



# City of Olympia

City Hall  
601 4th Avenue E  
Olympia, WA 98501

Contact: Amy Buckler  
(360) 570-5847

## Meeting Minutes Planning Commission

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Monday, October 29, 2012

6:30 PM

Council Chambers

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### Special Meeting

#### 1. CALL TO ORDER

##### 1.A ROLL CALL

**Present:** 8 - Commissioner Judy Bardin, Commissioner Roger Horn, Commissioner Paul Ingman, Commissioner Agnieszka Kizza, Vice Chair Larry Leveen, Commissioner Jerome Parker, Commissioner Rob Richards, and Chair Amy Tousley

**Excused:** 1 - Commissioner James Reddick

#### 2. APPROVAL OF AGENDA

The Commission will discuss the length of their meetings during reports.

**Chair Tousley moved, seconded by Commissioner Leveen, to move Approval of Minutes to just before Item #7 - Reports. The motion passed unanimously.**

#### 4. PUBLIC COMMENT

00:03:05 - Chris Goddard. Ms. Goddard read a letter from Cynthia Stewart regarding the Comprehensive Plan Update. (The letter is included in the Comprehensive Plan Update record.)

#### 5. ANNOUNCEMENTS

Associate Planner Amy Buckler announced she placed public comments received since last Wednesday on Commissioners' chairs. Also at the end of the tables are large maps for pick up which depict current development, and potential residential and commercial development in the north counties.

#### 6. BUSINESS ITEMS

**12-0671** PUBLIC HEARING on Urban Agriculture Code Amendments

**Attachments:**    [Proposed Code Language animals](#)  
[Proposed Code Language Farm Stands](#)  
[Proposed Code Language Fences](#)  
[Urban Ag Public Comments Carol S.](#)  
[Urban Ag Public Comment Jeff J.](#)  
[Urban Ag Public Comments Jeff J Part 2.](#)

Associate Planner Jennifer Kenny provided a briefing on proposed urban agriculture code amendments. The proposed amendments are outlined in the staff report and regard fencing standards, food stands, and chickens.

Commission discussion and question and answers with Ms. Kenny:

- The conditional use permit would be an administrative decision, unless someone requests a public hearing in which case the decision would be made by the Hearing Examiner following a public hearing.
- Building permits are required for fences over 6' tall. Ms. Kenny will clarify the cost of this building permit at final deliberations.
- The Animal Control Board recommended not allowing geese and turkeys due to noise and smells. Tumwater allows geese and turkeys, but Lacey does not.
- A food lot is when two pieces of property are near each other without a fence. Planner Kenny will clarify this for deliberations.
- There are some non-substantive edits needed on the code language prior to deliberations.

The Public Hearing opened at 00:18:33. (Following is a brief summary of comments. Please listen to the audio recording for full comments.) 00:18:35

- T.J. Johnson, representing Sustainable South Sound. Addressed each element of the proposed amendments: 1) Animals - Setback for coops is proposed to be 20' and this might be difficult on small lots. This is more than Tumwater and Lacey. Agrees with concerns raised about ducks and geese on small lots, but may be appropriate on lots larger than 1 acre; 2) Sales - Food stands are a small step to developing neighborhood commerce; 3) Fences - Concern that the fence costs, permit and appeal processes are not clear. Concern that code would not allow low-voltage solar electric fences, which are the most effective for keeping raccoons and other predators out. Tumwater and Lacey allow these, and they are safe and can be attractive. Raccoons can climb deer fences, but will turn around upon touching a low-voltage wire. Planner Kenny confirmed time for the permit is typically up to two weeks or less. The cost starts at \$90 and it goes up incrementally from there based on the value of the fence. Mr. Johnson added that a \$90 fence permit could be a disincentive to urban agriculture.

00:26:40 - Carol Simmon. Spoke in favor of the proposal. Consider waiving the permit fee for fences over 6' as a way of encouraging urban agriculture. Wonders why ducks excluded. Her email comments are in the record. Planner Kenny clarified that Animal Services recommended not allowing ducks and geese due to noise and smells. It is unknown why Tumwater decided to allow them.

00:30:40 - Angie Warner-Rein, 1353 Thurston Ave NE. Spoke in favor of the proposal. A few areas to consider changing include possibility of allowing a minimum of two goats because it is known goats need a companion for their well-being; decrease the setback for front yard fences to 5'; clarify the permit process; consider allowing low-voltage solar fencing. Commissioner Parker verified that on parcels with a minimum of 5,000 sq. ft., two goats are allowed. There is no provision for a goat on parcels less than 5,000 sq. ft.

00:35:29 - Celeste Wade, 1307 Gemini St, Lacey. Supports the proposal to increase number of chickens allowed. Would like to see more language like Lacey has (i.e., require 1,000 sq. ft. per bird rather than simply put a cap on number allowed.) Concerned about Section B.3 that states, "chickens shall be confined." What does that mean? Concerned about proposed language regarding rabbits. Why does the language state rabbits need for 1,000 sq. ft. of space for rabbits? Commercial rabbits are always confined to cages. Agrees with lowering the permit cost for fences. SUBMITTED WRITTEN COMMENTS.

00:42:45 - David Willis, 1702 18th Court, Olympia. On mini-goats, consider allowing them on lots of a minimum 3,000 sq. ft. Agrees that a 5' front yard setback is okay. Agrees with previous commentary that low-voltage solar fencing would be okay, not a danger. Wonders are there any obstacles to having a community garden at a church (commercial lot?) Planner Kenny clarified that there is nothing in the proposed code to prohibit community gardens.

Commission Discussion and Q&A with speakers:

- Upon Commissioner request, Ms. Wade clarified the circumstances regarding breeding and processing rabbits.
- Planner Kenny clarified there are currently no special restrictions for pot belly pigs.
- Ms. Kenny will look into whether there has been an assessment of Animal Service's or the Health Department's ability to deal with the proposed changes.
- Ms. Kenny will look into how many fence permits over 6' the City usually processes in a given year.

**The public hearing was held and closed.**

**12-0692**

**PUBLIC HEARING on Comprehensive Plan Update 'July Draft'**

- Attachments:**
- [1. Link to July Draft of Comprehensive Plan Update](#)
  - [2. Public Comments Post 5:00 p.m. 9/17/2012 to Current](#)
  - [3. Information Requested by Commissioners, Part 1.pdf](#)
  - [4. Information Request List](#)

Chair Tousley opened the public hearing at 00:51:56. (Following is a brief summary of comments. Listen to audio recording for full comments.)

00:51:58 - T.J. Johnson, representing Sustainable South Sound. Would like to see much stronger, clearer language in the Comprehensive Plan regarding food security and urban agriculture. He has reviewed draft language with Commissioner Leveen, and is fully supportive of all the ideas Commissioner Leveen proposed.

00:54:35 - Angie Warner-Rein, 1353 Thurston Ave NE, Vice President of Bigelow Highland Neighborhood Associations. Would like to see stronger language to encourage food security and urban agriculture.

00:56:20 - Gary Ball, 7931 Marietta, representing the Olympia Yacht Club. Has several comments: 1) Land Use & Urban Design chapter - make sure Downtown Master Plan is consistent with the rest of plan, including expanding waterfront uses; 2) Protecting Views - what is proposed may render many buildings non-conforming. Do not preclude waterfront area from having 2 floors. The entire shoreline does not need to have open views of water. Boats can be part of the waterfront view; 3) Natural Environment chapter - language is too vague regarding Capitol Lake. City should support a position to retain the dam. There are many ways to address sea level rise on private property that do not involve City protection or interference; 6)

Economics - The Yacht Club's guest dock is a popular destination for boaters and an important economic driver; 7) Parks, Arts & Recreation - Yacht Club has granted an easement to the City for Percival Landing, and happy to do so.

01:00:20 - Holly Gadbow, 1625 Sylvester St SW. Concerned about incomplete nature of the proposed plan. Has been involved with growth management issues for many years. Lack of a Capital Facilities Plan element is particularly concerning. Feels the City is misleading the public that the Comprehensive Plan update will be adopted without completing all the required elements. The purpose of the CFP is to demonstrate that we can serve the community with facilities to support the forecasted population, based on the forecasted population and proposed densities on the future land use map. The Plan talks a lot about sustainability, but 59% of the City is zoned at 4-8 units per acre, which does not support the transportation and land use goals. There is a big disconnect and a lot of missing pieces. You need to know the populations of the neighborhoods so you know what you are planning for, the level of service, and whether or not you can provide it. SUBMITTED A LETTER WITH MIKE MCCORMICK.

01:14:00 - Mike McCormick. There is no indication that Mr. McCormick's previous comments have been reviewed and analyzed. This phase of the Comprehensive Plan Update has not been a stellar process. The draft is incomplete, inaccurate, and does not meet the requirements of the GMA. Encourages the Commission to strongly advocate to the City Council that all requirements be met prior to the 2016 deadline. SUBMITTED WRITTEN COMMENTS. Commissioner Leveen clarified this is a phased process. Wonders if there is a problem with reviewing goals and policies first, and then completing the rest of the requirements. Mr. McCormick stated new policies need to be analyzed for how they affect other policies or elements of the CFP, what the impact is on development regulations, and whether it will fundamentally change CWPP or relationship with adjacent jurisdictions. Planners are overworked. Staff should provide a more thorough analysis and prove consistency with GMA.

01:24:45 - Ron Hinton, 3339 30th SE, represents Olympia Arts Alliance. Wants the Plan to encourage arts and artists in the downtown, and support implementation such as an artist space downtown.

01:30:42 - Carl See, 3141 Hoadly St SE, President of the Carlyon North Neighborhood Association. Has an idea that might help move things along. Has previously argued that well-established and historic neighborhoods in southeast Olympia should be removed from the Urban Corridor. Tumwater will conduct sub-area planning for Tumwater Square area in 2013, and consider their Comprehensive Plan in 2014. For consistency and to provide better engagement to community, limit density in the urban corridor to current maximum of 7 units per acre. After Tumwater puts forward their plan, then Olympia can consider changing the density. Tumwater Square might be a density node, which could allow for reduced densities elsewhere. City of Olympia should provide better definition of what "Urban Corridors" means. Ms. Buckler confirmed the zoning is R4-8 units per acre. Mr. See confirmed a previous reference to an office building development on the corner of Carlyon and Capital Blvd. The building's foundation has been laid; it's being built, but currently does not have an occupant.

01:36:44 - Peter Guttchen, 1310 Central St NE. Many things he likes about the Plan, including sub-area planning and urban agriculture. Concerns about the public process for the Comprehensive Plan update. The process started out great, but died out after the focus meetings. The City was too silent after the focus meetings, and the draft submitted in April made him feel lost and disillusioned as he tried to understand where his comments went. The online version wasn't searchable.

Expectations and imaginations were lit initially, but lately it's been the same old tired process. Hoped it would be a "community party" at this point, but Plan does not include enough voices, such as those of young people or people of color. Wants a robust, lively dialogue as City and community move forward. Specifically, a response to public comments is needed and more creative outreach for future processes.

SUBMITTED WRITTEN COMMENTS. Commissioner Parker clarified his understanding that at the October 25 Land Use & Environment Committee meeting Director Keith Stahley made a commitment to provide a comment response document.

01:50:00 - Joseph Becker, 2304 Muirhead. Wonders how public involvement can be more intimate? A few years ago, he tried to spearhead a revamp of public outreach in Olympia regarding Accessory Dwelling Units. He had volunteers, but could not get traction. There does not seem to be the staff capacity to do things that the public wants and is willing to help with. How can we connect people and programs, and build a citizen-led workforce, to build capacity?

02:01:40 - Celeste Wade, 1307 Gemini St, Lacey. In regard to Mr. Becker's comments, the draft talks about wanting to create small neighborhood spaces. There are a lot of farmers out there that want to create publicly accessible garden and agriculture spaces in neighborhoods. At the request of Commissioner Parker, Mr. Becker spoke about the Eco Building Guild and other volunteer organizations. The Commission closed the public hearing at 02:01:19. The written record will be kept open until 5:00 p.m. on Friday, November 2.

**The public hearing was held and closed.**

## 12-0688

### Preparation for Final Deliberations

Chair Tousley said she attended the Council's Land Use & Environment Committee (LUEC) on October 25. LUEC will recommend to the City Council that they extend the Commission's review of the Comprehensive Plan update through March 31, 2013. This will be on Council's consent calendar November 5. Councilmember Hankins wanted a focus on priorities. Councilmember Langer stated the Comprehensive Plan should be a broad goal and policy document. Comprehensive Plan Subcommittee (CPU) Chair Rob Richards spoke about the October 17 CPU meeting. CPU asks that all Commissioners bring their list of trends or highlights that rose out of public comments to the November 5 meeting for discussion. It will take 3 votes to have an item included on the Commission's deliberation list.

#### Commission Discussion:

- Staff will follow up regarding whether or not Mr. Stahley said there will be a comment response document to track public comments on the Comprehensive Plan update at the LUEC meeting.
- Concern about Holly Gadbow and Mike McCormick's comments at the public hearing. Would be helpful to have someone from Department of Commerce to speak to the issues.
- Planning Manager Todd Stamm clarified the GMA compliance timeline.
- Many aspects of the process are frustrating, but the Commission needs to move away from process discussions and focus on the policy recommendations.
- The Commission is frequently hearing from the public that the process is flawed, and it is important to respond to these comments. - We can't separate GMA compliance with the Comprehensive Plan update. Don't want to find out later that whole sections were not completed. It is still not clear what exactly is missing based on their comments.
- The Commission should not be doing staff level work.
- Maybe a phased approach to the Comprehensive Plan update is not the best

approach because people feel uncomfortable with it. - Concerns need to be included in a transmittal letter to Council, but that's cold comfort.

- If OPC tries to interpret the GMA on their own, it will take years to review the statute and court cases.
- There is confusion about whether or not topics identified by the Commission on November 5 should include non-substantive text edits.
- How will the Commission complete all the items for November 5 without having a late meeting?
- The Commission needs to think about how to proceed with the topics discussion on November 5.
- Everybody has to get on the same page regarding the process, then take a break, then review topics, then prioritize them.
- The Commission has been so busy with large packets and too many meetings. Would like to have a break to read the comments and the draft plan before launching into the topics discussion.

The Commission decided to move the prioritization of topics to Nov 19. November 5 will just be the Urban Agriculture deliberations, voting procedures, and vision/values statements.

**The report was received.**

**3. APPROVAL OF MINUTES**

The Commission reviewed the minutes.

**12-0608**

Approval of August 10, 2012 Planning Commission Finance Subcommittee Meeting Minutes

**Attachments:**     [Draft Minutes](#)

**Commissioner Horn moved, seconded by Commissioner Leveen, to approve the minutes. The motion passed unanimously.**

**12-0680**

Approval of September 17, 2012 Planning Commission Meeting Minutes

**Attachments:**     [Draft minutes](#)

**Commissioner Leveen moved, seconded by Commissioner Richards, to approve the minutes. The motion passed unanimously.**

**12-0668**

Approval of October 3, 2012 Planning Commission Finance Subcommittee Meeting Minutes

**Attachments:**     [Draft minutes](#)

**Commissioner Leveen moved, seconded by Commissioner Parker, to approve the minutes. The motion passed unanimously.**

**12-0697**

Approval of October 17, 2012 Planning Commission Comprehensive Plan Update Subcommittee Meeting Minutes

**Attachments:**     [Draft Minutes](#)

**Commissioner Richards moved, seconded by Commissioner Leveen, to approve the minutes. The motion passed unanimously.**

## 7. REPORTS

Commissioner Horn stated the Commission's recommendation letter on the long-range community development investment plan will be forwarded to the City Council this week.

Commissioner Bardin noted the Utility Advisory Committee received a briefing regarding Silver Springs composting company. The company closed and there is an offer to sell the land to the City. The UAC also recommended rate increases for drinking water and waste. In the short-term when people use less water, the rates have to go up to cover the cost of infrastructure. In the long-term, this will save the community money because new infrastructure will not be needed.

Commissioners Ingman and Kiswa attended a meeting with Mithun in Seattle to discuss the cost and scope of work for the design software. It was very exciting.

Commissioner Leveen is drafting an email to BPAC regarding the Devoe Street connection and Ken Lake neighborhood connection to Kaiser Rd.

Commissioner Parker stated that the report on valuation of natural systems submitted by Gus and Lou Guethlein at the October 22 meeting is excellent, and should be very useful. He encouraged the Commissioners to read it.

Chair Tousley asked the Commission to consider whether December 10 or 17 works better for a meeting to replace the November 12 meeting. The Commission will decide on November 5.

Commissioner Bardin talked about meeting length. The large packets, number of items on each agenda and related length of meetings is too exhausting. Wants meetings to end at 9:30, and meeting schedule needs to be more realistic.

**Commissioner Bardin moved, seconded by Commissioner Kiswa, that the Commission strive to end their meetings at 9:30 p.m. The motion passed 8-1, with Chair Tousley abstaining. Commissioner Richards added that the Commission should stick to their agenda and times as part of striving.**

## 8. ADJOURNMENT

The meeting adjourned at 10:00 p.m.

### Accommodations

*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 Advisory Committee meeting, please contact Community Planning and Development at (360) 753-8314 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.*