

**Ordinance No.**

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, ADOPTING THE CITY OF OLYMPIA COMPREHENSIVE PLAN, INCLUDING THE FUTURE LAND USE 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 City of Olympia City Council adopts this Comprehensive Plan in order to meet the mandates of the Growth Management Act; and

WHEREAS, the Growth Management Act affords cities significant flexibility and there are various legitimate alternative methods to accomplish the requirements of the Growth Management Act; and

WHEREAS, the Growth Management Act, in RCW 36.70A.130, requires the City of Olympia to take legislative action to review and, if needed, revise its comprehensive plan and development regulations to ensure their continued compliance with the requirements in Chapter 36.70A RCW by June 30, 2016 (also known as "periodic review"; and

WHEREAS, the Olympia City Council conducted a public scoping process to review its adopted comprehensive plan, and on June 22, 2010, adopted a scope of work for an update to its comprehensive plan including revisions needed to comply with Chapter 36.70A RCW; and

WHEREAS, the proposed comprehensive plan (Exhibit A) includes a capital facilities element that complies with the requirements of RCW 36.70A.070, which is entitled *2015-2020 Capital Facilities Plan*, adopted by the Olympia City Council on December 9, 2014; and

WHEREAS, the City Council finds the proposed Olympia Comprehensive Plan (Exhibit A) goals and policies influenced by or related to shorelines are consistent with the adopted City of Olympia Shoreline Master Program, entitled *Shoreline Master Program for the Thurston Region*, and the goals and policies of that Shoreline Master Program, as amended, are hereby incorporated by reference into the Olympia Comprehensive Plan; and

WHEREAS, the Washington Department of Ecology is currently reviewing the City of Olympia's Shoreline Master Program update, and the goals and policies of the Shoreline Master Program update will be considered an element of the proposed Olympia Comprehensive Plan (Exhibit A) after approved by Ecology, in accordance with RCW 36.70A.480; and

WHEREAS, the City of Olympia established and broadly disseminated to the public a public participation program for the review and revisions to its comprehensive plan, consistent with RCW 36.70A.130(2), 36.70A.035 and 36.70A.140; and

WHEREAS, the City of Olympia issued a Draft Supplemental Environmental Impact Statement on July 18, 2012, a Final SEIS on December 4, 2012, a revised Final SEIS on January 24, 2014, and an addendum to the Final SEIS on October 27, 2014, addressing the proposed Olympia Comprehensive Plan; and

WHEREAS, Thurston County completed its review and evaluation report in accordance with RCW 36.70A.215 in March 2014. The City of Olympia City Council has reviewed that report and concluded that sufficient capacity exists in the current urban growth area adopted by the Thurston County Commissioners to accommodate projected growth, and that no inconsistencies exist between the policies in the proposed City of Olympia Comprehensive Plan (Exhibit A) and the actual and projected growth patterns examined in the report; and

WHEREAS, the City of Olympia provided the draft Olympia Comprehensive Plan to the Washington State Department of Commerce (Commerce) on June 25, 2013, in accordance with RCW 36.70A.106; and

WHEREAS, the Olympia Planning Commission held public hearings on July 23, July 25, September 17, September 24, October 1, October 8, October 15 and October 29, 2012, to receive public testimony on the proposed Olympia Comprehensive Plan; and

WHEREAS, the Olympia Planning Commission recommended adoption of its final draft Olympia Comprehensive Plan on December 16, 2013; and

WHEREAS, the Olympia City Council held public hearings on the draft comprehensive plan on July 22, 2014 and November 3, 2014; and

WHEREAS, the Olympia City Council deliberated on the draft comprehensive plan on August 12, 2014, October 21, 2014, and November 25, 2014; and

WHEREAS, the Olympia City Council finds it necessary and in the public interest that the Olympia Comprehensive Plan with appendices included as Exhibit A be adopted; and

WHEREAS, the Olympia City Council determines that the Olympia Comprehensive Plan adopted by this Ordinance maintains the public health, safety and welfare; and

WHEREAS, the Olympia City Council determines that the adoption of the proposed Olympia Comprehensive Plan meets the criteria set forth in Olympia Municipal Code and all other applicable legal criteria; and

WHEREAS, the Olympia City Council determines that the proposed Olympia Comprehensive Plan is consistent with the Growth Management Act, the Thurston County-Wide Planning Policies, and the regional transportation plan adopted by the Thurston Regional Planning Council in accordance with Chapter 47.80 RCW; and

WHEREAS, the City of Olympia has reviewed its development regulations for consistency with the proposed Olympia Comprehensive Plan and the Growth Management Act, and has determined that the City's adopted development regulations are consistent with the proposed Olympia Comprehensive Plan except for the proposed amendments listed in Exhibit B; and

WHEREAS, the proposed development regulation amendments in Exhibit B have been considered by the Olympia Planning Commission for recommendation to the Olympia City Council according to the schedule included in Exhibit B, and upon adoption by the Olympia City Council will fulfill the requirements of RCW 36.70A.130 for review and revision of development regulations by June 30, 2016; and

WHEREAS, the Olympia Comprehensive Plan provides policy direction for the City's development regulations, and the determination of consistency of individual development proposals with the comprehensive plan is determined by their compliance with the City's adopted development regulations; and

WHEREAS, the City Attorney has evaluated the constitutional provisions potentially at issue with the adoption of this Ordinance and utilized the process established by the State Attorney General (AG) in evaluating this Ordinance, including an evaluation of the process taken by Council and the AG Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property, consistent with RCW 36.70A.370; and

WHEREAS, the staff are known to the City Council and Council considers the professional judgment and experience of City staff that have worked on this Update; and

WHEREAS, the curriculum vitae of staff is made part of the official record; 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 State Constitution;

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

**Section 1. Adoption of the Olympia Comprehensive Plan.** The current City of Olympia Comprehensive Plan is hereby replaced with the City of Olympia Comprehensive Plan attached hereto as Exhibit A.

**Section 2. Adoption of Capital Facilities Plan Goals and Policies.** The goals and policies in the *City of Olympia 2015-2020 Capital Facilities Plan*, and as amended after the adoption of this Ordinance, are hereby included as goals and policies of the Olympia Comprehensive Plan.

**Section 3. Shoreline Master Program Goals and Policies.** The goals and policies of the *Shoreline Master Program for the Thurston Region*, adopted by the City of Olympia in 1990 and as amended, are hereby incorporated by reference into the Olympia Comprehensive Plan.

**Section 4. Periodic Review.** Pursuant to RCW 36.70A.130, with this Ordinance, the City has reviewed and evaluated its Comprehensive Plan and completed its periodic review with respect to the Comprehensive Plan.

**Section 5. 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 and the public record compiled and retained by the City during development of the proposed Olympia Comprehensive Plan, comprise the analysis required by applicable provisions of the Olympia Municipal Code and the Washington Growth Management Act.

**Section 6. 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 7. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 8. Effective Date.** This Ordinance shall be in force and effect five days after its passage by the Olympia City Council and publication, as provided by law.

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MAYOR

**ATTEST:**

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CITY CLERK

**APPROVED AS TO FORM:**

Darren Nienaber DCA

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CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**