



**Nisqually Indian Tribe
Tribal Historic Preservation Office
4820 She-Nah-Num Dr. S.E.
Olympia, WA 98513
(360) 456-5221**

April 7, 2021

To: Joyce Phillips, AICP
Principal Planner
City of Olympia
Community Planning and Development
601 4th Avenue
Olympia WA 98507

From: Brad Beach, Tribal Historic Preservation Officer (THPO)

**Re: 21-1385 2021 Minor Code Amendments to Titles 16 & 18 of the
Olympia Municipal Code**

The Nisqually Indian Tribe's THPO has reviewed the 2021 Code Amendments and supplementary materials that you provided for the above named project and has no comments or concerns at this time. Please keep us informed if there are any Inadvertent Discoveries of Archaeological Resources/Human Burials.

Sincerely,

Brad Beach, THPO
Nisqually Indian Tribe
360-456-5221 ext 1277
beach.brad@nisqually-nsn.gov

cc: Annette Bullchild, Director, Nisqually Indian Tribe,

From: [Shaun Dinubilo](#)
To: [Joyce Phillips](#)
Subject: RE: City of Olympia - Notice of SEPA DNS - 21-1385 2021 Minor Code Amendments to Titles 16 & 18 of the Olympia Municipal Code
Date: Wednesday, April 07, 2021 11:26:40 AM

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Hello Ms. Phillips,

Thank you for contacting the Squaxin Island Tribe Cultural Resources Department regarding the above listed project for our review and comment. We have no specific cultural resource concerns for this project. However, if DAHP recommends a survey, or any other additional recommendations, we concur with DAHP's recommendations. We would prefer to receive an electronic copy by email once completed. If any archaeological or cultural resources are uncovered during implementation, please halt work in the area of discovery and contact DAHP and the Squaxin Island Tribe's Archaeologist, Shaun Dinubilo via email at sdinubilo@squaxin.us.



Shaun Dinubilo
Archaeologist
Cultural Resource Department
Squaxin Island Tribe
200 S.E. Billy Frank Jr. Way
Shelton, WA 98584
Office Phone: 360-432-3998
Cell Phone: 360-870-6324
Email: sdinubilo@squaxin.us

As per 43 CFR 7.18[a][1]) of the Archaeological Resource Protection Act, Section 304 of the National Historic Preservation Act, and RCW 42.56.300 of the Washington State Public Records Act- Archaeological Sites, all information concerning the location, character, and ownership of any cultural resource must be withheld from public disclosure.

From: Kenneth Haner <khaner@ci.olympia.wa.us>
Sent: Wednesday, April 7, 2021 7:31 AM
Cc: Nicole Floyd <nfloyd@ci.olympia.wa.us>
Subject: City of Olympia - Notice of SEPA DNS - 21-1385 2021 Minor Code Amendments to Titles 16 & 18 of the Olympia Municipal Code

The City of Olympia has issued the following **Notice of State Environmental Policy Act**

Determination of Nonsignificance (SEPA DNS) for the project known as 2021 Minor Code Amendments to Titles 16 & 18 of the Olympia Municipal Code.

PROJECT: **21-1385**

See the above attachments for further details.

Please forward questions and comments you may have regarding this project to the staff contact listed below:

- **Joyce Phillips, AICP, Principal Planner, 360.570.3722, jphillip@ci.olympia.wa.us**

Ken Haner
Program Assistant
City of Olympia
Community Planning and Development
PO Box 1967 | 601 4th Avenue | Olympia WA 98507
Phone: (360) 753-8735
Email: khaner@ci.olympia.wa.us

From: [j.d](#)
To: [Joyce Phillips](#)
Subject: How convenient
Date: Wednesday, April 07, 2021 12:37:08 PM

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"The amendments are **generally minor in nature** and are intended to correct code citations and typographical errors, update definitions, provide greater clarity, update language, or provide better alignment with other code sections or the Comprehensive Plan."

This wouldn't be associated with most of Olympia's elected officials wanting to ram through/full speed ahead the WBY development ... would it? Do you really believe that those [of us] opposed to the WBY agreement [as passed by the OCC] are so stupid to believe that "The amendments are **generally minor in nature ...**"

So, the developer's deep pockets [may] reach not only to the mayor and a majority of the [elected] city council members, but also to specific members of the Planning Commission?

Joe Digranes
2634 17th Ave. NW
Olympia, WA 98502

From: [Joyce Phillips](#)
To: [j d](#)
Subject: RE: How convenient
Date: Wednesday, April 07, 2021 12:53:00 PM
Attachments: [2021 Code Amendments.pdf](#)

Thank you for your comments. The comments have been added to the record for this proposal and will be shared with the Planning Commission and City Council during the decision making process. I have attached a copy of the proposed code amendments for your consideration.

The public hearing has been tentatively scheduled for May 17, 2021.
Joyce

Joyce Phillips, AICP, Principal Planner
City of Olympia | Community Planning and Development
601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967
360.570.3722 | olympiawa.gov

Note: Emails are public records, and are potentially eligible for release.

From: j d <digranesjl@gmail.com>
Sent: Wednesday, April 07, 2021 12:37 PM
To: Joyce Phillips <jphillip@ci.olympia.wa.us>
Subject: How convenient

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"The amendments are **generally minor in nature** and are intended to correct code citations and typographical errors, update definitions, provide greater clarity, update language, or provide better alignment with other code sections or the Comprehensive Plan."

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Joe Digranes
2634 17th Ave. NW
Olympia, WA 98502

From: [JUDITH BARDIN](#)
To: [Joyce Phillips](#)
Subject: RE: OMC Code Revisions
Date: Wednesday, April 14, 2021 4:17:47 PM

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Hi Joyce,
Thanks for clarifying. It was confusing because the changes were in legislative mock up language with a red underline so it looked like a revision. I agree what goes to Superior Court and what goes to the Board is confusing.
I appreciate the time you took to respond to me, Judy

Judy Bardin
1517 Dickinson Ave NW
Olympia, WA 98502
360-401-5291

On 04/14/2021 3:05 PM Joyce Phillips <jphillip@ci.olympia.wa.us> wrote:

Hi, Judy.

Well, I think I may have somehow inadvertently combined two code sections. My intent was to clean up language in 18.75.100 to clarify that appeals of Hearing Examiner decisions do not go to the City Council, they go to the courts. But trying to also recognize that sometimes (e.g. for site specific rezones), the Council makes a decision based on a recommendation from the Hearing Examiner. Sometimes appeals of the Council's decision could go to the courts and sometimes appeals go to the Growth Management Hearings Board.

The language you asked about below, and that I show as proposed new language in the draft amendments, is already in Section 18.75.120, which states:

18.75.120 Appeal of City Council decision

A. State Growth Management Hearings Board. The action of the City Council approving Comprehensive Plan amendments shall be final and conclusive, unless appealed to the Growth Management Hearings Board as provided under the Revised Code of Washington. The cost of preparing and certifying the transcript of records ordered by the Board shall be borne by appellant.

B. Thurston County Superior Court. Consistent with the requirements and jurisdiction of chapter [36.70C](#) RCW, the action of the City Council on a permit, shall be final and conclusive, unless within twenty-one (21) calendar days from the date of the Council's final action an aggrieved party files a land use petition in the Superior Court of Washington for Thurston County. The cost of preparing and certifying the transcript of records ordered by the court shall be borne by appellant.

My intent is not to amend language in 18.75.120. I will work on adjusting the language in 18.75.100 before the public hearing. I will try to remember to send you any revisions to this section – but please reach out to me in a couple of weeks if you haven't heard back from me on this.

Thanks for bringing that language to my attention.

Joyce

From: JUDITH BARDIN <judybardin@comcast.net>
Sent: Wednesday, April 14, 2021 11:01 AM
To: Joyce Phillips <jphillip@ci.olympia.wa.us>
Subject: RE: OMC Code Revisions

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Thank you, Joyce no rush.

Judy

On 04/14/2021 8:01 AM Joyce Phillips <jphillip@ci.olympia.wa.us> wrote:

I will look into that and get back to you. I will be in meetings most of the day, so it may take me a little longer than usual though.

From: JUDITH BARDIN <judybardin@comcast.net>

Sent: Wednesday, April 14, 2021 1:35 AM

To: Joyce Phillips <jphillip@ci.olympia.wa.us>

Subject: RE: OMC Code Revisions

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Joyce,

Thank you for your detailed explanation. You are right it is confusing, but clearer now.

I still wondered about the last sentence where appellants have to pay for preparing and certifying the transcript of records requested by the Board. What type of records? Are these City records? Is this a change in policy?

Judy

Judy Bardin
1517 Dickinson Ave NW
Olympia, WA 98502
360-401-5291

On 04/13/2021 5:22 PM Joyce Phillips
<jphillip@ci.olympia.wa.us> wrote:

Hi, Judy.

Nice to hear from you! I am well and hope you are too! This sunshine sure helps.

I have added you to the parties of record for this proposal. I have a tentative hearing date of May 17, 2021 in mind - but feel free to check in along the way to keep track of anything that changes. And I will send you a notice by email about ten days before the hearing.

The proposed language below is meant to identify that Council actions on Comprehensive Plan Amendments or changes to the development regulations are final unless invalidated by the Growth Management Hearings Board.

We're primarily amending the appeals language in that section because any appeals of the Hearing Examiner decision go to the courts, not the City Council. And any appeals of Council decisions go to the Board. It does get a little confusing because while the Hearing Examiner's decision is usually the final city action, for rezones the Hearing Examiner makes a recommendation to the City Council.

Hope that makes sense. Please let me know if you have questions.

Thanks, Judy!

Joyce

From: JUDITH BARDIN <judybardin@comcast.net>
Sent: Tuesday, April 13, 2021 3:02 PM
To: Joyce Phillips <jphillip@ci.olympia.wa.us>
Subject: OMC Code Revisions

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Hi Joyce,

Can I get put on the list to receive information/notices about the OPC meetings and other land use type actions, such as the proposed changes to the OMC?

I noticed that changes to the OMC are in the works. I reviewed the changes that are attached to the April 5th OPC agenda.

Could you explain this change a little more fully?

The action of the City Council approving Comprehensive Plan or Development Regulation amendments shall be final and conclusive, unless declared invalid by the Washington State Growth Management Hearings Board as provided under the Revised Code of Washington. The cost of preparing and certifying the transcript of records ordered by the Board shall be borne by appellant.

Thanks for your help, I hope you are doing well,

Judy.

Judy Bardin
1517 Dickinson Ave NW
Olympia, WA 98502
360-401-5291

From: [Isaac Duke](#)
To: [Joyce Phillips](#)
Subject: Re: Sign Code Revisions proposed
Date: Wednesday, April 14, 2021 7:24:47 AM
Attachments: [NWSS.2019.031 Mike Trotter.pdf](#)
[NWSS.2020.029 Terry Whitcomb.pdf](#)
[NWSS.2021.011 Evan Appleby Wetland.pdf](#)

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I love it. Still a bit of wriggle room for experts like me though :). I think it is sufficient to get Tim on board with common sense however. Like I mentioned previously, I usually stay out of downtown, but in the last two years I have had 6-10 requests.

Another interesting sign is the projecting sign above new fitness place - I think it is Annie's lofts. Of course whoever did it used the old 'art-piece' trick. I know all about that...

On a another note, can the city upload a standard vectorized pdf of critical area, wetland, and other required buffer signs.

I get requests from people in county all the time, and for some reason, the wording is always a tiny bit different? Ive attached some examples.

Thank you,
Isaac Duke
360-259-2178

On Apr 8, 2021, at 4:14 PM, Joyce Phillips <jphillip@ci.olympia.wa.us> wrote:

Hi, Isaac.

The City is considering a variety of code amendments, including a few to the sign code, so I wanted to make sure I brought it to your attention. The public comment period is open now. The public hearing is tentatively scheduled for May 17th.

Of course you are welcome to review and comment on any of the proposed amendments – but the proposed sign code changes begin on page 27. They are relatively minor but I do think proposal #23 adds language (see page 31) that would allow more opportunities for blade signs than is currently allowed. Any comments you submit will be shared with the Planning Commission and City Council.

Thanks for considering, Isaac!
Joyce

Joyce Phillips, AICP, Principal Planner
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601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967
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<2021 Code Amendments.pdf>