

Ordinance No.**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING THE CITY OF OLYMPIA COMPREHENSIVE PLAN, INCLUDING THE FUTURE LAND USE MAP; AND AMENDING THE OLYMPIA ZONING MAP.**

WHEREAS, the Washington Growth Management Act (RCW Ch. 36.70A) requires that the City of Olympia and other jurisdictions within Thurston County adopt comprehensive plans; and

WHEREAS, the Growth Management Act allows amendments to comprehensive plans on an annual basis; and

WHEREAS, one of the proposed amendments to the City of Olympia Comprehensive Plan concerns a proposal by staff to update park level of service standards and park inventory tables to be consistent with the City's 2010 Parks, Arts and Recreation Plan; and

WHEREAS, the owner of the parcel of land known as "Trillium" on the south side of Morse-Merryman Road in Olympia proposed amendments to the Comprehensive Plan and the Olympia Zoning Map to redesignate Trillium from Neighborhood Village (NV) to Single Family Residential 6-12 (R 6-12) or, in the alternative, to Single Family Residential 4-8 (R 4-8); and

WHEREAS, other proposed amendments to the Olympia Future Land Use map and the Olympia Zoning Map concern a proposal initiated by Thurston County for redesignations of unincorporated portions of the French Loop & Butler Cove and the South Olympia and Chambers study areas to lower densities; and

WHEREAS, the City of Olympia issued a Draft Supplemental Environmental Impact Statement on August 15, 2012, and the Final SEIS on November 1, 2012, addressing the proposed City and applicant-initiated amendments; and

WHEREAS, Thurston County issued a Determination of Non-Significance on October 9, 2012, addressing the joint plan amendments; and

WHEREAS, on August 20, 2012, the Olympia Planning Commission held a public hearing to receive public testimony on the proposed amendment redesignating Trillium, as well as testimony on the proposed amendment by staff to update park level of service standards and park inventory tables to be consistent with the 2010 Parks, Arts, and Recreation Plan; and

WHEREAS, on October 10, 2012, the Olympia Planning Commission held a joint public hearing with the Thurston County Planning Commission to receive public testimony on the proposed amendments concerning a proposal by the County to redesignate portions of the unincorporated French Loop & Butler Cove and S. Olympia & Chambers study areas to lower densities; and

WHEREAS, the Olympia Planning Commission recommended amending the Olympia Comprehensive Plan and the Olympia Zoning Map to designate a portion of Trillium on the

south side of Morse-Merryman Road from Neighborhood Village (NV) to a split designation, with Residential 4 units per acre-Chambers Basin (R-4CB) on the eastern one-half and Residential 4-8 units per acre (R4-8) on the western half; and

WHEREAS, the Olympia Planning Commission recommended amending the Olympia Comprehensive Plan so that the park level of service standards and park inventory tables are consistent with the 2010 Parks, Arts and Recreation Plan; and

WHEREAS, the Trillium application received the most public comments, many of which called for a designation allowing less density and more restrictions than the alternatives sought in the owner's application; and

WHEREAS, the R-4 CB zone was designed to address unique drainage issues in the flat area of Chambers Basin in Olympia with high groundwater; and

WHEREAS, although concerns such as stormwater were raised in public comments on the Trillium application, the record before the Council does not reflect that the site has the characteristics to which the R-4 CB designation is intended to apply; and

WHEREAS, the City's Hearing Examiner, the Honorable Thomas R. Bjorgen, issued an adjudicated recommended denial decision on a Trillium Neighborhood Village Master Plan Development, which decision was adopted in substantial part by the Council; and

WHEREAS, the Olympia Planning Commission and the Thurston County Planning Commission recommend redesignating portions to the east and west of the unincorporated French Loop and Butler Cove study area that are currently served with City water and/or sewer from Residential 4-8 Units per Acre (R4-8) to Residential 4 Units Per Acre (R4); and designating portions of the unincorporated French Loop and Butler Cove study area currently not eligible for City sewer services from Residential 4-8 units per acre (R4-8) to Residential 1 unit per 5 Acres (R 1/5); and

WHEREAS, the joint plan provides for long-term urban growth areas consistent with County-Wide Planning Policies, where growth is planned to occur within an 11-25 year time frame, and the City agrees the French Loop & Butler Cove area may have characteristics of a long-term urban growth area; and

WHEREAS, the Olympia Planning Commission recommended redesignating those areas in the unincorporated South Olympia and Chambers Study area north of Chambers Ditch from Residential 4-8 units per acre (R4-8) to Residential 4 units per acre—Chambers Basin (R-4CB), and areas south of Chambers Ditch from Residential 4-8 units per acre (R4-8) to Residential 4 units per acre (R-4); and

WHEREAS, the Olympia City Council held a public hearing on said recommendations on November 5, 2012; and

WHEREAS, the Olympia City Council deliberated on the proposed recommendations on November 5 and November 20, 2012; and

WHEREAS, the Olympia City Council finds it necessary and in the public interest that the Olympia Comprehensive Plan and the Olympia Zoning Map be amended as indicated in Exhibits A, B, C, and D; and

WHEREAS, for the reasons stated in Exhibit E, the owner's alternative requested designation of R 4-8 is appropriate for Trillium; and

WHEREAS, the Olympia City Council determines that the amendments adopted by this Ordinance maintain the public health, safety and welfare; and

WHEREAS, the Olympia City Council determines that the amendments will not be materially detrimental to uses or property in the immediate vicinity of land affected by these amendments; and

WHEREAS, the Olympia City Council determines that the amendments adopted by this Ordinance meet the criteria set forth in Olympia Municipal Code Sections 18.59.040 and .050 and meet all other applicable legal criteria; and

WHEREAS, the Olympia City Council determines that the proposed amendments, individually and collectively, as adopted by Council are consistent with the Growth Management Act, the Comprehensive Plan, the County-Wide Planning Policies, and the City's development regulations; and

WHEREAS, the Olympia City Council determines that the Olympia Zoning Map amendments adopted by this Ordinance are consistent with the proposed Comprehensive Plan Future Land Use Map amendments adopted by this Ordinance; and

WHEREAS, this Ordinance is supported by the Agenda Item Summary and attachments associated with this Ordinance, along with documents on file with the City of Olympia; and

WHEREAS, this Ordinance is adopted pursuant to RCW 36.70A and Article 11, Section 11, of the Washington Constitution;

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

Section 1. Amendment of Olympia Comprehensive Plan Parks, Arts, and Recreation Chapter and Map 7-1 (Chapter 7). The current Olympia Comprehensive Plan Parks and Open Space Chapter and Map 7-1 is hereby replaced with the Olympia Comprehensive Plan Parks and Open Space Chapter and Map 7-1 attached hereto as Exhibit A and Exhibit B, which are hereby incorporated by reference as though fully set forth.

Section 2. Amendments to the Olympia Comprehensive Plan Future Land Use Map 1-3. The current Olympia Comprehensive Plan Future Land Use Map 1-3 is hereby replaced with the Olympia Comprehensive Plan Future Land Use Map 1-3 attached hereto as Exhibit C, which is hereby incorporated by reference as though fully set forth.

Section 3. Amendments to the Olympia Zoning Map. The current Olympia Zoning Map is hereby replaced with the Olympia Zoning Map attached hereto as Exhibit D, which is hereby incorporated by reference as though fully set forth.

Section 4. Recitals. The recitals above constitute and shall be treated as findings and conclusions in support of this Ordinance and, together with the exhibits and attachments to this Ordinance, comprise the analysis required by applicable provisions of the Olympia Municipal Code and the Comprehensive Plan, including Olympia Municipal Code Sections 18.59.040 and .050 for the Trillium rezone and map amendment.

Section 5. Maps. The City Manager or his designee is authorized to prepare such maps reflecting this Ordinance. The Mayor is authorized but not required to sign an Official Zoning Map and Comprehensive Plan Future Land Use Map reflecting this Ordinance.

Section 4. 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 5. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 6. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Darren Nienaber

DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: