



Meeting Agenda

Planning Commission

City Hall
601 4th Avenue E
Olympia, WA 98501
Contact: Joyce Phillips
360.570.3722

Monday, February 27, 2017

6:30 PM

Council Chamber

1. CALL TO ORDER

Estimated time for items 1 through 5: 20 minutes

1.A ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

- 3.A** [17-0165](#) Approval of the February 6, 2017 Olympia Planning Commission Meeting Minutes

Attachments: [OPC 2.6.17 draft minutes](#)

4. PUBLIC COMMENT

An opportunity for the public to address the Commission regarding items related to City business, including items on the agenda. However, this does exclude items for which the Commission or Hearing Examiner has held a public hearing in the last 45 days or will hold a hearing on in the next 45 days or for quasi-judicial review items for which there can be only one public hearing.

5. STAFF ANNOUNCEMENTS

This agenda item is also an opportunity for Commissioners to ask staff about City or Planning Commission business.

6. BUSINESS ITEMS

- 6.A** [17-0197](#) Public Hearing on the Downtown Strategy Draft

Attachments: [Link to Downtown Strategy Draft](#)

[Arts Commission Memo](#)

[OHC Memo](#)

[BPAC Memo](#)

[PRAC Memo](#)

[SWG Memo](#)

[Feb 6 Comment Cards](#)

Estimated time: 90 minutes

6.B [17-0188](#) Deliberations, Amendments to Critical Areas Ordinance (CAO) and Shoreline Master Program

Attachments: [OMC 18.32.300 amendments](#)
 [OMC 18.02 and 18.32.500 amendments](#)
 [OMC 18.20 amendments](#)
 [SMP Amendments](#)

Estimated time: 30 minutes

7. REPORTS

From Officers and Commissioners, and regarding relevant topics.

8. OTHER TOPICS

9. ADJOURNMENT

Approximately 9:30 p.m.

Upcoming Meetings

Next regular Commission meeting is March 6, 2017. See 'meeting details' in Legistar for list of other meetings and events related to Commission activities.

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 the Advisory Committee staff liaison (contact number in the upper right corner of the agenda) 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.



City Hall
601 4th Avenue E.
Olympia, WA 98501
360-753-8244

Planning Commission

Approval of the February 6, 2017 Olympia Planning Commission Meeting Minutes

Agenda Date: 2/27/2017
Agenda Item Number: 3.A
File Number: 17-0165

Type: minutes **Version:** 1 **Status:** In Committee

Title

Approval of the February 6, 2017 Olympia Planning Commission Meeting Minutes



Meeting Minutes

Planning Commission

City Hall
601 4th Avenue E
Olympia, WA 98501
Contact: Joyce Phillips
360.570.3722

Monday, February 6, 2017

6:30 PM

Council Chambers

1. CALL TO ORDER

Vice Chair Auderer called the meeting to order at 6:30 p.m.

1.A ROLL CALL

Present: 6 - Vice Chair Mike Auderer, Commissioner Travis Burns, Commissioner Paula Ehlers, Commissioner Darrell Hoppe, Commissioner Carole Richmond and Commissioner Missy Watts

Excused: 2 - Chair Brian Mark and Commissioner Negheen Kamkar

OTHERS PRESENT

Community Planning and Development:
Director, Keith Stahley
Deputy Director, Leonard Bauer
Economic Development Director, Renee Sunde
Senior Planner, Joyce Phillips
Senior Planner, Amy Buckler
Housing Program Manager, Anna Schlecht
Senior Planner, Linda Bentley
Office Specialist/Minutes Recorder, Stacey Rodell
MAKERS, John Owen

2. APPROVAL OF AGENDA

The agenda was approved.

3. APPROVAL OF MINUTES

3.A [17-0108](#) Approval of the January 23, 2017 Olympia Planning Commission Meeting Minutes

The minutes were approved.

4. PUBLIC COMMENT - None

5. STAFF ANNOUNCEMENTS

Ms. Phillips announced the following:

- There will not be a Comprehensive Plan chapter “teach back” summary at this meeting. Chair Mark is scheduled to cover Community Values and Vision on February 27, 2017. Vice Chair Auderer and Commissioner Burns will be discussing the Economy chapter, and Commissioner Kamkar reviewing either the Transportation or Public Participation & Partners chapter at a future meeting.
- There are no scheduled proposals for the Site Plan Review Committee this week or next. However, our current planning staff has been quite busy with projects over the last several weeks, including a pre-submission conference for medical offices and senior living apartment residential units on a 19 acre parcel in the Kaiser Harrison Opportunity Area.
- The City has received 9 applications for the three Planning Commission seats.
- The Planning Commission will not meet again until February 27, 2017, due to the President’s Day holiday.

6. BUSINESS ITEMS

6.A [17-0110](#) Presentation of the Downtown Strategy Draft

Ms. Buckler and Mr. Owen presented the Downtown Strategy (DTS) draft. They reviewed the following:

- Process
- Concept - character areas
- Elements and Actions
 - Land use
 - Transportation
 - Design
 - Housing
 - Homelessness and street dependency
 - Toolbox of development incentives
 - Retail Business, Community and Economic Development
- City Council direction for Olympia Planning Commission (OPC)
 - Hold a public hearing on the draft Downtown Strategy so that the public has an opportunity to comment on the final draft report
 - Summarize public’s main comments and OPC recommendation in a letter to Council
 - Respond to the following:
 - Is the DTS consistent with the Comprehensive Plan?
 - Was any new information provided that causes OPC to make a different recommendation or that should be included in the report
 - Include any memos from advisory boards
- Next steps
 - February 15, 2017 background chapters to be posted online
 - February 27, 2017 Public Hearing before the Planning
 - March - Planning Commission deliberation
 - March - Briefings on design guideline, zoning and SEPA updates

- Spring - Planning Commission/Council study session and Council adoption
- Implementation

The report was received.

- 6.B** [17-0109](#) Deliberations, Amendments to Critical Areas Ordinance (CAO), Locally Important Habitat and Species, and Shoreline Master Program

Ms. Bentley presented a brief update on some amendments that occurred since the public hearing on January 23, 2017 in response to comments raised at the public hearing. She also provided clarifying information requested by the Commission.

The Commission deliberated.

Commissioner Burns motioned, seconded by Commissioner Richmond to take no action during this meeting and continue deliberation at the next Planning Commission meeting. By majority vote the motion passed.

Aye: 4 - Vice Chair Auderer, Commissioner Burns, Commissioner Richmond and Commissioner Watts

Nay: 1 - Commissioner Hoppe

Excused: 2 - Chair Mark and Commissioner Kamkar

Recused: 1 - Commissioner Ehlers

- 6.C** [17-0107](#) Approval of the draft Planning Commission Work Plan

Commissioner Burns motioned, seconded by Commissioner Richmond to approve the 2017 draft work plan as proposed. The motion was unanimously approved.

7. REPORTS

Commissioner Burns commented on the recent resolution that passed for Olympia becoming a Sanctuary City and he encouraged everyone to be aware of the future of this topic given recent events at the federal level.

Commissioner Watts commented about environmental protections becoming in jeopardy on a federal level and how it is now more important than ever these issues be addressed locally. She cautioned care needs to be taken when handling these issues.

8. OTHER TOPICS - None

9. ADJOURNMENT

The meeting adjourned at 9:03 p.m.



Planning Commission

Public Hearing on the Downtown Strategy Draft

Agenda Date: 2/27/2017
Agenda Item Number: 6.A
File Number: 17-0197

Type: public hearing Version: 1 Status: In Committee

Title
Public Hearing on the Downtown Strategy Draft

Recommended Action
Conduct a public hearing on the draft Downtown Strategy. Hold the written record open until March 3 at 5:00 pm.

Report
Issue:
The Commission will receive public testimony on the draft Downtown Strategy

Staff Contact:
Amy Buckler, Senior Planner, Community Planning & Development, (360) 570-5847,
abuckler@ci.olympia.wa.us

Presenter(s):
Amy Buckler
John Owen, MAKERS architecture and urban design

Background and Analysis:
The public process to form Olympia's Downtown Strategy (DTS) kicked off in November 2016 and is now in the last step, which involves a Planning Commission public hearing on the draft, the Commission's recommendation to City Council, and Council adoption.

The Downtown Strategy identifies a design framework, public priorities and realistic, impactful actions to move our Downtown vision forward over the next five years. About 3,500 people participated in this through public workshops; online surveys; business and development forums; and numerous Stakeholder Work Group, community, City Council, committee and staff technical team meetings.

The report consists of three pieces:

1. A highly graphic summary that will serve as a primary communication document
2. Seven chapters (one for each element) that describe related background, and rationale for the recommended actions

3. An appendix with various work products for reference

These documents are available online (link provided in attachment 1 .) As of the date of this staff report, a few of the background chapters are still being formatted. As these are complete the formatted versions will replace unformatted versions on the web. Content will not be changed.

Committee & Public Comments

City advisory boards were given the option of writing a comment letter to the Commission and Council regarding DTS recommendations that pertain to their area of expertise. Memos received are attachments 2-5 .

At their last meeting on Nov 14, the Stakeholder Work Group (SWG) composed a memo for the City Council and Planning Commission (attachment 6). The SWG met 10 times with a role to provide thoughtful insights, perspectives and ideas to staff and consultants during the public process and formation of the strategy. The group included 20 community members who brought diverse stakeholder perspectives to the table and helped engage others in the process. Two members of the Planning Commission (Carole Richmond and Missy Watts) served on the SWG.

Comment cards received at the public open house held on Feb 6 are attachment 7 .

Direction for OPC's Review

On December 6, 2016, the City Council provided the following direction to the Planning Commission (OPC) for their review of the Downtown Strategy draft:

- Hold a public hearing on the draft Downtown Strategy so that the public has an opportunity to comment on the draft report
- Summarize the public's main comments and OPC recommendation in a letter to Council. Include any memos from advisory boards.
- The letter should respond to the following questions:
 - Is the DTS consistent with the Comprehensive Plan?
 - Does any information provided cause you to differ from the staff's recommendation? How?
 - Should any new information provided be included in the report? What?

The Planning Commission is expected to deliberate on their recommendation in March. Staff will assist the Commission with preparing a document that summarizes the public's comments and with formatting the letter for Council.

Neighborhood/Community Interests (if known):

An estimated 3,500 people have engaged in formation of the Downtown Strategy through workshops and online. Summaries of what was heard at each step are available online (attachment 1 .)

Options:

Conduct a public hearing on the draft Downtown Strategy. Hold the written record open until March 3 at 5:00 pm. (this was advertised.)

Following City Council's guidance:

1. Recommend to City Council adoption of the Downtown Strategy as recommended by staff and consultants
2. Recommend to City Council adoption of the Downtown Strategy with modifications
3. Recommend denial of the Downtown Strategy

Financial Impact:

Included as part of the \$250,000 budget for development of a Downtown Strategy

Attachments:

- Link to DTS webpage
- Arts Commission Memo
- Heritage Commission (OHC) Memo
- Bicycle and Pedestrian Advisory Committee (BPAC) Memo
- Parks & Recreation Advisory Committee (PRAC) Memo
- Stakeholder Work Group (SWG) Memo
- Feb 6 Comment Cards



MEMORANDUM

TO: City Council

FROM: Arts Commission

DATE: November 1, 2016

SUBJECT: Downtown Strategy

According to the scope for the Downtown Strategy, advisory boards (other than OPC) have a role to advise Council and staff on potential initiatives to include in the Strategy, including the following tasks:

- Receive an informational briefing from staff
- In line with scope, make recommendations for initiatives pertaining to expert purpose and role for consideration by staff and City Council
- Members may participate, listen and/or observe public workshops/meetings

Staff briefed and discussed the strategy with the Commission on April 14, and had a follow-up meeting on downtown streetscapes on June 27, 2016. Several members of the Commission attended the public workshops. Following are proposed initiatives proposed for the 6 year implementation period that are of particular interest to the Commission:

- Initiate a coordinated effort to integrate additional wayfinding and public art into downtown streetscapes. The Arts Commission recommends addressing this opportunity through placement of an artist on the project design team. Some specific opportunities to use public art to enhance unique character areas include:
 - Street segment improvements along 5 streets in the core: Franklin, Jefferson, Legion, Capitol Way and Washington
 - Where Franklin, Jefferson, Capitol Way and Washington projects above cross 4th Ave, use design elements in those intersection improvements to calm traffic and enhance the unique Entertainment theme along 4th Ave
- Pending legislative action, designate a creative district within downtown that relates one or more of the downtown character areas.

The Arts Commission appreciates the opportunity to participate and provide comment throughout the Downtown Strategy process and welcomes the positive changes the finished plan will affect in downtown Olympia.

To: The Olympia City Council
From: The Olympia Heritage Commission
Date: November 30, 2016
RE: **Downtown Strategy Draft Recommendations on Heritage**

In its role as steward of Olympia's historic environment, the Heritage Commission has engaged in public outreach programs and reviewed the resulting Downtown Strategy Recommended Actions. Downtown Olympia includes hundreds of historic buildings and spaces that are major contributors to the sense of place within our community's commercial center. The Commission supports striking a balance between preserving Downtown's historical character and constructing compatible, well-designed buildings and spaces to meet current and future needs. With this in mind, the Commission makes the following recommendations on specific draft actions:

LU.1: *Form a Sea level Response (SLR) Plan.*

This needs to include consideration of heritage resources, including the built environment and archaeology.

LU.5: *Identify buildings and tools appropriate for adaptive reuse, and promote these tools.*

LU.6: *Promote incentives and other tools that encourage private investment.*

LU.6.B: *Explore – Program to offer façade improvement grants or loans.*

The toolbox for adaptive reuse, private investment, and façade improvements needs to be sensitive to and promote the enhancement of the historic context of downtown Olympia. Two tools already in use but underutilized for building rehabilitation are Federal and State preservation tax incentives. The upcoming historic architectural survey can provide baseline information for these actions.

LU.6A: *Establish Downtown as an urban infill exemption area for SEPA.*

Because SEPA includes important provisions for the review of potentially significant heritage resources and consultation with affected Tribes, this proposal must address the loss of this opportunity to review potential impacts and conduct meaningful Tribal consultation as required by State and Federal law.

D.1: *Update design guidelines (includes view protection updates, based on 2016 views analysis).*

For those properties designated individually on the Register or located within a historic district, the Commission recommends replacing the design guidelines with the U.S. Secretary of the Interior's Standards for Rehabilitation (Standards; see reverse). The Standards are already adopted under OMC 18.12 and used as the main standards for design review of building permit applications for all designated historic properties everywhere else in the city. While they are also referred to in design review Downtown, other design standards conflict with the Standards and dominate decision-making. Using the Standards for Downtown's designated historic properties would unify the City's practice of managing change in its historic environment. It would also reduce developer uncertainty by eliminating the use of multiple sets of regulations.

D.3: *Inventory historic architecture in Downtown.*

The information gathered in this survey will provide a baseline of information on the historical development and current condition of all buildings in our commercial core. This will assist the City's efforts in identifying significant historical design patterns to develop guidance that encourages compatible new design. It will also serve as a catalyst for identifying new tools and approaches for promoting and investing in Downtown. Grant funding for this study has already been secured and a consultant selected.

D.6: *Examine potential expansion of historic district boundary and/or designation of additional historic properties.*

The existing boundaries are narrow and do not accurately reflect the location of our historic downtown. The expansion of the district and individual designation would support the preservation and enhancement of the unique character enjoyed by Olympia residents, businesses and tourists. It would also allow us to expand our promotion of incentive programs, further encouraging private investment in the development of Downtown.

The City Council's vision for a vibrant Downtown is one we share. Thank you for your recognition of the role our ever-evolving historic environment plays in our economic vitality and community identity.

Respectfully,



Holly Davies

Chair, Olympia Heritage Commission

U.S. Secretary of the Interior's Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



MEMORANDUM

TO: Mayor Selby and Members of the Olympia City Council
FROM: Christina Lock, Chair, Bicycle & Pedestrian Advisory Committee (BPAC)
DATE: December 6, 2016
SUBJECT: BPAC Comment on Draft Downtown Strategy Recommendations

The Bicycle and Pedestrian Advisory Committee is pleased to offer our perspective as you approach the adoption of the Olympia Downtown Strategy. We are struck by the overlap between features of the evolving plan and our interest in promoting active transportation. We appreciate the opportunity to comment on the Strategy at this point in the process.

First, we commend the process of creating the Strategy. It has been exciting to see all the great planning on the part of City staff as well as community members. We are inspired to see the result of this inclusive process. The Strategy reinforces several of the ideas we presented in our comments on the Capital Facilities Plan. Specifically, we hope the Council will:

- Continue to commit dependable, ongoing funding for bicycle and pedestrian programs.
- Prioritize gaps in the existing bicycle infrastructure. We need to assure that cyclists of all abilities can get to and around downtown.
- Connect to the regional bicycle and pedestrian network. With its shopping, scenic, historic, and cultural attractions, downtown Olympia is probably the largest potential destination for both commuter and recreational cyclists from outside the downtown core.

We are gratified to see the planning documents and public input have drawn such a strong connection between economic activity and a vibrant, safe, and welcoming downtown. "Walkability" is clearly an essential strategy for a robust business community, and downtown business owners already know that people don't spend money from their cars. When we talk about "getting more people on the streets" we really mean "getting more people on the sidewalks." Those who drive downtown must eventually leave their cars to get into businesses and attractions. Since drivers and pedestrians exchange roles, everyone benefits from downtown Olympia being a more walkable place.

We note that a hotel/convention center is mentioned in the draft Strategy materials as one way to bring in more regional visitors. Patrons of convention centers tend to walk in the local area for exercise, sightseeing, and shopping, and are likely to support the kinds of businesses that contribute to the liveliness of downtown. Again, walkability drives economic activity.

An outstanding feature of the Downtown Strategy is increased density, both in the number of people living downtown and the number of destinations people go to, such as shops, cultural activities, and public amenities like the waterfront, etc. The implications are clear:

- More people living downtown. One reason people may move downtown is to reduce their dependence on automobiles and be able to work, shop, eat, and entertain themselves and their guests nearby without having to drive. This could translate into a concentration of more walkers and cyclists as the downtown

resident population grows. Anecdotally, a recent informal count of bicycles in the common bike storage area at a new market-rate downtown apartment building showed about one and a half bikes per occupied unit. We wonder if this indicates that new downtown residents might be more likely to ride a bicycle than we might assume. Current bicycle parking requirements could be inadequate to fulfill bike parking demand for a growing population that chooses to live within the downtown core.

- More destinations downtown. More destinations in a small area means the destinations are closer together, thus more likely within walking or biking distance. We expect to see, and should plan for, more and better infrastructure for safe pedestrian and cycling use, such as improved crossings, bike corridors, and pedestrian protection from rain and road splashes.

We support slowing car traffic through downtown to help make it a sanctuary for people walking. Bulb-outs, especially on 4th Avenue, will help slow traffic and make downtown more walkable. We also would support diverting higher traffic volumes around downtown as opposed to through downtown. High auto traffic volumes through the core work against the goal of making downtown a more walkable place. To stay in alignment with the goals of the Strategy, we see the downtown core as being best suited to pedestrian, cycle and transit traffic and less suited towards auto through-traffic.

We like the festival street idea, and we support the proposal for shared streets on the north peninsula.

We also support working with the State on a parking strategy and a marketing strategy to encourage state workers to come downtown.

Another key feature of the Strategy is to take better advantage of our geographic assets, notably the waterfront "ribbon" around downtown. Clearly, this asset is most appealing for active transportation users. As the waterfront path develops, we would like to be sure the needs of both cyclists and pedestrians are met. With adequate cycling infrastructure connecting the path to surrounding neighborhoods, the waterfront ribbon trail could provide a longer but safer option for cyclists traveling to and through downtown.

Finally, the BPAC sees buses as complementary to walking and biking. Every bus trip begins and ends with someone either walking or biking. The BPAC supports buses moving through and to downtown, because they expand options for people biking and walking.

We hope this "bicycle and pedestrian" perspective sheds a different and informative light on the Olympia Downtown Strategy. In our view, the Strategy offers a welcome and exciting future, one that we hope will include increasing numbers of residents and visitors using active transportation to enjoy our city.

Sincerely,



CHRISTINA LOCK

Chair

Bicycle & Pedestrian Advisory Committee

CL/ms/hr

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cc: Michelle Swanson, AICP, Senior Program Specialist, Public Works Transportation
BPAC Members

MEMORANDUM

TO: City Council

FROM: Jim Nieland, Chair
Parks and Recreation Advisory Committee

DATE: December 22, 2016

SUBJECT: Downtown Strategy

According to the Council-adopted scope for the Downtown Strategy, advisory boards (other than OPC) have a role to advise Council and staff on potential initiatives to include in the Strategy, including the following tasks:

- Receive an informational briefing from staff
- In line with scope, make recommendations for initiatives pertaining to expert purpose and role for consideration by staff and City Council
- Members may participate, listen and/or observe public workshops/meetings

At the August 18, 2016 meeting, PRAC received a briefing and provided parks related feedback to staff for incorporation into the Strategy's draft recommended actions. At the December 15, 2015 meeting, PRAC reviewed the Strategy's proposed actions and provided the following comments (note, a quorum was not present).

- Views from parks and trails are important and PRAC would like to be involved in any future work efforts that may affect or impact important views from parks or trails.
- A PRAC member has volunteered to participate on the technical committee for the upcoming downtown regulations and design guidelines update.

PRAC appreciates the opportunity to participate and provide comment throughout the Downtown Strategy process and welcomes the positive changes the finished plan will affect in downtown Olympia.





TO: City Council and Planning Commission

FROM: The Downtown Strategy Stakeholder Work Group

DATE: November 14, 2016

SUBJECT: The Downtown Strategy

We, along with the City staff/consultant planning team, are pleased to submit this draft Olympia Downtown Strategy (ODS) for your consideration. We have done our best to respond to Council's direction as stated in the scope of the work for the Downtown Strategy. The process to produce the strategy has emphasized extensive public engagement, including:

- An average of 100 attendees at each of 5 public work sessions and open houses;
- A total of 3,936 responses to 4 web-based surveys;
- Two forums hosted jointly with the Economic Development Council, including participation from 30 members of the business and development community;
- Over 30 special topic meetings with interested parties;
- 10 Stakeholder Work Group meetings during which we reviewed public input and staff planning team work, brainstormed ideas, sketched alternative scenarios, advised on public work sessions, and provided direction to the planning team.

We believe that the Downtown Strategy we are forwarding reflects the general directions and public preferences resulting from the public engagement process.

In looking back over this roughly one year process, we observe the following:

- The public process presented a good example of how to build a plan around a collective community vision
- A huge amount of effort was devoted to this and over 3000 citizens from the region were involved
- The number of people who participated is reflective of how much our community cares about downtown
- The process offered opportunities to learn about issues and understand diverse perspectives within the community
- The various facets of the strategy were considered in a holistic way that enabled us to see how diverse actions are interconnected and unite to achieve the variety of goals
- Over the year, individual stakeholder work group members participated in workshops and events, helped other people stay connected and not only brought their own views to the table but others' as well



- The will of the people was taken seriously, and the strategy is reflective of the feedback provided during the stakeholder work group meetings, survey results and results from public workshops and the final open house.
- The strategy includes actions that will provide economic benefit not just downtown businesses and the city, but to the entire of Thurston County
- We feel very optimistic about downtown's future, and enthused to see new housing development planned for downtown
- The actions proposed in the strategy will enhance, promote and continue positive developments
- To implement these, sustained - and in a few cases - additional resources will be needed
- The housing strategy in particular is essential to achieve and maintain the diversity of housing envisioned for downtown. We encourage you to support dedicated and sustained resources for the downtown housing strategy, understanding this effort may commence following a homelessness response plan
- The Downtown Strategy is an important legacy project for Olympia, and we wholeheartedly support its implementation

In conclusion, we urge you to positively consider this strategy and incorporate its recommendations into the City's upcoming activities.

COMMENT CARDS FROM FEB 6 OPEN HOUSE

Comment: Downtown Strategy too broad, big, unaffordable, etc. Fails to consider unintended costs, limited revenues, declines state support because of K-1 funding requirements. Need for appropriate public/private partnerships. Need to focus on Capitol Way/Union Street development.

Comment: I was very surprised not to see Columbia identified as a potential corridor – its hill is gentler than 4th Ave, it's a quieter street and one that runs all the way from the State Capitol to Farmers Market. Would tie in well with access to Capitol Lake. The other north-south streets would involve taking parking away through the retail core we are trying to encourage, also conflicts with heavy bus traffic around the transit center!

Comment: I want to see/use bathrooms that are accessible 24 hours. I want to have a community garden to work in at the Artesian well so I can have a place to grow my own flowers/food because living downtown I don't have that space. I want lots of affordable housing – rent that is affordable according to the jobs/incomes most people I know ranges \$550-800. Any higher is oppressive. I want an actual grocery store that can compete with Thriftway as they are so damn expensive!



Planning Commission

Deliberations, Amendments to Critical Areas Ordinance (CAO) and Shoreline Master Program

Agenda Date: 2/27/2017
Agenda Item Number: 6.B
File Number: 17-0188

Type: decision Version: 1 Status: In Committee

Title

Deliberations, Amendments to Critical Areas Ordinance (CAO) and Shoreline Master Program

Recommended Action

Recommend to City Council adoption of proposed amendments to the Critical Areas Ordinance (CAO) and related code sections and to the Shoreline Master Program.

Report

Issue:

Whether to recommend to City Council adoption of proposed amendments to the Critical Areas Ordinance (CAO) and related code sections and to the Shoreline Master Program.

Staff Contact:

Linda Bentley, Senior Planner, Community Planning and Development, 360.570.3746

Presenter(s):

Linda Bentley, Senior Planner, Community Planning and Development

Background and Analysis:

In 2015, the Land Use and Environment Committee (LUEC) directed staff to review potential additional protections for locally important habitat and species after the Washington State Growth Management Act (GMA) mandated update to the Critical Areas Ordinance (CAO) was completed, which occurred in August 2016.

After working with consultant ESA, staff presented information on protections for locally important habitat and species to LUEC on September 15 and November 17, 2016 and to Planning Commission on August 8, 2016, and January 9, 2017. Staff hosted a public open house to discuss the proposed amendments on January 18, 2017 and the Planning Commission held a public hearing on January 23, 2017. All written comments received by noon, January 27, 2017, and the additional information requested of staff were presented to the Planning Commission at its February 6, 2017, meeting.

The City issued a SEPA Determination of Non-Significance (DNS) for the recommended changes on January 10, 2017, and sent the 60-day notice of intent to adopt, as required by state statute, to the Department of Commerce on January 11, 2017.

Proposed Protections

Staff and consultant believe that the city's existing CAO and SMP regulations will adequately protect most species and habitat but, based on community interest and Council direction, we are proposing new and amended regulations (attached) to give added protection to the great blue heron and its habitat, while continuing to respect private property rights.

Staff is also proposing a process by which additional locally important species and/or habitat could be nominated in the future as conditions change (proposed new OMC 18.32.325).

Great Blue Heron and Habitat

In general, we are proposing the following approaches to protect heron nesting colonies when development is proposed:

- Adopt fixed-width buffers around heron nesting colonies
- Require tree and vegetative screening
- Restrict the timing on some types of activities (e.g., loud noise, clearing, grading)
- Require mitigation sequencing where appropriate
- Require consultation with the City and the Washington State Department of Fish & Wildlife (WDFW) during project planning

WDFW recognizes that protections for heron rookeries have a different set of considerations in urban areas than in less developed areas. Consequently, staff is proposing a smaller seasonal buffer than that recommended by WDFW for nests in rural and less developed areas: a 200 foot year-round buffer and an additional 300 foot seasonal buffer for nesting colonies.

Non-regulatory Protections

The best way to protect important habitat and species is to acquire the land that provides the necessary habitat for important species. Therefore, we recommend the following:

- The City should continue to work with non-profit groups such as the Olympia Coalition for Ecosystems Preservation to pursue opportunities to purchase properties that support or are near known rookeries or other sensitive habitat.
- The City Parks Department should include as a consideration the quality and extent of habitat value when deliberating acquisition of land for passive-type parks.

The City could also:

- research and develop incentives for landowners who want to permanently protect any type of breeding season habitat; and
- help non-profit groups to develop an ongoing citizen-science training program to assist in monitoring the status of locally important habitat and species.

Shoreline Master Program (SMP) Amendments

When the City amends its CAO, it must also amend its SMP to adopt the new CAO by reference. The Washington State Department of Ecology must approve the amendments to the SMP before they can become effective.

The attached amendment to Olympia's SMP adopts the amended CAO by reference, ensures consistency with the CAO adopted July 19, 2016, and corrects errors. Minor changes to OMC 18.02.180 Definitions, OMC 18.32.500 and 515, and OMC 18.20 are required to bring Title 18 OMC into consistency with the SMP and are also attached.

Neighborhood/Community Interests (if known):

Many groups and individuals in the community are interested in protection of the Great Blue Heron.

Options:

1. Recommend to City Council adoption of amendments to OMC 18.32.300-330, 18.32.500, 18.32.515, 18.02 and 18.20; adoption of amendments to the SMP; and approval of the non-regulatory suggestions, as recommended by staff .
2. Recommend to City Council adoption of amendments to OMC 18.32.300-330, 18.32.500, 18.32.515, 18.02 and 18.20; adoption of amendments to the SMP; and approval of the non-regulatory suggestions, with modifications .
3. Recommend to City Council adoption of amendments to OMC 18.32.500, 18.32.515, 18.02 and 18.20; adoption of amendments to the SMP; and approval of the non-regulatory suggestions
4. Recommend denial of all proposed amendments and/or non-regulatory suggestions.

Financial Impact:

Initial review of locally important habitat and species was included in Community Planning and Development Department's 2016 budget; however, some approaches to habitat and species protection may require additional resources in the future.

Attachments:

Proposed OMC 18.32.300 amendments
Proposed OMC 18.02 and 18.32.500 amendments
Proposed OMC 18.20 amendments
Proposed Shoreline Master Program amendments

OMC 18.32.300-330 AS APPROVED BY CITY COUNCIL AUGUST 16, 2016, WITH PROPOSED NEW LANGUAGE SHOWN IN TRACK CHANGES

18.32.300 Important Habitats and Species - Purpose and Intent

In order to preserve and protect important habitats and species which are known to occur in Thurston County and which may be found within the City of Olympia, and which are not already protected by another critical area category, appropriate protection of an important habitat or species location shall be subject to the standards in OMC 18.32.305 through OMC 18.32.330. Protection in lake and marine shorelines is regulated under the City of Olympia Shoreline Master Program, OMC ~~14.08~~18.20.

18.32.305 Important Habitats and Species - Applicability and Definition

"Important habitats and species" are habitats or species known to occur within Thurston County and which may be found within the City of Olympia and which are not receiving habitat protection by another critical area category (e.g. Streams, Wetlands, or Landslide Hazard Areas) in this Chapter and:

- A. Are designated as endangered or threatened species identified under the Endangered Species Act; or
- B. Are state priority species identified on the Washington Department of Fish and Wildlife (WDFW) Priority Habitats and Species (PHS) List and their habitats of primary association. (Consult the state WDFW for the current PHS list); or

C. Are designated as "locally important habitat or species" pursuant to OMC 18.32.325 and 18.32.327; or

CD. Are areas in Olympia that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to, rare or vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range, and movement corridors; and areas with high relative population density or species richness.

DE. Small lakes, defined as naturally existing bodies of standing water less than twenty acres in size that exist on a year-round basis in a depression of land or expanded part of a stream and not defined as "Shorelines of the State" by RCW 90.58 (Shoreline Management Act), are considered an "important habitat." This term does not apply to constructed ponds.

18.32.315 Important Habitats and Species - Authority

A. No development shall be allowed in an important habitat and species area ~~where local, state or federally endangered, threatened or sensitive species have a primary association as defined in OMC 18.32.305~~ without approval from the Department. The Department may restrict the uses and activities of a development proposal, such as

construction restrictions during breeding season, which lie when the proposal is located within one thousand (1,000) feet of an important habitat or species location.

B. The minimum performance standards that apply to a development proposal shall be those provided by the Washington Department of Fish & Wildlife's Management Recommendations for Washington's Priority Habitat and Species (1991), as amended, and the requirements in OMC 18.32.115, except as modified on the basis of an Important Habitat and Species Management Plan described in OMC 18.32.330.

18.32.320 Important Habitats and Species - Buffers

The Department shall establish buffers for the habitat or species on a case-by-case basis, in consultation with the WDFW or others with expertise if needed, based on the critical area report outlined in OMC 18.32.115 and the WDFW management recommendations for Washington's priority habitats and species, if available. The buffers shall reflect the sensitivity of the specific habitat(s) and/or species to be protected.

18.32.325 Process to Identify Additional Locally Important Habitat and Species.

A. Additional species of local importance may be designated pursuant to OMC 18.58, zoning text amendment.

B. In addition to the decision criteria of OMC 18.59.050, a species may be designated locally important only if it demonstrates the following characteristics:

1. Local populations of native species are in danger of extirpation based on existing trends and best available science:

a. Local populations of native species that are likely to become endangered; or

b. Local populations of native species that are vulnerable or declining;

2. The species or habitat has recreation, commercial, game, tribal, or other special value;

3. Long-term persistence of a species is dependent on the protection of the species through the provisions of this part;

4. Protection by other county, state, or federal policies, laws, regulations, or nonregulatory tools is not adequate to prevent degradation of the species or habitat in the City; and

5. Without protection, there is a likelihood that the species or habitat will be diminished over the long term.

C. Effect of Designation. Designation of a species of local importance under this section shall not impact projects or proposals with a vested application or approved permit.

18.32.327 Locally Important Habitat and Species – Definitions and Performance Standards

Great Blue Heron Rookeries

A. Definitions

1. Great Blue Heron Nesting Season means February 15 through August 31.
2. Great Blue Heron Nesting Colony means the area inside the line created when the outermost nesting trees are connected. This line is the nesting colony boundary of two or more nests.
3. Great Blue Heron Core Zone means the area consisting of the great blue heron nesting colony and the year-round buffer.
4. Great Blue Heron Management Area means the area consisting of a great blue heron nesting colony, the year-round buffer, and the seasonal buffer.
5. Screening Tree means a tree that is within a direct line of sight between structures or development and the nesting area, and/or a tree that blocks the visibility of the nesting colony from structures or development during any part of the year, and within the great blue heron management area.

B. Buffers and Measurements

1. The year-round buffer is 200 feet, measured from the nesting colony boundary.
2. The seasonal buffer is an additional 300 feet, measured from the great blue heron core zone boundary.
3. Great Blue Heron Pre-nesting Area means an area less than 1 kilometer (.62 miles) from a great blue heron nesting colony where male birds congregate prior to occupying the nests.

C. Development Conditions Within the Great Blue Heron Core Zone

No development shall occur in the great blue heron nesting colony.

1. Any development or other activity that requires a permit within the year-round buffer is subject to the provisions of OMC 18.32.330 and shall use mitigation sequencing as provided in OMC 18.32.135 to:

- a. maintain baseline development conditions and ambient noise levels;
 - b. maintain great blue heron habitat features and processes and provide mitigation for any loss of heron habitat features and processes; and shall
 - c. include an implementation plan for both the development and any required mitigation with maps, as-built drawings, vegetation removal and planting, timing, and an operation and maintenance plan for businesses that include outside operations.
3. If no herons have congregated or nested in any year by April 15, as certified by a report submitted by the developer from a qualified professional, as defined in OMC 18.02.180, the City may allow development April 16 through January 31, subject to the provisions of OMC 18.32.330 and mitigation sequencing in OMC 18.32.327(C)(2).
 4. If a nesting colony has been abandoned by a great blue heron colony, the great blue heron management core zone for this colony shall be protected for a period of ten years from the last known active nesting season.

D. Development Conditions Within the Great Blue Heron Management Area

a. 1. When herons are present, any clearing, grading, outside construction or other activity in the seasonal buffer that causes loud noise (exceeding 92 decibels at the outer boundary of a nesting colony) above ambient noise levels specific to the site shall be performed outside of the nesting season. The nesting season is generally February 15 through August 31, unless a different nesting season for that year is certified by a report from a qualified professional.

2. Development may occur at any time in the seasonal buffer in a year where it appears no herons have congregated or nested, subject to the applicant submitting a report from a qualified professional so stating. Development may occur at any time in the seasonal buffer, subject to the applicant submitting a report from a qualified professional documenting that no herons congregated or nested from February 1 through April 15 of a specific year. [Wording amended for clarity upon advice from Legal.]

—3. Unless determined to be hazardous by the Urban Forester, all 6 inch diameter breast height (dbh) trees or larger shall be retained. Any required new or replacement trees shall be provided in conformance with the City's Urban Forestry Manual replacement rates and shall be strategically placed to ensure effective screening of new development from the colony. When possible, use the same species as nest trees. Removal and planting should take place in the non-breeding season.

18.32.330 Important Habitats and Species - Management Plan

When a development proposal lies within an important habitats and/or species location, an Important Habitats and Species Management Plan shall be submitted by the applicant. The Department may waive the submittal when consultation with the

Washington Department of Fish and Wildlife staff indicates that such a plan is not needed.

An Important Habitats and Species Management Plan shall:

- A. Identify how the development impacts from the proposed project will be mitigated. The Washington Department of Wildlife Priority Habitat and Species Management Recommendations (1991), as amended, shall be the basis for this plan.
- B. Be prepared by a person who demonstrates sufficient experience and education as a wildlife biologist, habitat management consultant or botanist.
- C. Contain, but not be limited to:
 1. A description of the nature, density and intensity of the proposed development in sufficient detail to allow analysis of such land use change upon the important species and its habitat;
 2. An analysis of the effect of the proposed development, activity or land use change upon the important species and its habitat, based upon Washington Department of Fish and Wildlife management guidelines;
 3. A mitigation plan by the applicant which shall explain how any adverse impacts to the important species or its habitat created by the development will be minimized or avoided, such as:
 - a. Establishment of buffer zones;
 - b. Preservation of important plants and trees;
 - c. Limitation of access;
 - d. Seasonal restriction of construction and other activities; and
 - e. Provisions for periodic review of the plan.

and

4. A map(s) to-scale, showing:
 - a. The location of the proposed development site, to include a boundary survey;
 - b. The relationship of the site to surrounding topographic features;
 - c. The nature and density of the proposed development or land use change;
 - d. Proposed building locations and arrangements;
 - e. Existing structures and landscape features including the name and location of all streams, ponds and other bodies of water;

- f. The extent and location of the important species habitat;
- g. A legend with: Title, scale and north arrows, and date, including revision dates if applicable.

DRAFT

THE FOLLOWING AMENDMENTS ARE TO BRING OMC 18.02.180, 18.32.500 AND 18.32.515 INTO CONSISTENCY WITH THE CITY'S SHORELINE MASTER PROGRAM

18.02.180 DEFINITIONS – SPECIFIC.

Lake. A naturally existing or artificially created body of standing water greater than twenty (20) acres in size. Lakes include reservoirs which exist on a year-round basis and occur in a depression of land or expanded part of a stream. A lake is bounded by the ordinary high water mark or the extension of the elevation of the lake's ordinary high water mark within the stream, where the stream enters the lake. All such lakes meet the criteria of RCW Chapter 90.58 (Shoreline Management Act) and have been inventoried as "Shorelines of the State" found in the Shoreline Master Program, ~~for the Thurston Region in OMC 14.0818.20.~~

Land Use Approval. A written approval or permit issued by the Director or Hearing Examiner, or designee thereof, finding that a proposed project is consistent with applicable plans, regulations and standards and authorizing the recipient to make use of property in a certain manner. The land use approval consolidates various non-construction permit reviews of a project such as design review, environmental review, zoning conformance, and site plan review. Land Use Approval is a permit which does not directly authorize construction or improvements to real estate, but which is a necessary and required precursor to authorization of such construction or improvement. Land Use Approval includes, but is not limited to, applications for review and approval of a preliminary or final subdivision, short plat, binding site plan, conceptual or detailed master planned development, planned residential development, conceptual design review, site plan review, conditional use permit, variance, shoreline development permit, or other such reviews pertaining to land use.

Land Use Approval, Administrative. A Land Use Approval which may be issued by an authorized official or body, usually the Director, without an open record predecision hearing.

Land Use Approval, Quasi-Judicial. A Land Use Approval issued by an authorized official or body, usually the Hearing Examiner, following an open record predecision hearing.

Landscape Plan. A component of a site development plan on which is shown: proposed landscape species (number, spacing, size at time of planting, and plant details); proposals for protection of existing vegetation during and after construction; proposed treatment of hard and soft surfaces; proposed decorative features;

grade changes; buffers and screening devices; and any other information that can reasonably be required in order that an informed decision can be made by the approving

authority.

Landscape Structure. A fence, wall, trellis, statue or other landscape and ornamental object.

Landscaping. An area devoted to or developed and maintained predominantly with native or non-native plant materials including lawn, groundcover, trees, shrubs, and other plant materials; and also including accessory decorative outdoor landscape elements such as ornamental pools, fountains, paved or decorated surfaces (excluding driveways, parking, loading, or storage areas), and sculptural elements.

Landslide. Episodic down-slope movement of a mass of soil or rock that includes but is not limited to rockfalls, slumps, mudflows, earthflows and snow avalanches.

Large Lot Subdivision. The division of land into lots or tracts, each of which is 1/128 of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land.

Laundry and Laundry Pick-up Agency. An enterprise where articles of clothing, linen, etc. are washed, including self-service laundries as well as those where customers drop off articles to be laundered either on or off the premises, or dry-cleaned off the premises only. This includes diaper services, but not the following, which are classified as Light Industrial uses: dry-cleaning plants, linen supply services, carpet and upholstery cleaning plants, and industrial launderers.

Legal Lot of Record. A lot of a subdivision plat or binding site plan or a parcel of land described in a deed either of which is officially recorded to create a separate unit of property, provided that such plat, site plan, or deed shall accord with applicable local, state or federal law on the date created. Separate descriptions of adjoining parcels within a single deed shall not necessarily constitute separate legal lots of record.

Local Improvement. A public improvement for the benefit of property owners provided to a specific area that benefits that area and that is usually paid for, at least in part, by a special assessment.

Lodging House. See Dwelling, Transient.

Lot. Lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall also include tracts and parcels. Lot classifications are as follows:

- a. Lot, Corner. A lot that abuts two (2) or more intersecting streets.
- b. Lot, Flag or Panhandle. A lot with less than thirty (30) feet of street frontage which is typically connected to a public or private street by a narrow driveway. A lot where access is only provided by a private easement is not a flag lot.
- c. Lot, Interior. A lot that has frontage on one public or private street only, or is provided access by a private easement.
- d. Lot, Through. A lot that fronts on two (2) parallel or nearly parallel streets that do not intersect at the boundaries of the lot.
- e. Lot, Wedge-shaped. A lot with a street frontage which is no more than half as wide as the lot's width at the rear property line, as depicted in Figure 2-5b.

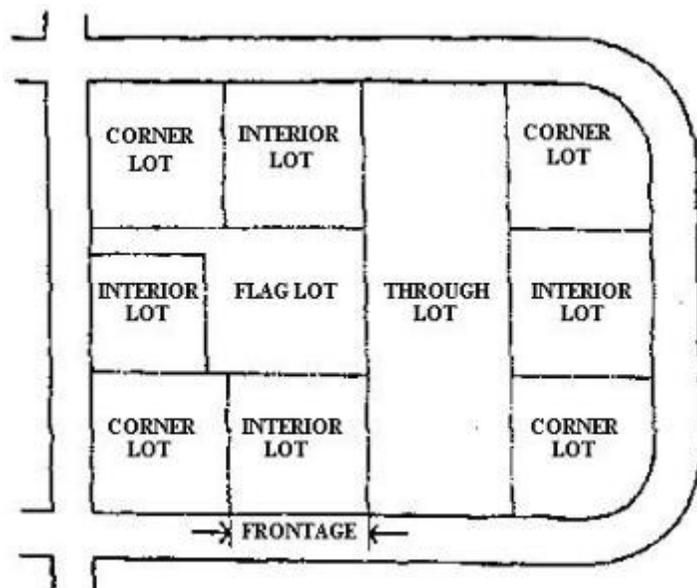
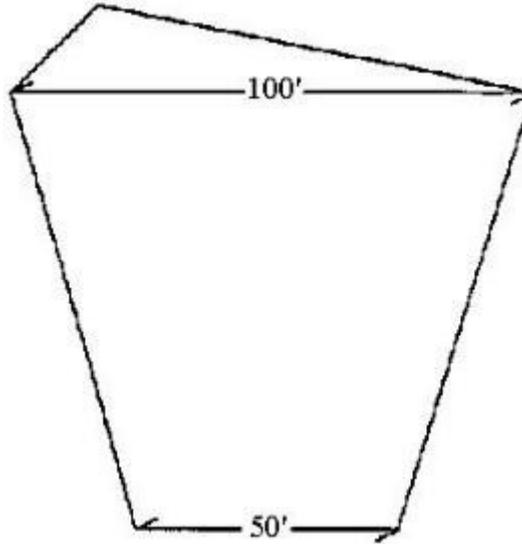


FIGURE 2-5



Example of a Wedge-Shaped Lot

FIGURE 2-5b

Lot Frontage. See Frontage.

Lot Line. A line dividing one lot from another lot or from a street rights-of-way or alley. (See also Property Line.)

Lot of Record. A lot, the plat, or deed to which is officially recorded as a unit of property and is described by metes and bounds.

Lot, Substandard. A parcel of land that is less than the minimum area or minimum dimensions required in the zone in which the lot is located. (See also Minimum Lot Size, Undersized Lots in development standards.)

Lot Width. The straight line distance measured between side lot lines parallel to the front setback line. (See also Section 18.04.080(G)(1) and Table 4.04.)

Low Income Housing. See Affordable Housing.

18.02.180 DEFINITIONS - SPECIFIC.

Object. A thing of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

Off-Site Treatment and Storage Facility. A facility that treats or stores hazardous wastes or special incinerator ash generated on properties other than the property on which the off-site facility is located. (See also current edition of "Zoning Guidelines for Hazardous Waste Treatment and Storage Facilities," prepared by the Solid and Hazardous Waste Program of the State Department of Ecology.)

Office. A building or portion thereof which is primarily used to transact the administrative or professional activities of a business. Such uses include, but are not limited to: medical (excluding veterinary), dental, chiropractic, optometric, legal, banking, insurance, real estate, security brokers, administrative, public, contractors, consultants, corporate, or manufacturers' offices. (See also Home Occupation.)

Office, Bank. Banks, savings and loans, credit unions, and other depository institutions.

Office, Business. The offices of real estate agencies, mortgage brokers, advertising agencies, credit agencies, mailing services and postal substations, employment agencies, insurance agencies, membership organizations except fraternal organizations, accountants, attorneys, security brokers, financial advisors, architects, engineers, surveyors, tax preparation services, computer software development, and other similar business services. This may also include the administrative offices for businesses whose primary activity may be construction, manufacturing, utility services, or some other non-office use conducted elsewhere.

Office, Government. The legislative, administrative, service delivery, or judicial offices of local, state, or federal agencies. It also includes federal post offices where mail processing takes place for local delivery. It does not include government land uses such as maintenance facilities for government-owned trucks, busses, or heavy equipment which are a Light Industrial use.

Office, Medical. This includes the offices of doctors, dentists, chiropractors, optometrists, and other health practitioners providing outpatient care. It also includes medical and dental laboratories, blood banks, and the like.

Office Supplies and Equipment Stores. Stores selling office products such as stationery, legal forms, writing implements, typewriters, computers, copiers, office furniture, and the like.

Office Uses, General. A room or group of rooms used for conducting the affairs of a business

and generally furnished with desks, tables, files, and communication equipment.

Office, Veterinary/Clinic. A place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use. (See also Animal Hospital.)

Olympia Coordinate System. The horizontal ground scale coordinate system referenced to the Washington Coordinate System as established by the City Public Works Department.

On-Site. Located on the same lot that is the subject of an application for development.

On-Site Treatment and Storage Facility. A facility that treats or stores hazardous wastes generated on the same property, see current edition of "Zoning Guidelines for Hazardous Waste Treatment and Storage Facilities," prepared by the Solid and Hazardous Waste Program of the State Department of Ecology.

Open Record Hearing. A hearing conducted by a single hearing body or officer that creates the City's record through testimony and submission of evidence and information under procedures prescribed by this Title. [See RCW 36.70B.020(3)].

Open Record Appeal Hearing. A form of open record hearing held on request in response to a notice of decision when no open record predecision hearing was held on the project permit. [See RCW 36.70B.020(3)].

Open Record Predecision Hearing. A form of open record hearing held prior to the City's decision on a project permit. [See RCW 36.70B.020(3)].

Open Space, Common. Land within or related to a development, not individually owned or dedicated for public use, that is designed and intended for the common use or enjoyment of the residents and may include such complementary structures and improvements as are necessary and appropriate.

Open Space, Public. Undeveloped public land that is permanently set aside (as opposed to regulated) to protect the special natural character of a particular location. Open space may include, but is not limited to wetlands; wetland buffers; creek, stream or river corridors; forested areas; ravines, bluffs or other geologically hazardous areas; and undeveloped areas within parks.

Ordinary High Water Mark (OHWM). (Also referred to as Ordinary High Water Line OHWL) Per

WAC ~~22-110-020220-660-030~~, the mark on the shores of all waters that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual and so long continued in ordinary years, as to mark upon the soil or vegetation a character distinct from that of the abutting upland, provided that in any area where the ordinary high water line cannot be found, the ordinary high water line adjoining saltwater shall be the line of mean higher high water, and the ordinary high water line adjoining freshwater shall be the elevation of the mean annual flood. ~~OWHM-OHWM~~ is used to determine the location of standard buffer widths of streams as required under OMC 18.32.435(C)(1).

Ordinary Repair and Maintenance. Work for which a permit issued by the City is not required by law, and where the purpose and effect of such work is to prevent or correct any deterioration or decay of or damage to the real property or structure appurtenant thereto and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay or damage.

Outdoor Storage. The keeping of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 consecutive hours.

Over Water. Location above the surface of the water, including placement of buildings on piling or floats.

Overlay Zone. A zoning district or specific plan that encompasses one or more underlying zones or areas and which imposes requirements in addition to those required by the underlying zone. (See also Overlay Districts in Article III.)

Owner of Property. The fee simple owner of real property according to Thurston County Auditor records.

18.32.500 Wetlands - Purpose and Intent

In order to protect the natural function of wetlands and for floodwater storage, floodwater conveyance, sediment control, pollution control, surface water supply, aquifer recharge, wildlife habitat, and recreation, those lands with wetlands or which lie within three hundred (300) feet of wetlands shall be subject to the standards in OMC 18.32.100(~~LA~~) and OMC 18.32.505 through OMC 18.32.595. (Note: Further information regarding development within associated wetlands along marine shorelines, lakes over 20 acres in size, and streams can be found in OMC 18.20 Shoreline Master Program.)

18.32.515 Wetlands - Small Wetlands

A. Wetlands less than one thousand (1,000) square feet shall be exempt from the requirements of OMC 18.32.135.A; wetland buffers in OMC 18.32.535, compensation projects in OMC 18.32.545 and replacement ratios in OMC 18.32.550 provided that the wetland or pond:

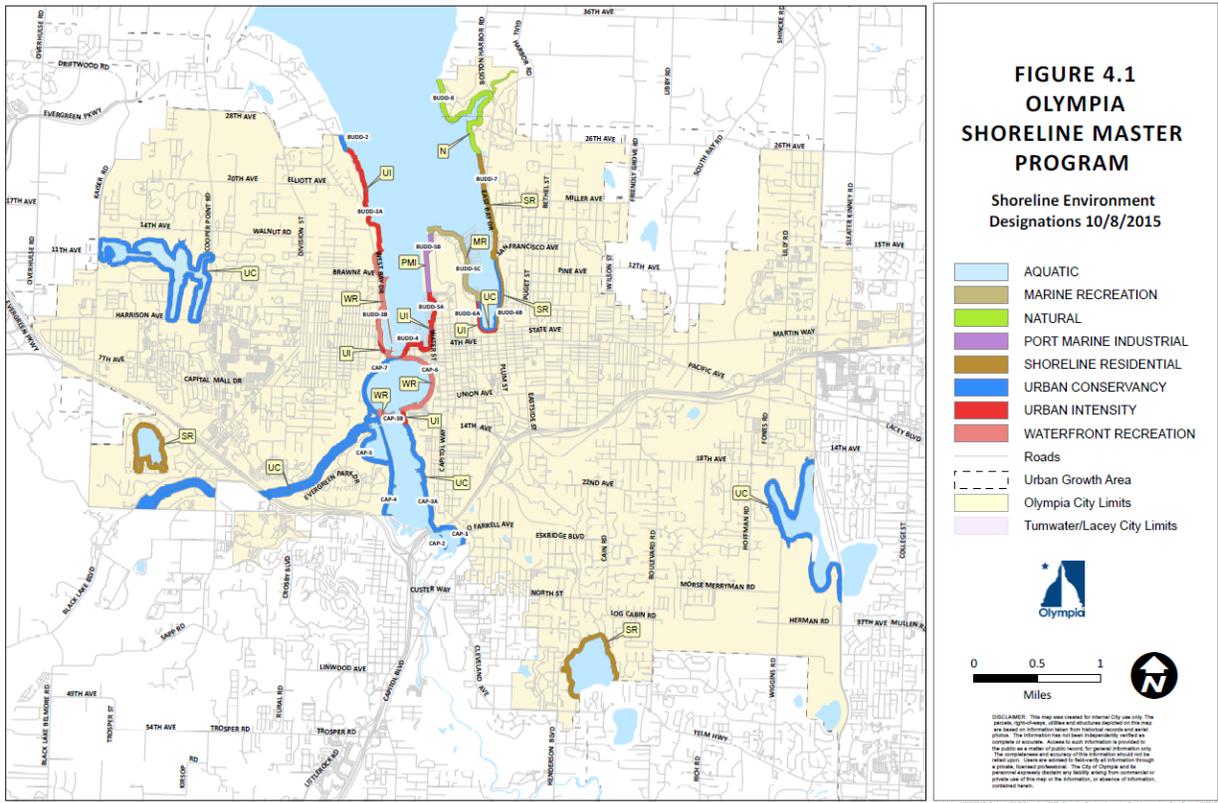
1. -Is an isolated Category III or IV wetland;
2. Is not associated with a riparian corridor;
3. Is not part of a wetland mosaic; ~~and~~
4. Does not contain habitat identified as essential for local populations of priority species identified by the Washington State Department of Fish and Wildlife; ~~and~~
5. No part of the wetland is within shorelines of the State of Washington, except as authorized by OMC 18.20.420(C)(3).

B. Wetlands between one thousand (1,000) and four thousand (4,000) square feet shall be exempt from the requirements of OMC 18.32.135.A, provided that the wetland:

1. Is rated as a Category III or IV wetland,
2. Is not associated with a riparian corridor,
3. Is not part of a wetland mosaic,
4. Does not score 5 points or greater for habitat in the Washington State Wetland Rating System for Western Washington (2014),
5. Does not contain habitat identified as essential for local populations of priority species identified by the Washington State Department of Fish and Wildlife, ~~and~~
6. A wetland mitigation report is provided as required by OMC 18.32.590; ~~and~~
7. No part of the wetland is within shorelines of the State of Washington.

THE FOLLOWING AMENDMENTS ARE TO BRING OMC 18.20 INTO CONSISTENCY WITH THE CITY'S SHORELINE MASTER PROGRAM:

18.20.320 – Official Shoreline Map



18.20.420 - Critical Areas

- All uses and development occurring within the shoreline jurisdiction shall comply with Chapter 18.32 (critical area regulations) and Chapter 16.70 (flood damage prevention), except as modified in (C) below.
- If there are any conflicts or unclear distinctions between this chapter and Olympia’s critical area or flood damage prevention regulations, the requirements that are the most consistent with the Shoreline Management Act or Washington Administrative Code pertaining to shoreline management shall apply.
- Regardless of other provisions in Chapter 18.32, to ensure consistency with the shoreline Management Act critical areas within shoreline jurisdiction shall be subject to the following:
 - In shoreline jurisdiction, critical area review and permit procedures will be incorporated into and conducted consistently with the associated shoreline permit or exemption review and approval.
 - Stream and Important Riparian Area buffer reductions beyond twenty-five percent (25%) ~~OMC 18.32.435(H))~~ within shoreline jurisdiction shall require a shoreline variance.

~~3. In shoreline jurisdiction, OMC 18.32.515(B) does not apply. Furthermore, OMC 18.32.515(A) only applies to isolated Category III and IV wetlands, and impacts must be compensated for (the replacement ratios in OMC 18.32.550 apply in shoreline jurisdiction).~~

4.3. Stormwater facilities may be allowed in the outer twenty-five percent (25%) of Category III and IV wetland buffers in shoreline jurisdiction (OMC 18.32.525(K)) and only when no other location is feasible.

5.4. Utility lines may be allowed in the outer twenty-five percent (25%) of Category III and IV wetland buffers in shoreline jurisdiction (OMC 18.32.525(M)).

6.5. Locating stormwater facilities or utilities within wetlands or within any wetland buffer other than those specified in numbers 4 and 5 above shall require a shoreline variance (OMC 18.32.530(E) and (G)).

~~7. In shoreline jurisdiction, provisions allowing wetland buffer averaging (OMC 18.32.535(F)) and administrative wetland buffer reductions (OMC 18.32.535(G)) shall not be used together.~~

8.6. Wetland buffer reductions beyond twenty-five percent (25%) ~~(OMC 18.32.535(H))~~ within shoreline jurisdiction shall require a shoreline variance.

9.7. Identification of wetlands and delineation of their boundaries in shoreline jurisdiction shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements (OMC 18.32.580).

10.8. Reasonable use exceptions (OMC 18.66.040) are not available for relief from critical area standards within the shoreline jurisdiction. Instead, applicants seeking relief from the critical area standards shall apply for a shoreline variance.

11.9. New development or the creation of new lots that would cause foreseeable risk from geological conditions during the life of the development is prohibited.

12.10. Uses and activities that may be authorized within floodways are limited to those listed in WAC 173-26-221 (3)(c)(i).

~~13. In shoreline jurisdiction, the point scale used to separate wetland categories in OMC 18.32.510 does not apply. Category I wetlands are those that score 23 or more points, category II wetlands are those that score between 20 and 22 points, category III wetlands are those that score between 16 and 19 points, and category IV wetlands are those that score fewer than 16 points.~~

18.20.810 – Permitted Shoreline Modifications

Table 7.1 – Shoreline Modifications

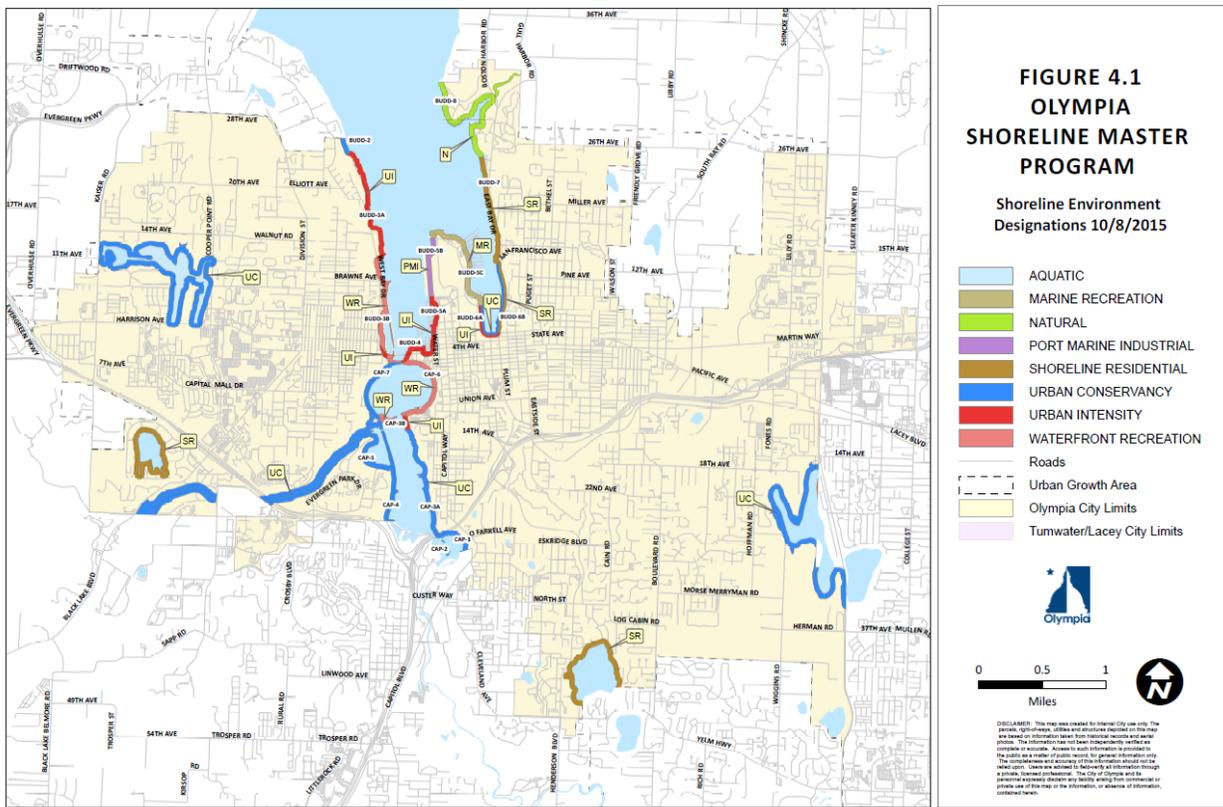
P – Permitted C – Conditional Use X – Prohibited X/C – Allowed by conditional use only in specific cases.	Natural	All other Shoreline Environments	Aquatic (Same as adjacent shoreline environment designation)	Notes & Applicable Regulations
Dredging	C (Only for Ecological Restoration/ Enhancement Projects)	P	←	See OMC 18.20.820
Fill	C (Only for Ecological Restoration/ Enhancement Projects)	P	←	See OMC 18.20.830 through 837
Piers, Docks, Floats and Buoys	X	P	←	See OMC 18.20. 842-840 through 18.20.848
Ecological Restoration and Enhancement	P	P	←	See OMC 18.20.850 through 18.20.855
Instream Structures	P	P	←	See OMC 18.20.857
Shoreline Stabilization Hard Armoring	X	X/C See OMC 18.20.870	←	See OMC 18.20.860 through 18.20.870
Shoreline Stabilization Soft Armoring	P	P	←	See OMC 18.20.860 through 18.20.870
Breakwaters, Jetties, Groins, and Weirs	X	X/C See OMC 18.20.874	←	See OMC 18.20.872 through 18.20.874
Stair Towers	X	X	←	Prohibited

SHORELINE MASTER PROGRAM AMENDMENTS

1.6 Regulations Adopted by Reference

The Critical Areas regulations ~~in effect on October 1, 2013~~ adopted on August 16, 2016, Ordinance Number 7030 and additional amendments adopted on _____, Ordinance Number _____ and contained in the Olympia Municipal Code (OMC) Chapters 18.32 and 16.70 are integral and applicable to this Shoreline Program, and are hereby adopted by reference; provided that the reasonable use provisions set forth in OMC 18.66.040 shall not be available within the shoreline jurisdiction. Instead, applicants may apply for a shoreline variance when seeking relief from critical areas regulations within shorelines. Similarly, Section 18.06.100 A.2.C -- West Bay Drive Building Height and View Blockage Limits (Ordinance 6646, passed on July 14, 2009), is hereby adopted by reference to the extent that the height and use regulations identified therein are applicable to the shoreline jurisdiction area.

3.17 18.20.320 – Official Shoreline Map



3.22 18.20.420 - Critical Areas

- A. All uses and development occurring within the shoreline jurisdiction shall comply with Chapter 18.32 (critical area regulations) and Chapter 16.70 (flood damage prevention), except as modified in (C) below.

- B. If there are any conflicts or unclear distinctions between this chapter and Olympia’s critical area or flood damage prevention regulations, the requirements that are the most consistent with the Shoreline Management Act or Washington Administrative Code pertaining to shoreline management shall apply.
- C. Regardless of other provisions in Chapter 18.32, to ensure consistency with the shoreline Management Act critical areas within shoreline jurisdiction shall be subject to the following:
1. In shoreline jurisdiction, critical area review and permit procedures will be incorporated into and conducted consistently with the associated shoreline permit or exemption review and approval.
 2. Stream and Important Riparian Area buffer reductions beyond twenty-five percent (25%) ~~(OMC 18.32.435(H))~~ within shoreline jurisdiction shall require a shoreline variance.
 - ~~3. In shoreline jurisdiction, OMC 18.32.515(B) does not apply. Furthermore, OMC 18.32.515(A) only applies to isolated Category III and IV wetlands, and impacts must be compensated for (the replacement ratios in OMC 18.32.550 apply in shoreline jurisdiction).~~
 - 4.3. Stormwater facilities may be allowed in the outer twenty-five percent (25%) of Category III and IV wetland buffers in shoreline jurisdiction (OMC 18.32.525(K)) and only when no other location is feasible.
 - 5.4. Utility lines may be allowed in the outer twenty-five percent (25%) of Category III and IV wetland buffers in shoreline jurisdiction (OMC 18.32.525(M)).
 - 6.5. Locating stormwater facilities or utilities within wetlands or within any wetland buffer other than those specified in numbers 4 and 5 above shall require a shoreline variance (OMC 18.32.530(E) and (G)).
 - ~~7. In shoreline jurisdiction, provisions allowing wetland buffer averaging (OMC 18.32.535(F)) and administrative wetland buffer reductions (OMC 18.32.535(G)) shall not be used together.~~
 - 8.6. Wetland buffer reductions beyond twenty-five percent (25%) ~~(OMC 18.32.535(H))~~ within shoreline jurisdiction shall require a shoreline variance.
 - 9.7. Identification of wetlands and delineation of their boundaries in shoreline jurisdiction shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements (OMC 18.32.580).
 - 10.8. Reasonable use exceptions (OMC 18.66.040) are not available for relief from critical area standards within the shoreline jurisdiction. Instead, applicants seeking relief from the critical area standards shall apply for a shoreline variance.
 - 11.9. New development or the creation of new lots that would cause foreseeable risk from geological conditions during the life of the development is prohibited.

~~12.10.~~ Uses and activities that may be authorized within floodways are limited to those listed in WAC 173-26-221 (3)(c)(i).

~~13. In shoreline jurisdiction, the point scale used to separate wetland categories in OMC 18.32.510 does not apply. Category I wetlands are those that score 23 or more points, category II wetlands are those that score between 20 and 22 points, category III wetlands are those that score between 16 and 19 points, and category IV wetlands are those that score fewer than 16 points.~~

3.58 18.20.810 – Permitted Shoreline Modifications

Table 7.1 – Shoreline Modifications

P – Permitted C – Conditional Use X – Prohibited X/C – Allowed by conditional use only in specific cases.	Natural	All other Shoreline Environments	Aquatic (Same as adjacent shoreline environment designation)	Notes & Applicable Regulations
Dredging	C (Only for Ecological Restoration/ Enhancement Projects)	P	←	See OMC 18.20.820
Fill	C (Only for Ecological Restoration/ Enhancement Projects)	P	←	See OMC 18.20.830 through 837
Piers, Docks, Floats and Buoys	X	P	←	See OMC 18.20. 842-840 through 18.20.848
Ecological Restoration and Enhancement	P	P	←	See OMC 18.20.850 through 18.20.855
Instream Structures	P	P	←	See OMC 18.20.857
Shoreline Stabilization Hard Armoring	X	X/C See OMC 18.20.870	←	See OMC 18.20.860 through

				18.20.870
Shoreline Stabilization Soft Armoring	P	P	←	See OMC 18.20.860 through 18.20.870
Breakwaters, Jetties, Groins, and Weirs	X	X/C See OMC 18.20.874	←	See OMC 18.20.872 through 18.20.874
Stair Towers	X	X	←	Prohibited