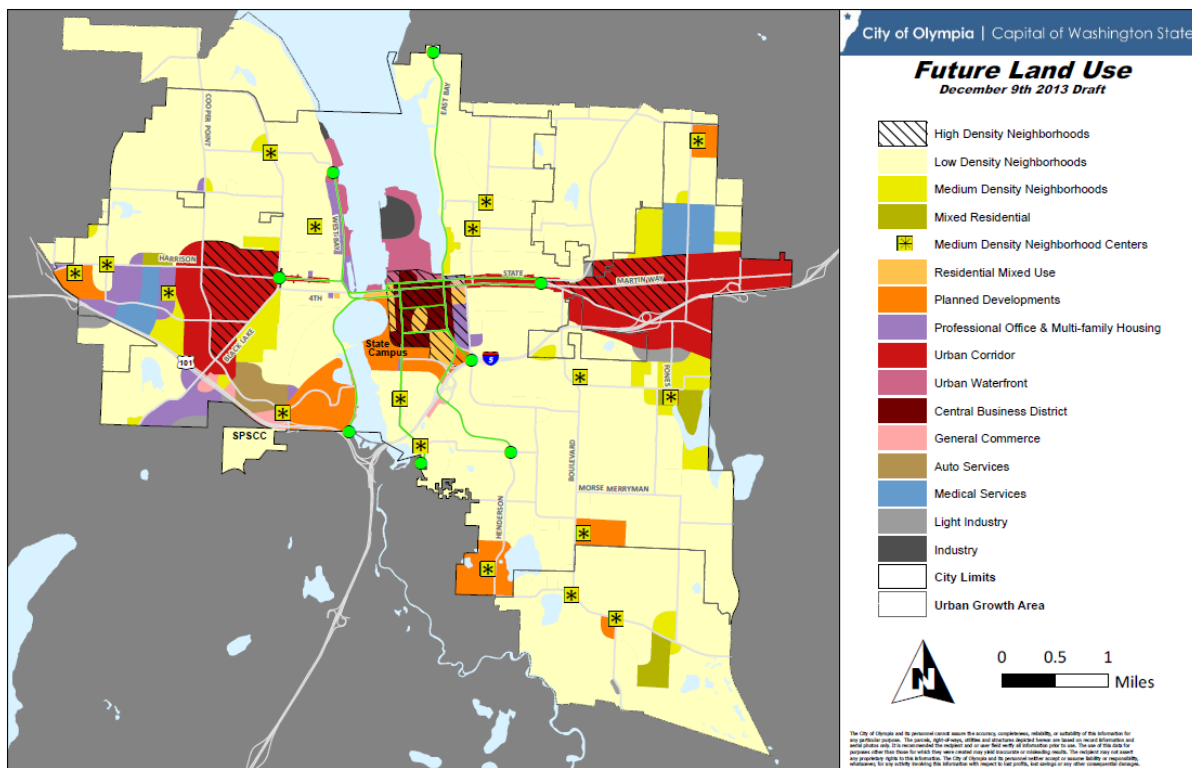


## Background & Summary of Key Decision Points

### The Purpose and Power of the Future Land Use Map

The Future Land Use Map is a requirement of the Growth Management Act. It shows the approximate locations of various residential, commercial, industrial and mixed use land uses in the city and its growth area. This map is not a zoning map. It provides guidance for establishing zoning and other regulations and ensures land use and development consistent with the Comprehensive Plan.

Although the map lines are approximate, all future land uses should be consistent with the intent of this map, the general land use category descriptions, goals and policies in the Plan. Below, the general land use categories are listed in the legend and their locations on the map.



*The above map, dated December 9, is the most current OPC deliberation map. It corrects the Nov 18 map where four small pockets of medium density neighborhoods were mislabeled.*

This map is different than the version in the OPC Recommended Draft online in two key ways:

1. Certain areas have been re-designated from urban corridor to low density neighborhoods, including:

- The area south of I-5 that includes the Wildwood, Governor Stevens and Carlyon neighborhoods.
  - Portions along Harrison Ave east of Division, and State and Fourth Ave from Eastside to the Pacific/Martin Triangle, no longer have ½ mile wide urban corridors. The smaller urban corridor in these locations varies in width, and corresponds directly to the current high density corridor zoning.
2. The Planning Commission is considering changes to a few of the land use category descriptions that define the map. These are identified in a separate document. An example:
- As defined in the OPC online draft “low density neighborhoods (LDNs)” allow zoning of up to 8 units per acre. (This is consistent with the definition for “low density residential” in the current Comprehensive Plan.)
  - OPC is considering a change to the description of LDNs that would allow zoning with densities of up to 14 units per acre in LDN designated areas.
  - This does not mean areas designated as LDN on the map will automatically be rezoned to allow 14 units per acre. See below.

Currently, of all 34 of the City’s zoning districts, six are potentially consistent with the 14 u/a LDN designation:

1. Residential One Unit per 5 Acres (R 1/5)
2. Residential 4 Units per Acre (R4)
3. Residential 4 Units per Acre – Chambers Basin (R4-CB)
4. Residential Low Impact (RLI)
5. Residential 4-8 Units per Acre (R 4-8)
6. Residential 6-12 Units per Acre (R 6-12)

If a 14 u/a LDN designation is adopted, potential code updates may include:

- Creating a new zone that allows densities of up to 14 units per acre, or
- Revising standards of a current zoning district to do the same, or
- Rezones of areas designated as LDN from one of the above zones to another.

In addition to the future land use map and designations, goals and policies throughout the Comprehensive Plan also guide rezone decisions.

### **The Rezone Process**

Currently, each time the City considers a rezone, it must also consider a Comprehensive Plan amendment to change the Future Land Use (FLU) map. This is because the City’s Zoning Map mirrors our Future Land Use Map (FLU); each of the 34 land use categories on the FLU has an almost identical zoning district on the Zoning map. The FLU proposed in the Plan Update has a

different format, with the 34 categories reduced to 14 more general ones. If this type of FLU map is adopted, rezones consistent with the FLU will not require a Comp Plan amendment.

In evaluating rezones, the City primarily uses a combination of three reference tools:

- 1) The Land Use Designation descriptions in the Land Use chapter of the Comp Plan.
- 2) The rest of the goals and policies in the Plan. These provide additional considerations to apply concerning various uses and locales throughout the city.
- 3) The specific purpose statements of each zoning district in Title 18 of the Municipal Code, which in some cases provides more criteria for where to locate the zone than provisions in the Comprehensive Plan.

The decision criteria and process for rezone requests is outlined as follows in Chapter 18.59 of the Olympia Municipal Code (OMC):

**18.59.050 Decision criteria for rezone requests**

The Department shall forward rezone 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 rezone request.

- A. The rezone is consistent with an approved amendment to the future land use map.
- B. The rezone is consistent with the Comprehensive Plan; and
- C. The rezone will maintain the public health, safety, or welfare; and
- 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.

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

**18.59.060 Planning Commission and City Council review and adoption process**

- A. Following one or more public hearings the Planning Commission shall forward its written recommendation regarding each amendment, including rezones, to the Council.

B. The Council shall review the recommendations of the Planning Commission, may hold a public hearing, and shall decide whether to adopt, modify and adopt, reject or defer to a later date, each proposed amendment, including rezones.

C. Each proponent shall be notified by mail of all public hearings and of the Council's final decision.

Additional regulations about the rezone process are described in Chapter 18.58 of the OMC:

**18.58.020 Authority**

The City Council may, upon its own motion, amend, supplement or change by ordinance, any of the provisions, use district boundaries or use district classifications herein established; provided, that in the case of privately initiated rezones, which do not require a Comprehensive Plan Amendment, the Council shall first review the recommendation of the Hearing Examiner\*, and that in the case of all other non-ministerial changes, including text amendments and privately initiated rezones which require a Comprehensive Plan Amendment, the Council shall first review the recommendation of the Planning Commission.

**18.58.040 Rezone procedures**

In the case of privately initiated rezones which do not require a Comprehensive Plan Amendment, the rezone application shall follow the procedures outlined in Sections [18.82.140](#) through 18.82.280, Hearing Examiner\*.

***\*Earlier this year, the Planning Commission forwarded a recommendation to change the hearing body on rezones that do not require a Comp Plan amendment to the Planning Commission. This will be considered by Council near the same time when they take action on the Plan Update.***

**FLU's Relationship to Zoning**

Referring to an earlier example, there are six current zoning districts that are *potentially* consistent with the 14 u/a LDN designation currently under consideration by OPC:

7. Residential One Unit per 5 Acres (R 1/5)
8. Residential 4 Units per Acre (R4)
9. Residential 4 Units per Acre – Chambers Basin (R4-CB)
10. Residential Low Impact (RLI)
11. Residential 4-8 Units per Acre (R 4-8)
12. Residential 6-12 Units per Acre (R 6-12)

As we dig deeper and read the Zoning Purpose Statements in [OMC Chapter 18.04.020](#), we discover the first four zones listed above are intended for environmentally sensitive areas or

those with stormwater related problems. R 4-8 and R 6-12 are distinguished by the descriptions provided in Section(B):

4. Residential 4-8 Units per Acre (R 4-8). To accommodate single-family houses and townhouses at densities ranging from a minimum of four (4) units per acre to a maximum of eight (8) units per acre; to allow sufficient residential density to facilitate effective mass transit service; and to help maintain the character of established neighborhoods.

5. Residential 6-12 Units per Acre (R 6-12). To accommodate single-family houses, duplexes and townhouses, at densities between six (6) and twelve (12) units per acre, in locations with frequent mass transit service (existing or planned). This includes areas along or near (e.g., within one-fourth (¼) mile) arterial and major collector streets. Parcels located in the High Density Corridor Transition Area are allowed triplex and fourplex housing types.

Under the currently adopted Comprehensive Plan and OMC, as well as the OPC Recommended plan draft online, the R6-12 zone is not compatible with a low density residential land use designation, which only allows for densities up to 8 units per acre.

Should the City change the definition of low density neighborhoods to accommodate up to 14 units per acre, R6-12 would move out of the medium density category and into the LDN designation. As a result, there would be more zoning choices within areas designated LDN, and less zoning districts to choose from in MDN areas. Is that favorable to the Commission, or not?

### **The Significance of Zoning**

Zoning establishes regulations that apply to designated areas in the City. Title 18.04 of the OMC describes the development regulations and allowed uses that apply in each residential zone. This includes setbacks, heights, impervious surface limits and more. Other sections of the Code regulate critical areas, parking, landscaping, design review and other requirements of development.

When a development application is submitted, the City will review the specific proposal as compared to the regulations in the Code. The professional plans reviewer must locate the regulations in the Code which apply to the specific development project. Generally, if a certain aspect of the project is not compliant with the code, the City provides an opportunity for the applicant to correct it before a permit decision is made.

### **Difference between a Land Use Designation & an “Overlay”**

A question has arisen about what it means for the High Density Neighborhood areas to be considered “an overlay” rather than a formal land use designation. An overlay area on a map depicts a specific area where additional criteria for regulations or incentives will apply.

### **The Comprehensive Plan does not “Grandfather”**

“Grandfather” is a slang term, not a technical planning term. A non-conforming use or structure that is “grandfathered in” is allowed to continue despite new regulations that today would prohibit it from obtaining a permit.

For example, pole signs are no longer allowed in the City except in the auto mall and freeway corridor. However, we see a lot of pole signs in the high density corridor; these were permitted under the old sign code. These “grandfathered” pole signs are allowed to remain, but cannot be structurally altered or replaced.

The Future Land Use map should accurately depict the current allowed and future envisioned land uses throughout the city. It would not make sense to provide a land use designation that by definition is consistent with more than one zoning district, while at the same time implementing a policy that denies any rezones because ‘existing zoning is protected and preserved, and not allowed to change.’ If a particular zoning option is not compatible in an area, specific criteria should be adopted to guide the zoning decision.

### **Transportation Corridors Map in the draft Plan**

The Transportation Chapter of the OPC Recommended plan online includes a Transportation Corridors Map. This map depicts an “Urban [Transit] Corridor,” which you will notice extends south of I-5 along Capital Way/Boulevard.

The transit corridor is related in vision, but different in its authority from the Urban Corridors land use designation on the FLU. The descriptions and allowances within the Urban Corridors land use designation do not apply to the areas depicted on the Transportation Corridor Map, a map which does not establish the basis for zoning such as the FLU does.

## Summary of Key Decision Points

In addition to making a recommendation on the various policy edits proposed in the 'Recommended Options' document, there are 3 other key issues to be determined, having to do with Densities, Heights, and Medium-Density Neighborhood Centers.

### 1. Heights

*Commissioners have asked for examples regarding various density ranges with a 35'+ height limit. At the meeting, Commissioner Andresen and staff will conduct an exercise on the screen, and will estimate roughly - using 1-2 site examples – achievable densities assuming these height limits in addition to critical area, transportation access, stormwater and other regulations.*

Proposed heights are as follows:

Land Use Category	OPC Draft Online	Addendum	Option 2	Note
Low Density Neighborhoods (LDN)	2 to 3 stories*  “*approximate size of taller buildings in the area. Specific height or stories limits should be established by dev. regs.” – applies to all below as well	35'-0”.	Up to 3 stories	<i>‘Stories’ provide more flexibility to establish specific height limits in the development standards.</i>  <i>Otherwise, consider whether you want to establish a range vs. a maximum or minimum target.</i>
Medium Density Neighborhoods (MDN)	Up to 3 stories*	35’	Up to 4 stories	<i>Consider allowing a higher maximum height to make higher density development more feasible. A little more height allowance can make a difference in the number of units built.</i>
Medium Density/ Neighborhood-Centers	2-3 stories*	maximum 35'-0”	Up to 4 stories	<i>See above</i>
‘Overlay’	OPC Draft Online	Addendum	Option 2	Note
High Density	None given	No height	<i>Do you</i>	<i>Current zoning in these areas</i>

Neighborhoods (HDN)		limit	want to establish a height limit?	ranges from 35' if any portion of the building is within 100' of R4, R4-8, or R6-12 districts; Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75%, if at least one story is residential.
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### 1. Densities

Commissioners have asked for examples regarding various density ranges with a 35'+ height limit. At the meeting, Commissioner Andresen and staff will conduct an exercise on the screen to roughly estimate achievable densities.

Land Use Category	OPC Draft Online	Addendum	Note
Low Density Neighborhoods (LDN)	Up to 8 units per acre	Up to 14 units per acre (OPC changed it from 4-14)	<p>The shift to a maximum allowed density of up to 14 units per acre in LDN areas marks a big change in that many more areas of the City are potentially eligible for a rezone.</p> <p>If OPC wants to maintain the existing underlying zoning no matter what – for example, so that R4-8 is protected and preserved, and cannot be changed - the FLU designation should be capped at 8 units per acre; OR</p> <p>If OPC wants the zoning to be flexible - but only under certain circumstances – policies should outline specific criteria to guide rezone decisions. See policy proposals in Attachment 2.</p>
Medium Density Neighborhoods (MDN)	6 to 24 units per acre	15 to 30 units per acre	R 6-12 – LDN or MDN? Whichever designation includes R 6-12 will provide a wider range of zoning choices and potential rezone opportunities.
Medium Density/ Neighborhood-Centers	Variable	Implied same as MDN	See attachments 5 & 6 for population info within one-quarter and one-half mile radius from each neighborhood center (star on FLU map.)
'Overlay'	OPC Draft Online	Addendum	Note
High Density Neighborhoods (HDN)	Not included	30 units per acre minimum	Current zoning in these areas do not include minimum or maximum density ranges. Consider whether you want to establish a range vs. a maximum or minimum target.



### **3. Medium-Density Neighborhood Centers**

The Medium-Density Neighborhood Centers (MDNC) are emerging with a somewhat different vision than the existing Neighborhood Center (NC) designation. The latter is anticipated to be small-scale neighborhood commercial, with a small park or public space; while the Commission may clarify if the MDNC is:

- A mixed use zone, comprising approximately 2 to 10 acres, or
- A small commercial area, similar to existing NC's, surrounded by a one-quarter mile radius of medium density housing?