



Meeting Minutes

Land Use & Environment Committee

City Hall
601 4th Avenue E
Olympia, WA 98501
Information: 360.753.8244

Thursday, November 17, 2016

5:30 PM

Council Chambers

1. CALL TO ORDER

Chair Hankins called the meeting to order at 5:33 p.m.

2. ROLL CALL

Present: 2 - Chair Julie Hankins and Committee member Clark Gilman

Excused: 1 - Committee member Nathaniel Jones

OTHERS PRESENT

Assistant City Manager, Jay Burney
Community Planning and Development:
Director Keith Stahley
Deputy Director Leonard Bauer
Downtown Liaison, Mark Rentfrow
Principal Planner, Tim Smith
Office Specialist/Minute Recorder Stacey Rodell

Thurston County Public Health
Senior Environmental Health Specialist, Sammy Berg

Member of the public:
Roger Horn

3. APPROVAL OF AGENDA

The agenda was approved.

4. APPROVAL OF MINUTES

- 4.A** [16-1254](#) Approval of October 20, 2016 Land Use & Environment Committee Meeting Minutes

The minutes were approved.

5. COMMITTEE BUSINESS

- 5.A** [16-1224](#) Critical Areas Ordinance (CAO), Phase 2, Locally Important Habitat and Species Briefing

Mr. Bauer presented a briefing.

Under the Washington State Growth Management Act (GMA), the City is required to update the Critical Areas Ordinance (CAO) periodically as part of the City's Comprehensive Plan update. The required update included a mandate that the City's critical areas sections in the development code must be reviewed to ensure consistency with current best available science (BAS).

In addition to the required update, the Land Use and Environment Committee directed staff to include a review of potential additional protections for locally important habitat and species. To ensure staff could complete the state-required BAS updates by the deadline and to allow more time for an in depth look at the locally important habitat species issue, we divided the tasks into Phase 1 (BAS) and Phase 2 (habitat and species). Phase 1 of the CAO was approved by City Council on July 19, 2016.

The tentative timeline for Phase 2 follows:

- July 2016 Technical Working Group meeting (completed)
- Nov 2016 Technical Working Group follow-up meeting (completed)
- Jan 2017 Public Open House
- Feb 2017 LUEC and Planning Commission briefing
- Feb-Mar 2017 Planning Commission Public Hearing (Including Shoreline Master Program amendment)
- Mar-Apr 2017 City Council Ordinance adoption (Including Shoreline Master Program Ordinance to adopt amendment)

Proposing relying on our existing CAO and Shoreline Master Program (SMP) regulations to protect most species, with the exception of great blue heron and their breeding habitat.

Proposing the following approach to protect heron rookeries:

- Adoption of a fixed-width buffer around mapped heron rookeries
- Timing restrictions on some types of activities (e.g., clearing, grading)
- Consultation with the City and the Washington Department of Fish & Wildlife (WDFW) during project planning
- A 200 foot year-round buffer and a 300 foot seasonal buffer for both the East Bay and West Bay rookeries
- Recommending regulatory language, similar to that outlined in the attached Great Blue Heron Management Plan Draft, to specify requirements for development proposals near the rookeries.

Non-regulatory Protections:

- Recommend the City continue to work with the Olympia Coalition for Ecosystems Preservation and other non-profit groups to pursue opportunities to purchase properties that support or are near known rookeries.
- City already has a Transfer of Development Rights (TDR) program, which

could be used, and could consider development incentives for set asides of important habitat to reduce property tax rates for property owners who voluntarily commit a portion of land to open space or avoiding activities harmful to specific species or habitat.

The Committee unanimously agreed with Phase II timeline, proposals to protect heron rookeries and the next steps in Phase II.

5.B [16-1249](#) Briefing On County Regulations For Public Feeding Programs

Mr. Berg reviewed the requirements for establishments who offer food and when a public restroom is required to be made available to patrons. Mr. Rentfrow provided requirements for the Salvation Army's public feeding program. The both provided clarification to the Committee.

The report was received.

5.C [16-1246](#) 2017 Work Program - Community Planning and Development

Mr. Bauer reviewed the following:

- Community Planning and Development (CPD) 2017 staffing levels for ongoing programs and discretionary programs
- CPD Planning Projects for 2017
- How the 2017 CPD work program links to the Action Plan
- Projects that are not funded in the Downtown Strategy Draft Implementation Plan

The report was received.

5.D [16-1235](#) Report on Code Amendments to Implement the Comprehensive Plan

Mr. Smith presented a report on 2017 Planning Discretionary Program work items with regards to code amendments to implement the Comprehensive Plan.

2016 Work Items continuing into 2017:

- 'Missing Middle Housing' code/fees/standards review
- Sign code update
- Analysis of zoning code provisions regarding drive-thru uses

New Work Items in 2017:

- Short-term rentals
- Auto Mall landscaping
- Neighborhood Center code refinement
- Home occupation code
- Commercial Service High-Density (CS-H) zoning district review
- Commercial Design Review amendment

The report was received.

6. REPORTS AND UPDATES

Mr. Stahley reported:

- Next Land Use and Environment Committee meeting will be on December 15, 2016:
 - Annual annexation report
 - Annual Code Enforcement status report
 - 2017 LUEC work plan

7. ADJOURNMENT

The meeting adjourned at 7:00 p.m.