

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, relating to rezone criteria; amending Olympia Municipal Code Sections 18.59.000 and 18.59.050; and adding a NEW SECTION 18.59.055 to Chapter 18.59 of the Olympia Municipal Code.

WHEREAS, on May 19, 2014, the Olympia Planning Commission held a duly-noticed public hearing regarding a proposal to revised the criteria applicable to requests for zoning map amendments, commonly known as "rezones;" and

WHEREAS, the Planning Commission provided due notice that written comments would be accepted until June 12, 2014; and

WHEREAS, the Planning Commission duly considered all comments received and on July 21, 2014, concluded its deliberations regarding this matter by recommending that the City Council adopt the code amendment as set forth below; and

WHEREAS, pursuant to RCW 36.70A.106, notice of this proposal was provided to the Washington Department of Commerce on August 18, 2014; and

WHEREAS, on September 19, 2014, the City of Olympia issued a State Environmental Policy Act 'Determination of Non-significance' (DNS) regarding this proposal, and that DNS has not been appealed; and

WHEREAS, on December 16, 2014, the Olympia City Council adopted an update to the Olympia Comprehensive Plan which, in part, reads, "Proposed rezones shall meet criteria to be adopted into the Olympia Municipal Code that address: 1. Consistency with the Comprehensive Plan; 2. Consistency with the City's development regulations that implement the Comprehensive Plan; 3. Compatibility with adjoining zoning districts and transitioning where appropriate to ensure compatibility; [and] 4. Adequacy of infrastructure in light of development potential of the proposed zoning;" and

WHEREAS, the City Council finds that the amendment as set forth below is consistent with the Comprehensive Plan and in particular with the provision set forth above;

WHEREAS, this Ordinance is supported by the staff report and accompanying materials concerning the Ordinance, along with documents on file with the City of Olympia, and the professional judgment of City staff; and

WHEREAS, this Ordinance is adopted pursuant to Article 11, Section 11, of the Washington State Constitution and other applicable authority;

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

Section 1. Amendment of OMC 18.59.000. Olympia Municipal Code Section 18.59.000 is hereby amended to read as follows:

Chapter 18.59 OLYMPIA COMPREHENSIVE PLAN AMENDMENT PROCESS

18.59.000 Chapter Contents

Sections:

- 18.59.010 Plan amendment procedures.
- 18.59.020 Preliminary review and evaluation criteria.
- 18.59.030 Council approval of final docket.
- 18.59.040 Final review and evaluation.
- 18.59.050 Decision criteria for rezone requests.
- 18.59.055 Consistency between the zoning map and the future land use map.
- 18.59.060 Planning Commission and City Council review and adoption process.
- 18.59.070 Timing and exemptions.
- 18.59.080 Notification of comprehensive plan amendment process.

Section 2. Amendment of OMC 18.59.050. Olympia Municipal Code Section 18.59.050 is hereby amended to read as follows:

OMC 18.59.050 Decision criteria for rezone requests

The Department shall forward rezone, i.e., zoning map amendment, requests to the Planning Commission for review and recommendation and to the City Council for consideration for review and action. The following criteria will be used to evaluate the each rezone request. A zoning map amendment shall only be approved if the Council concludes that at minimum the proposal complies with subsections A through C. To be considered are whether:

- A. The rezone is consistent with either the Comprehensive Plan including the Plan's Future Land Use map as described in OMC 18.59.055 or with a concurrently approved amendment to the Plan. and
- B. The rezone will maintain the public health, safety, or welfare, and
- C. The rezone is consistent with other development regulations that implement the comprehensive plan.
- ~~D. The rezone is warranted in order to achieve consistency with the Comprehensive Plan, or because of a need for additional property in the proposed land use district classification, or because the proposed zoning classification is appropriate for reasonable development of the subject property, and~~
- ~~E. The rezone will not be materially, detrimental to uses or property in the immediate vicinity of the subject property.~~

D. The rezone will result in a district that is compatible with adjoining zoning districts; this may include providing a transition zone between potentially incompatible designations.

E. Public facilities and services existing and planned for the area are adequate and likely to be available to serve potential development allowed by the proposed zone.

~~Rezone requests not accepted for review may be resubmitted by the proponent, subject to the timelines contained in this chapter.~~

Section 3. New Section OMC 18.59.055. There is hereby added to Olympia Municipal Code a Chapter 18.59 a NEW SECTION 18.59.055 as follows:

OMC 18.59.055 Consistency between the zoning map and the future land use map

A. Although the Future Land Use map is not specific with regard to the edges of Land Use designations, the zoning map boundaries should not vary more than 200 feet from the land use designation shown on the Future Land Map.

B. Each Neighborhood Retail or Neighborhood Center district, if any, shall be no further than four blocks (approximately 1000 feet) from a Neighborhood Center location indicated on the Future Land Use Map or is at a location proposed pursuant to the Subarea Planning process described in the Comprehensive Plan.

C. Districts on the zoning map shall correspond to categories of the Future Land Use Map in accordance with the following table and be consistent with the purposes of each designation. Only those districts listed below are deemed to be consistent with the corresponding Future Land Use map designation, provided that zoning districts in locations enacted prior to January 1, 2015, may remain.

| <u>FUTURE LAND USE MAP DESIGNATION</u> | <u>ZONING DISTRICT(S)</u> |
|---|---|
| <u>Low Density Neighborhoods</u> | Residential - 1 Unit per 5 Acres Residential Low Impact Residential - 4 Units per Acre Residential - 4 to 8 Units per Acre Residential - 6 to 12 Units per Acre (only when adjacent to similar or higher density zoning district) |
| <u>Medium Density Neighborhoods</u> | Residential Multifamily - 18 Units per Acre Residential Multifamily - 24 Units per Acre |
| <u>Mixed Residential</u> | Mixed Residential 7 - 13 Units per Acre Mixed Residential 10 - 18 Units per Acre |
| <u>Neighborhood Centers</u> | Neighborhood Retail Neighborhood Center District |

| <u>FUTURE LAND USE MAP DESIGNATION</u> | <u>ZONING DISTRICT(S)</u> |
|---|--|
| <u>Residential Mixed Use</u> | <u>Residential Mixed Use</u> <u>Urban Residential</u> <u>Urban Waterfront – Housing</u> |
| <u>Planned Developments</u> | <u>Planned Unit Developments</u> <u>Neighborhood Village District</u> <u>Community-Oriented Shopping Center</u> <u>Urban Village District</u> |
| <u>Professional Office & Multi-family Housing</u> | <u>Professional Office / Residential Multi-family</u> |
| <u>Urban Corridor</u> | <u>High-Density Corridor - 1</u> <u>High-Density Corridor - 2</u> <u>High-Density Corridor – 3 (only within area designated High Density Neighborhood Overlay)</u> <u>High-Density Corridor - 4</u> <u>General Commercial</u> <u>Commercial Services – High Density</u> <u>Manufactured Housing Park</u> <u>Mixed Residential 10 to 18 Units per Acre</u> <u>Residential Multifamily 18 Units per Acre</u> <u>Residential Multifamily 24 Units per Acre</u> |
| <u>Urban Waterfront</u> | <u>Urban Waterfront</u> <u>Urban Waterfront – Housing</u> |
| <u>Central Business District</u> | <u>Downtown Business</u> |
| <u>General Commerce</u> | <u>General Commercial</u> <u>Commercial Services – High Density</u> |
| <u>Auto Services</u> | <u>Auto Services</u> |
| <u>Medical Services</u> | <u>Medical Services</u> |
| <u>Light Industry</u> | <u>Light Industrial / Commercial</u> |
| <u>Industry</u> | <u>Industrial</u> |

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 Nienabe
DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: