



Meeting Agenda

Land Use & Environment Committee

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Thursday, December 15, 2016

5:30 PM

Council Chambers

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. APPROVAL OF MINUTES

- 4.A** [16-1368](#) Approval of November 17, 2016 Land Use & Environment Committee Meeting Minutes

Attachments: [Minutes](#)

5. COMMITTEE BUSINESS

- 5.A** [16-1347](#) Annual Annexation Report

Attachments: [Vicinity Map](#)

[SE Annexation Study](#)

[NE Annexation Study](#)

[NW Annexation Study](#)

- 5.B** [16-1359](#) Code Enforcement Status Report

- 5.C** [16-1314](#) Recommendation on Ordinance Amending Wastewater Regulations for Side Sewer Ownership

Attachments: [Ordinance](#)

[UAC Letter](#)

[Side Sewer Sketch](#)

6. REPORTS AND UPDATES

7. ADJOURNMENT

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

Land Use & Environment Committee
**Approval of November 17, 2016 Land Use &
Environment Committee Meeting Minutes**

Agenda Date: 12/15/2016
Agenda Item Number: 4.A
File Number: 16-1368

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

Title

Approval of November 17, 2016 Land Use & Environment Committee Meeting Minutes



Meeting Minutes

Land Use & Environment Committee

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Thursday, November 17, 2016

5:30 PM

Council Chambers

1. CALL TO ORDER

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

2. ROLL CALL

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

Excused: 1 - Committee member Nathaniel Jones

OTHERS PRESENT

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

Thurston County Public Health
Senior Environmental Health Specialist, Sammy Berg

Member of the public:
Roger Horn

3. APPROVAL OF AGENDA

The agenda was approved.

4. APPROVAL OF MINUTES

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

The minutes were approved.

5. COMMITTEE BUSINESS

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

Mr. Bauer presented a briefing.

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

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

The tentative timeline for Phase 2 follows:

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

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

Proposing the following approach to protect heron rookeries:

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

Non-regulatory Protections:

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

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

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

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

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

The report was received.

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

Mr. Bauer reviewed the following:

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

The report was received.

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

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

2016 Work Items continuing into 2017:

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

New Work Items in 2017:

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

The report was received.

6. REPORTS AND UPDATES

Mr. Stahley reported:

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

7. ADJOURNMENT

The meeting adjourned at 7:00 p.m.



Land Use & Environment Committee Annual Annexation Report

Agenda Date: 12/15/2016
Agenda Item Number: 5.A
File Number: 16-1347

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

Title

Annual Annexation Report

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Receive the information. Briefing only; no action requested

Report

Issue:

The Land Use and Environment Committee annually reviews annexation issues and opportunities.

Staff Contact:

Tim Smith, Principal Planner, Community Planning and Development Department, 360.570.3915

Presenter(s):

Tim Smith, Principal Planner

Background and Analysis:

City staff reports annually to the Land Use and Environment Committee regarding annexation opportunities. In 2015, the committee directed staff to study annexation alternatives in the area south of Bigelow Lake. Staff also researched potential annexation boundaries north of Bigelow Lake in the Friendly Grove area, north and south of Yelm Highway, and west of Cooper Point Road. Maps of these areas are attached.

The most common method of annexation for code cities is the Petition Method. Annexations of this type require a petition with signatures of property owners representing 60 percent of the assessed value of an area proposed for annexation.

Staff crafted the potential annexation areas using Annexation Agreements that represent 60 percent of the assessed value for each area. Annexation Agreements are recorded documents that property owners sign in exchange for receiving utility service at city rates to a property located in the unincorporated Olympia Urban Growth Area. Under this agreement, the City has power-of-attorney to

sign an annexation petition on behalf of the property owner.

The Community Planning and Development Department does not currently have adequate staffing in 2017 for a large annexation project. These annexation areas represent a starting point for the committee to discuss the appropriate timing and priorities for a potential annexation. Staff will provide information on the costs and timelines associated with initiating and processing a large annexation at the meeting.

In 2014, staff completed a study of the potential annexation areas that highlights issues and existing conditions. This information is provided below.

Southeast (Yelm Highway)

- This area is generally developed with single family homes, plus a few commercial developments along Yelm Highway
- Water and sewer service is already provided by the City to much of the area
- Most of the public infrastructure has been constructed to 'modern' standards, although many streets lack sidewalks
- Yelm Highway was recently upgraded by the County
- The City owns the undeveloped Ward Lake park property within this area
- Mutual aid agreements provide that emergency response service in the area is shared by the City and the East Olympia and Lacey Fire Districts
- A portion of the East Olympia Fire District was recently annexed by Tumwater and any large annexation by Olympia would need to be negotiated with the Fire District
- This area is within lands being studied by Thurston County for a Habitat Conservation Plan (HCP) to protect threatened and endangered prairie species, including pocket gophers
- Olympia's new Shoreline Master Program (SMP) does not include the unincorporated portion of Ward Lake; a SMP amendment would be needed following annexation
- If a portion of this section of the urban growth area is to be annexed, the general sense of public service providers was that in the near-term the area north of Yelm Highway and west of Boulevard Road should be considered at this time

Northeast (Friendly Grove - Bigelow Lake)

- This portion of the urban growth area is bordered on three sides by the City
- All of the area is zoned for single family development
- The area has scattered urban residential development combined with large areas that are still rural in character
- The portion of the area that drains northerly in the Woodard Creek basin will be much more difficult and costly to provide sewer service than the area that drains southerly toward the City
- Twelfth Avenue south of Bigelow Lake periodically floods
- The area south of 26th Avenue is served by the Lacey Fire District, although it is closer to the facilities of Olympia and the recently merged South Bay/Boston Harbor Fire District - which serves the area north of 26th Avenue
- The State recently determined that Bigelow Lake is of sufficient size to be subject to the Shoreline Management Act, so the governing area (City or County) will need to amend their Shoreline Master Program
- Other than the basin boundary, South Bay Road and 26th Avenue, there are few natural city limit boundaries in the area
- The general consensus of public service providers is that the City should pursue annexation of the westerly half of the area roughly along the basin boundary, with 26th Avenue continuing to form the northerly city limit line

Northwest (Cooper Point Road)

- To protect Green Cove Creek and Butler Cove, a portion of this area is zoned for one home per five acres
- The City's mutual-aid, shared service agreement with McLane Fire District is working well

- According to County staff, some residents of the area have expressed an interest in having portions of this area removed from the 'annexable' urban growth area
- The general sense of public service agencies is that this area is not 'ripe' for annexation

Neighborhood/Community Interests (if known):

Annexation proceedings generate substantial agency, property owner, resident and business interest. For any annexation proceeding, the City would follow a process that ensures all interested parties are well-informed and have an adequate opportunity to participate.

Options:

Options include increasing the current staff level and proceed with an annexation, or consider adding an annexation project to the 2018 work program.

Financial Impact:

A formal annexation process for a large area will require additional staff and financial resources.

Attachments:

Vicinity Map

SE Annexation Study Area

NE Annexation Study Area

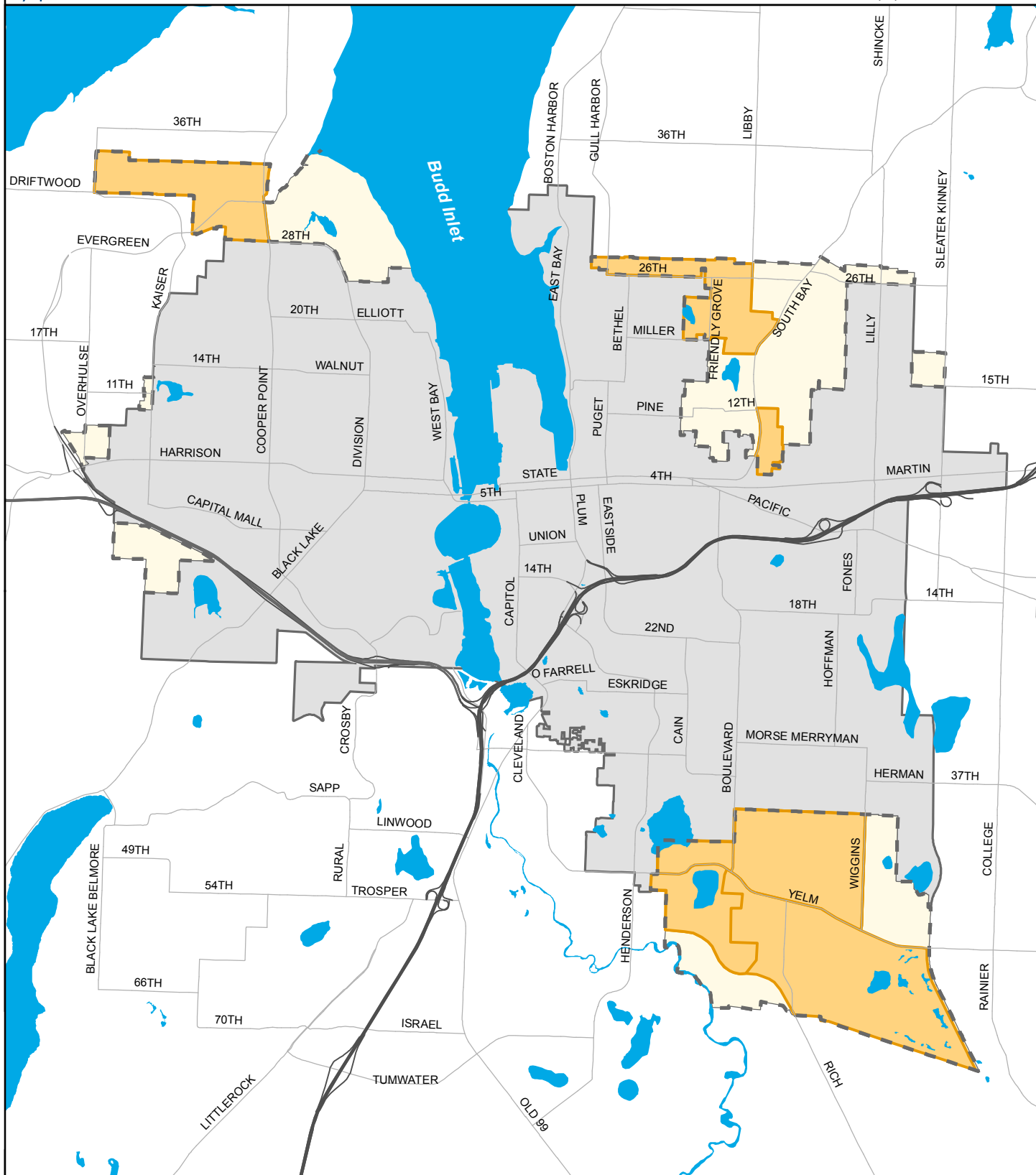
NW Annexation Study Area






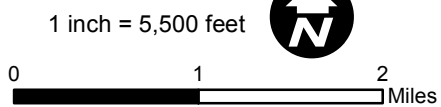
Vicinity Map

Annexation Study Areas

Map printed 11/28/2016
 For more information, please contact:
 Tim Smith, Principal Planner
 tsmith@ci.olympia.wa.us - 360.570.3915



-  City Limits
-  Urban Growth Area
-  Annexation Areas



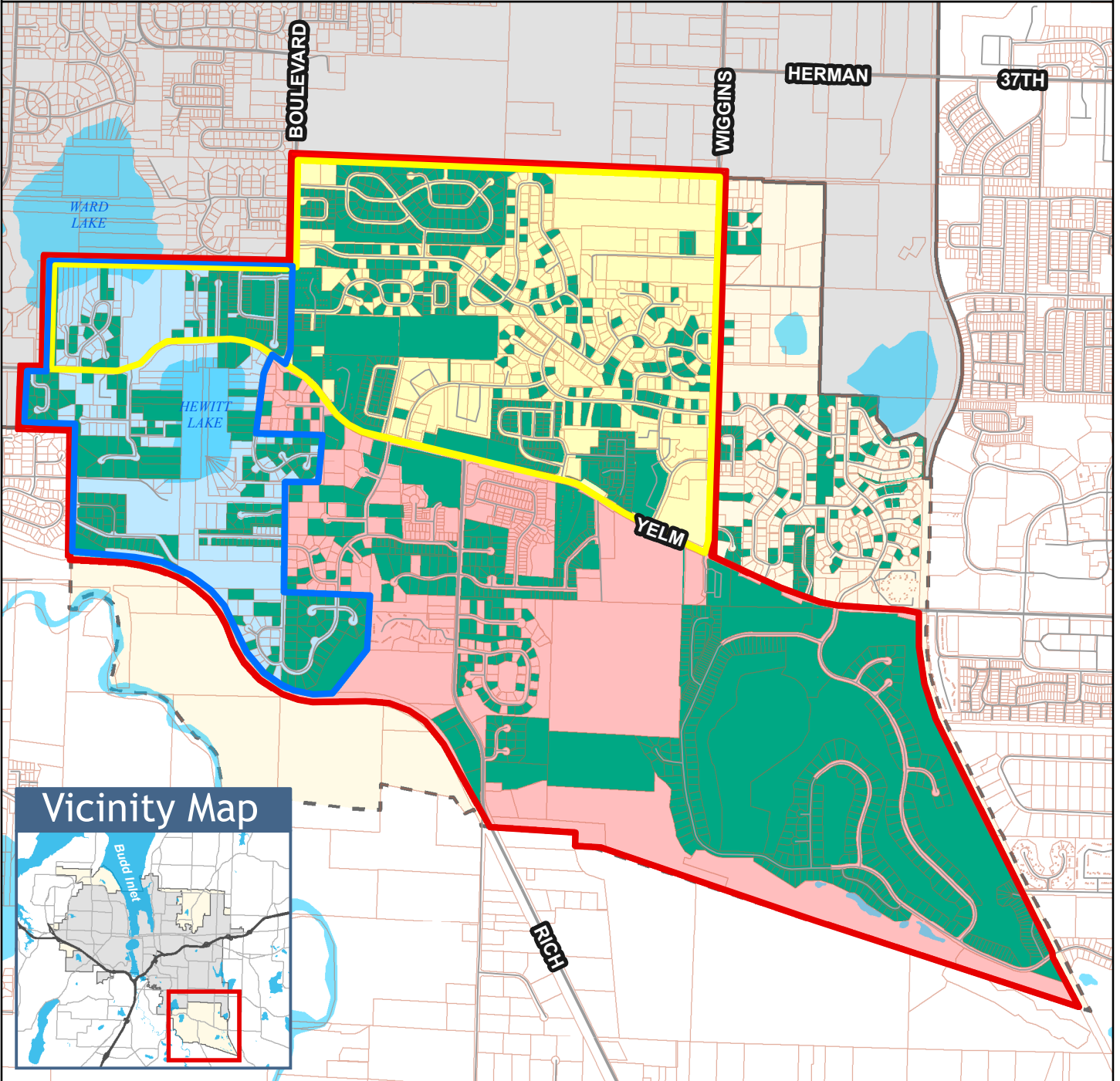
This map is intended for 8.5x11" portrait printing.

The City of Olympia and its personnel cannot assure the accuracy, completeness, reliability, or suitability of this information for any particular purpose. The parcels, right-of-ways, utilities and structures depicted hereon are based on record information and aerial photos only. It is recommended the recipient and or user field verify all information prior to use. The use of this data for purposes other than those for which they were created may yield inaccurate or misleading results. The recipient may not assert any proprietary rights to this information. The City of Olympia and its personnel neither accept or assume liability or responsibility, whatsoever, for any activity involving this information with respect to lost profits, lost savings or any other consequential damages.

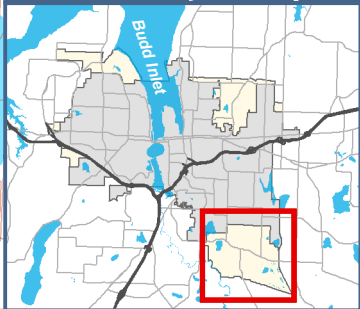


Southeast (Yelm Highway) Annexation Study Area

Map printed 11/28/2016
For more information, please contact:
Tim Smith, Principal Planner
tsmith@ci.olympia.wa.us - 360.570.3915



Vicinity Map



City Limits
 UGA
 Parcels
 Annexation Commitments

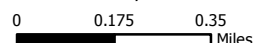
Possible Annexation Areas

| Southeast - Yelm Hwy N. | Southeast - Hewitt Lake | Southeast - Yelm Hwy (North & South) |
|--|--|---|
| Commitment - Assessed Value: \$201,980,050 Total - Assessed Value: \$327,002,200 Percent Committed: 61.8% Estimated Population: 3273 Total Housing Units: 1309 Total Acres: 474.3 | Commitment - Assessed Value: \$82,580,350 Total - Assessed Value: \$139,867,650 Percent Committed: 59.0% Estimated Population: 1093 Total Housing Units: 437 Total Acres: 239.7 | Commitment - Assessed Value: \$508,559,050 Total - Assessed Value: \$769,078,660 Percent Committed: 66.1% Estimated Population: 6360 Total Housing Units: 2544 Total Acres: 2596 |

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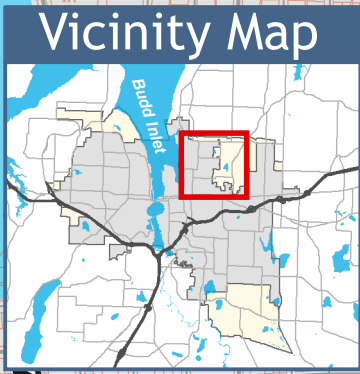
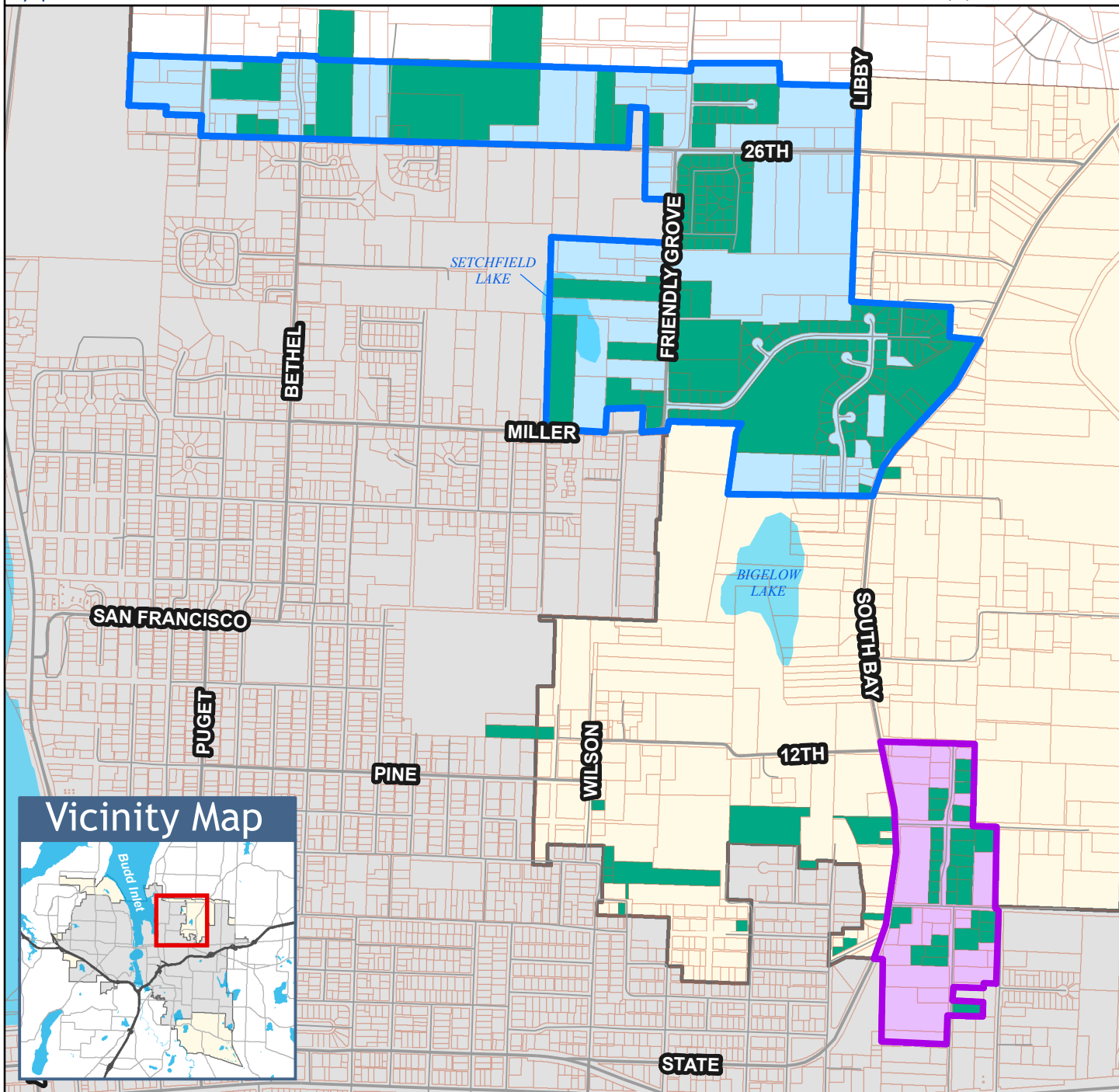
1 inch = 1,825 feet





Northeast (Friendly Grove & South Bay) Annexation Study Area

Map printed 11/29/2016
For more information, please contact:
Tim Smith, Principal Planner
tsmith@ci.olympia.wa.us - 360.570.3915



City Limits
 UGA
 Parcels
 Annexation Commitments

Possible Annexation Areas

Northeast - Friendly Grove

Northeast - South Bay

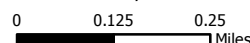
Commitment - Assessed Value: \$47,992,900
 Total - Assessed Value: \$72,223,670
 Percent Committed: 66.5%
 Estimated Population: 598
 Total Housing Units: 239
 Total Acres: 330.6

Commitment - Assessed Value: \$7,845,100
 Total - Assessed Value: \$15,461,100
 Percent Committed: 50.7%
 Estimated Population: 180
 Total Housing Units: 72
 Total Acres: 47.2

This map is intended for 8.5x11" portrait printing.

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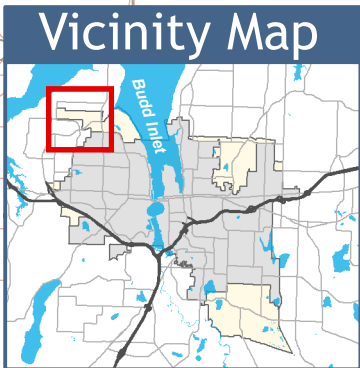
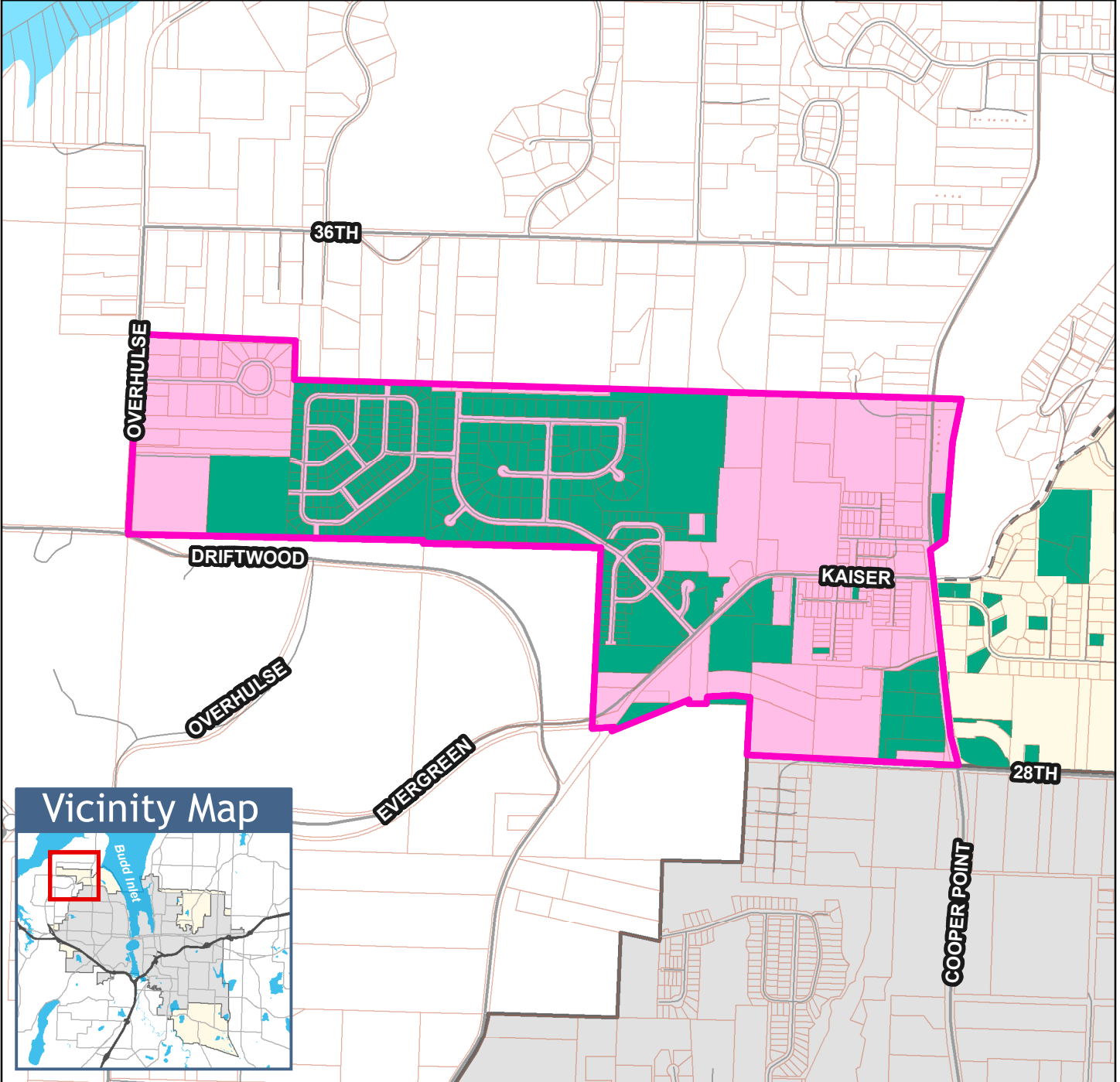
1 inch = 1,311 feet





Northwest (Cooper Point Rd.) Annexation Study Area

Map printed 11/29/2016
For more information, please contact:
Tim Smith, Principal Planner
tsmith@ci.olympia.wa.us - 360.570.3915



City Limits
 UGA
 Parcels
 Annexation Commitments

Possible Annexation Areas

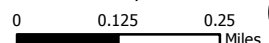
Northwest - Cooper Point

Commitment - Assessed Value:
 \$126,224,200
 Total - Assessed Value:
 \$164,740,900
 Percent Committed: 76.6%
 Estimated Population: 1975
 Total Housing Units: 790
 Total Acres: 311.8

This map is intended for
8.5x11" portrait printing.

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1 inch = 1,250 feet





Land Use & Environment Committee Code Enforcement Status Report

Agenda Date: 12/15/2016
Agenda Item Number: 5.B
File Number: 16-1359

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

Title

Code Enforcement Status Report

Recommended Action

Committee Recommendation:

Not referred to a committee

City Manager Recommendation:

Receive the Information. Briefing only; no action requested.

Report

Issue:

Whether to receive a report on 2016 Code Enforcement year-in-review.

Staff Contact:

Chris Grabowski, Lead Code Enforcement Officer, Community Planning & Development, (360) 753-8168

Presenter(s):

Chris Grabowski, Lead Code Enforcement Officer, Community Planning & Development

Background and Analysis:

The Code Enforcement Division of the Community Planning & Development Department helps maintain or improve the quality of life in our community by enforcing laws and codes targeted at solving specific problems within the community.

During 2016 Code Enforcement had some successes, some challenges, some changes, and some opportunities.

- Lost .5 FTE when the 50/50 Code Enforcement/Building Inspector moved over to full time building inspection duties.
- Gained a temporary .5 FTE in June to assist with workload. Position funding will end December 15, 2016.
- Implemented new SmartGov case tracking software, replacing software from the 1990s. There has been a learning curve, and staff is still learning to utilize SmartGov to its full potential.

- Helped develop internal policies for identifying, tagging, recording, and storing potentially valuable personal property left in encampments.
- Worked with Legal Department to assess impacts of Supreme Court of the United States decision (Reed vs. Town of Gilbert) on sign code enforcement.
- Attended Spring and Autumn trainings by the Washington Association of Code Enforcement.
- Working with neighborhood association representatives, Olympia Police Department, and Legal Department to review and improve nuisance code.
- Completed taking the marijuana zoning expansion ordinance through public hearing/Planning Commission process.

2016 Statistics

Since December 1, 2015:

- 380 new cases have been created, including
 - 24 homeless encampments
 - 32 inoperable vehicle cases
 - 33 sign code violations
 - 46 trash and debris cases
 - 76 overgrown/encroaching vegetation cases
- 220 cases have been successfully closed
- 1,346 inspections were performed
- 2,907 other case actions were performed, including phone calls, emails, letters and notices

Neighborhood/Community Interests (if known):

N/A

Options:

N/A

Financial Impact:

None

Attachments:

None



Land Use & Environment Committee

Recommendation on Ordinance Amending Wastewater Regulations for Side Sewer Ownership

Agenda Date: 12/15/2016
Agenda Item Number: 5.C
File Number: 16-1314

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

Title

Recommendation on Ordinance Amending Wastewater Regulations for Side Sewer Ownership

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the recommendation to forward the Ordinance amending Wastewater Regulations for Side Sewer ownership to Council for consideration.

Report

Issue:

Whether to recommend City Council adopt the Ordinance which amends Olympia Municipal Code 13.08 and Chapter 7 in the Engineering Design and Development Standards (EDDS).

Staff Contact:

Diane Utter, P.E., Water Resources Engineer, 360.753.8562

Presenter(s):

Diane Utter

Background and Analysis:

The Olympia Municipal Code (OMC) 13.08.040 states:

... The property owner is responsible for all costs and expense incidental to the installation, connection and maintenance of a side sewer, including that portion within the city right-of-way or utility easement. The City shall not be liable for any damages or costs incurred by reason of blockage or deterioration of a side sewer, up to and including its connection with the public sewer main.

This regulation has sometimes been problematic for the City. The average side sewer is 40 years old with some as old as 100 years. Many side sewers are as deep as eight feet and run under public

streets making maintenance and repairs difficult and expensive. Repairs often take many months or even years to complete due to disputes with property owners. Disagreements are common about what caused a break, exactly where the break is located, and who is required to make the repair and pay for it. Staff has spent extensive time ensuring property owners make needed repairs. More than once, the situation has resulted in a lawsuit between citizens and the City.

Problems with side sewers have caused sink holes and sewer leaks. Expedient repair is sometimes needed to protect public health and safety. In addition, work within the right-of-way is often difficult and hazardous. Repairs by private contractors, who were hired by property owners, have resulted in unsafe excavations, roadway settlement, and damage to utilities. These problems are not always found during construction, leading to issues months or years later. Therefore, the utility is proposing changing the regulation to address the issue of side sewer ownership and maintenance responsibilities.

Staff researched the policies of other agencies in the Puget Sound region. The research showed that the City's current policy is the most common, but others exist. The City of Tumwater, for example, owns side sewers in the right-of-way if a cleanout exists at the property line. A cleanout is a pipe from the ground down to the sewer for inspection and cleaning. Staff recommends adopting a similar ordinance. Olympia Legal staff verified changing our current ownership policy is a legal option. The public benefits of changing the regulation are:

- City assets are protected (pavement, sewer mains and other utilities),
- public and environmental health is protected (reduced sewer contamination through expedient repairs), and
- public safety is improved (safe excavations and expedient repair of sink holes).

Neighborhood/Community Interests (if known):

The amendment balances the needs of the utility and community. It more equitably spreads the cost of side sewer repairs between property owners and the wastewater utility. Staff briefed the Utility Advisory Committee (UAC) about the proposed change and recommends City Council adopt the ordinance.

Options:

1. Move to recommend City Council adopt the Ordinance amending OMC 13.08 and EDDS Chapter 7. This will allow the utility to better meet environmental and public safety goals.
2. Move to recommend City Council adopt the Ordinance amending OMC 13.08 and EDDS Chapter 7 with modifications. This allows the utility to better meet environmental and public safety goals which will include modifications proposed by LUEC.
3. Move to not recommend City Council adopt the Ordinance amending OMC 13.08 and EDDS Chapter 7. This will allow the current ownership and maintenance of side sewers to remain in place. There will continue to be disputes between property owners and the utility.

Financial Impact:

Staff anticipates added maintenance costs. Changes will initially increase sewer pipe infrastructure by approximately 6 percent. Initially, staff plans to increase the spot repairs project in the Capital Facilities Plan by \$25,000, approximately 6 percent. The spot repair budget would be adjusted up or down after more experience with the new policy. City crews will complete many of the repairs under existing budgets.

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

The number of repairs will likely be small. Based on recent permit records of repairs in the public right-of-way, there were seven known issues between 2010 and 2015. We can estimate 1-2 repairs per year, based on permit records.

Changing the regulation will save staff considerable time due to decreased disputes with property owners. This savings will free up staff to work on other utility priorities.

Attachments:

Ordinance

UAC Letter

Side Sewer Sketch

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO WASTEWATER; AMENDING SECTIONS 13.08.010 AND 13.08.040 OF THE OLYMPIA MUNICIPAL CODE; AND AMENDING SECTIONS 7B.080 AND 7F.010 OF THE ENGINEERING DESIGN AND DEVELOPMENT STANDARDS

WHEREAS, side sewer ownership and maintenance are currently the responsibility of the property owner served by sewer; and

WHEREAS, repairs of side sewers occurring under roadways are costly and difficult; and

WHEREAS, timely, competent repairs of side sewers occurring in the right-of-way is important to public safety; and

WHEREAS, timely, competent repairs of side sewers occurring in the right-of-way is important to public and environmental health; and

WHEREAS, the wastewater utility seeks to protect its assets from substandard repairs; and

WHEREAS, for the drinking water and stormwater utilities, ownership of infrastructure changes at the right-of-way line; and

WHEREAS, the proposed regulation changes were presented to the Utility Advisory Committee (the UAC) in October 2016; and

WHEREAS, the UAC recommended that the proposed regulation changes be forwarded to the City Council for consideration; and

WHEREAS, the City Council determines it to be in the best interest of the City of Olympia to amend the current wastewater regulations regarding ownership and maintenance of side sewers;

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

Section 1. Amendment of OMC 13.08.010. Olympia Municipal Code Section 13.08.010 is hereby amended to read as follows:

13.08.010 Definitions

For the purpose of this Article:

A. "Building sewer" means the same as "side sewer" and "service lateral".

B. "City Engineer" shall mean the City Engineer of the City of Olympia, or his/her designee, who has the duty and authority to enforce the codes and standards adopted by the City Council, as they relate to the development and operation of the City's infrastructure by private development, including other governmental agencies, and City projects.

C. "Domestic user" shall mean any person who contributes, causes, or allows the contribution of wastewater into the POTW that is of a similar volume and/or chemical make-up as that of a residential

dwelling unit. Discharges from a residential dwelling unit include flows with up to 300 mg/l of Biological Oxygen Demand and 300 mg/l of Total Suspended Solids.

D. "Downtown Deferred General Facility Charge Payment Option Area" shall mean all properties located within the area bounded by: Budd Inlet to the north; Budd Inlet and Capitol Lake on the west; Sid Snyder Avenue extending between Capitol Lake and Capitol Way, and 14th Avenue extending to Interstate 5 on the south; Interstate 5 on the southeast; Eastside Street on the east, and Olympia Avenue extending to Budd Inlet on the north.

E. "Gravity sewer system" shall mean that portion of the public sewer in which wastewater flows through pipes by means of gravity and the sewer lift stations and force mains that connect the gravity pipes in the system. S.T.E.P. and grinder pump systems, and associated low pressure mains, are not part of the gravity sewer system.

F. "Grinder pump system" shall mean a facility consisting of a holding tank, grinder pump, and pressure piping system for conveying wastewater liquid and solids into the sewer system.

G. "Industrial user" shall mean any Person with a source of discharge which does not qualify that person as a Domestic User who discharges an effluent into the POTW by means of pipes, conduits, pumping stations, force mains, tank trucks, constructed drainage ditches, intercepting ditches, and any constructed devices and appliances appurtenant thereto.

H. "Onsite sewage system" shall mean a wastewater system consisting of a tank for settling and digesting wastewater solids that disposes of effluent on the same property that produces the wastewater. This type of system is commonly called a septic system.

I. "Person" shall mean natural persons of either sex, associations, copartnerships and corporations, whether acting by themselves or by a servant, agent, or employee. The singular number includes the plural, and the masculine pronoun includes the feminine.

J. "Premises" shall mean a continuous tract of land, building or group of adjacent buildings under a single control with respect to connection to City sewer and responsibility for payment of fees and rates thereof. Subdivisions of such use or responsibility shall constitute a division into separate premises as defined in this section.

K. "Publicly Owned Treatment Works or POTW" shall mean a treatment works, as defined by Section 212 of the Federal Water Pollution Control Act, also known as the Clean Water Act (33 U.S.C. Section 1292). This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, including sanitary sewer and storm sewer collection systems, which convey wastewater to a treatment plant.

L. "Public combined sewer" shall mean that portion of the public sewer system (~~excluding side sewers~~) intended to collect both sanitary sewage and stormwater in a single sewer system and located within public rights-of-way or easements and operated and maintained by the City.

M. "Public sewer" shall mean that portion of the wastewater system (~~excluding side sewers~~) located within public rights-of-way or easements and operated and maintained by the City.

N. "Septic tank effluent pumping or S.T.E.P. system" shall mean a facility consisting of a tank or tanks for settling and digesting wastewater solids and a pressure piping system for conveying the supernatant liquid into the sewer system. Most of the wastewater solids remain in the S.T.E.P. tank and are removed periodically.

O. "Side sewer" shall mean that portion of the sewer beginning outside the outer foundation wall of a structure and extending to ~~and including the connection to the~~ public sewer main, or to the S.T.E.P. tank or to the grinder system service connection. Also referred to as a building sewer or a service lateral.

Section 2. Amendment of OMC 13.08.040. Olympia Municipal Code Section 13.08.040 is hereby amended to read as follows:

13.08.040 Side Sewer Installation and Maintenance

A. All connections to the public sewer shall be made in a permanent and sanitary manner, subject to the approval of the City Engineer and in accordance with the public works standard specifications, engineering design and development standards and uniform plumbing code of the City. The property owner is responsible for all costs and expense incidental to the installation, connection and maintenance of a side sewer, except as noted in sections B and C, including that portion within the city right-of-way or utility easement. The City shall not be liable for any damages or costs incurred by reason of blockage or deterioration of a side sewer, up to and including its connection with the public sewer main.

B. City ownership of a gravity side sewer shall be from the sewer main to the property line or easement boundary, if a cleanout exists at this point. The property owner shall own the side sewer from the structure to the cleanout at the property line or easement boundary. The property owner shall be responsible for installing and maintaining the cleanout so it is accessible to the City.

If no cleanout exists at the property line or easement boundary, the property owner shall own the side sewer from the structure to the sewer main, until the property owner installs a cleanout at the property line or easement boundary. The connection between the side sewer and the main shall be owned and maintained by the City.

City ownership of a grinder side sewer shall be between the main and the service connection. All other elements of the grinder pump system, including but not limited to, the valves, pumps and pressurized service line between the grinder pump and the service connection shall be owned and maintained by the property owner.

City ownership of S.T.E.P. side sewers shall be according to the bill of sale.

C. Regardless of ownership, the property owner shall be responsible for the removal of blockages in side sewers between the structure and the city main, including tree roots, dirt, debris, broken pieces of pipe, fats, oils, and grease, etc, if the cause of the damage or blockage originated from the private property. The City shall not be liable for any damages or costs incurred by reason of blockage or damage to the side sewer, if the cause of the damage or blockage originated from the private property.

Section 3. Amendment of EDDS 7B.080. Engineering Design and Development Standards Section 7B.080 is hereby amended to read as follows:

7B.080 Side Sewer

A side sewer refers to the extension from a building sewer, beginning 2 feet outside the outer foundation wall at the structure, to the sewer main. Side sewers from the sewer main to the right-of-way line will be minimum 6-inch diameter. See Section 7B.030.E for tracer tape and toning wire requirements.

Each separate building will be served by an individual side sewer. In addition, both units of duplexes will be served by separate side sewers. ~~Ownership and maintenance of the side sewer, up to and including the connection point at the sewer main, will be the responsibility of the property owner.~~

Prior to connection of a side sewer to the public sewer, a connection permit must be obtained from the City. Side sewer pipe must meet either ASTM D 3034, SDR 35 solid wall pipe or ASTM F 794 for solid seamless profile pipe and meet design criteria covered by the Uniform Plumbing Code (UPC) as adopted.

If an existing sewer main with stubout(s) is located along one or more of the frontages of a proposed building requiring sewer service, then the building must be connected to the sewer system at the stubout. Exceptions to this requirement include the following:

1. Site constraints require that the building be connected to the sewer main at a different location than the stubout in order to maintain gravity flow from the building to the sewer main, or
2. The sewer main has been rehabilitated with cured-in-place-pipe (CIPP) material and the existing stubout was not reinstated (i.e. the CIPP material was not cut out at the stubout).
3. The existing stubout diameter is less than the diameter of the proposed side sewer.

The property owner or developer should contact Public Works to find out whether or not a sewer stubout is available to connect a proposed building to the sewer system.

If an existing stubout is not available to connect to, or one of the above exceptions applies, then the building shall be connected to the sewer main as shown in Standard Drawing 7-19.

**Section 4. Amendment of EDDS 7F.010. Engineering Design and Development Standards
Section 7F.010 is hereby amended to read as follows:**

7F.010 General

Grinder pump system may be installed to serve one or multiple residential and commercial user(s) only where approved by the City. A grinder pump application with approved site plat is required.

~~The City will take over ownership and maintenance of the pressurized sewer main in the right of way if it is constructed according to these standards. All other elements of the grinder pump system, including the pressurized service line between the grinder pump and the City-owned pressurized main, shall be owned and maintained by the customer.~~

A grinder system is a facility consisting of a holding tank, grinder pump, and pressure piping system for conveying the wastewater and solids into the sewer system.

Power, including auxiliary power in the event of a power outage, will be provided and paid for, as well as owned and maintained, by the customer.

All sewer pipe, drains, and plumbing between the building and force main before discharging to the sewer main will be the responsibility of the customer.

Currently, the City will only accept the Environmental-One (E/One) Grinder Pump System for connection to City-owned gravity or pressured sewer mains.

Commercial grinder systems that have kitchen or cooking facilities, such as churches, community gathering places, restaurants, schools, etc., shall require installation of a grease trap.

Only sanitary wastewater shall be discharged into the tank; roof drains and other stormwater sources shall be strictly excluded.

Section 5. 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 6. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 7. Effective Date. This Ordinance shall take effect thirty (30) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

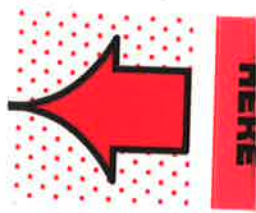


DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:





December 1, 2016

Olympia City Council
PO Box 1967
Olympia, WA 98507-1967

Dear Councilmembers:

SUBJECT: Wastewater Municipal Code Changes

This letter provides recommendations from the City's Utility Advisory Committee (UAC) to City Council regarding proposed wastewater municipal code changes covering three topics:

- Changes to the Septic to Sewer program to encourage more connections
- Side sewer ownership and maintenance
- Septic tank effluent pumping (S.T.E.P.) system permitting

Septic to Sewer Program

The 2013 Wastewater Plan recommends changes to the Septic to Sewer program to make connection to sewer accessible to more property owners. The changes proposed are summarized below:

- Fund a limited number of small-scale sewer extensions to assist connecting residents (current allocation is \$341,000/year). Partial reimbursement (less than \$10,000 per property) to the City would be required, potentially over time. The repayment mechanism would be simpler than the one created in 2008.
- Allow for the payment of City General Facility Charges (GFC) for onsite septic system conversions over time rather than as a lump sum payment at the time of connection.
- Allow new property owners to qualify for a GFC waiver if they connect to sewer within two years of purchasing the property.

Staff will analyze the financial implications of the proposed changes and will include the following considerations:

- City funding for a number of small-scale sewer extension projects to assist residents in converting from onsite septic systems to public sewer. The current allocation in the Capital Facilities Plan is \$341,000; some of which will be reimbursed by connecting customers.
- Financing of the City GFC over time rather than as a lump sum, only for properties converting from onsite septic systems to public sewer. This will result in revenue being delayed and an appropriate fee or interest rate charged to compensate the utility.

Side Sewer Ownership and Maintenance

Staff outlined a proposal to change the ownership and maintenance responsibilities for side sewers. The proposal aligns the ownership of wastewater side sewers more closely with the

drinking water and stormwater utilities. Failing side sewers have caused unsafe conditions including sinkholes, sewage releases and unstable repair excavations. The goal is to see that repairs under roadways are completed in a safe and timely manner with protection of the City's assets as a priority.

The financial implications of the proposed changes have been analyzed and are still an estimate. Changes will initially increase sewer pipe infrastructure by approximately six percent. Existing funding in the capital facilities plan for sewer repairs will be increased by approximately six percent to account for the change in policy.

S.T.E.P. System Permitting

The 2013 Wastewater Plan also recommends considering changes to the restrictions regarding S.T.E.P. systems. Staff is considering reducing restrictions on S.T.E.P. sewer extensions to accommodate short plats only. The goal is to encourage urban growth densities in areas where gravity sewer extension is too expensive for small properties to construct.

Staff has analyzed the financial implications of the proposed changes. Currently, approximately 450 properties are eligible to be developed using S.T.E.P. systems. Staff have evaluated subdividable properties (greater than 0.5 acres) potentially served by S.T.E.P. systems and are assuming the proposed change in regulations would result in fewer than 250 additional lots. New S.T.E.P. system infrastructure would be constructed by developers. S.T.E.P. systems do cost approximately 50 percent more to maintain than gravity sewers and would eventually need to be factored into the Wastewater Utility Operating Budget and rates as properties develop. Operations staff considers the additional S.T.E.P. systems manageable.

Recommendations to City Council

The UAC supports the changes to the municipal code regarding the Septic to Sewer program, side sewer ownership and maintenance, and S.T.E.P. system permitting as outlined by staff to the UAC on October 6, 2016. We recommend that the City pursue getting LOTT to consider similar financial incentives for converting Septic to Sewer programs, including GFC waivers and other grants, and that the City explore the possibility of LOTT's establishing a revolving fund or some similar method to help residents finance the cost of these conversions. At this point there's still some uncertainty about what these proposals will actually cost, but once staff has refined the proposed regulatory changes, we encourage the City Council to move forward on these issues.

Thank you for the opportunity to comment. Please let me know if you have any questions.

Sincerely,



THAD CURTZ

Chair

Utility Advisory Committee

TC/lm

Side Sewer Sketch

