activities for at-risk youth. This presentation will highlight the summer concert series, a songwriting workshop with Olympia School District, production of a full-length album featuring youth artists, open mic nights at Rosie's Place and a Music Mentorship Program.

Neighborhood/Community Interests (if known):

N/A

Type: recognition **Version:** 1 **Status:** Recognition

Options:

N/A

Financial Impact:

The 2019 contract with The Bridge Music Contract was \$27,000. The project was supported by the city's General Fund.

Attachments:

None



City Council

Special Recognition - Olympia Dragon Mural

Agenda Date: 10/8/2019
Agenda Item Number: 3.B
File Number: 19-0913

Type: recognition **Version:** 1 **Status:** Recognition

Title

Special Recognition - Olympia Dragon Mural

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Recognize the artist, citizens and volunteers who installed the Olympia Dragon Mural honoring local Chinese-American history.

Report

Issue:

Whether to recognize the artist, citizens and volunteers who installed the Olympia Dragon Mural honoring local Chinese-American history.

Staff Contact:

Susan Grisham, Executive Assistant, 360.753.8244

Presenter(s):

Doug Mah, Olympia Dragon Mural Committee representative

Background and Analysis:

On August 24, 2019 the Olympia Dragon Mural, located at the corner of 5th Avenue and Columbia Street SE, was dedicated at an event featuring speakers and performers, along with the ancient Chinese tradition of "dotting the eye", or the final brush strokes of painting the eye to bring the dragon to life and to complete the mural.

The Mural, a side-facing dragon against the waves of the sea with a red column based on a traditional scroll, reads, "peace, harmony, community", conceived by artist Mymy Nguyen as an artistic tribute to the once vibrant Chinese American business community that was located along Columbia Street.

Ms. Nguyen stated, *"The dragon is a symbol of strength, ordinarily depicted in great detail - scales, skin, features, and expression: a sense of intention and motion. But in this dragon, we see only a*

silhouette - a ghost of the past strength, intention and motion of Chinese immigrants who left their homes, crossed the widest ocean, and came to Olympia for a better life. This is where they built a community... As a new immigrant, I hear the echo of their experiences; I feel it in my bones... This mural is a tribute to them; a remembrance that mourns the absence of their lost community here, and honors their bravery”.

In January 2019, Ms. Nguyen presented her concept to a gathering of Olympians, including numerous Asian-American community leaders. Deeply moved by Ms. Nguyen’s vision, this group launched a plan to raise funds and secure a location for the mural on the side of one of the early Chinese-American owned buildings. Major donors include: Chinese Healing and Movement Arts; Doug and Cathy Mah; the Tacoma Chinese Reconciliation Project Foundation Board; Aikido of Olympia; Heritage Bank; the City of Olympia; Parking Business Improvement Area (PBIA); South Puget Sound Community College Foundation; Thomas Architecture Studio; Olympia Downtown Alliance and others. Together, these volunteers and donors, along with the artist and her dedicated mural team have created the Olympia Dragon Mural as a touchstone for all of Olympia, offering us a chance to reflect on the past and celebrate the present.

Among the committee members is Brian Lock, whose family once owned the building where the mural is now located. The Lock family were among the Chinese-American business owners in the early days of Olympia.

The City Council will be presented with a print of the Olympia Dragon Mural.

Attachments:

None



City Council

Special Recognition - Proclamation Declaring Support for the Land and Water Conservation Fund

Agenda Date: 10/8/2019
Agenda Item Number: 3.C
File Number: 19-0912

Type: recognition **Version:** 1 **Status:** Recognition

Title

Special Recognition - Proclamation Declaring Support for the Land and Water Conservation Fund

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Proclaim support for the Land and Water Conservation Fund.

Report

Issue:

Whether to proclaim support for the Land and Water Conservation Fund.

Staff Contact:

Susan Grisham, Executive Assistant, 360.753.8244

Presenter(s):

Steve Blackledge, Senior Director, Environment America

Jamie Lockwood, Fellow, Environment America

Background and Analysis:

The Land and Water Conservation Fund (LWCF) was created by Congress 54 years ago and works to preserve the United States' natural and cultural resources and improving access to the outdoors in urban and rural communities. The work of the LCWF has been a critical tool in creating, enhancing and conserving national parks and historic sites, national wildlife refuges, watersheds, forests, wildlife areas and state and local parks, trails, and ball fields.

During the last 54 years, locally LWCF funding has preserved and enhanced public lands that are critical to Washington and Olympia including: Capitol Lake Park, Woodruff Park, Yauger Park, Percival Landing North, Mt. St. Helens National Volcanic Monument, Nisqually National Wildlife Refuge, Olympic National Park, and Mt. Rainier National Park among other projects.

LWCF takes a portion of royalties from offshore oil and gas development and invests that money in protecting America's important public lands for future generations. The LWCF is authorized to receive \$900 million annually, this threshold has been met only twice during the program's existence and, instead of being fully funded, nearly every year substantial sums of funding are diverted to non-conservation related projects.

Although only receiving a fraction of its intended funding over the last 54 years, LWCF has led to the protection of land in every state, has improved access to these public lands, and has provided matching grants for the creation of more than 500 state and local park projects in Washington.

The proclamation is in support of Congress to vote to permanently and fully fund the Land and Water Conservation Fund.

Attachments:

Proclamation

PROCLAMATION

WHEREAS, public lands in Washington and throughout the country are a treasure to Washingtonians due to their stunning beauty, wildness, recreation opportunities, and intrinsic value; and

WHEREAS, protecting public lands is essential to preserving America's biodiversity, especially at a time when the U.N. has reported that 75% of all terrestrial environment has been "severely altered" by human action; and

WHEREAS, 5.6 gigatons of annual Co2 emissions are stored in marine and terrestrial ecosystems¹, making the protection of lands an essential resource in local, state and national efforts to fight global warming; and

WHEREAS, The Land and Water Conservation Fund (LWCF), created by Congress 54 years ago, is one of the most successful government programs in preserving our country's precious natural and cultural resources and improving access to the outdoors in urban and rural communities; and

WHEREAS, the LWCF has been a critical tool in creating, enhancing and conserving national parks and historic sites, national wildlife refuges, watersheds, forests, wildlife areas and state and local parks, trails, and ball fields, all of which are essential to the people of Washington and our health, culture, economic opportunity, and the future of our children and grandchildren; and

WHEREAS, over the last 54 years, LWCF funding has preserved and enhanced public lands that are critical to Washington and Olympia including: Capitol Lake Park, Woodruff Park, Yauger Park, Percival Landing North, Mt. St. Helens National Volcanic Monument, Nisqually National Wildlife Refuge, Olympic National Park, and Mt. Rainier National Park among other federal projects; and

WHEREAS, sustained stewardship requires funding, and LWCF takes a portion of royalties from offshore oil and gas development and invests that money in protecting America's important public lands for future generations--be that an iconic national park or an urban playground; and

WHEREAS, while LWCF is authorized to receive \$900 million annually, this threshold has been met only twice during the program's existence and, instead of being fully funded, nearly every year substantial sums of funding are diverted to non-conservation related projects; and

WHEREAS, despite receiving only a fraction of its intended funding over the last 54 years, LWCF has led to the protection of land in every state, has improved access to these public lands, and has provided matching grants for the creation of more than 500 state and local park projects in Washington; and

WHEREAS, hunting, fishing, camping, hiking, paddling, and other outdoor recreation activities contribute \$26.2 billion annually in consumer spending to Washington's economy and support 201,000 jobs, which generate \$7.6 billion in wages and salaries and produce \$2.3 billion annually in state and local tax revenue; and

WHEREAS, Washington has received grants totally in \$76.2 million from LWCF; and

WHEREAS, the parks, trails and recreation projects dependent upon LWCF funding are green spaces that contribute to the health and well-being of Washingtonian families; and

NOW THEREFORE, BE IT RESOLVED, that the Olympia City Council does hereby proclaim:

Complete support for the full and permanent funding of the Land and Water Conservation Fund and urges Congress to vote to permanently and fully fund the Land and Water Conservation Fund, given the important contributions it makes to our nation's and Washington's health, well-being, economic opportunity, and access to our nation's natural treasures.

SIGNED IN THE CITY OF OLYMPIA, WASHINGTON THIS 8th DAY OF OCTOBER, 2019.

OLYMPIA CITY COUNCIL

*Cheryl Selby
Mayor*



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

City Council

Approval of September 24, 2019 City Council Meeting Minutes

Agenda Date: 10/8/2019
Agenda Item Number: 5.A
File Number: 19-0916

Type: minutes **Version:** 1 **Status:** Consent Calendar

Title

Approval of September 24, 2019 City Council Meeting Minutes



Meeting Minutes - Draft

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, September 24, 2019

7:00 PM

Council Chambers

1. ROLL CALL

Present: 6 - Mayor Cheryl Selby, Mayor Pro Tem Jessica Bateman, Councilmember Clark Gilman, Councilmember Nathaniel Jones, Councilmember Lisa Parshley and Councilmember Renata Rollins

Excused: 1 - Councilmember Jim Cooper

1.A ANNOUNCEMENTS

Mayor Selby announced the Council met earlier in the evening to discuss real estate and personnel matters. No decisions were made.

Community Planning and Development Director Keith Stahley gave an update on the 4th Avenue Bridge encampment.

1.B APPROVAL OF AGENDA

The agenda was approved.

2. SPECIAL RECOGNITION

2.A [19-0867](#) Special Recognition - Proclamation Recognizing National Voter Registration Day

Councilmember Parshley read a proclamation recognizing September 24 as Voter Registration Day. Thurston County Auditor Mary Hall accepted the proclamation and discussed the importance of voter registration.

The recognition was received.

2.B [19-0853](#) Special Recognition - Proclamation Recognizing Charles Mitchell Day

Historic Preservation Officer Marygrace Goddu, Heritage Commissioner Susan Rohrer and Author Judy Bentley shared the history of Charles Mitchell, an enslaved child who lived in Olympia in the 1800's, who escaped to Victoria, B.C. via steam ship.

Councilmember Rollins read a proclamation recognizing September 24 as Charles Mitchell Day and Ms. Rohrer accepted it.

The recognition was received.

- 2.C** [19-0705](#) Special Recognition - Proclamation Declaring October as Walk to School Month

Intercity Transit Walk-N-Roll Coordinator Kerri Wilson discussed the program.

Councilmember Gilman read a proclamation recognizing October as Walk to School Month. Olympia School District Superintendent Patrick Murphy accepted it and discussed the importance of exercise and alternative modes of travel to school.

The recognition was received.

- 2.D** [19-0843](#) Special Recognition - Park Stewardship Volunteer and Group of the Year

Park Stewardship Supervisor Amy Stull and Program Specialist Jennifer Gessley Gayman announced the Olympia Horseshoe Club as Volunteer Group of the Year and Jan Vleck as Individual Volunteer of the Year.

The recognition was received.

3. PUBLIC COMMENT

The following people spoke: Anne Van Sweringen, Chris Stearns, Izzy Baldo, Linda Ann Moniz, Rickey Thomas, Matt Steski, Isaac Wagnitz, Wendy Tanowitz, Pat Tassoni, TJ Johnson, and Talauna Reed.

COUNCIL RESPONSE TO PUBLIC COMMENT (Optional)

Councilmember Gilman noted he would draft a resolution in support of universal healthcare and Mayor Pro Tem Bateman volunteered to assist. Councilmembers spoke in support of hiring a police auditor and discussed expanding the position's scope of work.

4. CONSENT CALENDAR

- 4.A** [19-0873](#) Approval of September 10, 2019 City Council Meeting Minutes

The minutes were adopted.

- 4.B** [19-0874](#) Approval of September 17, 2019 Study Session Meeting Minutes

The minutes were adopted.

- 4.C** [19-0875](#) Bills and Payroll Certification

Payroll check numbers 92288 through 92330 and Direct Deposit transmissions: Total: \$6,371,583.61; Claim check numbers 3718374 through 3718922: Total: \$2,454,302.64.

The decision was adopted.

- 4.D** [19-0864](#) Adoption of a Resolution Approving Interim City Manager Employment

Agreement

The resolution was adopted.

- 4.E [19-0732](#) Approval of a Resolution Accepting a Pedestrian and Bicycle Safety Grant for the Legion Way Improvements Project

The resolution was adopted.

- 4.F [19-0828](#) Approval of a Bid Award for the Pervious Concrete Sidewalk Repairs Project

The contract was adopted.

4. SECOND READINGS (Ordinances) - None

4. FIRST READINGS (Ordinances)

- 4.G [19-0870](#) Approval of an Ordinance Amending Ordinance 7195 (Operating Budget)

The ordinance was approved on first reading and moved to second reading.

- 4.H [19-0860](#) Approval of an Ordinance Amending Ordinance 7197 (Special Funds)

The ordinance was approved on first reading and moved to second reading.

- 4.I [19-0869](#) Approval of an Ordinance Amending Ordinance 7196 (Capital Budget)

The ordinance was approved on first reading and moved to second reading.

- 4.J [19-0871](#) Approval of an Ordinance to Repeal Ordinance 7200 that Imposed the Maximum Sales and Use Tax for Affordable Housing Permitted by SHB 1406

The ordinance was approved on first reading and moved to second reading.

Approval of the Consent Agenda

Councilmember Parshley moved, seconded by Councilmember Jones, to adopt the Consent Calendar. The motion carried by the following vote:

Aye: 6 - Mayor Selby, Mayor Pro Tem Bateman, Councilmember Gilman, Councilmember Jones, Councilmember Parshley and Councilmember Rollins

Excused: 1 - Councilmember Cooper

5. PUBLIC HEARING - None

6. OTHER BUSINESS

6.A [19-0846](#) Downtown Parking Strategy in 2020 Update

Parking Program Analyst Max Dejarnatt outlined changes to the City's Downtown parking program coming in 2020. Councilmembers asked clarifying questions.

The discussion was completed.

7. CONTINUED PUBLIC COMMENT

The following people spoke: Terrance McDonald, Thomas Anney, Gracie Stallings, Malorie Kennedy, Izi Lemay, and Kyle Wilde.

8. REPORTS AND REFERRALS

8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

Councilmembers reported on meetings and events attended.

8.B CITY MANAGER'S REPORT AND REFERRALS - None

9. EXECUTIVE SESSION

9.A [19-0868](#) Executive Session Pursuant to RCW 42.30.110(1)(b); RCW 42.30.110(1)(c) - Real Estate Matter

Mayor Selby recessed the meeting to Executive Session at 9:08 p.m. pursuant to RCW 42.30.110(1)(b) and RCW 42.30.110(1)(c) to discuss a real estate matter. She announced no decisions would be made, the meeting was expected to last no longer than 30 minutes, and the Council would adjourn immediately following the Executive Session. The City Attorney was present at the Executive Session.

The executive session was held and no decisions were made.

9. ADJOURNMENT

The meeting adjourned at 9:50 p.m.



City Council

Approval of Annual Comprehensive Plan Amendment Schedule for 2020

Agenda Date: 10/8/2019
Agenda Item Number: 5.B
File Number: 19-0816

Type: decision **Version:** 1 **Status:** Consent Calendar

Title

Approval of Annual Comprehensive Plan Amendment Schedule for 2020

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to set November 15, 2019, as the deadline for Preliminary Comprehensive Plan Amendment applications for consideration in 2020 and direct staff to proceed with review schedule generally as outlined.

Report

Issue:

Whether to set November 15, 2019 as the deadline for Preliminary Comprehensive Plan Amendment applications for consideration in 2020.

Staff Contact:

Joyce Phillips, Senior Planner, Community Planning & Development Department, 360.570.3722

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

Washington's Growth Management Act provides that, with only a few specific exceptions, a city's Comprehensive Plan can be amended only once each year. Accordingly, all proposed amendments are to be collected into one review process. Olympia's code directs that the City Council shall set an annual due date for proposing such amendments. Staff proposes that for 2020 amendments that deadline be 4:00 p.m., Friday, November 15, 2019.

Washington's Growth Management Act provides that a city must review and evaluate its Comprehensive Plan every eight years. Olympia concluded such a 'periodic' review in December 2014. In addition, the Act provides that cities may consider annual Plan amendments. Subject to specific exceptions, the Act provides that any proposed annual amendments must be collected into

one annual review with a schedule 'broadly disseminated' to the public. (RCW 36.70A.130)

Chapter 18.59 of the Olympia Municipal Code outlines the Comprehensive Plan Amendment process. Proposed amendments may be submitted at any time. However, so that proposals are collected into an annual set, the code provides that the City Council shall set an annual submittal deadline. This deadline has varied, but most often it has been in the first half of November.

The subsequent review process includes a preliminary review where the City Council decides which proposals should be considered - commonly known as the "screening" step. Those not eliminated at the screening step are then analyzed in detail and subject to Planning Commission public hearings, review and recommendations. The full process, leading to one collective final decision by the City Council, has varied from eight to 15 months.

To identify potential Plan amendments for 2020, the staff proposes the schedule below. Note that only the submittal deadline is formally set by Council. Other dates are approximate and flow from the initial deadline. A more detailed schedule will be established by staff following Council approval of the initial deadline; including coordination with County staff regarding amendments affecting the Urban Growth Area.

Proposed Annual Comprehensive Plan Amendment Schedule for 2020

- Early October - Public announcement of schedule
- **November 15, 2019** - Deadline for public to submit preliminary proposals (no charge)
- January or February 2019 - City Council "screening" review of preliminary proposals, i.e., determination whether City should consider each proposal
- February or March 2020 - Final specific proposed amendments due (with application fee, and rezone application fees if applicable)
- March and April - City staff analysis and environmental review of proposals
- May to July - Planning Commission review and public hearings
- August and later - Council review and decisions

At minimum, public announcement of the due date and schedule in general will include posting on the City website, notice to the news media, and notice mailed directly to agency staff, recognized neighborhood associations, and parties known to City staff that are considering amendment proposals.

Neighborhood/Community Interests (if known):

To date, no specific proposals are anticipated. Public interest will depend on specific proposals.

Options:

1. Set November 15, 2019, as the due-date for preliminary annual Comprehensive Plan amendment proposals to be considered in 2020.
2. Set alternative date as deadline for submitting such proposals.
3. Decline to consider Plan amendment proposals in 2020.

Financial Impact:

None. Review of preliminary Comprehensive Plan Amendment applications is incorporated into the Community Planning and Development Department's annual work plan.

Attachments:

None



City Council

Approval of Bid Award for the 26th Avenue Shared Use Pathway and Water Main Replacement Project

Agenda Date: 10/8/2019
Agenda Item Number: 5.C
File Number: 19-0757

Type: contract **Version:** 1 **Status:** Consent Calendar

Title

Approval of Bid Award for the 26th Avenue Shared Use Pathway and Water Main Replacement Project

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to award the construction contract to South Sound Contractors in the amount of \$380,535.55 and authorize the City Manager to execute the contract.

Report

Issue:

Whether to award the construction contract for the 26th Avenue Shared Use Pathway and Water Main Replacement Project to South Sound Contractors.

Staff Contact:

Randy Wesselman, Project Manager, Public Works, Engineering, 360.753.8477

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

26th Avenue NE, between Gull Harbor Road and Bethel Street, is a two-lane street, with grass/gravel shoulders. There are no sidewalks.

Olympia's 2003 Sidewalk Program identified the need for a sidewalk/pathway along 26th Avenue. Residents in the area have requested that the City construct sidewalk along 26th Avenue to address the safety of people walking. The Olympia Northwest Neighborhoods Alliance Sub-area Plan (August 2016) also identified the need for a safe walking route along 26th Avenue.

Staff decided a 10-foot wide shared use pathway would best address the active transportation needs

of the neighborhood users given the lack of connectivity and facilities on 26th Avenue.

There is an existing six-inch asbestos-cement water main on the south side of 26th Avenue within the project limits. Staff determined the water main is susceptible to damage during construction of the pathway due to age and material type and decided to replace it.

Neighborhood/Community Interests (if known):

Completing the shared use pathway will significantly improve the safety of people walking and biking along 26th Avenue between Gull Harbor Road and Bethel Street. The shared use pathway will help residents in the neighborhood access an entrance to Priest Point Park. Replacement of the water main will provide reliable water service.

Options:

1. Award the construction contract to South Sound Contractors in the amount of \$380,535.55 and authorize the City Manager to execute the contract.

The project proceeds as planned.

2. Do not approve awarding the construction contract, reject all bids, and direct staff to rebid the project.

Delaying the project will delay improving the mobility of both people walking and biking. A delay could also create higher costs and will require additional staff time.

Financial Impact:

This project is identified in the Capital Facilities Plan. Funding for the Shared Use Pathway comes from the Voted Utility Tax approved by the public in September 2004. Funding for the Water Main comes from the Drinking Water Fund.

The low bid of \$380,535.55 is just under 20 percent less than the Engineer's estimate. There are sufficient funds in the budget to complete this project.

Overall project costs:

Total Low Bid:	\$ 380,535.55
Contingency to Award (10%):	\$ 38,053.00
Engineering: Design, Inspection, Consultants	\$ 239,600.00
Right-of-Way:	\$ 28,919.50
Total Estimated Project Cost:	\$ 687,108.05
Available Project Funding:	\$ 804,000.00

Attachments:

- Summary of Bids
- Vicinity Map

SUMMARY OF BIDS RECEIVED



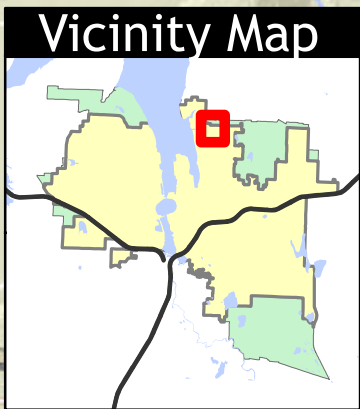
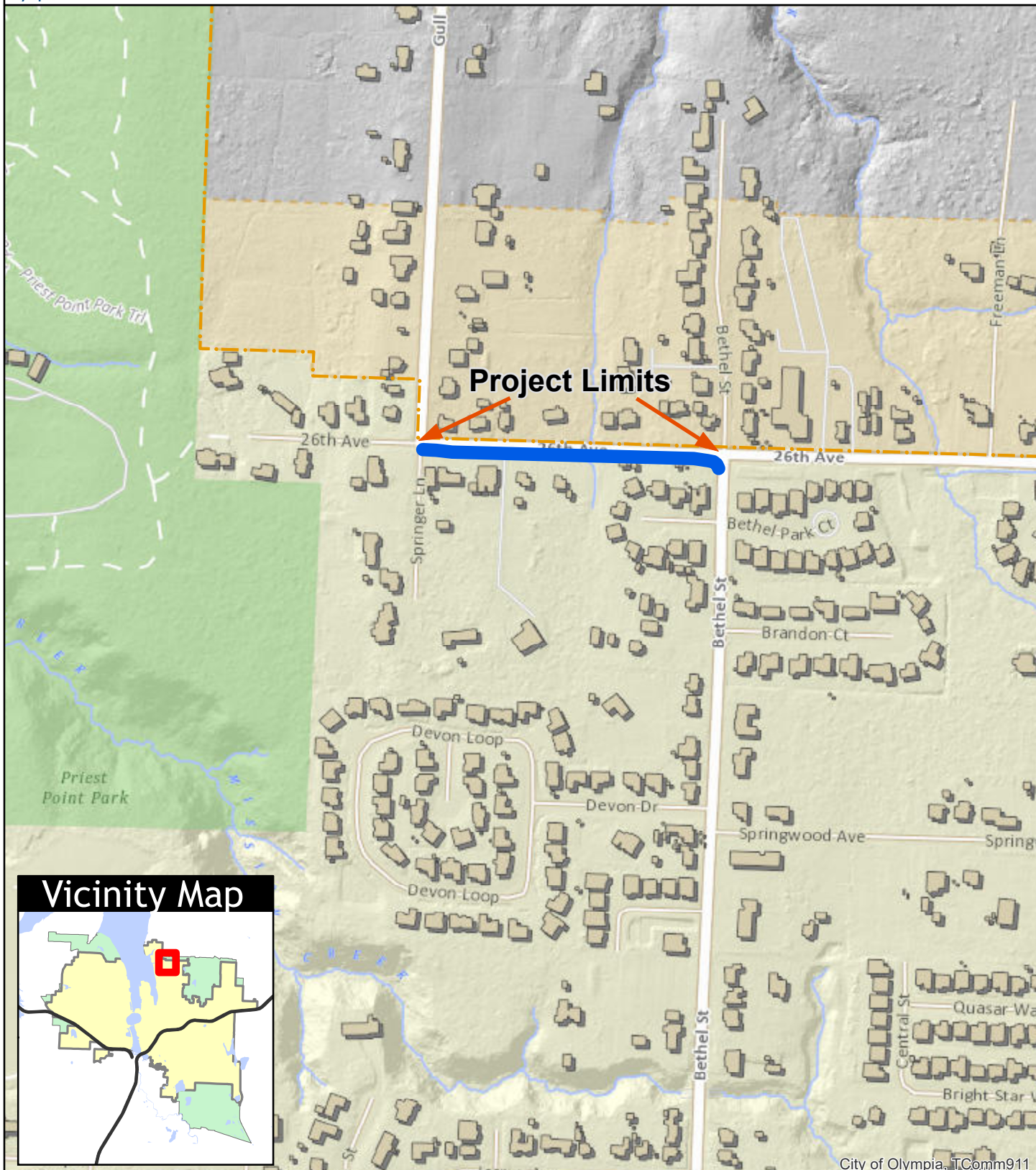
Project Name: 26th Avenue Sidewalk & Watermain Replacement
Project Number: 1811G & 1877P
Bid Opening Date: 9/24/2019

ENGINEER'S ESTIMATE	CITY OF OLYMPIA	\$	474,237.15
Bid #1	South Sound Contractors LLC	\$	380,535.55
Bid #2	Reed Trucking & Excavating, Inc	\$	422,489.79
Bid #3	Sound Pacific Construction LLC	\$	441,101.64
Bid #4	Propel Construction, Co.	\$	473,779.71
Bid #5	Northwest Cascade, Inc	\$	480,724.39
Bid #6	Rognlin's, Inc	\$	484,067.95
Bid #7	Baker Underground & Const, LLC	\$	498,301.84
Bid #8	Black Hills Excavating, Inc.	\$	518,323.06
Bid #9	Quigg Bros, Inc	\$	539,053.72



26th Avenue Shared Use Pathway and Water Main Replacement

Vicinity Map



City of Olympia, TComm911

0 200 400 Feet

1 inch = 400 feet

Map printed 9/12/2019

Legend

Olympia City Limits

The City of Olympia and its personnel cannot assure the accuracy, completeness, reliability, or suitability of this information for any particular purpose. The parcels, right-of-ways, utilities and structures depicted hereon are based on record information and aerial photos only. It is recommended the recipient and or user field verify all information prior to use. The use of this data for purposes other than those for which they were created may yield inaccurate or misleading results. The recipient may not assert any proprietary rights to this information. The City of Olympia and its personnel neither accept or assume liability or responsibility, whatsoever, for any activity involving this information with respect to lost profits, lost savings or any other consequential damages.





City Council

Approval of Bid Award for LBA Park Field #3 Americans with Disabilities Act Access Project

Agenda Date: 10/8/2019
Agenda Item Number: 5.D
File Number: 19-0905

Type: contract **Version:** 1 **Status:** Consent Calendar

Title

Approval of Bid Award for LBA Park Field #3 Americans with Disabilities Act Access Project

Recommended Action:

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to award the construction contract for the LBA Park Field #3 ADA Access project to Barcott Construction, LLC, in the amount of \$552,511.50 and authorize the City Manager to execute the contract.

Report

Issue:

Whether to approve awarding the construction contract for the LBA ADA Access Field #3 project to Barcott Construction, LLC.

Staff Contact:

Kip Summers, Senior Engineer, Parks, Arts and Recreation, 360.570.5834

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

The Parks, Arts and Recreation Department completed an Americans with Disabilities Act (ADA) assessment of City parks in 2017. Providing access to Field #3 at LBA Park was identified as the highest priority access project in the park system, as we have received multiple complaints from park users who require accessibility. The project also draws funds from our Capital Asset Management Program (CAMP) to replace the adjoining retaining walls around the field, which have reached the end of their design life.

The project will build a new concrete ADA compliant ramp, concrete stairs and new concrete block retaining walls. The work will be done in the winter season to reduce impacts on the ballfield use. Staff expects the project to be complete in early April 2020.

The City received nine bids on September 26. Barcott Construction, LLC was the low bidder, with a bid of \$552,511.50, which is below the engineer's estimate of \$661,446.

Neighborhood/Community Interests (if known):

The City has received requests to provide ADA access to this field and once complete, citizens will have complete ADA compliant access to field #3.

Options:

1. Award the construction contract to Barcott Construction, LLC, in the amount of \$552,511.50 and authorize the City Manager to execute the contract. The project proceeds as planned.
2. Do not award the construction contract, reject all bids, and request staff to rebid the project. Delaying the project could result in higher bids and will require additional staff time to rebid the project.

Financial Impact:

Funding for the project comes from Olympia Metropolitan Park District funds.

The Engineers Estimate was \$661,446 and the low bid is 16 percent below the Engineer's estimate. There are sufficient funds in the budget to complete this project.

Attachments:

Summary of Bids



BID TABULATIONS SUMMARY

Project Name: LBA ADA Access Field #3

Project No. : 1865H

Bid Opening Date: 9/26/2019

		<u>BID #1</u> Barcott Construction LLC P.O. Box 366 Chehalis, WA 98532	<u>BID #2</u> Reed Trucking & Excavating, Inc. 2207 Inter Ave, Suite A Puyallup, WA 98372	<u>BID #3</u> Rodarte Construction Inc. 17 East Valley Hwy E Auburn, WA 98092	<u>BID #4</u> Nordland Construction NW Inc. 123 Ponderosa Place Nordland , WA 98358
Project No. 1865H Lump Sum Total	\$ 605,164.68	\$ 505,500.00	\$ 565,400.00	\$ 566,970.00	\$ 579,000.00
Washington State Sales Tax @ 9.3%	\$ 56,280.32	\$ 47,011.50	\$ 52,582.20	\$ 52,728.21	\$ 53,847.00
Grand Total	\$ 661,445.00	\$ 552,511.50	\$ 617,982.20	\$ 619,698.21	\$ 632,847.00

These bid results are for Contractors information only. These results will undergo further review by City of Olympia in determination of award to the lowest responsive and responsible bidder.



BID TABULATIONS SUMM

Project Name: LBA ADA Access Field #3

Project No. : 1865H

Bid Opening Date: 9/26/2019

		<u>BID #5</u> W.S. Contractors LLC P.O. Box 2300 Buckley, WA 98321	<u>BID #6</u> Quigg Bros. Inc. 819 West State Street Aberdeen, WA 98520	<u>BID #7</u> Conway Construction Co. 6620 NW Whitney Rd, Ste 100 Vancouver, WA 98665	<u>BID #8</u> Rognlin's Inc. 321 W. State Street Aberdeen, WA 98520	<u>BID #9</u> Green Tech Excavation Inc. 9812 Coral Dr SW Lakewood, WA 98498
OPINION OF PROBABLE CONSTRUCTION COSTS						
Project No. 1865H Lump Sum Total	\$ 605,164.68	\$ 594,400.00	\$ 595,000.00	\$ 601,172.00	\$ 607,000.00	\$ 672,000.00
Washington State Sales Tax @ 9.3%	\$ 56,280.32	\$ 55,279.20	\$ 55,335.00	\$ 55,909.00	\$ 56,451.00	\$ 62,496.00
Grand Total	\$ 661,445.00	\$ 649,679.20	\$ 650,335.00	\$ 657,081.00	\$ 663,451.00	\$ 734,496.00

These bid results are for Contractors information only. These results will undergo further review by City of Olympia in determination of award to the lowest responsive and responsible bidder.



City Council

Approval of an Ordinance Amending Ordinance 7197 (Special Funds)

Agenda Date: 10/8/2019
Agenda Item Number: 5.E
File Number: 19-0860

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title

Approval of an Ordinance Amending Ordinance 7197 (Special Funds)

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the proposed Ordinance that amends Ordinance 7197 on second reading.

Report

Issue:

Whether to approve Move the proposed Ordinance that amends Ordinance 7197 on second reading.

Staff Contact:

Nanci Lien, Fiscal Services Director, Administrative Services Department, 360.753.8465

Presenter(s):

None - Consent Calendar item

Background and Analysis:

Background and analysis has not changed from first to second reading.

City Council may revise the City's Special Funds Budget by approving an ordinance. Generally, budget amendments are presented quarterly to Council for their review and approval, but may be made at any time during the year. The amended ordinances appropriate funds and provide authorization to expend the funds.

No separate ordinances were passed since the adoption of ordinance 7197 on June 11, 2019, relating to the Special Funds Budget.

The attached ordinance includes recommended amendments to the 2019 Special Funds Budget for: 1) appropriating 2018 year-end carry forward appropriations; and 2) appropriating a department request for 2nd Quarter in 2019:

1. Community Planning & Development

- \$714,366 grant-related appropriations being carried forward from 2018 for the HUD (Housing & Urban Development) program. These appropriations were not included in the 2019 1st Quarter budget amendment. Funding is provided from the HUD grant.
- \$15,000 for professional services related to the PBIA (Parking Business Improvement Area) for a targeted marketing campaign to draw customers to Downtown during the upcoming holiday season. Funding is provided from fund balance in the PBIA fund.

Neighborhood/Community Interests (if known):

Olympia Downtown Alliance and Parking Business Improvement Area Association

Options:

1. Approve ordinance that amends ordinance 7197. Authorizes staff to expend the funds.
2. Do not approve the proposed ordinance. The budget items not previously presented to the Council would not be authorized.

Financial Impact:

Total increase in appropriations is \$729,366. The sources of funding are noted above.

Attachments:

Ordinance

Ordinance No.

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, APPROPRIATING FUNDS WITHIN VARIOUS SPECIAL FUNDS AND AMENDING ORDINANCE NO. 7197.

WHEREAS, the Olympia City Council passed Ordinance No. 7175 on December 18, 2018, appropriating funds within various special funds; and

WHEREAS, the Olympia City Council amended Ordinance No. 7175 by passage of Ordinance No. 7197 on June 11, 2019; and

WHEREAS, the following amendments need to be made to Ordinance No. 7197;

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

Section 1. The following appropriations are hereby made:

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
HUD Fund	\$8,166	\$1,222,657 \$1,937,023	\$1,230,823 \$1,945,189	-
Lodging Tax Fund	1,366,150	1,000,000	893,452	1,472,697 1,472,698
Parking Business Improvement Area Fund	59,673	100,000	100,840 115,840	58,833 43,833
Farmers Market Repair and Replacement Fund	76,701	-	-	76,701
Hands On Children's Museum	528,637	514,000	458,188	584,449
Home Fund Operating Fund	347,916	1,100,506	1,100,506	347,916
Fire Equipment Replacement Fund	-	297,387	152,869	144,518
Equipment Rental Replacement Reserve Fund	11,776,033	1,885,830	3,295,730	10,366,133
Unemployment Compensation Fund	628,385	99,400	85,000	642,785
Insurance Trust Fund	105,444	2,137,035	2,142,246	100,233
Workers Compensation Fund	2,689,704	1,301,000	1,546,791	2,443,913
TOTALS	\$17,586,809	\$9,657,815 \$10,372,181	\$11,006,446 \$11,735,811	\$16,238,178 \$16,223,179

Section 2. Severability. The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances, shall be 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:



DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



City Council

Approval of an Ordinance Amending Ordinance 7196 (Capital Budget)

Agenda Date: 10/8/2019
Agenda Item Number: 5.F
File Number: 19-0869

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title

Approval of an Ordinance Amending Ordinance 7196 (Capital Budget)

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the proposed Ordinance that amends Ordinance 7196 on second reading.

Report

Issue:

Whether to to approve the proposed Ordinance that amends Ordinance 7196 on second reading.

Staff Contact:

Nanci Lien, Fiscal Services Director, Administrative Services Department, 360.753.8465

Presenter(s):

None - Consent Calendar item

Background and Analysis:

Background and analysis has not changed from first to second reading.

City Council may revise the City's Capital Budget by approving an ordinance. Generally, budget amendments are presented quarterly to Council for their review and approval but may be made at any time during the year. The amended ordinances appropriate funds and provide authorization to expend the funds.

No separate ordinances were passed since the adoption of ordinance 7196 on June 11, 2019, relating to the Capital Budget.

The attached ordinance includes recommended amendments to the 2019 Capital Budget for: 1) 2018 year-end carry forward appropriations for the capital funds where the year-end carryovers were omitted in the 1st quarter budget amendment; and 2) department appropriation requests for the 2nd

Quarter in 2019:

1. Public Works

- Transportation: \$68,950 for appropriations related to school zone flashing beacons. Funding is from a Washington State Department of Transportation grant.
- Drinking Water: Reduction of appropriation (\$2,597,846) related to a contract amendment with the Department of Health.
- Drinking Water: \$250,000 appropriation to recognize revenue and associated expenditures related to an Interlocal Agreement with Lacey and Yelm to implement the Deschutes Water Rights Mitigation Phase V project. Funding is from the two cities.
- Drinking Water: Reduction of appropriation (\$707,435) related to reduction of a loan on the McAllister Wellfield Corrosion Control Project.
- Capital Improvement Projects: \$21,831,271 for carryover appropriations related to the Capital Improvement Fund. Funding is from 2018 carryover funds within the same fund.
- Transportation Benefit District: \$1,616,597 for carryover appropriations related to the capital projects. Funding is from 2018 carryover funds within the same fund.

2. Parks

- Capital Improvement Projects: Administrative correction to reduce appropriation of \$1,680,395 related to 3 RCO grants that was carried over in Q1 budget amendment and not needed.
- Property Leases: \$703 to recognize revenue and associated expenditures for two leases related to capital projects. Funding is from the two leases.
- Olympic Metropolitan Park District: \$2,682,936 for carryover appropriations related to capital projects not completed in 2018. Funding is from 2018 carryover dollars within the same fund.

3. General Government

- Capital Improvement Fund: \$152,999 for appropriations related to removal of a derelict vessel. Funding is from the Department of Natural Resources.

4. Community Planning & Development

- Home Fund Capital: \$15,000 for appropriations related to expenditures for development assessments on 2828 Martin Way. Funding is from fund balance in the Home Fund Capital Fund.

Neighborhood/Community Interests (if known):

None noted.

Options:

1. Approve ordinance amending ordinance 7196. This allows staff to continue capital projects, complete seismic upgrades to reservoirs, and return unused funds to be used on future projects.
2. Do not approve the amending ordinance. This would stop certain projects.

Financial Impact:

Total increase in appropriations is \$21,632,077. The sources of funding are noted above.

Attachment:

Ordinance

Ordinance No.

AN ORDINANCE ADOPTING THE CITY OF OLYMPIA'S CAPITAL FACILITIES PLAN FOR THE YEARS 2019-2024 AND AMENDING ORDINANCE NO. 7196.

WHEREAS, the Olympia City Council adopted the Capital Facilities Plan for years 2019 through 2024 by passing Ordinance No. 7174 on December 18, 2018; and

WHEREAS, the CFP meets the requirements of the Washington State Growth Management Act, including RCW 36.70A.070(3); and

WHEREAS, the Olympia City Council amended Ordinance No. 7174 by passage of Ordinance No. 7196 on June 11, 2019; and

WHEREAS, the following amendments need to be made to Ordinance No. 7196;

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

Section 1. That certain document entitled the "Capital Facilities Plan," covering the years 2019 through 2024, a copy of which will be on file with the Office of the Director of Administrative Services and available on the City's web site, is hereby adopted as the Capital Facilities Plan for the City of Olympia and is incorporated herein as though fully set forth.

Section 2. Upon appropriation by the City Council of funds therefor, the City Manager shall be authorized to prepare plans and specifications, to take bids, and to make expenditures for the projects set forth in the CFP during the year for which said projects are scheduled; provided, however, that any award of bids and execution of contracts for construction shall be approved as provided in OMC Chapter 3.16.

Section 3. It is anticipated that the funding source and the construction schedule for projects identified in the CFP may be changed over the next year. Such changes shall not constitute an amendment to the Comprehensive Plan for purposes of RCW 36.70A.130.

Section 4. The Director of Administrative Services is hereby authorized to bring forward into fiscal year 2019 all appropriations and allocations not otherwise closed, completed, or deleted from prior fiscal years' capital budgets.

Section 5. The following appropriations are hereby made:

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
Impact Fee Fund	\$10,453,696	-	\$2,451,130	\$8,002,566
SEPA Mitigation Fee Fund	1,609,899	-	211,451	1,398,438 1,398,448
Parks & Recreational Sidewalk, Utility Tax Fund	4,541,489	2,970,000	2,970,000	4,541,489
Real Estate Excise Tax Fund	6,171,866	1,500,000	1,500,000	6,171,866

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
Capital Improvement Fund	8,016,156	31,789,710 52,162,535	32,289,710 52,662,535	7,516,156
Olympia Home Fund Capital Fund	-	1,495,000	481,000 496,000	1,014,000 999,000
City Hall Fund	4,043	-	-	4,043
Water CIP Fund	19,154,424	9,199,569 6,144,288	9,199,569 6,144,288	19,154,424
Sewer CIP Fund	9,394,530	756,204	2,294,000	7,856,734
Waste ReSources CIP Fund	-	758,300	368,000	390,300
Storm Water CIP Fund	1,427,176	3,139,555	3,347,929	1,218,802
Storm Drainage Mitigation Fund	1,069,576	-	-	1,069,576
TOTALS	\$61,842,845	\$51,608,337 \$68,925,882	\$55,112,788 \$72,445,333	\$58,338,394 \$58,323,404

Section 6. Severability. The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances shall be unaffected.

Section 7. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 8. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY

PASSED:
APPROVED:
PUBLISHED:



City Council

Approval of an Ordinance Amending Ordinance 7195 (Operating Budget)

Agenda Date: 10/8/2019
Agenda Item Number: 5.G
File Number: 19-0870

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title

Approval of an Ordinance Amending Ordinance 7195 (Operating Budget)

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the proposed Ordinance that amends Ordinance 7195 on second reading.

Report

Issue:

Whether to to approve the proposed Ordinance that amends Ordinance 7195 on second reading.

Staff Contact:

Nanci Lien, Fiscal Services Director, Administrative Services Department, 360.753.8465

Presenter(s):

None - Consent Calendar item

Background and Analysis:

Background and analysis has not changed from first to second reading.

City Council may revise the City's Operating Budget by approving an ordinance. Generally, budget amendments are presented quarterly to Council for their review and approval but may be made at any time during the year. The amended ordinances appropriate funds and provide authorization to expend the funds.

No separate ordinances were passed since the adoption of ordinance 7195 on June 11, 2019 relating to the Operating Budget.

The attached ordinance includes recommended amendments to the 2019 Operating Budget for: 1) 2018 year-end carry forward appropriations for the operating funds where the year-end carryovers

were omitted in the 1st quarter budget amendment; and 2) department appropriation requests for the 2nd Quarter in 2019:

1. Administrative Services

- \$75,000 for carryover funds related to the Services Special Fund for Information Services projects. Funding from 2018 carryover dollars within the same fund.

2. Community Planning & Development

- \$265,573 for carryover appropriations related to the Parking Fund. Funding to come from 2018 carryover funds with the same fund.
- \$70,584 for carryover appropriation related to the Development Fee Fund. Funding to come from 2018 carryover funds within the same fund.

3. General Government

- \$2,092,813 for carryover appropriation in the Special Accounts Fund. Funding from 2018 carryover dollars within the same fund.
- \$2,240,747 for carryover appropriations for OPEB (other post-employment benefits) Fund. Funding from 2018 carryover dollars within the same fund.
- \$245,853 for carryover appropriations for the Washington Center Endowment Fund. Funding from 2018 carryover dollars within the same fund.
- \$7,349 for carryover appropriations in the Washington Center Operations Fund. Funding from 2018 carryover dollars within the same fund.
- \$457,721 for carryover appropriations for Municipal Arts Fund. Funding from 2018 carryover dollars within the same fund.

4. Public Safety

- \$218,168 for carryover appropriations related to the SAFER Grant. Funding to come from SAFER grant.

5. Public Works

- \$8,687 for Equipment & Facilities carryover appropriations related to PSE rebates. Funding to come from PSE rebate program.
- \$3,068,062 for Equipment & Facilities carryover appropriations related to projects not

completed in 2018. Funding from 2018 carryover dollars within the same fund.

- \$84,146 for Waste ReSources for appropriations related to operating costs for three vehicles unaccounted for during the 2019 budget process. Funding to come from unassigned fund balance.
- \$6,028 for Engineering carryover appropriation related to franchise agreement with Burlington Northern Railroad. Funding from 2018 carryover dollars within the same fund.

Neighborhood/Community Interests (if known):

None noted.

Options:

1. Approve ordinance amending ordinance 7195. This provides staff with budget capacity to proceed with initiatives approved by Council.
2. Do not approve the amending ordinance; staff will not have authorization to expend the funds.

Financial Impact:

Total increase in appropriations of \$8,840,731. The sources of funding are noted above.

Attachments:

Ordinance

Ordinance No.

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO BUDGETS, FINANCE, AND SALARIES, AND AMENDING ORDINANCE NO. 7195

WHEREAS, the Olympia City Council passed Ordinance No. 7173 on December 18, 2018; and

WHEREAS, throughout the year, updates are required to recognize changes relating to budget, finance, and salaries; and

WHEREAS, the Olympia City Council amended Ordinance No. 7173 by passage of Ordinance No. 7195 on June 11, 2019; and

WHEREAS, the following amendments need to be made to Ordinance No. 7195;

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

Section 1. 2019 Budget. The budget for the calendar year 2019 is hereby adopted in the amounts and for the purposes as shown below; and the following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of any of the monies in the several funds in the City Treasury hereinafter named.

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
General, Regular Operations	<u>\$18,316,893</u> <u>\$18,277,806</u>	<u>\$82,615,187</u> <u>\$82,827,225</u>	<u>\$83,849,078</u> <u>\$84,067,144</u>	<u>\$17,083,003</u> <u>\$17,037,887</u>
General, Special Sub-Funds				
Special Accounts	2,541,995	1,126,569 <u>1,151,943</u>	1,293,014 <u>3,486,201</u>	2,375,550 207,737
Development Fee Revenue	846,963	3,953,252	<u>3,953,252</u> <u>4,023,836</u>	<u>846,963</u> 776,379
Parking	1,159,858	1,493,340	1,509,478 <u>1,775,051</u>	1,143,720 878,147
Post Employment Benefits	2,620,447	995,300	<u>1,375,000</u> <u>3,615,747</u>	2,240,747 0
Washington Center Endowment	754,983	3,000	3,000 <u>248,853</u>	754,983 509,130
Washington Center Operating	85,179	503,000	508,000	80,179
Municipal Arts	472,663	59,000	59,000 <u>524,070</u>	472,663 7,593
Equip & Facilities Reserve	3,480,663	1,267,778 <u>1,276,465</u>	1,398,275 <u>4,475,024</u>	3,350,166 282,104
Total General Fund	<u>30,279,645</u> <u>30,240,557</u>	<u>92,016,426</u> <u>92,262,525</u>	<u>93,948,097</u> <u>102,723,926</u>	<u>28,347,974</u> <u>19,779,156</u>

LID Control	6	-	-	6
LID Guarantee	80,435	-	-	80,435
4 th /5 th Avenue Corridor Bridge Loan	86	546,084	546,084	86
UTGO Bond Fund – 2009 Fire	73,182			68,664
	68,664	1,187,039	1,191,557	64,146
City Hall Debt Fund – 2009	11,206			7,326
	7,326	2,418,038	2,421,918	3,446
2010 LTGO Bond – Street Projects	-	434,813	434,813	-
L.O.C.A.L. Debt Fund – 2010	-	178,282	178,282	-
2010B LTGO Bonds - HOCM	-	444,188	444,188	-
2013 LTGO Bond Fund	-	671,065	671,065	-
2016 LTGO Parks BAN		10,067,500	10,067,500	-
Water Utility O&M	38,144,708			37,469,007
	37,469,007	14,186,171	14,861,872	36,793,306
Sewer Utility O&M	42,650,053			42,517,479
	42,517,479	20,724,055	20,856,629	42,384,905
Solid Waste Utility	2,188,558			1,597,772
	1,597,772	12,717,152	13,392,084	922,840
Stormwater Utility	23,780,104			23,884,025
	23,884,025	5,716,809	5,612,888	23,987,946
Water/Sewer Bonds	-			11,234
	13,652,732	2,044,782	2,033,548	13,663,966
Stormwater Debt Fund	-			-
	1,379,797	123,650	123,650	1,379,797
Water/Sewer Bond Reserve	1,260,900	-	-	1,260,900
Equipment Rental	329,721			324,903
	324,903	2,357,141	2,361,959	320,085
TOTALS	\$138,798,604	\$165,833,195	\$169,061,988	\$135,569,811
	\$152,483,689	\$166,079,294	\$177,921,963	\$140,641,020

Section 2. Administration. The City Manager shall administer the budget, and in doing so may authorize adjustments within the funds set forth in Section 1 above, to the extent that such adjustments are consistent with the budget approved in Section 1.

Section 3. Salaries and Compensation. The salaries and compensation for the City of Olympia employees for the calendar year 2019 shall be as set forth in the "Supplementary Information" section of the 2019 Adopted Operating Budget document, or as the same may be amended by the City Manager as part of his administration of the budget pursuant to Section 2 above.

Section 4. Benefit Cost Sharing. The City Manager is authorized to modify and establish benefit cost sharing for City employees; and such programs may be based, in part, on an employee's start date with the City.

Section 5. Severability. The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances shall be unaffected.

Section 6. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 7. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



City Council

Approval of an Ordinance to Repeal Ordinance 7200 that Imposed the Maximum Sales and Use Tax for Affordable Housing Permitted by SHB 1406

Agenda Date: 10/8/2019
Agenda Item Number: 5.H
File Number: 19-0871

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title

Approval of an Ordinance to Repeal Ordinance 7200 that Imposed the Maximum Sales and Use Tax for Affordable Housing Permitted by SHB 1406

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve on second reading the Ordinance repealing Ordinance No. 7200 that imposed the maximum sales and use tax permitted by SHB 1406.

Report

Issue:

Whether to adopt legislation repealing Ordinance No. 7200, which imposed the maximum capacity of the sales and use tax for affordable and supportive housing as provided by SHB 1406.

Staff Contact:

Mark Barber, City Attorney, 360.753.8338.

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

Background and analysis has not changed from first to second reading.

During the 2019 legislative session, the Washington State Legislature approved a local option for cities and counties to receive a portion of the State's existing sales and use tax revenue (6.5%) for specific affordable housing uses by cities and counties. This local sales tax authority is a credit against the State's sales and use tax, so it does not increase taxes locally for the consumer.

SHB 1406 incentivizes cities and counties to pass local levies like Olympia's Home Fund and rewards cities that have already taken that step. The City's enactment of Ordinance No. 7200 may adversely impact the maximum amount the County may collect from the State's share of this retail sales and use tax credit provided by SHB 1406. Repeal of Olympia Ordinance No. 7200 will allow the City and County to coordinate the effective dates of their respective legislation to impose the sales and use tax credit permitted by SHB 1406, permitting each governmental entity to maximize their share of proceeds authorized by SHB 1406.

Neighborhood/Community Interests (if known):

Unknown.

Options:

1. Approve the Ordinance repealing Ordinance No. 7200 that imposed the maximum sales and use tax permitted by SHB 1406 for affordable and supportive housing to permit Thurston County to pass legislation to maximize its recovery under SHB 1406.
2. Do not approve the Ordinance repealing SHB 1406.
3. Direct staff to take other action.

Financial Impact:

If this Ordinance is approved by Council, it will result in the repeal of Ordinance No. 7200. This will delay the City from receiving its share of new revenue from the State's portion of local sales and use taxes for specific affordable and supportive housing uses in Olympia. However, SHB 1406 provides that the revenue sharing permitted by said law is good for twenty (20) years from enactment of an Ordinance by the City imposing said sales and use tax. The practical effect of repealing Ordinance No. 7200 is to delay Olympia's receipt of revenue under SHB 1406. After Thurston County has adopted legislation imposing the sales and use tax credit under SHB 1406, the City will re-enact by Ordinance the City's imposition of the sales and use tax permitted by SHB 1406.

Attachments:

Ordinance

Ordinance No. 7200

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, REPEALING ORDINANCE NO. 7200 RELATING TO IMPOSITION OF LOCAL SALES OR USE TAXES AUTHORIZED BY SUBSTITUTE HOUSE BILL 1406 (SHB 1406) (CHAPTER 338, LAWS OF 2019) FOR AFFORDABLE HOUSING, SUPPORTIVE HOUSING SERVICES, AND PROVIDING RENTAL ASSISTANCE TO TENANTS.

THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON DOES ORDAIN as follows:

Section 1. Findings. The City Council (the "Council") of the City of Olympia, Washington (the "City"), makes the following findings and determinations:

1.1 The City of Olympia recognizes the City and Thurston County lack affordable, high-quality homes for all of their respective residents. The City and Thurston County desire to work together to maximize the funding permitted by SHB 1406 for providing affordable housing, supportive housing services and rental assistance to tenants.

1.2 The Washington State Legislature enacted Substitute House Bill 1406 ("SHB 1406") to provide a revenue sharing program with local governments for affordable housing which is intended to encourage investments in affordable and supportive housing by cities and counties.

1.3 The Council passed Ordinance No. 7200 on August 20, 2019, which was published on August 23, 2019, becoming effective five (5) days after publication.

1.4 The Olympia City Council wishes to maximize the amount both the City and Thurston County can collect from the State's share of this retail and use tax credit authorized under SHB 1406. The City Council therefore wishes to repeal Olympia City Ordinance No. 7200 which will allow the City of Olympia and Thurston County to coordinate the effective dates of their respective legislation imposing the retail and use tax credit permitted by SHB 1406.

Section 2. Sales and Use Tax Ordinance No. 7200 Repealed.

2.1 Ordinance No. 7200 Repealed. City of Olympia Ordinance No. 7200 that imposed a sales and use tax at a rate of 0.0146 of one percent of the selling price in the case of a sales tax, or value of the article used in the case of a use tax, as permitted by SHB 1406 (Chapter 338, Laws of 2019) is hereby repealed.

Section 3. Administration. The City Clerk is directed to cause a certified copy of this Ordinance to be delivered to the State of Washington Department of Revenue, the State of Washington Department of Commerce, and any other public officers or agencies required by law.

Section 4. Ratification. All actions taken in furtherance of and not inconsistent with this Ordinance are ratified and confirmed in all respects.

Section 5. Severability. If any provision of this Ordinance is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be severable from the remaining provisions of this Ordinance and shall in no way affect the validity of the other provisions of this Ordinance.

Section 6. Publication and Effective Date. Notification of passage of this Ordinance shall be published as provided by law, and shall take effect and be in full force five (5) days after publication.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

ORDINANCE NO. 7200

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, IMPOSING THE MAXIMUM LOCAL SALES AND USE TAX PURSUANT TO SUBSTITUTE HOUSE BILL 1406 (SHB 1406) (CHAPTER 338, LAWS OF 2019) TO BE USED TO CONSTRUCT AFFORDABLE HOUSING, SUPPORTIVE HOUSING SERVICES, AND PROVIDING RENTAL ASSISTANCE TO TENANTS; AND PROVIDING FOR OTHER MATTERS RELATING THERETO AND PROPERLY PERMITTED BY STATE LAW.

THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON DOES ORDAIN as follows:

Section 1. Findings. The City Council (the "Council") of the City of Olympia, Washington (the "City"), makes the following findings and determinations:

1.1 SHB 1406 (Chapter 338, Laws of 2019) authorizes counties and cities to impose a sales and use tax of 0.0146, provided that the city is a "Participating city" that has imposed a voter approved "Qualifying local tax" as provided in RCW 82.14.530 at a minimum or at least half of the authorized rate, which City's proceeds shall be used to construct affordable and supportive housing and for housing-related purposes, including mental and behavioral health-related facilities, and for costs for operations, maintenance, delivery, and evaluation of mental health programs and services, or housing-related services, all as permitted by state law in RCW 82.14.530.

1.2 On October 24, 2017, the Council adopted Resolution No. M-1912 (the "Ballot Resolution") authorizing submission to the qualified voters of the City a proposition authorizing an additional sales and use tax of not more than one-tenth of one percent for the Olympia Home Fund for supportive housing and housing-related purposes, including mental and behavioral health-related facilities ("Proposition No. 1") as provided in RCW 82.14.530.

1.3 Proposition No. 1 was approved by the requisite number of City voters at the election held on February 13, 2018, and its passage was certified by the County Auditor on February 23, 2018, imposing a "Qualifying local tax" for purposes of SHB 1406 (Chapter 338, Laws of 2019) to provide funds to construct affordable and supportive housing and housing related services and for operations and maintenance.

1.4 The Council finds that the City of Olympia has satisfied all prerequisites to impose the sales and use tax permitted by SHB 1406 (Chapter 338, Laws of 2019, effective July 28, 2019), including adopting Council Resolution No. M-2047 on August 5, 2019, declaring Council's intent to impose the sales and use tax permitted by SHB 1406 (Chapter 338, Laws of 2019) at the maximum rate of 0.0146 percent, as the City is a "Participating city" with an existing "Qualifying local tax" pursuant to SHB 1406.

Section 2. Sales and Use Tax Imposed.

2.1 Tax Imposed; Effective Date. The sales and use tax shall be imposed at a rate of 0.0146 of one percent of the selling price in the case of a sales tax, or value of the article used, in the case of a use tax. The tax shall become effective on the earliest practicable date consistent with SHB 1406 (Chapter 338, Laws of 2019).

2.2 Use of Sales and Use Tax Receipts Pursuant to SHB 1406. City proceeds shall be used for acquiring, rehabilitating, or constructing affordable housing, which may include new units of affordable housing within an existing structure or facilities providing supportive housing services, and providing

supportive housing, or funding the operations and maintenance costs of new units of affordable or supportive housing, or for providing rental assistance to tenants as required by SHB 1406.

2.3 Income Limitations. The housing and services provided pursuant to SHB 1406(6) may only be provided to persons whose income is at or below sixty percent (60%) of the median income of Thurston County, as the City of Olympia is located within said county and is imposing the tax.

2.4 Expiration of Tax. The tax imposed by the City under SHB 1406 (Chapter 338, Laws of 2019) shall expire twenty (20) years after the date on which the tax is first imposed.

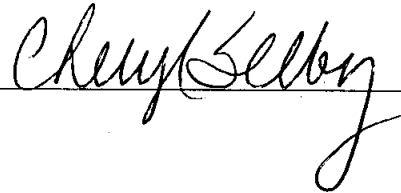
Section 3. Administration. The City Clerk is directed to cause a certified copy of this Ordinance to be delivered to the State of Washington Department of Revenue, the State of Washington Department of Commerce, and any other public officers or agencies required by law. The City's Administrative Services Director and other appropriate officers are authorized and directed to enter into such contracts with and provide such notices to the State Department of Revenue or Department of Commerce, and other appropriate state or local agencies, for the collection and distribution of receipts of the tax imposed by this Ordinance as may be necessary or convenient consistent with SHB 1406 (Chapter 338, Laws of 2019), Chapter 82.14 RCW and other applicable law.

Section 4. Ratification. All actions taken in furtherance of and not inconsistent with this Ordinance are ratified and confirmed in all respects.

Section 5. Severability. If any provision of this Ordinance is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be severable from the remaining provisions of this Ordinance and shall in no way affect the validity of the other provisions of this Ordinance.

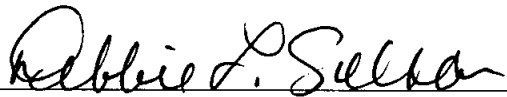
Section 6. Publication and Effective Date. Notification of passage of this Ordinance shall be published as provided by law, and shall take effect and be in full force five (5) days after publication.

MAYOR



ATTEST:

CITY CLERK



APPROVED AS TO FORM:

CITY ATTORNEY



PASSED: 8-20-2019

APPROVED: 8-20-2019

PUBLISHED: 8-23-2019



City Council

Approval of an Ordinance Amending Multiple Chapters of the Unified Development Code

Agenda Date: 10/8/2019
Agenda Item Number: 5.1
File Number: 19-0818

Type: ordinance **Version:** 1 **Status:** 1st Reading-Consent

Title

Approval of an Ordinance Amending Multiple Chapters of the Unified Development Code

Recommended Action

Committee Recommendation:

The Planning Commission held a public hearing on the proposed amendments on May 6, 2019. The Commission recommends the City Council approve the proposed amendments.

City Manager Recommendation:

Move to approve the ordinance making housekeeping/minor text amendments to Title 18 OMC, Unified Development Code, on first reading and forward to second reading.

Report

Issue:

Whether to approve housekeeping/minor text amendments to Title 18 OMC, Unified Development Code.

Staff Contact:

Joyce Phillips, Senior Planner, Community Planning and Development, 360.570.3722

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

Over time, desired changes to the code are noted. These may be to correct typographical errors or references to other code sections, places where someone in the public or staff have asked for more clarification about how a word or sentence is meant to apply, or sections or chapters that should be updated for a wide variety of reasons. These proposed amendments are meant to address these requests to update the code that are minor in nature.

Other amendments that were proposed, if they were not deemed to be minor or of a "housekeeping" nature, are not included in this proposal and will be dealt with at a later date, through a more robust review and amendment process.

The Planning Commission held a public hearing on the proposed amendments on May 6, 2019. Upon concluding its deliberations, the Commission recommended the City Council approve the proposed amendments before the City Council in the attached ordinance. Revisions to the Public Notice chapter, 18.78 OMC, which were proposed but are not included in the Commission's recommendation due to concerns raised at the public hearing, are not included in the proposed ordinance under consideration currently.

Neighborhood/Community Interests (if known):

Proposed amendments were routed to Recognized Neighborhood Associations, other city departments, adjacent jurisdictions, and state agencies. There were twelve recommended amendments. One set of the amendments addressed the public notice requirements. Concerns were raised about the public notice amendments, so those code revisions were not included in the Planning Commission's recommendations for approval. The proposed public notice revisions are not included in this ordinance (see attached). The public notice amendments may come forward at a later date, after a more robust public process is developed.

Options:

1. Approve the housekeeping/minor amendments to various chapters of Title 18, Unified Development Code, OMC, as proposed.
2. Approve some of the housekeeping/minor amendments proposed but not others.
3. Do not adopt the housekeeping/minor amendments to multiple chapters of Title 18, Unified Development Code, OMC.

Financial Impact:

None. These proposed amendments were processed as part of the Department's base budget.

Attachments:

Ordinance

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING TITLE 18, UNIFIED DEVELOPMENT CODE, OF THE OLYMPIA MUNICIPAL CODE.

WHEREAS, on January 9, 2019, the City of Olympia Community Planning and Development Department proposed multiple housekeeping and other minor amendments to various chapters in Title 18, Unified Development Code, of the Olympia Municipal Code (OMC) (the Proposed Amendments); and

WHEREAS, Notice of Application for the Proposed Amendments was routed to all Recognized Neighborhood Associations with the City of Olympia on January 15, 2019, and published in *The Olympian* newspaper on January 16, 2019; and

WHEREAS, on January 19, 2019, the Proposed Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt Development Regulation amendments as required by RCW 36.70A.106, and no comments were received from state agencies during the 60-day comment period; and

WHEREAS, the City of Olympia Responsible Official under the State Environmental Policy Act (SEPA), determined the Proposed Amendments to be categorically exempt under SEPA, pursuant to 197-11-800(19)(b) of the Washington Administrative Code; and

WHEREAS, on April 25, 2019, a legal notice was published in *The Olympian* newspaper regarding the date of the Olympia Planning Commission's public hearing on the Proposed Amendments; and

WHEREAS, on April 26, 2019, notice of the public hearing on the Proposed Amendments was provided to all Recognized Neighborhood Associations with the City of Olympia pursuant to Chapter 18.78 OMC, Public Notification; and

WHEREAS, on May 6, 2019, the Olympia Planning Commission received a briefing, held a public hearing, and deliberated the Proposed Amendments; and

WHEREAS, following the public hearing and deliberations, on May 6, 2019, the Planning Commission provided to the City Council its recommendation to amend multiple sections of Title 18 OMC, Unified Development Code, as proposed, with the exception of the proposed amendments to the Chapter 18.78 OMC, Public Notification; and

WHEREAS, the Proposed Amendments are consistent with the Olympia Comprehensive Plan and other chapters of Title 18 OMC; and

WHEREAS, the Proposed Amendments have been reviewed pursuant to the Rezones and Text Amendments process outlined in Chapter 18.58 OMC; 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;

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

Section 1. Amendment of OMC 18.04.040. Olympia Municipal Code Section 18.04.040 is hereby amended to read as follows:

18.04.040 TABLES: Permitted and Conditional Uses

**TABLE 4.01
PERMITTED AND CONDITIONAL USES**

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
District-Wide Regulations						18.04.060 (FF)	18.04.060 (N,Q)	18.04.060 (N,Q)	18.04.060 (N)	18.04.060 (N)	18.04.060 (N)	18.04.060 (N,BB)		18.04.060 (N)	
1. SINGLE-FAMILY HOUSING															
Accessory Dwelling Units	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(A)
Co-Housing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(F) 18.04.060(FF)
Cottage Housing				P	P	P	P	P	P	P	P	P	P	P	18.04.060(H) 18.04.060(FF)
Manufactured/Mobile Home Parks (Rental Spaces)								C	C	C			C		18.04.060(P)
Manufactured Homes	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(O) 18.04.060(FF)
Single-family Residences	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(FF)
Townhouses	P	P		P	P	P	P	P	P	P	P	P	P	P	18.04.060(FF) 18.64
2. MULTIFAMILY HOUSING															
Apartments				P			P	P	P	P	P	P		P	18.04.060(N) 18.04.060(FF)

**TABLE 4.01
PERMITTED AND CONDITIONAL USES**

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Boarding Homes				P				P	P	P					
Dormitories	P			P				P	P	P	P	P		P	
Duplexes - Existing	P	P		P	P	P	P	P	P	P	P	P	P	P	18.04.060(J)
Duplexes	P		P	P		P	P	P	P	P	P	P	P	P	18.04.060(FF)
Triplexes & Fourplexes			P			18.04.060 (FF)			P						
Fraternities, Sororities	P			P				P	P	P					
Group Homes with 6 or Fewer Clients and Confidential Shelters	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(K)
Group Homes with 7 or More Clients	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(K)
Lodging Houses									P	P	P	P		P	
Nursing/Convalescent Homes	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(S)
Retirement Homes				P			P	P	P	P	P	C		P	
3. COMMERCIAL															
Child Day Care Centers		C	C	C	C	C	C	P	P	P	P	P	C	P	18.04.060(D) 18.04.060(AA)
Commercial Printing												P			
Drive-In and Drive-Through Businesses -- Existing												P			18.04.060(J)
Food Stores											P	P		P	18.04.060(AA)

**TABLE 4.01
PERMITTED AND CONDITIONAL USES**

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Hardware Stores												P			
Home Occupations (including Adult Day Care, Elder Care Homes, Family Child Care Homes, and Bed & Breakfast Houses)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(L)
Hospice Care	C			C			C	C	C	C	C	C		C	18.04.060(M)
Laundries											P	P		P	18.04.060(AA)
Nursery (Retail and/or Wholesale Sales)	C	C	C	C	C	C	C	C	C	C			C		18.04.060(G)
Offices												P		P	18.04.060(AA)(2)
Personal Services												P			
Pharmacies												P			
Restaurants, without Drive-In and Drive-Through												P			
Servicing of Personal Apparel and Equipment												P			
Specialty Stores												P			
Veterinary Clinics - Existing	P	P		P	P	P							P		18.04.060(J)
Veterinary Clinics	P														
4. ACCESSORY USES															
Accessory Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(B)

**TABLE 4.01
PERMITTED AND CONDITIONAL USES**

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Electric Vehicle Infrastructure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(GG)
Garage/Yard/Rummage or Other Outdoor Sales	P	P		P	P	P	P	P	P	P	P	P	P	P	5.24
Large Garages			C		C	C	C	C	C	C	C	C	C	C	18.04.060(B)
Residence Rented for Social Event, 7 times or more in 1 year	C	C		C	C	C	C	C	C	C	C		C	C	
Satellite Earth Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.44.100
5. RECREATIONAL USES															
Community Parks & Playgrounds	C	C	C	C	C	C	C	C	C	C	P	P	C	P	18.04.060(T)
Country Clubs	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Golf Courses		C	C		C	C	C	C	C	C			C		
Neighborhood Parks	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(T)
Open Space - Public	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(T)
Racing & Performing Pigeons		C	C	C	C	C				C	C		C	C	18.04.060(Y)
Stables, Commercial and Private Existing		C		C	C										18.04.060(J)
Trails - Public	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(T)
6. AGRICULTURAL USES															
Agricultural Uses	P	P	P	P	P	P	P	P	P				P		

**TABLE 4.01
PERMITTED AND CONDITIONAL USES**

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Greenhouses, Bulb Farms	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(G)
7. TEMPORARY USES															
Emergency Housing	P	P	P	P	P	P	P	P	P	P			P		18.04.060(EE)
Model Homes	P	P	P	P	P	P	P	P	P	P	P		P	P	18.04.060(EE)
Residence Rented for Social Event, 6 times or less in 1 year	P	P	P	P	P	P	P	P	P	P	P		P	P	18.04.060(EE)
Wireless Communication Facility	P	P		P	P	P	P	P	P	P	P	P	P	P	18.44.060
8. OTHER															
Animals	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(C)
Cemeteries		C	C		C	C	C	C	C	C			C		18.04.060(E)
Community Clubhouses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Crisis Intervention	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(I)
Fraternal Organizations											P	P		C	
Historic House Museum		C	C	C	C	C	C	C	C	C	C	C	C	C	
Parking Lots and Structures				C							P	P			18.38.220 and .240
Places of Worship	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(U)
Public Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(V)
Public Facilities - Essential	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(W)

**TABLE 4.01
PERMITTED AND CONDITIONAL USES**

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Radio, Television and Other Communication Towers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.44.100
Schools	C			C	C	C	C	C	C	C	C		C	C	18.04.060(CCDD)
Mineral Extraction - Existing					C		C								18.04.060(J)
Utility Facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(X)
Wireless Communication Facilities	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.44
Workshops for Disabled People	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(R)

LEGEND

P = Permitted Use

C = Conditional Use

R-4 = Residential - 4

R 4-8 = Residential 4-8

R 6-12 = Residential 6-12

RLI = Residential Low Impact

MR 10-18 = Mixed Residential 10-18

RM 18 = Residential Multifamily - 18

MR 7-13 = Mixed Residential 7-13

RMH = Residential Multifamily High Rise

RMU = Residential Mixed Use

RM 24 = Residential Multifamily - 24

UR = Urban Residential

Section 2. Amendment of OMC 18.04.060. Olympia Municipal Code Subsection 18.04.060.F is hereby amended to read as follows:

18.04.060 Residential districts' use standards

F. CO-HOUSING.

Co-housing developments are allowed in the districts specified in Table 4.01 and 6.01 subject to the following requirements:

1. Common Structure. The following provisions apply to co-housing developments in the residential districts listed in OMC 18.04.
 - a. Quantity, size, and use. Co-housing projects may contain any number of common structures; however, no more than two (2) common structures shall exceed eight hundred (800) square feet in size and none shall exceed five thousand (5,000) square feet in size. At least one (1) common structure shall contain a dining room and kitchen large enough to serve at least fifty percent (50%) of the development's residents at a time (based upon occupancy of one (1) person per bedroom, and at least one (1) of the following: a children's day care center, mail boxes for a majority of the residents, recreational facilities (such as pool tables or exercise equipment), laundry facilities, or a meeting room available for the use of all residents.
 - b. Location. Common structures may be located in all developable portions of the site (e.g., excluding critical areas and their associated buffers and required building setback areas). However, within forty (40) feet of the site's perimeter or a public street extending through the site, no more than two (2) common or accessory structures may be contiguous to one another (i.e., uninterrupted by a dwelling or a landscaped open space with no dimension less than forty (40) feet). This requirement does not apply to structures which would not be visible from the site's perimeter or through streets (e.g., due to topography or vegetation) or which adjoin undevelopable property (e.g., critical areas) which will separate proposed structures by at least forty (40) feet from existing and potential dwelling sites. In no case shall more than fifty percent (50%) of any street frontage be occupied by common and/or accessory structures.
2. Business Uses. Co-housing developments may contain business uses allowed as home occupations (see Section 18.04.060(L)) in structures other than residential dwellings, subject to the conditions below:
 - a. The total building square footage devoted to business uses in the entire development shall not exceed the rate of five hundred (500) square feet per dwelling unit.
 - b. Business uses shall not occupy more than fifty (50) percent of a common building. The proportion of dwellings devoted to business uses shall comply with ~~Section OMC 18.04.060(L)~~, Home Occupations.
 - c. Structures containing a business which are visible from public rights-of-way adjoining the development shall give no outward appearance of a commercial use, other than one (1) sign mounted flush to the building in which the business is located. (See OMC 18.42.14043, Signs.) No outdoor storage related to a business may be visible from public rights-of-way bordering the development.

- d. Each business located in a co-housing development may employ a maximum of two (2) people who do not reside in the development. This limitation does not apply to seasonal agricultural employees.
 - e. Business uses shall not emit noise, pollutants, waste products, or create impacts which would pose a nuisance or health risk for the occupants of abutting properties.
3. Dwelling Units. Dwelling units in co-housing developments shall only be required to contain minimal kitchen facilities (e.g., a sink and stove or hot plate), consistent with the Building Code, OMC 16.04, provided that a common structure provides a fully equipped kitchen (e.g., containing a stove, refrigerator, and sink) and dining area available to all residents of the development.
4. Approval Process. Applications for co-housing projects shall be processed pursuant to ~~Chapter~~ OMC 18.56.
5. Common Areas. A note shall be added to the plat or site plan, as applicable, which establishes common areas and precludes their conversion to another use. (See ~~Chapter~~ OMC 18.100, Design Review, for applicable design guidelines.)
6. Platting.
- a. Dwellings in co-housing developments (as allowed in Table 4.01 or 6.01 for the applicable district) are not required to be located on individual lots.
 - b. Perimeter setbacks. The minimum building setbacks for unplatted co-housing developments in the R-4, R 4-8, and R 6-12 districts are as follows:
 - i. Five (5) feet from the side property line of an adjoining parcel.
 - ii. Twenty (20) feet from public rights-of-way and the rear property lines of adjoining parcels.

The setbacks required in Subsections a. and b. above may be reduced per OMC-Sections 18.04.080 (H)(2) and (5) 18.04.080.H.2 and 18.04.080.H.5.
 - c. Dwelling separation. Residential structures (i.e., houses, duplexes, and townhouse structures with up to four (4) units) in co-housing developments in an R-4, R 4-8, or R 6-12 district, which are not on individual lots, shall be separated by at least ten (10) feet along the site's perimeter and six (6) feet elsewhere. Dwellings on individual lots are subject to the applicable setback standards specified in Table 4.04 or 6.01.

(See ~~Chapter~~ OMC 18.100, Design Review, for applicable design guidelines.)

Section 3. Amendment of OMC 18.04.06. Olympia Municipal Code Subsection 18.04.060.EE is hereby amended to read as follows:

18.04.060 Residential districts' use standards

EE. GARAGE PLACEMENT AND WIDTH.

(Also see ~~Chapters~~ OMC 18.100, Design Review, and OMC 18.175, Infill and Other Residential.)

- 1. Applicability. The standards listed in Subsection e-3 below apply only to:

- a. Single-family dwellings on lots of less than five thousand (5,000) square feet ~~or less in size~~ located in subdivisions for which a complete preliminary plat application is submitted after April 22, 1996;
 - b. ~~Single-family dwellings on lots within the areas depicted by Figure 4-2a, where at least fifty (50) percent of the lots within three hundred (300) feet on the same block face and the block face directly across the street are vacant or occupied by dwellings with flush or recessed garages;~~
 - be. Duplexes;
 - dc. Triplexes; and
 - ed. Fourplexes.
2. Exceptions. The dwellings listed in Subsection 1.a. above are exempt when located on one of the following types of lots:

- a. ~~Lots fronting on private access lanes (see the City of Olympia Development Guidelines and Public Work Engineering Design and Development Standards as adopted in OMC 12.02) where the garage would not face a public street;~~
- b. Flag lots (see ~~Section OMC 18.02.180, Definitions, Lots~~);
- c. Wedge-shaped lots (see ~~Section OMC 18.02.180, Definitions, Lots~~); and
- d. Lots with trees or topography which preclude compliance with the provisions of this Section, as determined by the approval authority.

3. Garage Standards.

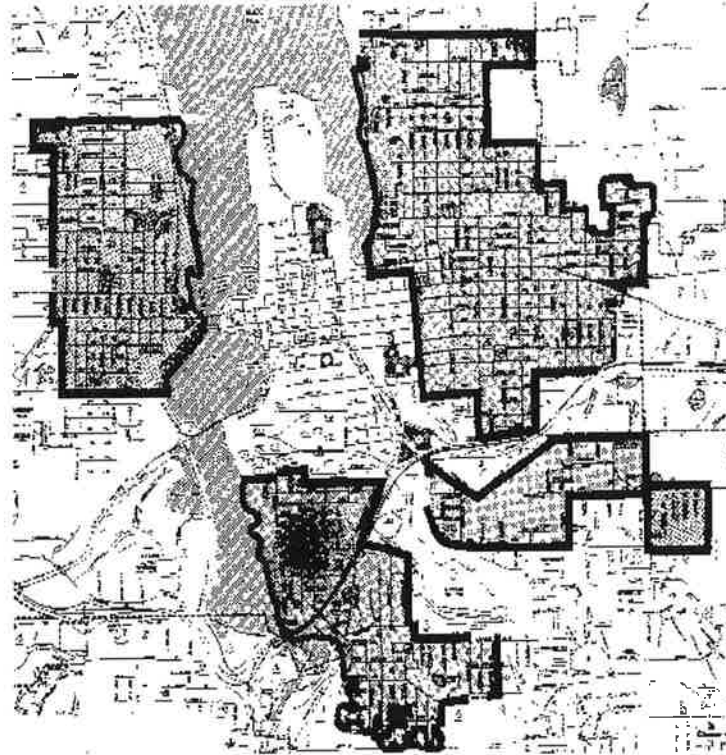
- a. Garages shall not protrude ahead of the dwelling's ground floor front facade more than:
 - i. Eight (8) feet on two (2) story dwellings (i.e., dwellings with habitable space above the ground floor); or
 - ii. Four (4) feet on single-story dwellings.

These requirements above (i. and ii.) do not apply to garages with doors which do not face the street (see ~~Section OMC 18.04A.210, Residential Design Guidelines - Garage Design~~), or garages flush with the supporting posts of covered porches which span the remainder of the dwelling's front facade.

- b. Garage width shall not exceed the following percentage of the dwelling's front facade:
 - i. Two-story dwellings (containing habitable space above the ground floor): sixty (60) percent.
 - ii. Single-story dwellings: fifty ~~(50)~~ percent (50%).

For purposes of the above measurements, garage width shall include the garage doors facing the street plus any required supporting panel. The dwelling's facade shall be measured in a

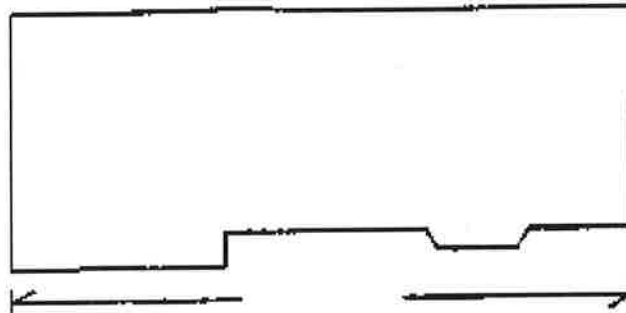
straight line, parallel to the building face, between the outermost ends of the facade facing the street. See Figure 4-2b.



Areas Subject to Infill Regulations

Where the boundary coincides with a street, lots on both sides of the street are subject to the applicable regulations and design guidelines.

FIGURE 4-2a



Measurement of Front Facade

FIGURE 4-2b

Section 3. Amendment of OMC 18.04.080. Olympia Municipal Code Subsection 18.04.080.G is hereby amended to read as follows:

18.04.080 Residential districts' development standards

G. Lot Width.

1. Measurement. The minimum lot width required by Table 4.04 shall be measured between the side lot lines at the point of intersection with the minimum front setback line.

~~2. Varied Lot Widths. The width of lots in new subdivisions and planned residential developments, except for the R-4CB district, with more than ten (10) lots shall be varied to avoid monotonous development patterns.~~

~~a. No more than three (3) consecutive lots, uninterrupted by a street, shall be of the same width. This requirement does not apply to townhouses.~~

~~b. Lot widths shall be varied by a minimum of six (6) foot increments.~~

~~c. The minimum lot widths specified in Table 4.04 may be reduced by up to six (6) feet for individual lots, provided that the average lot width for the project is no less than the minimum lot width required by Table 4.04 and Section 18.04.080(G)(3) below.~~

Section 4. Amendment of OMC 18.04.080. Olympia Municipal Code Subsection 18.04.080.H is hereby amended to read as follows:

18.04.080 Residential districts' development standards

H. Setbacks

1. Measurement. The required setback area shall be measured from the outermost edge of the building foundation to the closest point on the applicable lot line.

2. Reduced Front Yard Setbacks. Front yard setbacks in the R-4, R 4-8, R 6-12, MR 7-13 and MR 10-18 districts may be reduced to a minimum of ten (10) feet under the following conditions:

a. When garage or parking lot access is from the rear of the lot;

b. When the garage is located at least ten (10) feet behind the front facade of the primary structure on the lot; or

c. When the driveway will be aligned to provide at least a twenty (20) foot long parking space between the sidewalk edge (closest to lot) and the garage. (See Chapter OMC 18.100, Design Review, and Chapter OMC 18.175, Infill and Other Residential.)

~~d. Such setback reductions shall not be allowed where they would result in a setback of fifty (50) percent or less than the setback of an existing dwelling on an abutting lot fronting on the same street.~~



FIGURE 4-3

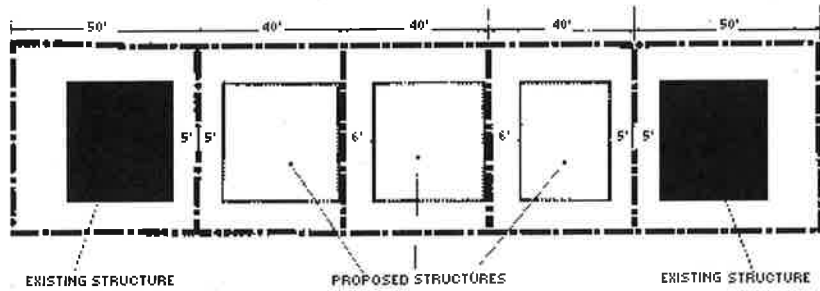
3. Rear Yard Setbacks. See Section OMC 18.04.080(H)(5), Encroachments into Setbacks, Section 18.04.080(D)(2), Transitional Lots, and Table 4.04.

4. Side Yard Setbacks.

a. Reduced side yard setbacks. Except for the R-4CB district, a side yard building setback shall not be required for a lot served by an alley (such alley must be open, improved and accessible, not solely a right-of-way) provided it meets the following conditions:

i. Provision for reduced or zero setbacks shall specifically appear upon the face of a final short or long plat. Such plat shall provide that the minimum distance between residences will be six (6) feet. If the distance between a proposed dwelling and a property line is less than three (3) feet, the applicant shall provide evidence of a maintenance easement, at least three (3) feet in width, which provides sufficient access for the owner of the dwelling to maintain the applicable exterior wall and roof of the dwelling. (Except as expressly provided, any reduced side yard provision appearing on a final plat shall withstand later amendments of this Title and shall be considered conforming.)

ii. Side yard setbacks shall not be less than five (5) feet along a property line adjoining a lot which is not developed or approved for reduced setbacks (e.g., a conventional lot with two (2) five (5) foot wide side yard setbacks). Side yard setbacks shall not be less than ten (10) feet along property lines which abut a public rights-of-way.



ZERO LOT LINE

FIGURE 4-4

- b. The minimum side yard setback from bikepaths and walkways shall comply with the side yard setback from the lot line as specified for the district in Table 4.04.
5. Encroachment Into Setbacks. The buildings and projections listed below shall be allowed outside of utility, access or other easements. See OMC 18.04.080(H)(5) for additional exceptions.
- a. Except for Accessory Dwelling Units, any accessory structures may be located in a required rear yard and/or in the rear twenty (20) feet of a required interior side yard; however, if a garage entrance faces a rear or side property line, it shall be setback at least ten (10) feet from that property line. Accessory dwelling units may not encroach into required side yard setbacks. Accessory dwelling units may encroach into rear yards; 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. Further, any garage attached to any accessory dwelling unit shall conform with this Section.
 - b. Up to fifty (50) percent (50%) of a rear yards width may be occupied by a dwelling (primary residence or ADU) provided that the structure (foundation) is located at least ten (10) feet from the rear property line. For purposes of this sSection, the rear yards width shall be measured in a straight line between the side property lines at the point of intersection with the rear property line.

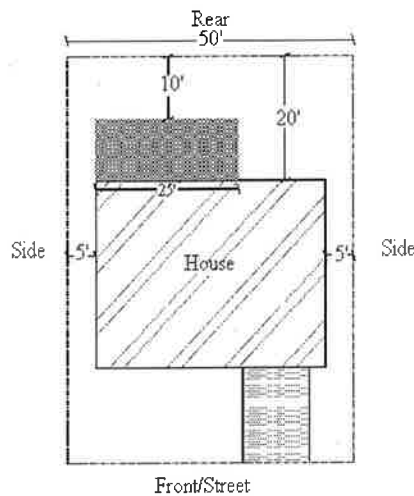


Figure 4-4a

- c. Townhouse garages may share a common rear property line provided that access for interior lots is from a single common driveway to not more than one public street entrance.

6. Front yard setbacks for through lots. A through lot has two (2) front lot lines parallel or approximately parallel to each other. The front yard setback shall apply to each front lot line, except the Director may designate one (1) of the front lot lines as a rear lot line, provided the following criteria are met:

a. Orientation of the lot or structure shall be considered; and

a-b. At least sixty (60) percent (60%) of the lots or structures within the neighborhood block, or area being considered, are oriented in a similar direction away from the lot line being designated as a rear lot line.

Section 6: Amendment of OMC 18.05.080. Olympia Municipal Code Subsection 18.05.080.L is hereby amended to read as follows:

18.05.080 Development standards

L. Encroachment into Setbacks.

1. Required setback areas shall be kept free of any building or structure higher than thirty (30) inches.
2. EXCEPTIONS: The buildings and projections listed below shall be allowed in the portion of the setback not contained in a utility, access, or other easement:
 - a. Accessory structures, including accessory dwelling units, may be located in a required rear yard and/or in the rear thirty (30) feet of a required interior side yard; however, if a garage entrance faces the rear or side property line, it shall be setback at least ten (10) feet from that property line.
 - b. Cornices, window sills, bay windows, flues and chimneys, planters, and roof eaves may project two (2) feet into the required yard area.
 - c. Marquees and awnings for commercial uses.
 - d. Fences in compliance with the fence height requirements specified in Section-OMC 18.40.060(D) Fences.
 - e. Swimming pools, hot tubs, and satellite dish antennas may be placed in the rear or interior side yard setback area.
 - f. Up to fifty (50) percent (50%) of a rear yards width may be occupied by a dwelling (primary residence or ADU) provided that the structure (foundation) is located at least ten (10) feet from the rear property line. For purposes of this sSection, the rear yards width shall be measured in a straight line between the side property lines at the point of intersection with the rear property line.
 - g. Signs in compliance with Chapter-OMC 18.4243.

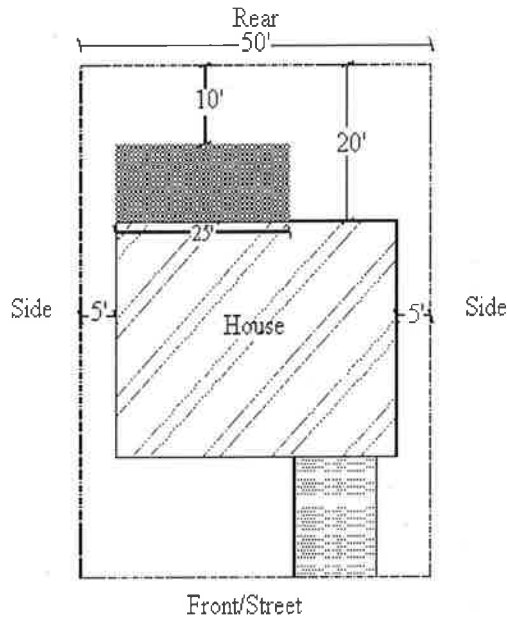


FIGURE 5-4

Section 7: Amendment of OMC 18.05A.130. Olympia Municipal Code Section 18.05A.130 is hereby amended to read as follows:

18.05A.130 Signs –Attached to the building

LEGEND

- | | |
|---------------------------|---|
| UV = Urban Village | COSC = Community Oriented Shopping Center |
| NV = Neighborhood Village | NC = Neighborhood Center |

A. REQUIREMENT: Provide adequate signs for businesses while maintaining the building’s architectural integrity, by locating signs so that building details shall not be covered or obscured. (UV, NV, COSC, NC). Signs will conform to the Olympia Zoning Ordinance Sign Code (OMC Chapter ~~OMC~~ 18.4243, Signs).

Section 8: Amendment of OMC 18.05A.140. Olympia Municipal Code Section 18.05A.140 is hereby amended to read as follows:

18.05A.140 Signs –Freestanding

LEGEND

- | | |
|---------------------------|---|
| UV = Urban Village | COSC = Community Oriented Shopping Center |
| NV = Neighborhood Village | NC = Neighborhood Center |

A. REQUIREMENT: Provide adequate signage for businesses when building-mounted signs cannot be used because they will obscure the architectural details of the building. (UV, NV, COSC, NC). Signs will conform to the ~~Olympia Zoning Ordinance Sign Code (OMC Chapter~~ 18.4243, Signs).

Section 9: Amendment of OMC 18.05A.240. Olympia Municipal Code Section 18.05A.240 is hereby amended to read as follows:

18.05A.240 Signs

LEGEND

UV = Urban Village	COSC = Community Oriented Shopping Center
NV = Neighborhood Village	NC = Neighborhood Center

A. REQUIREMENT: Minimize the amount of signage needed to identify the multifamily development. (UV, NV, COSC, NC). Signs will conform to ~~the Olympia Zoning Ordinance Sign Code (OMC Chapter OMC 18.4243, Signs).~~

Section 10. Amendment of OMC 18.06.060. Olympia Municipal Code Subsection 18.06.060.G is hereby amended to read as follows:

18.06.060 Commercial districts' use standards

G. Public Facilities, Essential.

1. Regulations applicable to all commercial zoning districts. Essential public facilities are subject to the procedures and conditions listed in ~~Section OMC 18.04.060(W)~~, as well as any other applicable provisions of this Title.
2. ~~Community Retail District (CMR)~~ and Professional Office/Residential Multifamily District (PO/RM) Regulations. "Other facilities as designated by the Washington State Office of Financial Management, except prisons and solid waste handling facilities" (see Table 6.01 above) shall be limited to office uses.
3. General Commercial District (GC), High Density Corridor-4 (HDC-4), Urban Waterfront (UW), and Downtown Business District (DB) Regulations. "Other facilities as designated by the Washington State Office of Financial Management, except prisons and solid waste handling facilities" (see Table 6.01 above) shall be limited to those office uses, industrial uses, recreation and culture uses otherwise allowed in these districts. In addition to the requirements for Essential Public Facilities, these uses shall meet all other applicable regulations of this Chapter and Title.

Section 11: Amendment of OMC 18.06.120. Olympia Municipal Code Section 18.06.120 is hereby amended to read as follows:

18.06.120 Additional regulations

Refer to the following Chapters for additional related regulations:

Chapter 18.100-145	Design Guidelines
Chapter 18.36	Landscaping and Screening
Chapter 18.38	Parking and Loading
Chapter 18.40	Property Development and Protection Standards
Chapter 18.4243	Signs
Article III	Overlay Districts

Section 12. Amendment of OMC 18.12.090. Olympia Municipal Code Section 18.12.090 is hereby amended to read as follows:

18.12.090 Heritage Register - Alteration and Construction

A. Applicability. (See Design Guidelines, ~~Sections OMC 18.105.020 and OMC 18.105.030~~, Remodeled Historic Buildings.) No person shall construct any new building or structure, or reconstruct, alter, restore, remodel, repair or demolish any existing building or structure which is on the Heritage Register or within a Historic District without review by the Heritage Commission, the Heritage Review Committee, or Joint Design Review, as required by OMC 18.12.070 and OMC 18.76.180. The review shall apply only to exterior or interior features designated as significant and relating to the designation of the property to the Heritage Register and interior features for historically significant interior spaces of public buildings, including privately owned buildings open to the public; provided, that this ~~s~~Section shall have no application to ordinary repair and maintenance, including painting, or Emergency Repair measures as defined in ~~Chapter OMC 18.02~~, Definitions. Violation of this rule shall be grounds for the Heritage Commission to review the property for removal from the Heritage Register. The review shall be based upon OMC 18.105.020 and OMC 18.105.030.

B. Review Process

1. Whenever applications are made for alterations, changes, or construction on any properties within a Historic District or on the Heritage Register, the Building Official shall notify the Preservation Officer so that the proposed change may be reviewed under the provisions of OMC Sections 18.105.020 and OMC 18.105.030. The Building Official or Preservation Officer shall also notify the applicant of the special review that is required. The Building Official shall continue to process such application and shall work with the Historic Preservation Officer in considering Building and Fire Code requirements and consider the Historic Building Code 16.04.020 but shall not issue any such permit, except as provided by law, until review and recommendations have been completed by the Heritage Commission, its Committee, the Joint Design Review Committee or the Preservation Officer. Consistent with law, any recommendations by the Heritage Commission, the Preservation Officer, or the Heritage Review Committee that are incorporated into the permit official's decision, shall become binding conditions of approval of any permits granted.
2. If no permit is required to pursue work on a designated property or within a designated Heritage Register District, whoever is responsible for the work is encouraged to consult with the Preservation Officer prior to commencement of the work for consistency with The Secretary of the Interior's Standards for the Treatment of Historic Properties (as amended).
3. Such applications shall be accompanied by such information as is required by the Heritage Commission and which is reasonably necessary for the proper review of the proposed project.
4. The Preservation Officer may review and approve minor work requiring a permit that does not involve substantial alterations, additions or removals that only alter the features identified when the property was listed on the Heritage Register, or District.
5. Unless legally required elsewhere, there shall be no notice, posting or publication requirements for action on the application, but all such actions shall be made at a regular meeting of the Heritage Commission or at a meeting of the Heritage Review Committee. The Heritage Commission's recommendations shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision. These findings of fact and reasons shall be based on the factors to consider in reviewing changes as cited in ~~Section OMC 18.12.120(C)~~, Additional Factors to Consider.

6. The Heritage Commission's recommendations shall be transmitted to the Building Official. The recommendations of the Heritage Commission shall be given substantial weight by the Building Official in establishing conditions for the permit.

C. Standards for Review.

1. For a property individually listed on a Heritage Register, the proposed work should not detrimentally alter, destroy or adversely affect any exterior feature or interior feature relating to the designation of the property to the Heritage Register. In the case of construction of a new improvement, building or structure on the site of a Heritage Register property, the exterior of such construction will not adversely affect and will be compatible with the external appearance of existing designated improvements, buildings and structures on the site. The Secretary of the Interior's Standards for the Treatment of Historic Properties (as amended) shall be the standards which guide the review of Heritage Register properties.

2. For any property located within a Historic District, the proposed construction, removal, rehabilitation, alteration, remodeling, excavation or exterior alteration shall conform to the standards in ~~OMC 18.110.210~~, 18.105.020, and OMC 18.105.030 and preserve the historic context and merit of the district, consistent with The Secretary of the Interior's Standards for the Treatment of Historic Properties (as amended).

3. Proposed alterations or significant changes necessary or appropriate in order to meet the requirements of any other law, statute, ordinance, regulation, code or ordinance shall be coordinated with, and given consideration along with historic preservation concerns, in reviewing proposed changes to Heritage Register properties.

Section 13. Amendment of OMC 18.12.100. Olympia Municipal Code Section 18.12.100 is hereby amended to read as follows:

18.12.100 Demolition of a Historic Building or a Contributing Historic District Property

Demolition of a Historic Building or a Contributing Historic District Property. Findings and a recommendation to the Building Official made by the Heritage Commission or Historic Preservation Officer is required before a permit may be issued to allow whole or partial demolition of a designated structure or facility of recognized historical significance, which for the purposes of WAC 197-11-800(2)(fg) is one listed on the Olympia Heritage Register, Washington Heritage Register, or National Register of Historic Places. The owner or his/her agent shall apply to the Building Official who will request a review of the proposed demolition by the Heritage Commission. The Heritage Commission shall recommend to the Building Official the approval or denial of the proposed demolition. Recommendations may also include steps to mitigate the loss of the property through, but not limited to, the procedures described in the SEPA Mitigation Policy for Olympia Historic Resources. The Building Official shall give substantial weight to these recommendations in establishing conditions of approval of the permits granted. If the structure is demolished, the Heritage Commission shall initiate the procedure for removal of the structure from the Heritage Register and may recommend designation as a historic site.

Section 14: Amendment of OMC 18.20.480. Olympia Municipal Code Section 18.20.480 is hereby amended to read as follows:

18.20.480 Signage Regulations

Signage shall conform to OMC 18.423, Sign Regulations. In addition, the following provisions shall apply within the shoreline jurisdiction:

- A. All offsite signs, except for directional signs, shall be prohibited;
- B. All signs shall be located and designed to avoid interference with vistas, viewpoints, and visual access to the shoreline;
- C. Signs shall be designed and placed so that they are compatible with the aesthetic quality of the existing shoreline and adjacent land and water uses;
- D. Over water signs and signs on floats or pilings, except as needed for navigational purposes, shall be prohibited;
- E. Where lighted signs and illuminated areas are permitted, such illuminating devices shall be shaded and directed so as to minimize, to the extent feasible, light and glare from negatively impacting neighboring properties, streets, public areas or water bodies. Lighted signs shall be designed to reduce glare when viewed from surrounding properties or from the water. Lighting shall not shine directly upon or cast a glare on the water; and
- F. All signs shall be located in such a manner that they minimize interference with public views. Free standing signs which may disrupt views to the water shall be placed on the landward side of development.

Section 15: Amendment of OMC 18.37.060. Olympia Municipal Code Subsection 18.37.060.D is hereby amended to read as follows:

18.37.060 Nonconforming use

- D. Signs. See ~~Chapter OMC 18.4243~~.

Section 16. Amendment of OMC 18.40.060. Olympia Municipal Code Subsection 18.40.060.H is hereby amended to read as follows:

18.40.060 General standards

- H. Yards.
 - 1. In addition to the following, yard regulations found in ~~Section OMC 18.04.060(B)~~ (Accessory Structures) apply to all building sites in all use districts of the city.
 - 2. Yards/Setbacks.
 - a. The required setback area shall be parallel to the structure requiring a setback. Setback width shall be measured from the outermost edge of the building foundation to the closest point of the parallel (or nearly parallel) adjoining lot line. In the event of a planned unit development or binding site plan, such development shall meet all Uniform Building Code separation requirements. (See Figure 40-4.)
 - b. A required yard area shall be kept free of any building or structure taller than thirty (30) inches, except that a building or projection shall be allowed as provided below:

- i. Cornices, window sills, bay windows, flues and chimneys, planters, and eaves of roofs may project two (2) feet into the required yard area.
 - ii. Marquees and awnings of commercial buildings may project into required setback areas.
 - iii. Fences may project into the required yard area if they meet fence height requirements found in ~~Section OMC 18.40.060(C)~~.
 - iv. Uncovered steps, porches, or patios, which are no more than thirty (30) inches above the adjacent grade may be placed within the required setback area.
 - v. Uncovered swimming pools, hot tubs, and satellite dish antennas may be placed in the rear or interior side yard setback area. ~~See 18.04.060(X)(2)(f)~~.
 - vi. Signs in compliance with ~~Chapter OMC 18.4243~~.
 - vii. Refer to each land use district for other allowed projections in required yards.
- c. No building construction nor projection is allowed within any utility, access or public/private easement.
- d. The front yard setback for a flag lot shall be a minimum of ten (10) feet measured from the nearest parallel or nearly parallel lot line adjacent to the front facade of the dwelling.

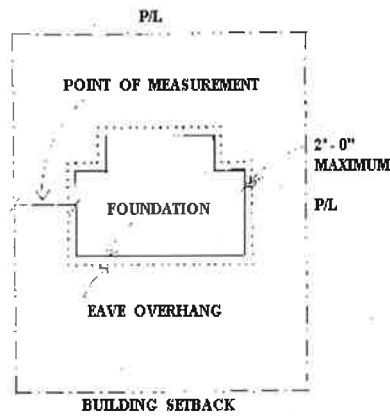


FIGURE 40-4

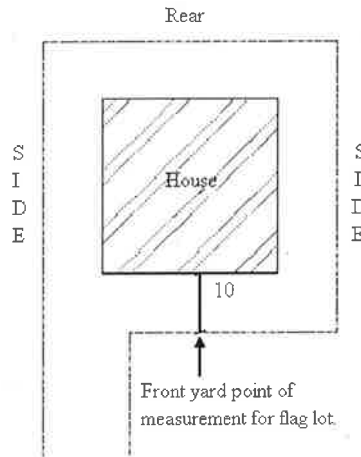


FIGURE 40-5

3. Use of Yard by Another Building. No yard or other open space required by this chapter for any building shall be considered as a yard or other open space for any other building; nor shall any yard or open space on one building site be considered as a yard or open space for a building on any other building site.

I. Minimum Street Frontage.

1. Each lot, other than in townhouse, cottage and co-housing projects, shall have a minimum of thirty (30) feet of frontage on a public or private street. With respect to binding site plans, this requirement shall apply to the entirety of the binding site plan and not to each individual site or lot. The Director may allow the street frontage to be reduced or eliminated to the minimum extent necessary to enable access to property where public street access is not feasible for such reasons, including but not limited to, physical site conditions or preexisting development or to protect environmentally Critical Areas.

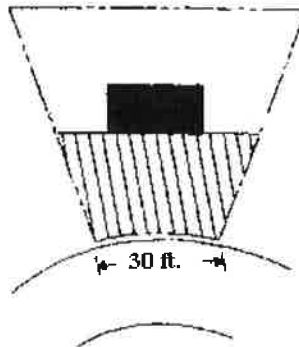


FIGURE 4-2

2. Subdivisions, short subdivisions, binding site plans, and lot line adjustments creating flag lots (with street frontages of less than thirty (30) feet) are subject to the following conditions:

- a. The project shall be designed to minimize the creation of flag lots.
- b. Adjoining flag lots shall share a common driveway wherever possible.

c. All driveways accessing flag lots shall be designed to allow fire truck access to within one hundred fifty (150) feet of all exterior points of the building(s) on the lot(s), unless alternate forms of fire protection approved by the Chief of the Fire Department are provided, including but not limited to, sprinkler systems.

d. The area of a flag lot which is less than thirty (30) feet in width shall not be considered part of the minimum lot area required in Table 4.04.

Section 17. Amendment of OMC 18.59.020. Olympia Municipal Code Section 18.59.020 is hereby amended to read as follows:

18.59.020 Preliminary review and evaluation criteria

A. Prior to City Council action, the Department shall conduct a preliminary review and evaluation of proposed amendments, including rezones, and assess the extent of review that would be required under the State Environmental Policy Act (SEPA). The preliminary review and evaluation shall also include any review by other departments deemed necessary by the Department, and except as provided in OMC 18.58.080 shall be based on the following criteria:

1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code?
2. Would the proposed amendment cause little or no adverse environmental impacts and, is the time required to analyze impacts available within the time frame of the standard annual review process?
3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process?
4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline?
5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process?
6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again?

B. If the Department determines that the answer to any of the above questions is no, it may recommend to the City Council that the proposed amendment or revision not be further processed in the current amendment review cycle. Upon direction from City Council, Department staff will inform those whose proposed amendments or revisions will not be considered because (a) impact analysis beyond the scope of the amendment process is needed; (b) the request does not meet preliminary criteria; or (c) likelihood of inclusion of the proposal in a department's work program. Proponents may resubmit proposals to the department at any time, subject to the timelines contained in this chapter.

Section 18. Amendment of OMC 18.72.100. Olympia Municipal Code Section 18.72.100 is hereby amended to read as follows:

Chapter 18.72.100, Review and appeal authority

The following table describes development permits and the final decision and appeal authorities. When separate applications are consolidated at the applicant's request, the final decision shall be rendered by the highest authority designated for any part of the consolidated application

KEY:

Director	=	Community Planning and Development Director or designee
SPRC	=	Site Plan Review Committee
DRB	=	Design Review Board
PC	=	Planning Commission
HC	=	Heritage Commission
HE	=	Hearing Examiner
Council	=	City Council
R	=	Recommendation to Higher Review Authority
D	=	Decision
O	=	Open Record Appeal Hearing
C	=	Closed Record Appeal Hearing

[NOTE: City Council decisions may be appealed to Superior Court except comprehensive plan decisions which may be appealed to the State Growth Management Hearings Board.]

	Director	SPRC	DRB	PC	HC	HE	Council
ZONING							
Conditional Use Permit	D	R				D	
Interpretations	D					O	
Land Use Review	D ¹	R				O	
Small Lot Review	D					O	
Townhouse (2 – 4 Units)	D					O	
Townhouse (10 or more units)		R	R			D	
Townhouse Final (2-9)	D					O	
Townhouse Final (10 or more)		R					D
Zoning Variance	R					D	
Zone Map Change, without Plan Amendment	R					R	D
Zone Change, with Plan Amendment or Ordinance Text Amendment	R			R			D
Home Occupation	D					O	
Temporary Use Permit	D					O	
SEPA exempt Building Permit	D					O	
Parking or Fence Variance	D	R				O	
Accessory Dwelling Unit	D					O	

	Director	SPRC	DRB	PC	HC	HE	Council
Accessory Building	D					O	
Occupancy Permit	D					O	
Sign Permit	D					O	
Landscape Plan	D					O	
Tree Plan	D					O	
Historic Properties	D	R			R	O	
COMPREHENSIVE PLAN							
Amendments (map, text)	R			R			D
DESIGN REVIEW							
Detailed Review	D		R				
Major			O				
Concept Review	D	R	R			O	
Signs (general)	D					O	
Scenic Vistas	D	R	R			O	
ENVIRONMENTAL							
Threshold Determination	D					O	
Impact Statement Adequacy	D					O	
Reasonable Use Exception	R					D	
SEPA Mitigating Conditions	D					O	
Major Shoreline Substantial Development Permit		R				D	
Shoreline Conditional Use Permit		R				D	
Shoreline Variance		R				D	
Shoreline Permit Revision or Exemption	D					O	
SUBDIVISION							
Boundary Line Adjustment (including lot consolidation)	D					O	
Preliminary Plat, Long	R					D	
Preliminary Short, (2-9 lots)	D ¹					O	
Final Short Plat	D					O	
Final Long Plat	R						D
Master Plan Approval	R		R			R	D
MPD Project Approval		R	R			D	
Preliminary PRD		R				R	D
Final PRD		R					D
Time Extensions	D					O	

¹ Except when the Director refers the project for a public hearing before the Hearing Examiner pursuant to OMC 18.60.080 or 17.32.130(A)(4).

Section 19. Olympia Municipal Code. Copies of the Olympia Municipal Code are and shall be retained on file with the office of the City Clerk.

Section 20. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerkal errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 21. 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 22. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 23. 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:

APPROVED:

PUBLISHED:



City Council

Approval of an Ordinance Amending Final Plat Approval Process (per RCW 58.17.100)

Agenda Date: 10/8/2019
Agenda Item Number: 5.J
File Number: 19-0884

Type: ordinance **Version:** 1 **Status:** 1st Reading-Consent

Title

Approval of an Ordinance Amending Final Plat Approval Process

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the ordinance amending the final plat approval process per RCW 58.17.100 on first reading and forward to second reading.

Report

Issue:

Whether to approve an ordinance amending the final plat approval process as allowed per RCW 58.17.100.

Staff Contact:

Joyce Phillips, Senior Planner, Community Planning and Development, 360.570.3722

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

In 2017, Senate Bill 5674 was passed by the Legislature and signed into state law. This revision to the state statutes for subdivisions allows a local government legislative body to delegate the authority to approve final plat applications to an established planning commission or agency, or to other administrative personnel. This is because the final plat approval process is ministerial in nature and based on a non-discretionary process. Final plat approval is only granted when the applicant meets all of the terms and conditions of the preliminary plat approval. If the final plat conforms to state law and local ordinances, final approval must be granted under state law (RCW 58.17.170). There is no public hearing for final plat approval.

Neighborhood/Community Interests (if known):

Neighborhood and community interests vary with each project. However, these comments are made

at the time of preliminary plat review and at the public hearing, where these comments are factored in to the decision regarding the preliminary application. At the time of final plat review, the developer must show conformance with all conditions of preliminary approval and all final plat submittal requirements. The preliminary plat conditions of approval cannot be amended by the public, city, or the developer at the time of final review.

Options:

1. Approve the text amendments to Titles 17 and 18, as proposed.
2. Approve text amendments to Titles 17 and 18, as modified by City Council.
3. Do not approve text amendments to Titles 17 and 18, as proposed.

Financial Impact:

Approval of this ordinance will result in a reduction of staff time spent on approval of final plat applications because an additional staff report and City Council meeting will not be required to occur once staff has completed the necessary review to determine that all conditions of approval have been completed before a final plat can be recorded and finalized.

Attachments:

Ordinance

Ordinance No.

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING CHAPTER 17.24, SUBDIVISIONS, AND SECTION 18.72.100, UNIFIED DEVELOPMENT CODE, OF THE OLYMPIA MUNICIPAL CODE.

WHEREAS, Senate Bill No. 5674 relating to the final approval of subdivisions of land was enacted by the Washington State Legislature in 2017 and codified under RCW 58.17; and

WHEREAS, RCW 58.17.100 allows the legislative body of a city to adopt by ordinance the delegation of final plat approval to an established planning agency or administrative personnel; and

WHEREAS, to conform with RCW 58.17.100, the City of Olympia Community Planning and Development Department has proposed minor amendments to Title 17, Subdivisions, and Title 18, Unified Development Code, of the Olympia Municipal Code (OMC) (the Proposed Amendments) regarding final city approval of subdivisions; and

WHEREAS, the Proposed Amendments are consistent with Chapter 58.17 RCW, Plats, Subdivisions, Dedications; and

WHEREAS, the Proposed Amendments are consistent with the Olympia Comprehensive Plan and other chapters of Title 18 OMC; 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;

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

Section 1. Amendment of OMC 17.24. Olympia Municipal Code Chapter 17.24 is hereby amended to read as follows:

**Chapter 17.24
FINAL PLAT**

17.24.000 Chapter Contents

Sections:

- 17.24.010 Submission of application.
- 17.24.020 Format and content of application.
- 17.24.030 Distribution of copies.
- 17.24.040 Time to act.
- 17.24.050 Review criteria.
- 17.24.060 ~~City-Council action~~ final approval.
- 17.24.070 Filing for record--Copies.
- 17.24.080 Filing for record--Time limit.

17.24.010 Submission of application

The subdivider shall submit twelve (12) dark line prints and one stable base polyester film or other approved material (hereinafter referred to as Mylar) to the department.

17.24.020 Format and content of application

A. Survey of Subdivision and Preparation of Plat. The survey of the proposed subdivision and preparation of the plat shall be made by or under the supervision of a registered land surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed.

B. Drafting Standards. All final plats shall be drawn in accordance with the following:

1. The final plat shall be clearly and legibly drawn in permanent black ink upon a stable base polyester film.
2. The scale of the plat shall be not less than 1" = 200'. Lettering shall be at least 3/32 of an inch high. The perimeter of the plat or subdivision being recorded shall be depicted with heavier lines wider than the remaining portion of the plat or subdivision.
3. The size of each sheet shall be 18" by 24".
4. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of three inches on the left, and one-half inch on each side of the other three sides.
5. If more than two sheets are used, an index of the entire subdivision showing the arrangement of all sheets shall be included. Each shall be appropriately numbered.
6. The plat title, date, scale and north arrow shall be shown on each appropriate sheet of the final plat.
7. All signatures placed on the final plat shall be original signatures written in permanent black India ink.

C. Street Monuments. The surveyor preparing the plat shall submit a street monumentation plat to the Public Works Department for approval prior to setting any permanent street monuments. The Public Works Department shall determine the number and location of permanent control monuments in streets within and leading into the plat, if any. All street monuments shall conform to the standard specifications of the American Public Works Association or as amended by city standard plans.

D. Content.

1. The following information is required on the final plat map:

- a. The date, scale, north arrow, legend, controlling topography and existing features such as highways and railroads;
- b. Legal description of the plat boundaries;
- c. Reference points and lines of existing surveys identified, related to the plat as follows:
 - i. Adjoining corners of adjoining subdivisions,
 - ii. City or county boundary lines when crossing or adjacent to the subdivision,
 - iii. Section and donation land claim lines within and adjacent to the plat,
 - iv. Whenever the county or a city has established the centerline of a street adjacent to or within the proposed subdivision, the location of this line and monuments found or reset,
 - v. All other monuments found or established in making the survey of this subdivision or required to be installed by provisions of this title,
 - vi. The basis of bearing shall be shown and shall be the Olympia coordinate system;
- d. The exact location and width of streets and easements intersecting the boundary of the tract;
- e. Tract, block and lot boundary lines and street rights-of-way and centerlines, with dimensions, bearings or deflection angles, radii, arcs, points of curvature and tangent bearings. Tract boundaries, lot boundaries and street bearings shall be shown to the nearest second with basis of bearings. All distances shall be shown to the nearest 0.01 foot;
- f. The width of the portion of streets being dedicated, the width of any existing rights-of-way and the width of each side of the centerline. For streets on curvature, curve data shall be based on the street centerline. In addition to the centerline dimensions, the radius and central angle shall be indicated;
- g. Easements denoted by fine dashed lines or described by narrative, clearly identified and, if already of record, their recorded reference. The width of the easement, its length and bearings, and sufficient ties to locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication;

h. Lot numbers beginning with number "1" and numbered consecutively without omission or duplication throughout the plat. The numbers shall be solid, of sufficient size and thickness to stand out and so placed as not to obliterate any figure. Lot numbers in an addition to a subdivision of the same name shall be a continuation of the numbering of the original subdivision;

i. Accurate outlines and designations of any areas to be dedicated or reserved for public use or to be committed for the common use of all property owners with the purpose of dedication, reservation and commitment to be clearly set forth on the plat document together with accurate references to appropriate recorded documents;

j. All required dedications, endorsements, covenants, affidavits and certificates shall show on the face of the final plat;

k. The final plat shall show the subdivision of the section or sections involved and show the township(s) and range(s); provided, that if the land being platted is not described by section subdivision, the final plat map shall show a vicinity map showing monuments and land corners sufficient to properly orient the new subdivision;

l. Specific wording as may be required by the preliminary plat approval;

m. A plat or subdivision contiguous to, or representing a portion of or all of the frontage of a body of water, river or stream shall indicate the location of monuments, which shall be located at such distance above high-water mark as to reasonably insure against damage and destruction by flooding or erosion;

n. Lots containing one acre or more shall show net acreage to nearest hundredth, whenever possible;

o. Designation of lots to be used for other than single-family residential purposes;

p. If the plat constitutes a replat of all or portions of an existing subdivision, this shall be clearly indicated just below the subdivision name. All original plat lines shall be shown in half-tone around the perimeter of the new plat.

q. A summary of the terms and conditions, including building permit restrictions, of any agreement and security to construct improvements in the future on the plat.

2. Acknowledgments and Certificates. Acknowledgments and certificates required by this title shall be in language substantially indicated in the following subsections:

a. Dedications. The intention of the owner shall be evidenced by the owner's presentation for filing of a final plat clearly showing the dedication thereof and bearing the following certificate signed by all real parties of interest:

"Know all persons by these presents that _____, the undersigned owner, in fee simple of the land hereby platted, _____, and _____, the mortgagee thereof, hereby declare this plat and dedicate to the use of the public forever all streets, avenues, places and sewer easements or whatever public property there is shown on the plat and the use for public purposes. Also, the right to make all necessary slopes for cuts and fills upon lots, blocks, tracts, etc. shown on this plat in the reasonable original grading of all the streets, avenues, places, etc. shown hereon. Also the right to drain all streets over and across any lot or lots where water might take a natural course after the street or streets are graded. Also, all claims for damage against any governmental authority are waived which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said roads.

IN WITNESS WHEREOF we set our hands and seals this _____ day of _____, [year].

In the event that a waiver of right of direct access is included, then the certificate shall contain substantially the following additional language:

"Access to _____ street from lots numbered _____ is hereby waived, and dedication to the public shall in no way be construed to permit a right of direct access to _____ street from lots numbered _____, nor shall the City of Olympia or any other local governmental agency within which the property is or may become located ever be required to grant a permit to build or construct an access of approach to said street from said lots."

b. Acknowledgment.

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

This is to certify that on this _____ day of _____, [year], before me, the undersigned, a notary public, personally appeared to me known to be the person(s) who executed the foregoing dedication and acknowledged to me that _____ signed the same as _____ free and voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year first above-written.

(Seal)

NOTARY PUBLIC in and for the
State of Washington, residing at

- c. Restrictions. The following restrictions shall show on the face of the final plat:
 - i. The following shall be required when the plat contains a private street: "The cost of construction and maintaining all streets not herein dedicated as public streets shall be the obligation of all of the owners and the obligation to maintain shall be concurrently the obligation of any corporation in which title of the streets may be held."
 - ii. "All landscaped areas in public rights-of-way shall be maintained by the owner and the owner's successor(s) and may be reduced or eliminated if deemed necessary for or detrimental to City road purposes."
 - iii. The following shall be required when the plat contains commonly owned tracts: "Community tracts shall be owned and maintained in common for the benefit of all lot owners. All lots have an undivided interest in the ownership and maintenance of community areas. The ownership interest in each community tract shall be stated in the deed to each lot"
 - iv. The following shall be required when the installation of required improvements has not been completed prior to recording: "Pursuant to City Ordinance, the City of Olympia may deny the issuance of building or occupancy permits for any structure within this plat until street, sidewalk, or other required plat improvements have been installed."
 - v. Any additional conditions as approved by the ~~council~~ or hearing examiner.
- d. Certificate From Land Surveyor. The completed plat must show a certificate from the land surveyor who platted the property, in substantially the following form:

"I hereby certify that the Plat of _____ is based upon an actual survey and subdivision of a portion of Section _____, Township _____, Range _____, W.M.; that the distances and courses shown thereon are correct; that the monuments have been set and lot and block corners staked on the ground."

- e. Certificates of City Officers. The plat shall also show the following certificates:

- i. Certificate--City Engineer.

"Examined and approved this ____ day of _____ [year].

Olympia City Engineer"

- ii. Certificate--Health Officer.

"Examined and approved this ____ day of _____ [year].

Health Officer"

iii. Certificate--Assessor.

"Examined and approved this ____ day of _____ [year].

Thurston County Assessor"

iv. Certificate-Treasurer.

"I hereby certify that all taxes on the land described hereon have been fully paid to and including the year ____.

Thurston County Treasurer"

v. Certificate--Planning Director.

"Examined and approved this ____ day of _____ [year].

Planning Director"

vi. ~~Certificate--City Council.~~

~~"Examined and approved this ____ day of _____ [year].~~

~~_____
Mayor, City of Olympia"~~

ATTEST:

City Clerk"

vii. Certificate--City Clerk-Treasurer.

"I hereby certify that all Local Improvement District Assessments on the land described hereon have been fully paid to and including the year ____

Clerk-Treasurer, City of Olympia"

viii. Certificate--County Auditor.

"Filed for record at the request of _____ this ____ day of _____, [year], at _____ minutes past _____.m., and recorded in Volume _____ of Plats, on page _____, records of Thurston County, Washington.

Thurston County Auditor

Deputy Auditor"

3. Supplemental information as required by the Application Content Lists must be submitted with the final plat map. See OMC 18.77.010.

17.24.030 Distribution of copies

The Public Works Department shall forward a dark line print to the Planning Department, county assessor, county health department, county treasurer, fire department, and any other agency responsible for the provision of services or insuring compliance with conditions of preliminary plat approval. Said agencies shall examine the plat for compliance with the provisions of this title.

17.24.040 Time to act

Final plats shall be approved, disapproved or returned to the applicant within 30 days from the date of filing unless the applicant consents to an extension of such time period.

17.24.050 Review criteria

A. The Public Works Department shall examine the map as to sufficiency of affidavits and acknowledgments, correctness of surveying data, mathematical data and computations, and such other matters as require checking to insure compliance with the provisions of state laws pertaining to subdivisions, with this title and with the conditions of approval. Traverse sheets (computation of coordinates) and work sheets showing the closure of the exterior boundaries and of each irregular lot and block and the calculation of each lot size shall be furnished. If the final plat is found to be in correct form and the matters shown thereof are sufficient, the Public Works Department shall certify the mylar of the plat to the Planning Department.

B. In addition to a statement of approval from the Public Works Department, the following approvals must be submitted in writing to the Planning Department prior to its certification of the final plat:

1. Health Approval. The county health department shall indicate compliance with the health requirements of the preliminary plat and shall indicate the adequacy of the method of sewage disposal. Approval by the Health Department of the final plat shall not vary or negate any requirements for obtaining septic tank and drainfield permits for any lots therein;

2. Department of Ecology approval. In those cases where the subdivision is located in a flood control zone as established by RCW Chapter 86.16 the Department of Ecology shall indicate approval of the plat and shall state any special conditions or restrictions deemed by it to be necessary for effective flood protection;
3. Fire department's approval;
4. Water purveyor's approval;
5. Sewer purveyor's approval;
6. County treasurer's approval;
7. County assessor's approval;
8. Other approvals as may be required in the conditions of preliminary plat approval.

D. If each department determines that the final plat conforms fully with all applicable regulations and standards, they shall then affix their signatures to the final plat.

~~E. Upon confirmation of compliance with the conditions of approval, and subsequent to affixing its signature to the final plat, the Planning Department will instruct the Public Works Department to schedule final consideration of the plat map before the council.~~

17.24.060 City ~~council action~~ final approval

After being approved as required in Section 17.24.050, the final plat shall be presented to the ~~city council~~ Community Planning and Development Director. After finding that the final plat has been completed in accordance with the provisions of this title, and that all required improvements have been completed or that arrangements or contracts have been entered into to guarantee that such required improvements will be completed, and that the interests of the city are fully protected, the ~~city council~~ Director or the Director's designee shall sign the final plat accepting such dedications and easements as may be included thereon, and the final plat shall be returned to the applicant for filing for record with the county auditor.

17.24.070 Filing for record –Copies

The original of said final plat shall be filed for record with the county auditor. One reproducible copy of a stable base material shall be furnished to the Public Works Department. One paper copy shall be filed by the auditor with the assessor, planning department, health department, building department and the fire chief. All required paper copies shall bear the auditor's recording date.

17.24.080 Filing for record –Time limit

Approval of the final plat shall be null and void if the plat is not recorded within 30 days after the date the last required signature has been obtained.

Section 2. Amendment of OMC 18.72.100. Section 18.72.100 of the Olympia Municipal Code is hereby amended to read as follows:

18.72.100 Review and appeal authority

The following table describes development permits and the final decision and appeal authorities. When separate applications are consolidated at the applicant’s request, the final decision shall be rendered by the highest authority designated for any part of the consolidated application

KEY:

- Director = Community Planning and Development Director or designee
- SPRC = Site Plan Review Committee
- DRB = Design Review Board
- PC = Planning Commission
- HC = Heritage Commission
- HE = Hearing Examiner
- Council = City Council
- R = Recommendation to Higher Review Authority
- D = Decision
- O = Open Record Appeal Hearing
- C = Closed Record Appeal Hearing

[NOTE: City Council decisions may be appealed to Superior Court except comprehensive plan decisions which may be appealed to the State Growth Management Hearings Board.]

Director SPRC DRB PC HC HE Council

ZONING

Conditional Use Permit		R				D
Interpretations	D					O
Land Use Review	D ¹	R				O
Small Lot Review	D					O
Townhouse (2 – 4 Units)	D					O

	Director	SPRC	DRB	PC	HC	HE	Council
Townhouse (10 or more units)		R	R			D	
Townhouse Final (2-9)	D					O	
Townhouse Final (10 or more)		R					D
Zoning Variance	R					D	
Zone Map Change, without Plan Amendment	R					R	D
Zone Change, with Plan Amendment or Ordinance Text Amendment	R			R			D
Home Occupation	D					O	
Temporary Use Permit	D					O	
SEPA exempt Building Permit	D					O	
Parking or Fence Variance	D	R				O	
Accessory Dwelling Unit	D					O	
Accessory Building	D					O	
Occupancy Permit	D					O	
Sign Permit	D					O	
Landscape Plan	D					O	
Tree Plan	D					O	
Historic Properties	D	R			R	O	
COMPREHENSIVE PLAN							
Amendments (map, text)	R			R			D
DESIGN REVIEW							
Detailed Review	D		R				
major			O				
Concept Review	D	R	R			O	
Signs (general)	D					O	
Scenic Vistas	D	R	R			O	
ENVIRONMENTAL							
Threshold Determination	D					O	
Impact Statement Adequacy	D					O	
Reasonable Use Exception	R					D	

	Director	SPRC	DRB	PC	HC	HE	Council
SEPA Mitigating Conditions	D					O	
Major Shoreline Substantial Development Permit		R				D	
Shoreline Conditional Use Permit		R				D	
Shoreline Variance		R				D	
Shoreline Permit Revision or Exemption	D					O	
SUBDIVISION							
Boundary Line Adjustment (including lot consolidation)	D					O	
Preliminary Plat, Long	R					D	
Preliminary Short, (2-9 lots)	D ¹					O	
Final Short Plat	D					O	
Final Long Plat	<u>RD</u>					<u>O</u>	<u>D</u>
Master Plan Approval	R		R			R	D
MPD Project Approval		R	R			D	
Preliminary PRD		R				R	D
Final PRD		R					D
Time Extensions	D					O	

¹ Except when the Director refers the project for a public hearing before the Hearing Examiner pursuant to OMC 18.60.080 or 17.32.130(A)(4).

Section 4. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. 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 6. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 7. 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:

APPROVED:

PUBLISHED:



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

City Council

Executive Session Pursuant to RCW 42.30.110 (1)(b); RCW 42.30.110 (1)(c) - Real Estate Matter

Agenda Date: 10/8/2019
Agenda Item Number: 10.A
File Number: 19-0914

Type: executive session **Version:** 1 **Status:** Executive Session

Title

Executive Session Pursuant to RCW 42.30.110(1)(b); RCW 42.30.110 (1)(c) - Real Estate Matter



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

City Council

Closed Session Pursuant to RCW 42.30.140 (4) (b) - Labor Negotiations

Agenda Date: 10/8/2019
Agenda Item Number: 10.B
File Number: 19-0915

Type: executive session **Version:** 1 **Status:** Executive Session

Title

Closed Session Pursuant to RCW 42.30.140 (4)(b) - Labor Negotiations