



Meeting Agenda

Planning Commission

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

Monday, January 9, 2017

6:30 PM

Room 207

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 [17-0007](#) Approval of the November 21, 2016 Olympia Planning Commission Meeting Minutes

Attachments: [OPC 11.21.16 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 [17-0006](#) Critical Areas Ordinance (CAO), Phase 2, Locally Important Habitat and Species Briefing

Attachments: [OMC18.32.300 122216](#)

[Map_Heron_Rookeries_PublicOutreach](#)

[DraftHeronMgmtGuidelines](#)

[HeronDevelopmentGuidelines_draft_PC_010917](#)

[OlympiaCAO_PhaseII_Recommendations_Oct2016_clean](#)

[SMP_amendments_track](#)

[CAO_amendments](#)

Estimated time: 30 minutes

6.B [17-0029](#) Briefing on Housing Tool Box and Downtown Strategy Work
Implementation Plan

Attachments: [Tool Box](#)
[Implementation Plan](#)

Estimated time: 60 minutes

6.C [17-0024](#) 'Missing Middle' Infill Housing Analysis - Public Involvement Plan

Attachments: [Missing Middle Project Schedule and Outreach](#)

Estimated time: 45 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 January 23, 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 November 21, 2016 Olympia Planning Commission Meeting Minutes

Agenda Date: 1/9/2017
Agenda Item Number: 3.A
File Number: 17-0007

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

Title

Approval of the November 21, 2016 Olympia Planning Commission Meeting Minutes

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Meeting Minutes

Planning Commission

ATTACHMENT 1

City Hall
601 4th Avenue E
Olympia, WA 98501

Contact: Joyce Phillips
360.570.3722

Monday, November 21, 2016

6:30 PM

Room 207

1. CALL TO ORDER

Chair Mark called the meeting to order at 6:32 p.m.

1.A ROLL CALL

Commissioner Burns and Commissioner Richmond arrived after roll call was taken.

Present: 7 - Chair Brian Mark, Vice Chair Mike Auderer, Commissioner Travis Burns, Commissioner Paula Ehlers, Commissioner Darrell Hoppe, Commissioner Negheen Kamkar and Commissioner Carole Richmond

Excused: 1 - Commissioner Missy Watts

2. APPROVAL OF AGENDA

The agenda was approved.

3. APPROVAL OF MINUTES

3.A [16-1270](#) Approval of the November 7, 2016 Olympia Planning Commission Meeting Minutes

Chair Mark recommended one addition to the minutes. Under staff announcements first bullet - add in 5:30 p.m. after the date December 6, 2016.

The minutes were approved as amended.

4. PUBLIC COMMENT - None

5. STAFF ANNOUNCEMENTS

Ms. Phillips announced the following:

- Positions for City Advisory Boards are now open, including for the Planning Commission. Applications opened on November 1, 2016 and will close January 31, 2017. Please share this information with those who may be interested!

Applications are available at:

<http://olympiawa.gov/city-government/advisory-committees.aspx>

- The new Low Impact Development (LID) stormwater regulations go into effect on December 1, 2016.

6. BUSINESS ITEMS

6.A [16-1267](#) Zoning Code Text Amendment related to drive-through facilities within the Briggs Village Public Hearing

Ms. Floyd presented information regarding the proposed zoning code text amendments related to drive-through facilities within the Briggs Village. In order to maintain the strong emphasis on the pedestrian environment within the code, the revisions proposed increase the development and design standards related to drive-through lanes. Drive-through lanes would only be permitted in association with businesses that primarily engage in providing services to walk-in customers. Additionally, any new drive-through lane would be required to be accessed from existing interior parking areas and to be designed so that dedicated pedestrian access to the entry is maintained from the primary street. These provisions are intended to significantly limit the potential locations for drive-through lanes and ensure they would remain within areas already dedicated to automobiles.

The Commission asked for clarification on some proponents of the proposed amendments which Ms. Floyd provided.

Chair Mark opened the public hearing.

The following members of the public spoke:

Gurdip Gill, owner of Briggs Village
 Ron Thomas, Thomas Architecture Studio (active architect on this project)
 David Schaffert, CEO of Thurston County Chamber of Commerce
 Heather Burgess, Phillips Burgess (attorney representing the owner of Briggs Village)

All were in favor of the proposed zoning code text amendments and were hopeful they will encourage commercial development as they provide more flexibility to potential businesses. They encouraged the Commission to approve these zoning code amendments.

Chair Mark closed the public hearing.

The Commission proceeded with deliberation.

Vice Chair Auderer motioned, seconded by Commissioner Kamkar to recommend adoption of the draft amendments to City Council as proposed. The motion was unanimously approved.

6.B [16-1252](#) Sign Code Update Briefing

Ms. Phillips presented an update.

Accomplishments to date:

- August 2016 - developed a public participation plan
- August 2016 - created a sign code update webpage that went live on September 1, 2016
- August through September 2016 - sent out a request for proposals for a consultant
- October 2016 - selected a consultant and entered into a contract agreement
- October through November 2016 - formed a Policy Advisory Committee (PAC)
- Scheduled the first PAC meeting for November 29, 2019 at City Hall from 3:00 p.m. to 5:00 p.m.

Next Steps (December 2016 - May 2017):

- Form Technical Advisory Committee (TAC)
- Determination of portions of sign code that are not content neutral and must be updated
- Review options for streamlining the code and making it more “user-friendly”
- Consider sign types that are not currently allowed
- Hold public meetings and receive input
- Begin drafting a new sign code
- Work with PAC, TAC, staff, and the public to refine draft
- Public Hearing on final draft

The information was received.

6.C [16-1277](#) Planning Commission Officers for 2017 - Selection

Chair Mark motioned, seconded by Commissioner Kamkar to elect Commissioner Richmond as the Chair of the Finance (Capital Facilities Plan) Subcommittee for 2017. The motion was unanimously approved.

Commissioner Kamkar motioned, seconded by Commissioner Burns to elect Commissioner Mark as Chair and Commissioner Auderer as Vice Chair of the Planning Commission for 2017. The motion was unanimously approved.

7. REPORTS

Commissioner Richmond reported on the November 14, 2016 Downtown Strategy Stakeholders Work Group meeting that she attended.

Commissioner Hoppe mentioned a property that has been donated to the City, Zables Rhododendron Garden. He has an interest in the progress of this property as he wants to see the plants that are there remain healthy. The Rhododendron Society has been contacted to seek help in keeping this property maintained as there isn't current funding in the Parks Department. The Parks Department is currently working on a plan for the property. Commissioner Hoppe will present updates as he receives them.

Commissioner Mark reported on the most recent Arts Commission meeting he attended.

OTHER TOPICS

Commissioner Auderer requested an update at the next Planning Commission meeting on how many applications for the open Planning Commission seats have been received. Ms. Phillips indicated an update will be provided.

Commissioner Mark suggested the Commission may want to form subcommittees to tackle some of its larger work plan items in 2017.

The Commission agreed to cancel its December 5, 2016 meeting.

9. ADJOURNMENT

The meeting adjourned at 8:25 p.m.



Planning Commission

Critical Areas Ordinance (CAO), Phase 2, Locally Important Habitat and Species Briefing

Agenda Date: 1/9/2017
Agenda Item Number: 6.A
File Number: 17-0006

Type: information Version: 1 Status: In Committee

Title

Critical Areas Ordinance (CAO), Phase 2, Locally Important Habitat and Species Briefing

Recommended Action

Information only. No action requested.

Report

Issue:

Whether to receive the information and update on Phase 2 of the CAO, Locally Important Habitat and Species.

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:

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).

Finally, when the City amends its CAO, it must also amend its Shoreline Master Program (SMP) to adopt the new CAO by reference.

Phase 1 of the CAO was approved by City Council on July 19, 2016. The tentative future timeline for Phase 2 follows:

Jan 9, 2017 Planning Commission Briefing
Jan 18, 2017 Public Open House
Feb-Mar 2017 Planning Commission Public Hearing (Including SMP amendment)
Mar-Apr 2017 City Council Ordinance adoption (Including SMP Ordinance to adopt amended CAO)

After hearing concerns and getting suggestions from a technical working group, staff and consultant Environmental Science Associates (ESA) did additional research and consulted with other jurisdictions regarding their experiences with protecting locally important species. For example, we were interested in other cities' experiences with inviting the public to nominate additional locally important species. Bellevue, Redmond and Kenmore have such a process but, according to their staff, no nominations have been received and they may be considering abandoning that portion of their programs. We are, however, suggesting a process by which additional locally important species and/or habitat could be nominated in Olympia (see attached proposed new OMC 18.32.325).

As suggested in ESA's October 31 memo (attached), we propose 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.

Great Blue Heron and Habitat

In general, we are proposing the following approaches to protect heron rookeries:

- Adopting a fixed-width buffer around mapped heron rookeries
- Restricting the timing on some types of activities (e.g., clearing, grading)
- Requiring consultation with the City and the Washington 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. Our goal is to find the best balance between protecting species and respecting private property rights. After reviewing similar protections for heron rookeries in Seattle and Kenmore, we are proposing a smaller seasonal buffer than that recommended in WDFW's published management recommendations for nests in rural and less developed areas. As indicated on the attached draft maps, we suggest a 200 foot year-round buffer and an additional 300 foot seasonal buffer for both the East Bay and West Bay rookeries. We also recommend regulatory language that outlines requirements for development near the rookeries (see proposed new OMC 18.32.327). We've developed two draft handouts - Great Blue Heron Management Guidelines and Great Blue Heron Development Conditions - which further explain the regulations.

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.
- Property under consideration by Parks Department for acquisition for passive type parks

should consider the quality and extent of habitat value in its decision-making.

The City could also research and/or develop incentives for landowners who want to permanently protect any type of breeding season habitat and assist existing non-profit groups in developing an ongoing program of citizen science to assist in monitoring the status of locally important habitat and species.

Shoreline Master Program Amendments

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

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 this Phase 2 may require additional resources.

Attachments:

Proposed OMC 18.32 amendments
Rookeries maps
Great Blue Heron Management Guidelines
Great Blue Heron Development Conditions
ESA memo
Miscellaneous Title 18 OMC amendments
Shoreline Master Program amendments

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OMC Chapter 18.32 as approved by City Council Aug 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 18.32.327; 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 1 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

1. No development shall occur in the great blue heron nesting colony.
2. Any development within the year-round buffer 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 the parcel where the development will occur abuts a parcel containing a great blue heron nesting colony, there shall be a minimum 30 foot building setback from the property line(s) closest to the nesting colony. The setback shall be vegetated using native trees and shrubs that screen activities on the parcel from the nesting colony.
- 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

- 1. Any clearing, grading, outside construction or other activity that causes loud noise above ambient noise levels shall be done from September 1 through January 31, outside of the nesting season. Ambient noise is specific to the location of the nesting colony site and can include noises such as sirens and leaf blowers. Noise that is not considered ambient noise includes but is not limited to outdoor construction and the use of dump trucks, front end loaders, pile drivers and blasting equipment.
- 2. All 6 inch diameter breast height (dbh) or larger trees shall be retained if the removal of those trees decreases the effectiveness of the trees' screening of new and existing development from the colony and if replacing the removed trees with other trees does not screen the nesting colony to the same extent as the existing trees.

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.

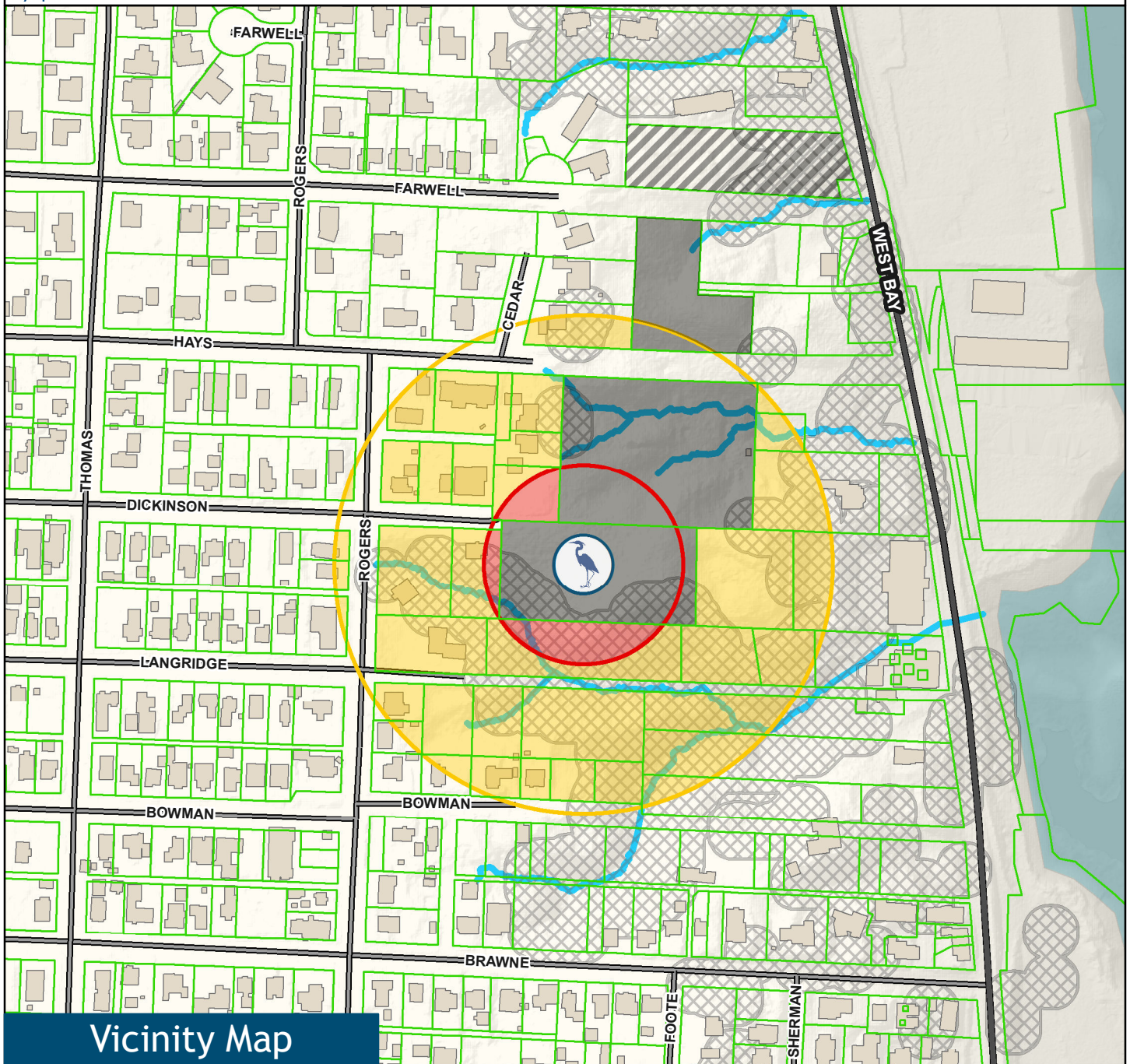
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ATTACHMENT 1

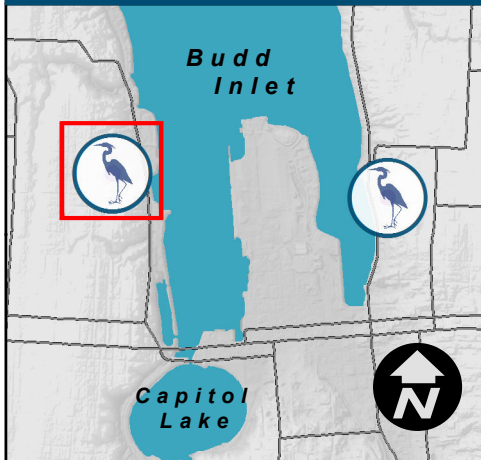


Community Planning and Development

Westside Heron Rookery



Vicinity Map



Heron Rookeries



200' Annual Buffer



Additional 300' Seasonal Buffer



City Parcels



Under Option by City



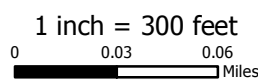
Government or NGO Owned



Steep Slopes



Existing Buildings

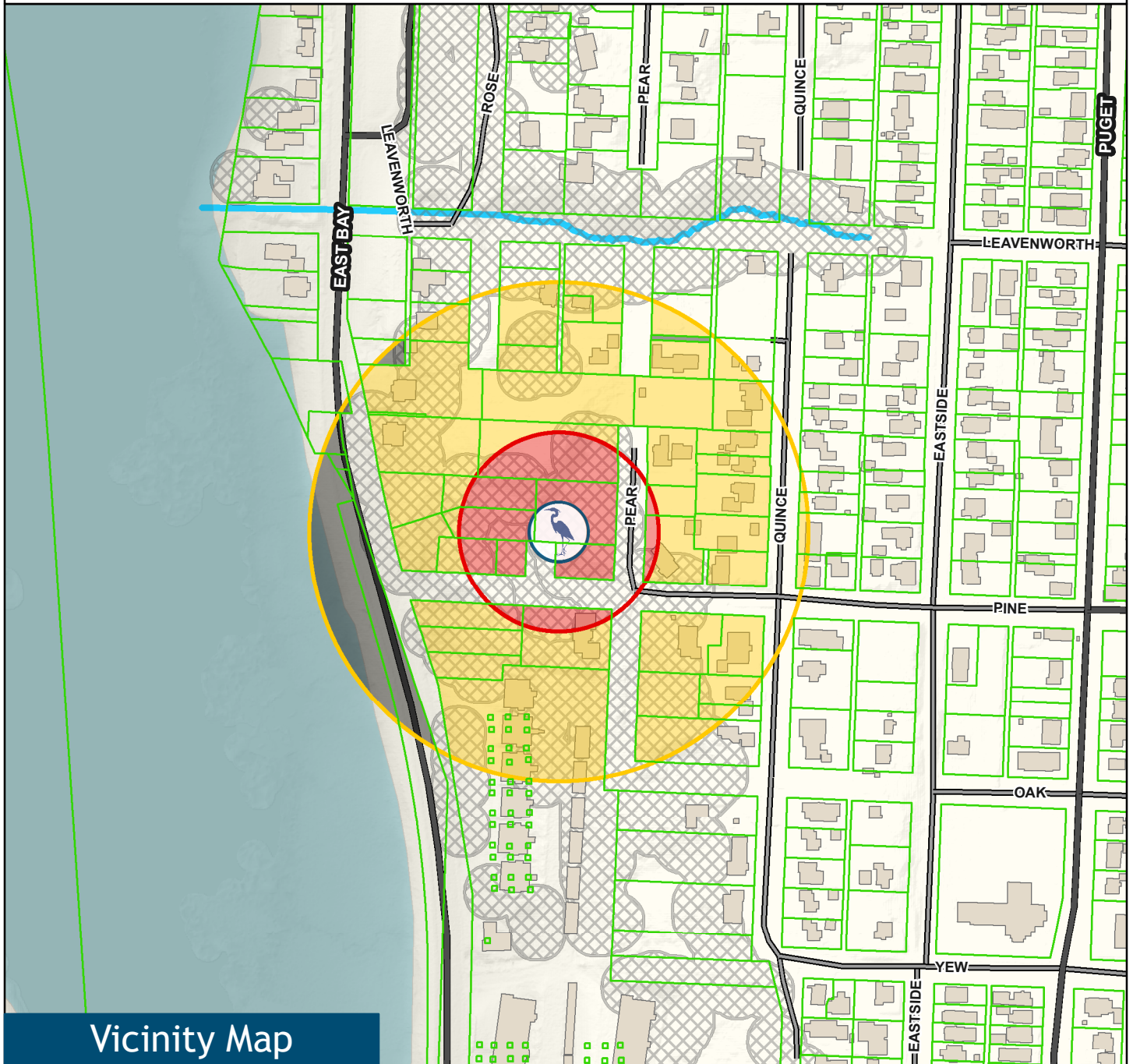


The City of Olympia and its personnel cannot assure the accuracy, completeness, reliability, or suitability of this information for any particular purpose. The parcels, right-of-ways, utilities and structures depicted hereon are based on record information and aerial photos only. It is recommended the 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.

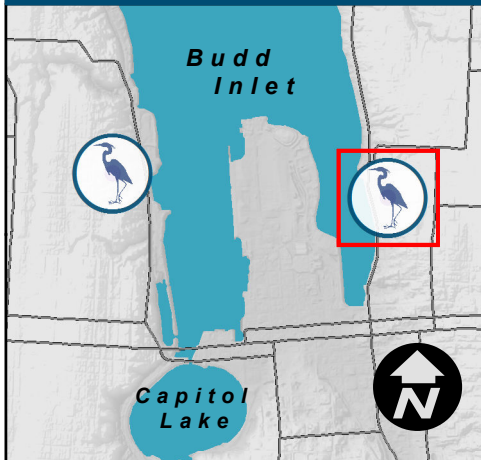


Community Planning and Development

Eastside Heron Rookery



Vicinity Map



Heron Rookeries



200' Annual Buffer



Additional 300' Seasonal Buffer



City Parcels



Government or
NGO Owned

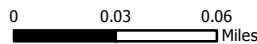


Steep Slopes



Existing Buildings

1 inch = 300 feet



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GREAT BLUE HERON MANAGEMENT GUIDELINES

Background & Purpose:

Great blue herons can be vulnerable because of their tendency to aggregate during the breeding season. They are colonial breeders that nest in a variety of deciduous and evergreen tree species. Nests are usually constructed in the tallest trees available, presumably to reduce the risk of predation by mammals. The availability of suitable great blue heron breeding habitat is declining as human population increases. Great blue heron nesting colonies are listed as a Washington State Department of Fish and Wildlife (WDFW) Priority Species.

Statewide Recommendations

Statewide, WDFW recommends a permanent, year-round buffer of 60 meters (197 feet) from the perimeter of the great blue heron nesting colony for urban areas as defined by WDFW. Additional management recommendations include a seasonal buffer of 200 meters (656 feet) for loud noises and 400 meters (1,320 feet) for extremely loud noises such as blasting. The seasonal buffers are measured from the outside edge of the year-round buffer. These management recommendations can be found in the 2012 Washington's Priority Species, Great Blue Heron, prepared by WDFW. This can be viewed by going to <http://wdfw.wa.gov/publications/01371/> or by contacting WDFW.

Local Recommendations

The WDFW recommends that local land use planning should, when possible, protect existing great blue heron colonies using colony site-specific management plans that consider the colony size, location, relative isolation and the degree of habituation to human disturbance. Typically in Olympia it is difficult to restrict development within larger buffer areas due to existing development and buildable lots in close proximity to colonies. Therefore, and because heron colonies within the City of Olympia are in part habituated to urban conditions and WDFW did not establish smaller seasonal buffers for urban areas, the City has established a 200 foot year-round buffer and an additional 300 foot seasonal buffer for great blue heron nesting colonies in both the West Bay and East Bay areas. Development conditions for proposed development within or near a Great Blue Heron Management Area are contained in OMC 18.32.327.

Definitions

Great Blue Heron Nesting Season means February 1 through August 31

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.

Great Blue Heron Core Zone means the area consisting of a great blue heron nesting colony and its 200 foot year-round buffer.

Great Blue Heron Management Area means the area consisting of a great blue heron nesting colony, the 200 foot year-round buffer, and the 300 foot seasonal buffer.

Screening Tree means a tree that is within the direct line of sight between the structure(s) or development and the nesting area, and/or a tree that blocks the visibility of the nesting colony from the structure(s) or development during any part of the year, and within the great blue heron management area.

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.

Measurements

Year-round buffer: The 200 foot year-round buffer is measured from the nesting colony boundary.

Seasonal buffer: The additional 300 foot seasonal buffer is measured from the great blue heron core zone.

GREAT BLUE HERON DEVELOPMENT CONDITIONS:

Within the Great Blue Heron Management Area:

- Any clearing, grading, outside construction or other activity that causes loud noise above ambient noise levels shall be done from September 1 through January 31, outside of the nesting season. Ambient noise is specific to the location of the nesting colony site and can include noises such as sirens and leaf blowers. Noise that is not considered ambient noise includes but is not limited to outdoor construction and the use of dump trucks, front end loaders, pile drivers and blasting equipment.
- All 6 inch diameter breast height (dbh) or larger trees shall be retained if the removal of those trees decreases the effectiveness of the trees' screening of new and existing development from the colony and if replacing the removed trees with other trees does not screen the nesting colony to the same extent as the existing trees.

Within the Great Blue Heron Core Zone:

- No development shall occur in the great blue heron nesting colony.
- Any development within the year-round buffer shall use mitigation sequencing as set out in OMC 18.32.135 to:
 - maintain baseline development conditions and ambient noise levels;
 - maintain great blue heron habitat features and processes and provide mitigation for any loss of heron habitat features and processes; and shall
 - 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.
- If a nesting colony has been abandoned by a great blue heron colony, the great blue heron core zone for this colony shall be protected for a period of 10 years from the last known active nesting season.
- If the parcel where the development will occur abuts a parcel containing a great blue heron nesting colony, there shall be a minimum 30 foot building setback from the property line(s) closest to the nesting colony. The setback shall be vegetated using native vegetation that screens activities on the parcel from the nesting colony.

If the standard conditions set forth above in the Conditions section are acceptable, please sign below and this will serve as your Great Blue Heron Management Plan. Activities will be periodically monitored and failure to comply with the Plan constitutes a violation as set forth in OMC 18.32.175.

I have read and understand the above conditions placed on parcel

_____ located at

 Signature _____ Date _____

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ATTACHMENT 4



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Suite 200
Seattle, WA 98107
206.789.9658 phone
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memorandum

date October 31, 2016

to Linda Bentley, City of Olympia

from Ilon Logan

subject Critical Areas Ordinance Update Phase II: **Locally Important Species and Associated Habitats Recommendations**

This memo is a follow-on to our previous memo *Locally Important Species and Associated Habitats Recommendations Overview and Options* (dated August 5, 2016) and includes high-level recommendations for implementing some of the previously discussed options. The intent is to provide a basis for discussion and decision-making by the City regarding protections for wildlife and wildlife habitats in Olympia.

Based on the review of existing information, published literature, and input from the CAO working group, we suggest the City consider a combination of regulatory and non-regulatory methods to expand and/or increase protections for wildlife and wildlife habitat. Our recommendations fall into two categories: 1) general protections for priority species and habitats, and 2) protections specific to great blue heron.

General Protections

As reported in our previous memo, the City of Olympia contains a low number of sensitive and/or rare habitats and species as documented by the Washington Department of Fish and Wildlife (WDFW) in the Priority Habitats and Species (PHS) database (WDFW, 2016). This is due to the developed-nature of lands within the City and urban growth area boundaries, the limited extent of stream corridors and wetland areas, and the lack of native prairie or oak woodland habitats. The PHS database does include records for wood duck breeding areas and mink occurrences (both from the early 1990s), great blue heron rookeries, bald eagle and peregrine falcon breeding sites, and bat communal roosts. Additionally, several of the species identified by the CAO working group as important and/or potentially declining (see July 26, 2016 meeting notes), including western grebe, purple martin, osprey, Vaux's swift, several bat species, and Olympic mudminnow, are on the PHS list.

To provide regulatory protections for individual wildlife species, we have the following high-level recommendations for the City:

- Rely on the current regulations for important habitats and species (OMC 18.32.305B) for peregrine falcon and bald eagle. Both are state sensitive species (<http://wdfw.wa.gov/conservation/endangered/status/SS/>) and federal species of concern, which puts them within the City's current definition of important habitats and species. In addition, these two bird species were not a major concern by the CAO working group as neither are currently experiencing population declines.
- Rely on the current regulations for streams (OMC 18.32.405A), wetlands (OMC 18.32.505), and small lakes (OMC 18.32.305D) for habitat protection of wood duck breeding areas, western grebe, and Olympic mudminnow.
- Rely on the current regulations for streams (OMC 18.32.405A) and important riparian areas (OMC 18.32.405B) for habitat protection of bat communal roosts (including Yuma myotis, California myotis, big brown bat, little brown bat, and Townsend's big-eared bat).

In terms of a nomination process for adding new locally important species and habitats, the City should have a nomination and designation process in place. The Department of Commerce (formerly CTED) has developed an example step-wise process (see our previous memo) that can be used as a guide. We note that some counties and cities (e.g., Thurston County and City of Bellevue) have codified their version of the process in the CAO regulations. Based on our experience, this approach is not necessary as the nomination and designation process is rarely used and is an optional requirement of the GMA. We recommend that the City prepare its guidelines and have them available upon request from the City manager or other representative.

Lastly, to increase protection of general wildlife habitats in the City, we recommend the City continue to work with the Olympia Coalition for Ecosystems Preservation and pursue opportunities to purchase properties near known rookery locations as they did in 2016 when 2.5 acres of the West Bay Woods were acquired (The Olympian, August 16, 2016). In addition to outright purchase, the City could consider innovative ways of acquiring property for open space such as Transfer of Development Rights (TDR) and development incentives for set asides. These programs provide reduced 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.

Great Blue Heron Protections

To protect the population of great blue heron and their breeding habitat, we suggest the City follow an approach similar to the City of Kenmore, which includes:

- 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 WDFW during project planning

For specifics, we recommend the City follow WDFW's guidelines for identifying, mapping, and managing heron habitats as detailed in *Management Recommendations for Washington's Priority*

Species: Great Blue Heron (Azerrad, 2012). An abbreviated set of guidelines is provided with this memo.

Following the WDFW guidelines would address and document the known rookery locations in both the West Bay woods and East Bay forested ravine and establish those areas as Heron Management Areas (HMAs). The WDFW-recommended buffers for nesting colonies in urban areas include a year-round buffer of 60 meters (197 feet) and an additional seasonal buffer of 200 meters (656 feet) for unusually loud activities during breeding season (i.e., February-September). Buffer protections are based on the premise that adequate buffers result in greater longevity and colony productivity because they are a physical and visual barrier to potentially intrusive activities, can protect nest trees from being blown down, and provide habitat for birds when they move from one nest tree to another. The City should require a site-specific habitat management plan to be developed whenever a land use proposal is submitted in or near the HMA.

As an alternative to the WDFW-recommended buffer widths, we recommend the City consider the City of Seattle's protections for great blue heron drafted in 2016, but not yet adopted (City of Seattle, 2016). The proposed regulations establish a year-round buffer of 197 feet and seasonal buffers that are less than the WDFW-recommended width. The proposed seasonal buffers include a 500-foot buffer applied to the colonies in the Kiwanis and North Beach Ravines and a 300-foot buffer applied to all other nesting colonies. The City maintains that heron colonies within the City of Seattle are in part habituated to urban conditions and notes that WDFW did not establish smaller seasonal buffers for urban areas.

To address the sometimes transitory nature of nesting colonies, we recommend the City stipulate the period in which a HMA remains in effect from the last known active nesting season. As referenced in the WDFW recommendations, the Migratory Bird Treaty Act (MBTA) states that protections applying to an active colony should remain in effect for 10 years after the last recorded nesting season. The City of Seattle draft protection adopt this time period as well.

We suggest that City project planners actively consult the WDFW guidelines for carrying out the heron recommendations. During project review, a habitat management plan should be developed whenever a land use proposal is submitted in or near the HMA. Consultation with WDFW about known heron activity and breeding confirmation should also occur.

Lastly, the WDFW guidelines also recommend non-regulatory incentive programs for protecting great blue herons, such as those described previously. While many local governments protect the nesting colony through regulatory measures, habitats that indirectly benefit a colony sometimes go unprotected. WDFW suggests local governments offer incentives to landowners who want to permanently protect any type of breeding season habitat. Specifically, proposals near breeding season habitat deserve high priority when choosing between candidates for new Conservation Futures sites. Furthermore, land trusts should also consider these areas when developing their conservation portfolios.

References

- Azerrad, J. M. 2012. Management recommendations for Washington's priority species: Great Blue Heron. Washington Department of Fish and Wildlife, Olympia, Washington. <http://wdfw.wa.gov/publications/01371/>
- City of Olympia. 2016. Locally Important Species and Habitats Working Group Meeting notes. July 26, 2016. Olympia City Hall. Olympia, Washington.
- City of Seattle. 2016. Director's Rule X-2016: Great Blue Heron Management Plan. Draft. Available at: http://www.seattle.gov/dpd/cs/groups/pan/@pan/documents/web_informational/p2345109.pdf
- The Olympian. Olympia will buy 2.75 acres to protect great blue heron habitat. Published August 16, 2016. <http://www.theolympian.com/news/local/article96109887.html>
- Washington State Department of Fish and Wildlife (WDFW). 2008. Priority Habitat and Species List. Updated April 2014. Olympia, Washington. <http://wdfw.wa.gov/conservation/phs/list/>

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.

3.22 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/	P	←	See OMC 18.20.820

	Enhancement Projects)			
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

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ATTACHMENT 6

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.

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.



Planning Commission

Briefing on Housing Tool Box and Downtown Strategy Work Implementation Plan

Agenda Date: 1/9/2017
Agenda Item Number: 6.B
File Number: 17-0029

Type: discussion Version: 1 Status: In Committee

Title

Briefing on Housing Tool Box and Downtown Strategy Work Implementation Plan

Recommended Action

Hear briefing from staff and provide feedback on the materials and approach.

Report

Issue:

Discussion of the Housing Tool Box and Downtown Strategy Implementation Plan as it relates to housing issues.

Staff Contact:

Keith Stahley, Director, Community Planning and Development Department, 360.753.8227

Presenter(s):

Keith Stahley, Director, Community Planning and Development Department

Background and Analysis:

City staff and the consultant team have prepared the attached Housing Tool Box. This tool kit lists 50 different tools the city can use to encourage a variety of housing production. Staff will provide an overview of these tools and identify some that the Planning Commission may wish to explore in more depth. A copy of the tool box is attached as Attachment 1 - Tool Box 2016.

Staff has also developed an implementation plan that was shared with City Council at their December 6, 2016 Downtown Strategy Study Session. This document provides an overview of staff's recommended approach to implementation of the Downtown Strategy over the next five years. Staff will provide an overview of this implementation plan.

Neighborhood/Community Interests (if known):

The Downtown Strategy is focused on the Downtown Neighborhood. Community interest has been high throughout the planning process.

Options:

Provide staff with feedback on the Tool Box and the Implementation Plan.

Financial Impact:

See the Implementation Plan for details related to financial implications.

Attachments:

Tool Kit

Implementation Plan

“Tool Box”

Olympia

Potential Tools to Implement Olympia Downtown Strategy (DTS)

This list summarizes potential business and development tools available to local jurisdictions in Washington State. As noted in the second column, many of these tools are already being used by the City of Olympia (or in some cases, an applicable partner). Highlighted are tools the DTS recommends for further exploration during the 6-yr implementation period. Tools 29-47 are primarily used for low income or affordable housing; as part of forming a comprehensive housing strategy the City should identify which of these tools to further explore and make use of.

Tool	Using now?	Description	Fund Sources & Application	Opportunities	Challenges	Notes
1 Community Renewal Area (RCW 35.81)	Yes	Adopted by the 2002 Legislature as a replacement for the state’s urban renewal laws. Allows purchase of property, public improvements & public-private development pursuant to a community renewal plan within an area declared as “blighted.” Funding can be provided by GO, revenue, or LID bonds. Allows for excess property & sales taxes to pay for capital costs for up to 5 yrs.	Potential tool for projects considered as integral to revitalization of blighted portions of a community within the context of a broader renewal plan.	<ul style="list-style-type: none"> Renewal areas have been established in cities such as Anacortes, Bremerton (with Kitsap Housing) & Vancouver May be implemented directly by local government or delegated to another public body including PFD, PDA, port or housing authority Can use with eminent domain for public use or community renewal. 	<ul style="list-style-type: none"> Requirement for declaration of blight limits flexibility of program in some high performing urban centers. Does not directly provide new funding resources except as are already available to local municipalities. 	Could include a variety of public-private partnership approaches including: site assembly, public development offerings (RFP/RFQ) and ROI model for funding.
2 Façade Improvement Grants or Loans	No	Could involve a program within a specified geographic area offering low interest loan funds &/or grants for renovation of storefront façades. Might be accompanied by technical assistance to business & property owners focused on architectural design & cost estimating services.	Suggested as program to be launched with in participation with local lending institutions, also addressing Community Reinvestment Act (CRA) objectives.	<ul style="list-style-type: none"> Non-local funds may include resources as diverse as CDBG & bank lending Direct local City funding may be possible through mechanisms such as façade easements Business or building owner funding can be either in the form of a loan or grant. 	<ul style="list-style-type: none"> For some buildings, investment need may extend well beyond façades to cover other building upkeep needs. In cases where demolition is the best option, the focus might shift to evaluation of options for façade preservation. 	Could use CDBG funds. Might be accompanied by technical assistance. Further analysis needed.



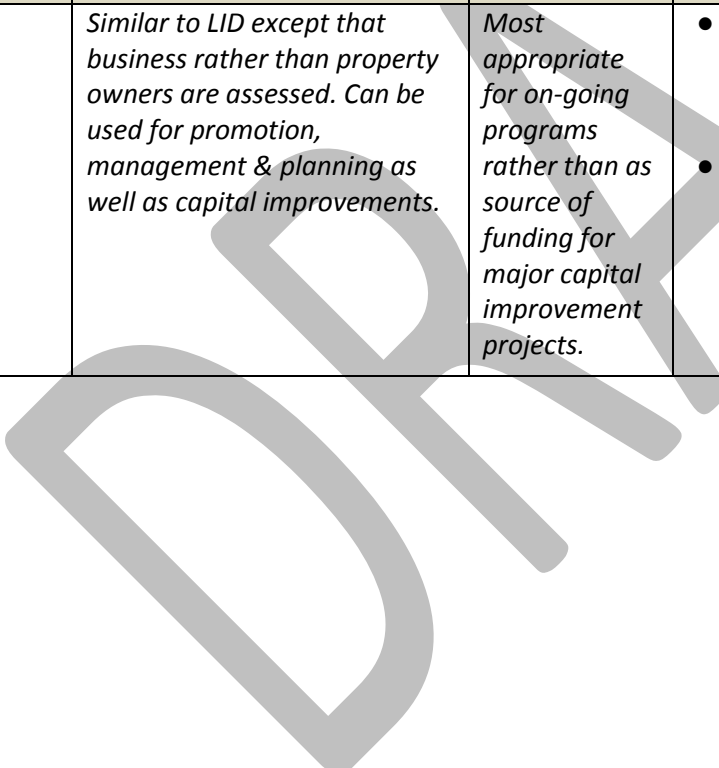
3	<p><i>Public Development Authority (RCW 35.21.730-32.21.755)</i></p>	No	<p><i>Authorized as a “public corporation,” a sub-agency of a city, town, or county with no defined authority. Intent is to improve administration of federal grant programs, improve governmental efficiency. PDA funds & indebtedness “shall not constitute public moneys or funds of any city, town, or county and at all times shall be kept segregated and set apart from other funds.”</i></p>	<p><i>Potentially viable as a governing structure (with 49 PDAs statewide as of 2007) for public-private development</i></p>	<ul style="list-style-type: none"> ● <i>Liabilities are those solely of the PDA and not those of the creating city or county.</i> ● <i>May avoid state “lending of credit” issues if project is funded through federal or non-state/ local contributed resources (with PDA serving a “conduit” role).</i> ● <i>PDA property & revenues exempt from taxation – like town or county.</i> 	<ul style="list-style-type: none"> ● <i>No power of eminent domain or ability to levy taxes/special assessments.</i> ● <i>No added advantages for locally generated municipal financing beyond what is already available to city & county governments.</i> ● <i>Olympia has no PDA experience to date.</i> 	<p><i>RCW 35.21.730-32.21.755. Advantages of this public organizational structure are greatest if significant federal or other non-local funding and/or public-private partnerships are involved.</i></p>
4	<p><i>Land Use Planning and Zoning</i></p> <p><i>Also see Obama Admin’s (O.A.) recommendations 41-45 at end of this table.</i></p>	Yes	<p><i>Planning tools under GMA can affect land allocations, type of use, building form (design, height, density) & off-site effects (as with parking, landscaping, buffers, etc.).</i></p>	<p><i>Part of CP&D regular zoning & permitting program</i></p>	<ul style="list-style-type: none"> ● <i>Planning regulations & incentives function best in a strong market.</i> ● <i>Planning is increasingly accepted by the public as a legitimate public regulatory function.</i> 	<ul style="list-style-type: none"> ● <i>Regulatory-focused approach is less effective in a weak market or where development feasibility of the planned project is marginal.</i> 	<p><i>One of primary purposes of DTS</i></p> <p>Update in 2017</p>
5	<p><i>Capital Facilities Plan projects</i></p>	Yes	<p><i>Funding of infrastructure for projects of high downtown & city-wide priority.</i></p>	<p><i>Most appropriate for core infrastructure such as roads, utilities & public facilities.</i></p>	<ul style="list-style-type: none"> ● <i>To use CFP process consistent with state GMA.</i> ● <i>Related funding options include Transportation Benefit District (TBD) & Transportation Improvement Program (TIP).</i> 	<ul style="list-style-type: none"> ● <i>Downtown funding allocations typically compete with other project priorities city-wide.</i> 	<p><i>On-going. Could include G.O. or Revenue Bonds or other new funding sources.</i></p> <p>Transportation improvements proposed in DTS</p>



6	<i>Historic property tax 'special valuation' (RCW 84.26)</i>	<i>Yes, for designated properties or in designated district</i>	<i>As adopted by the 1985 Washington State Legislature, historic properties may qualify for "special valuation" with rehabilitation improvements not taxed for 10 years.</i>	<i>Potential use for qualifying downtown structures through local review process.</i>	<ul style="list-style-type: none"> ● <i>Available to commercial & residential structures.</i> ● <i>Olympia has adopted a required local ordinance and a board to review applications.</i> 	<ul style="list-style-type: none"> ● <i>Property must be listed in local or national historic register.</i> ● <i>Rehabilitation costs must be 25%+ of a building's assessed valuation prior to application.</i> 	<p><i>Heritage Commission is lead entity (RCW 84.26).</i></p> <p><i>Consider updating the historic district boundary.</i></p>
7	<i>Transportation Benefit District</i>	<i>Yes</i>	<i>independent taxing district created for the sole purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the district.</i>	<i>State-authorized fees on vehicle license tabs</i>	<i>Provides additional funding for transportation improvements.</i>	<i>Increased fees to citizens.</i>	<i>Governed by separate board. Olympia TBD is city-wide.</i>
8	<i>Metropolitan Parks District</i>	<i>Yes</i>	<i>Junior property taxing district with special taxing authority for the management, control, improvement, maintenance, and acquisition of parks, pathways, boulevards, recreational facilities, programs, and services.</i>	<i>Voted property tax</i>	<i>Provides additional funding for parks improvements.</i>	<i>Increased taxes to city property owners, though voted. As a junior taxing district, may be subject to limitations on taxing authority.</i>	<i>Governed by separate board. Olympia MPD is city-wide. The MPD has an inter-local agreement with the City of Olympia to provide staffing services.</i>



9	<i>Local Improvement District</i>	<i>Not currently</i>	<i>Assessment of property owners for the costs of a public improvement (as for public parking & transportation facilities, utility infrastructure or public facilities).</i>	<i>Most suited for improvements of widespread public benefit (as for shared parking or streetscape).</i>	<ul style="list-style-type: none"> • <i>Can be paid over time via City bonds repaid by owner assessments (enforceable).</i> • <i>Widely used mechanism with payments structured proportionate to benefits.</i> 	<ul style="list-style-type: none"> • <i>Subject to remonstrance if protested by owners paying 60%+ of improvement.</i> • <i>Differential rate structures can be difficult to set.</i> • <i>Not presently used in Olympia Was used to fund the original phases of Percival Landing.</i> 	<i>Assessment of property owners for the costs of a specific public improvement (RCW 35.43). Recommended as potential later phase of implementation strategy -Further analysis needed.</i>
10	<i>Parking & Business Improvement Area (RCW 35.87A)</i>	<i>Yes</i>	<i>Similar to LID except that business rather than property owners are assessed. Can be used for promotion, management & planning as well as capital improvements.</i>	<i>Most appropriate for on-going programs rather than as source of funding for major capital improvement projects.</i>	<ul style="list-style-type: none"> • <i>Ability to assess businesses if more supportive than property owners.</i> • <i>Flexibility in assessment formula and ability to pay for operating as well as capital expenses.</i> 	<ul style="list-style-type: none"> • <i>Subject to remonstrance if opposed by owners paying 50%+ of proposed assessment.</i> • <i>Less ability to enforce repayment, especially as collateral for bonding.</i> 	<i>Staff support to PBIA Board provided by the City</i>





11	Community Revitalization Financing (RCW 39.89)	No - uncertain if available to us	Authorized by the 2001 Legislature. CRF enables 75% of added property tax generated within a geographically defined "increment area" to fund public improvements (infrastructure including park facilities) and spur development in areas characterized by unemployment & stagnant income growth. Can be general revenue or general obligation bonds.	Most suitable for downtown projects that fit within the statutory definition of a public improvement and will directly stimulate an area in which substantial new private tax assessed valuation is being developed.	<ul style="list-style-type: none"> • CRF may be coordinated with other programs by the local government or other jurisdictions. • May receive less than full increment as long as bond payments are covered. May be securitized by non-public participants. • Implemented in Spokane (Iron Bridge TIF area). 	<ul style="list-style-type: none"> • CRF increment area requires prior written agreement from taxing districts levying 75%+ of regular property tax. • Not usable for projects not covered by "public improvements" definition. • City has no CRF experience & tool is not well used statewide. 	Further analysis would be needed.
12	Main Street Program	Yes	Washington state's program provides services and assistance for downtown revitalization focused on organization, promotion, design & economic restructuring.	Olympia Downtown Association is at the top tier level of state Main Street designation.	<ul style="list-style-type: none"> • Program based on a proven model pioneered by the National Trust for Historic Preservation. • Offers a tiered approach to participation at the start-up, affiliate and designation levels. 	<ul style="list-style-type: none"> • Not suitable for downtowns unprepared to commit staff resources. • State funds limited for added cities @ top tier designation level (11 as of July 2008). 	Administered by Olympia Downtown Association



13	Main Street Tax Credit Incentive Program (RCW 82.73)	Yes	Provides a 75% Business & Occupation (B&O) or Public Utility Tax (PUT) credit for private contributions to eligible downtown or neighborhood commercial district revitalization organizations.	Potentially available for organizations such as Olympia Downtown Association (which likely would need to take the lead).	<ul style="list-style-type: none"> ● Applicant can be a nonprofit commercial district revitalization organization. ● No restriction on use as long as non-profit meets its exempt purpose. 	<ul style="list-style-type: none"> ● Limited to a total of \$1.5 million in credits statewide & \$100,000 annually to each downtown program. 	
14	Community Economic Revitalization Board / Local Infrastructure Financing Tool Competitive Program (CERB/LIFT)	CERB direct funding: Yes, through competitive process. LIFT: No	Authorized by 2006 Legislature (E2SHB 2673) to fund infrastructure including roadway, utility, sidewalk, parking, public park/rec. facilities. Uses a form of tax increment financing with revenue or GO bonds repaid over up to 25 year as a state sale & use tax credit matched by increased local funds including local sales/use/property tax revenues within a defined Revenue Development Area.	In current form, CERB/LIFT most suited for projects that involve committed on-site or nearby significant private investment. Greater utility as a sustainable tool likely is predicated on future legislative amendments	<ul style="list-style-type: none"> ● Offers the most comprehensive form of tax increment financing available to date in Washington State. ● Added revenues return to local governments after bonds repaid. ● Authorizes securitization of debt from non-public participants, including the private developer with whom the sponsoring government has contracted for private improvements. 	<ul style="list-style-type: none"> ● Limited to projects involving private development that also increase RDA sales & property taxes. ● Limited to one RDA per county and maximum of \$1 million per year to any single project. ● Statewide cap of \$2.5 million for 2008 competitive funding. 	Per WA Dept. of Commerce website "There is no further authority under LIFT for additional state contributions and the program is currently closed to new designations." Note: Projects funded to date in Bellingham, Spokane County, Vancouver, Bothell, Everett & Federal Way. Consider applying for CERB funds



15	Port District (RCW 53)	Yes	<p>In addition to authority for harbor, transportation & industrial related facilities, Ports may improve land for commercial use, use community revitalization financing & powers of a community renewal agency, engage in economic development, and provide park & recreation facilities linked to water & transport activity.</p>		<ul style="list-style-type: none"> Ports may annually levy up to \$0.45 per \$1,000 tax assessed value plus a 6-year (renewable) industrial development district levy of up to an added \$0.45. Non-voted property tax base provides stable funding for a range of economic development purposes. 	<ul style="list-style-type: none"> Downtown development is often viewed as outside the purview of core Port operations & facilities. However, Port of Olympia has been involved with downtown related development activities at Percival Landing. 	<p>Port is a potential partner on future projects to meet downtown goals</p>
16	Federal Historic Preservation Tax Credits	Yes, for qualifying improvements	<p>The Tax Reform Act of 1986 provides tax credits of:</p> <ul style="list-style-type: none"> 20% for certified rehab of certified historic commercial & rental residential structures. 10% for rehab of non-historic, non-residential buildings built pre 1936. <p>Expenditures must exceed the adjusted basis of the building.</p>	<p>Potential use for qualifying downtown structures through consultation with City & SHPO.</p>	<ul style="list-style-type: none"> One of the most powerful federal tax incentives available. 20% applicable to structures in national historic districts. Substantial track record across the U.S. & state of Washington via the State Historic Preservation Office (SHPO) as first point of property owner contact. 	<ul style="list-style-type: none"> 20% tax credit projects must meet Secretary of Interior standards for "certified rehabilitations." In some cases, cost of meeting rehab standards may equal or exceed value of the tax credit. No downtown businesses have applied in recent years. 	<p>Explore changes to historic district boundary</p>



17	New Market Tax Credits	No – N/A	Federal program of tax credits over 7 years for up to 39% of the investment cost of qualified equity investments through a Certified Development Entity (CDE). Investments must be made in low income communities or for low income persons.	Possible source for major mixed use redev w/ demonstrated low income benefit (residential). Depends on finding a suitable recognized CDE/ banking partner.	<ul style="list-style-type: none"> ● Most commercial & mixed use projects in low income communities qualify. ● Can use with historic tax credits. ● 294 awards have been made totaling \$16 billion across U.S. 	<ul style="list-style-type: none"> ● Requires a commercial use component. ● Has required on-going reauthorization by Congress. ● Complex program needing experienced CDE partner. 	N/A in Downtown - Census tract does not qualify as low income.
18	Community Development Block Grant (CDBG)	Yes	CDBG projects require at least 51% of new jobs created to be for persons of low or moderate income. Project priorities cover expansion of economic opportunity, provision of decent housing & suitable living environment.	City receives annual entitlement grant.	<ul style="list-style-type: none"> ● Funds typically available for planning an implementation of community & economic development projects. ● Can include Section 108 lending for economic development projects. 	<ul style="list-style-type: none"> ● Though an entitlement city with \$400,000/yr, City of Olympia funding is prioritized for low-income housing, sidewalks & 15% social services. 	Possible consideration as a source of pilot or start-up/early year funding, as for streetscape or façade improvements. Might also be considered to incent building rehab.



19	HUD Section 108 loan guarantee	Yes	<p>HUD Section 108 is one mechanism that increases the capacity of block grants to assist with economic development projects, by enabling a community to borrow up to 5 times its annual CDBG allocation.</p> <ul style="list-style-type: none"> ● Real Estate ● Infrastructure improvements ● Machinery/Equipment ● Working Capital ● Requires job creation in proportion to funding amount - 1 job per \$35,000 of assistance ● Best suited to non-construction activities but can be used for const. (triggers prevailing wage requirements) 	Federal HUD funds	<ul style="list-style-type: none"> ● Lower interest (typically 2% below market) loans ● Max. 20 year term ● Flexible terms can be structured depending on needs of business ● Program has been run since 1974 and is seen as being fairly reliable. 	<ul style="list-style-type: none"> ● Process to secure loans/grants for individual projects can be lengthy (6-9 mos). ● Administration and projects must meet federal guidelines such as Davis Bacon const. requirements. ● Amount of federal funding for CDBG has been diminishing over the past few years. ● Compliance requirements similar to CDBG program, incl. job creation reporting and compliance monitoring ● Coordination and administration done by City staff 	
20	Sale of Surplus Public Land	Yes	<p>City-owned properties, such as surface parking lots, could be redeveloped under public/private partnership to meet goals. Further analysis would be needed to determine need for properties.</p>				<p>Recommendation is to further consider how surplus properties could be used to meet downtown goals</p>



<p>21</p>	<p>EB-5</p>	<p>Yes for eligible projects</p>	<p>Investment dollars for new commercial enterprises that will benefit the US economy primarily by creating new jobs for US citizens. There are two versions of the program: 1) the original program that requires foreign investor to commit \$1 million for eligible projects that create at least 10 full-time direct jobs, and 2) the newer program that allows foreign investors to commit \$500,000 in eligible projects within Targeted Employment Areas that create at least 10 direct and/or indirect jobs. In return for these investments foreigners seek US citizenship.</p>	<p>Foreign investors</p> <p>EB-5 program is managed through the US Dept of Immigration. The WA Regional Center (WRC) located in Lacey raises foreign investment capital & encourages creation of new business opportunities to stimulate the regional economy through the EB-5 program.</p>	<ul style="list-style-type: none"> ● Relatively low-cost source of equity for appropriate projects. ● Projects can be construction (new or rehabilitation), or direct investments into businesses that will create required jobs. ● EB5 can be bundled with many other funding sources. 	<ul style="list-style-type: none"> ● \$500,000 program investor projects must be in an EB-5 eligible "targeted employment area" or TEA. TEAs are areas that have unemp. rates in excess of 150% of the federal rate for a given year. TEAs are established and adjusted by the governors of each state. ● Must meet job generation requirements within 2.5 years. ● Investors expect to get their equity investment repaid at the end of five years. ● It takes added time to secure EB5 funds due to federally required process steps. 	<p>Requires foreign investment for eligible projects</p> <p>The project constructed at 123 4th used the WRC - EB-5 funding was used through Lou Development LLC (Steven Lou).</p>
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22	<p><i>Reduced building/ planning/ impact/ SDC fees</i></p>	<p><i>Yes - Lower impact fees for certain uses in DT</i></p>	<p><i>Reduce various development fees as an incentive to induce qualifying types of development or building features (e.g. stormwater improvements through the Commercial Stormwater Fee Reduction).</i></p>	<p><i>General Fund or impact fund, respectively</i></p>	<ul style="list-style-type: none"> ● <i>Increases development feasibility by reducing soft costs for developers.</i> ● <i>Fee cost structures are within City control and can be easier to manipulate than other components of the development cost structure.</i> 	<ul style="list-style-type: none"> ● <i>Reduces revenues to provide permitting & compliance services.</i> ● <i>If impact fees are reduced for some developments, that revenue burden will be shifted to other developments.</i> 	<p><i>Explore extending the lower impact fee benefit to additional uses. For example, currently multifamily uses have lower impact fees downtown than in other areas of the city, but pharmacies don't (or at least it's not clear that they do, hence a step to explore further).</i></p>
23	<p><i>Expedited permit review process</i> <i>(Relates to O.A. #43 below)</i></p>	<p><i>No</i></p>	<p><i>Expedite building permits for pre-approved development types or green buildings. (Also see SEPA exemptions below)</i></p>	<p><i>Limited costs generally paid for through development fees.</i></p>	<ul style="list-style-type: none"> ● <i>Can be targeted to a specific development type that is incented.</i> ● <i>Can save projects time in development process, which produces financial savings.</i> 	<ul style="list-style-type: none"> ● <i>May not have a large enough impact on development bottom line to change financial viability of project.</i> 	<p><i>Typically for additional fee, or for limited types of development that meet defined community goals. Further analysis would be needed.</i></p>



<p>24</p>	<p><i>SEPA Exemptions/Planned Action</i></p>	<p><i>SEPA exemption under consideration</i></p>	<p><i>For areas where an Environmental Impact Statement was completed for a comprehensive plan or subarea plan, limits or eliminates the need for additional environmental review for each individual development project.</i></p> <p><i>Planned actions require city funding up-front for the initial EIS, and additional definition of specific area-wide environmental impacts. Fund source is at city's discretion. Additional SEPA exemptions would not have this funding obligation in downtown Olympia.</i></p>	<p><i>Can rely on the existing EIS completed for Olympia Comprehensive Plan.</i></p>	<p><i>Reduces time and cost of permitting process for development that is consistent with Comprehensive Plan and EIS. Also removes or significantly lessens risk of an appeal of permit issuance.</i></p>	<p><i>Keeps the public notice and comment opportunities in the Olympia Municipal Code for individual project proposals, but removes the additional SEPA process and comment opportunity.</i></p>	<p><i>City Council has directed examination of SEPA exemption for DT –</i></p> <p><i>Recommendation is to establish downtown as a SEPA exemption area</i></p>
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25	<i>Grow Olympia Fund (GOF) Loans</i>	<i>Yes, through contract with National Development Council (NDC)</i>	<p><i>Small business loan fund for eligible improvements/expansions:</i></p> <ul style="list-style-type: none"> ● <i>Real Estate</i> ● <i>Machinery/equipment</i> ● <i>Working capital</i> ● <i>Must meet Small Business Administration (SBA) eligibility guidelines</i> ● <i>Tenant improvements by tenant businesses (if SBA eligible)</i> 	<i>Capital provided by NDC. City of Olympia contracts with NDC for Fund administration and loan servicing, primarily using Community Development Block Grant funds.</i>	<ul style="list-style-type: none"> ● <i>NDC's staff provides all underwriting packaging and coordination w/SBA.</i> ● <i>NDC services the loan for the entire term.</i> ● <i>Below market financing (up to prime -1 depending on credit) as first position loan</i> ● <i>Term varied with useful life of assets financed</i> 	<i>GOF capitalized at \$1 million</i>	<i>Administered by National Development Council for City</i>
26	<i>Commercial Land Trust</i>	<i>No</i>	<i>Private non-profit enterprise owning and managing property or commercial lease space in trust for businesses using that space.</i>	<i>Varied-</i>	<i>Provides low-cost space for emerging businesses. Can mitigate the effects of speculative rent pricing and ensure long-term affordability for small businesses leasing space.</i>	<i>Start-up and operational funding for the non-profit enterprise.</i>	<p><i>Typically operated as a non-profit organization</i></p> <p><i>What about the much more common business incubator?</i></p>
27	<i>Brownfields Area-Wide or Property-Specific Grants/Loans</i>	<i>Yes, through competitive processes</i>	<i>Funds to assist with clean-up of sites with contamination</i>	<i>Federal funds for area-wide or property-specific grants or loans</i>	<i>Can reduce or remove risk for potential buyer of the property for redevelopment.</i>	<i>Several funding programs with varied eligibility requirements. Some are competitive application processes.</i>	<p><i>Several funding programs operated by EPA, Dept. of Ecology, Dept. of Commerce.</i></p> <p><i>Recommend applying for an EPA assessment grant, and possible others</i></p>



28	<p><i>Multi-Family Tax Exemption (OMC 5.86)</i></p> <p><i>(See O.A. 49 and 50 at the end of this table)</i></p>	Yes	<p><i>A time-limited reduction in property taxes, 8 years for market rate housing and 12 years for affordable housing, for new or rehabilitated multi-family residential units. Olympia has adopted 'target areas' for eligibility for this program, which include downtown.</i></p>	<p><i>Local taxing jurisdictions' general funds-cities, school districts, counties, etc.</i></p>	<ul style="list-style-type: none"> ● <i>Increases the financial feasibility of property improvements.</i> ● <i>Often more politically acceptable than other funding sources; it does not require a budget allocation.</i> 	<ul style="list-style-type: none"> ● <i>Reduces general fund revenues for all overlapping taxing districts.</i> ● <i>Can require ongoing monitoring to ensure compliance and accountability.</i> 	<p><i>8-year tax exemption for market-rate projects; 12-year for projects with 20% of units affordable to low-moderate incomes</i></p>
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Low Income Housing Tools

29	<p><i>HOME Investment Partnership Program (federal)</i></p>	<p><i>Yes, through county-wide Community Investment Partnership (CIP)</i></p>	<p><i>Funding for housing construction, rehabilitation and reinvestment.</i></p>	<p><i>Federal funds</i></p>	<p><i>Additional funding for housing units</i></p>	<p><i>Must meet federal guidelines</i></p>	<p><i>CIP funding decisions made collectively at county-wide level. City of Olympia has seat at the table.</i></p>
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30	<i>Low-Income Housing Tax Credits (federal/state)</i>	<i>Yes, for qualifying projects through state-wide competitive process</i>	<i>Provides tax credits for acquisition, rehabilitation, new construction of rental housing targeted to lower-income households. At least 20% of residential units must be restricted to low income residents with income less than 50% median gross income of the area-or at least 40% of the units must be restricted to low income residents with income of 60% or less of the median gross income of the area.</i>	<i>Private and institutional investors/ Federal Government</i>	<ul style="list-style-type: none"> ● <i>Can increase the supply of affordable housing in an area.</i> ● <i>Because they provide much of the equity needed for a project, a tax credit property can in turn offer lower, more affordable rents.</i> ● <i>Can be used to fund mixed-income projects.</i> ● <i>There are two types of LIHCTs, 4% (less money and less competitive) and 9% (more money but highly competitive).</i> 	<ul style="list-style-type: none"> ● <i>States allocate federal housing tax credits through a competitive process.</i> ● <i>Property must maintain compliance with program requirements to remain eligible.</i> 	
31	<i>Housing Trust Fund (state)</i>	<i>Yes, for qualifying projects through state-wide competitive process</i>	<i>Operated by Housing Finance Commission to provide funding for housing development throughout the state.</i>	<i>State funded & administered</i>	<i>Dedicated public revenue stream</i>	<i>Very competitive process for projects to receive funding.</i>	
32	<i>Housing Authority of Thurston County</i>	<i>Yes</i>	<i>Separate agency that funds housing projects throughout Thurston County.</i>	<i>Funded from a variety of sources</i>			<i>Projects are proposed by the Housing Authority.</i>
33	<i>Local Housing Levy</i>	<i>No</i>	<i>Currently proposed by local advocacy group as a levy option sent to the voters for additional property tax to fund housing for low to moderate income housing units.</i>	<i>Would be a voter-approved optional tax.</i>	<i>Would provide additional housing units for low to moderate income segments of the city population.</i>	<i>Requires voter approval</i>	<i>Local advocacy group currently proposing based on Bellingham model.</i>



34	<p><i>Inclusionary Zoning</i></p> <p><i>(See O.A. 48 at the end of this table).</i></p>	No	<p><i>Require or provide incentives to ensure a proportion of units within new housing developments are committed to be affordable to low-income segments of population.</i></p>	<p><i>Cost is typically borne by private housing developers as part of market-rate development.</i></p>	<p><i>Can provide additional housing units for low-income segment of population. Units are mixed with market-rate units within same development.</i></p>	<p><i>Increases cost of overall development, which can raise rental rates for remaining units within that development. With incentive-based approaches, these cost increases may be offset by the value of the incentives.</i></p>	<p><i>Generally works best in very strong housing market conditions.</i></p>
35	<p><i>Affordable Housing ReUse District</i></p>	No					<p><i>Proposed by consultant - need more info.</i></p>
36	<p><i>HUD 202 supportive housing for the elderly</i></p>		<p><i>Provides interest-free capital advances to private, nonprofit sponsors to finance housing development for low-income seniors. The capital advance does not have to be repaid as long as the project serves low-income seniors. The nonprofit must provide a minimum capital investment equal to 0.5 percent of the HUD-approved capital advance, up to a maximum of \$25,000. Occupancy in Section 202 housing is open to any very low-income household comprised of at least one person who is at least 62 years old at the time of initial occupancy.</i></p>	<p><i>Federal HUD funds</i></p>	<ul style="list-style-type: none"> <i>Capital advance does not have to be repaid as long as the project serves very low-income elderly persons for 40 years.</i> 	<ul style="list-style-type: none"> <i>Competitive process to secure loans/ grants for individual projects.</i> <i>Difficulty in retaining experienced contractors over lengthy application and fund disbursement timeframes.</i> 	<p><i>Provides interest-free capital advances through a competitive process to private, nonprofit sponsors to finance housing development for low-income seniors.</i></p>



37	Community Land Trust	Not currently	A non-profit entity that holds land for the development of a community asset, such as affordable housing. The trust owns underlying land, while individuals or cooperatives own the buildings on the land.	Various. As a non-profit, the trust may access grant funding, donations, or other sources.	Cost of homes is typically less, as buyers are purchasing the building only, and not also paying for the land. Homeowners within the trust gain equity, as the value of building improvements is generally credited back to the owner upon resale. The property is owned by the trust in perpetuity. The trust may also provide land for other community assets, such as community gardens, community center, or even small commercial spaces.	Start-up and long-term management of the trust can be complicated. Funding for purchase of land may be challenging.	There are numerous examples of community land trusts in Washington and nationwide.
38	Limited-Equity Housing Cooperative	Not currently	Similar to a community land trust, except ownership is shared through a cooperative of residents.	Costs are generally shared among cooperative members.	Community residents share in all decisions, costs and benefits of the property.	Self-governing can be challenging. Some cooperatives have long-term residents, making it somewhat difficult for new residents to join.	Currently one cooperative operating in west Olympia
39	Community Development Corporation	Not currently	For-profit or non-profit organizations governed by neighborhood representatives to revitalize disinvested neighborhoods.	Investments by individuals, faith-based organizations, small business owners or other local stakeholders.	Can provide investments in affordable housing, support services and leadership development.	Identifying investors; organizing and maintaining the organization.	



40	<p><i>Commercial Linkage fees</i></p> <p><i>(See O.A. 48 at the end of this table)</i></p>	<p><i>Not currently</i></p>	<p><i>City-levied fees on commercial developments for nearby affordable housing, either by paying into an affordable housing fund or directly constructing affordable units.</i></p>	<p><i>Commercial development fees.</i></p>	<p><i>Increases the number of affordable housing units constructed.</i></p>	<p><i>Directly increases costs of commercial development, which can be passed on to customers or renters in those developments. May be a disincentive to commercial development in the community, particularly if neighboring jurisdictions do not adopt a similar approach.</i></p>	<p><i>Similar to inclusionary zoning, requires an extremely strong economic market.</i></p>
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Obama Administration – Recommended Housing Tools

In September of 2016 the Obama White House issued a white paper on housing development. It identified 10 actions that local governments can take to “promote healthy, responsive, high-opportunity housing markets.”

	Tool	Using now?	Description	Fund Sources & Application	Opportunities	Challenges	Notes
41	<i>Establish by right development</i>	<i>Yes/No</i>	<i>Municipalities can facilitate more efficient development time frames and reduce costs by enabling more by-right development.</i>	<i>Staff or consultant cost to review code and determine if any by-right modifications could be made.</i>	<ul style="list-style-type: none"> <i>Review existing development regulations for opportunities to facilitate more development by-right.</i> <i>Missing Middle review may be an opportunity to consider this perspective.</i> 	<ul style="list-style-type: none"> <i>Neighborhoods and surrounding property owners are often concerned about new developments and increased density and intensity in their neighborhoods regardless of how the property is zoned.</i> 	
42	<i>Tax vacant land or donate it to non-profit developers</i>	<i>No</i>	<p><i>Vacant land/building registration ordinances that require registration of vacant land and often require a fee. Fees increase the longer a property remains vacant.</i></p> <p><i>Property that is owned by the County for failure to pay back taxes could be used by not for profits for housing.</i></p> <p><i>Some communities such as Seattle have a landlord registry and inspection program.</i></p>	<p><i>This program could be used to track vacant properties that can quickly become code enforcement and crime problems.</i></p> <p><i>Not presently funded.</i></p>	<ul style="list-style-type: none"> <i>Create a vacant property registry if a property remains vacant for more than a year.</i> <i>Could facilitate more responsive code enforcement response to nuisance properties.</i> <i>Some communities such as the City of Seattle have a landlord registry and inspection program.</i> 	<ul style="list-style-type: none"> <i>Minimum housing standards generally enforced through code enforcement process.</i> <i>A new program would require resources and staffing.</i> 	<i>Further study would be needed.</i>



43	<i>Streamline permitting processes</i>	Yes	<i>Inefficient permitting processes create confusion, cost and waste for applicants, the public and the City. The City envisions a permit process that is accessible 24/7, allows for electronic submittal and review, allows for real time tracking of inspections results and easier access to public information.</i>	<i>The City continues to invest in building lean process capacity and will reengage when the software instillation is complete.</i>	<ul style="list-style-type: none"> <i>Staff has invested time and energy in applying “lean” techniques to our development review process and has streamlined the intake and final inspections processes. The Department is in the midst of implementing a new enterprise software system known as SmartGov. This system will allow applicants enhanced access to our land use, permit and inspection processes.</i> 	<ul style="list-style-type: none"> <i>It is challenging to institute system changes during periods of high activity.</i> 	<i>Continue to build a lean culture that provides for efficient processes and open and transparent access to information.</i>
44	<i>Eliminate off street parking requirements</i>	Yes/No	<i>There are no minimum parking requirements for residential projects located in downtown. In areas outside of downtown minimum parking requirements apply to multiple family residential projects and increase the cost of projects.</i>	<i>The City has engaged a parking consultant to review its parking requirements and to develop a comprehensive parking strategy.</i>	<ul style="list-style-type: none"> <i>The parking strategy will include recommendations for parking management, parking facilities and supply including surface lots and potential parking structures.</i> <i>The parking strategy will examine the residential parking program and its impacts on businesses and other downtown users.</i> 	<ul style="list-style-type: none"> <i>Elimination of parking requirements can have unintended consequences on surrounding on-street parking.</i> <i>Even in Downtown where parking is not required developers still strive to provide between .75 and 1.0 parking stalls per units.</i> 	<i>Parking strategy is scheduled to be complete by June of 2017.</i>



<p>45</p>	<p><i>Enact high-density and multiple family zoning</i></p> <p><i>(Related to #4)</i></p>	<p>Yes/No</p>	<p><i>Downtown Olympia is comprised of a variety of zoning districts that range from UW-H 35 to DB that allow buildings between 35 feet and 90 feet with bonuses for residential development. The density of a project like 123 4th Ave is over 200 units per acre. Our comprehensive plan sets the goal of 5,000 new residents in downtown by 2035. Given development currently in process that goal seems feasible if not likely.</i></p> <p><i>Much of Olympia is zoned for low density development with over 50% of the community zoned R 4 – 8 that limits density to maximum of 8 units per acre. Recent parks acquisitions have removed the potential for over 1,000 dwelling units from south east Olympia.</i></p>	<p><i>A broader review of the “missing middle” is planned for 2017. This exercise will focus on ways to increase density in existing neighborhoods .</i></p>	<ul style="list-style-type: none"> • <i>Rezoning undeveloped parcels in existing neighborhoods could help to increase overall densities.</i> • <i>Looking strategically for opportunities to increase density within high density corridors and near neighborhood centers and existing commercial centers like the mall.</i> 	<ul style="list-style-type: none"> • <i>There does not appear to be a demand for greater densities in the downtown at this time.</i> • <i>Rezoning undeveloped parcels in existing neighborhoods would likely result in neighborhood opposition.</i> 	<p><i>Move forward with the “missing middle” and evaluate opportunities to increase density in areas where neighborhood opposition may be low and services and infrastructure are in place to support higher density.</i></p>
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46	<p>Allow Accessory Dwelling Units</p>	<p>Yes, No Allowed in all residential zones, but changes could be made to improve efficiency</p>	<p>Accessory dwelling units (ADU) are smaller homes either attached or detached located on a single family lot. ADUs can add density to neighborhoods, increase access to homeownership by creating rental income for owners and provide affordable housing for renters. Olympia's development code includes provisions for ADUs, however, few ADUs have been constructed in the City.</p>	<p>Potential tool to increase density in existing neighborhoods</p>	<ul style="list-style-type: none"> The planned review of the "missing middle" will look at the City's ADU regulations. Amending these regulations may make adding and ADU to single family property more feasible. 	<ul style="list-style-type: none"> ADUs can create parking and other conflicts in existing neighborhoods. 	<p>ADUs are a viable means to increase density in existing neighborhoods. Olympia's current regulations are seen as barrier to these units. The "missing middle" process will evaluate these barriers.</p>
47	<p>Establish Density Bonuses</p>	<p>Yes/No In some areas of downtown</p>	<p>Olympia's development code has several opportunities to increase density. In the downtown the code allows two additional floors above the zoning height limits if two floors or more of residential is included in the project. No project has taken advantage of this provision.</p>			<ul style="list-style-type: none"> Building heights above 75 feet require Type I or Type II construction that is more costly than the Type V construction allowed at lower heights. 	<p>Given current and projected market conditions density bonuses are unlikely to impact the market.</p>
48	<p>Employ inclusionary zoning (see 34 and 40 above)</p>	<p>No</p>	<p>Inclusionary zoning requires or encourages new projects to include affordable units. These units have long term affordability restrictions.</p>				



49	Establish development tax or value capture incentives <i>(see 28 above)</i>	Yes	The City of Olympia has a multifamily tax exemption program.				
50	Use Property Tax Abatements <i>(See 28 above)</i>						

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ATTACHMENT 1



Downtown Strategy Draft Implementation Plan

Below are the priority actions for 2017. To see the complete 6-year list visit olympiawa.gov/DTS

ATTACHMENT 2



Updated 11/29/2017

	PROJECT	TIMING	FUNDED	FUNDING SOURCE	NOT FUNDED	NOTES
1	Finish Downtown Strategy work (Consultant - Makers)	Finish 1st Quarter 2017	\$250,000			Identifies projects and actions for the next six years
2	Update urban design regulations (Consultant -Makers)	2017	\$50,000	2015 Carryover Funds		Make design regulations more user friendly and consistent with the objectives of the Comprehensive Plan and Downtown Strategy
3	Design of street improvements (Consultant -Makers)	2017	\$50,000	2015 Carryover Funds		Provide connection to the Downtown Strategy and brings urban design perspective to major Downtown street improvements
4	Parking Strategy (Consultant- Berk)	Finish 3 rd Quarter 2017	\$167,000	2016 Parking Services Funds		Will look at needs and options for expanding parking supply
5	Homeless coordination planning (Consultant - ACR Business Consulting)	Finish 4 th Quarter 2016	\$26,000	2015 Carryover Funds		Further work with AWC process likely
6	Regional homeless coordination	2017	\$15,000	\$150,000 Combined Funding (See Notes)	\$35,000	Next step ACR's work. \$15,000 funded by AWC. City to match \$15,000, plus the remaining \$20,000. Total City NOT funded \$35,000
7	Updating Downtown zoning and development standards, including SEPA exemption	2017	Existing Staff			Align zoning and character areas, simplify and clarify existing regulations
8	Promote existing development/business tools & adaptive reuse tools	2017—2022	Existing Staff			Develop greater focus in the use of tools to achieve key objectives
9	Sea Level Rise Master Plan	2017—2019	\$250,000	Joint Funding: Port, LOTT, & City (See Notes)		Coordinate with Port and LOTT. Develop plan for responding to the threat of sea level rise and approaches to funding necessary for capital improvements (\$75,000 each from Port & LOTT \$100,000 from PW Stormwater funds)
10	Isthmus Master Plan	Scope 2017	\$10,000		\$140,000	Scope a master plan that addresses land use, circulation, design, recreation and needs and interests on the Isthmus
11	Wayfinding and sign improvements	2017—2019	Existing Staff		\$100,000	Scope 2017 Master Plan Refresh and renew Downtown wayfinding signs
12	Historic architecture inventory (Consultant-Grant)	2016—2017	\$20,000	Grant from DAP (See Notes)		Ongoing project with ramifications focus on Downtown and preservation of historic resources. DAP— Department of Archaeology and Historic Preservation
13	Lighting audit	Not Programmed	Existing Staff			Continuation of Downtown Alley Lighting Program. Includes street, alley and parking lots
14	Street Tree Audit and Master Plan	2016—2018	\$15,000	CP&D Urban Forestry Program		Develop an asset management approach for street trees
15	Parks planning	2018	Existing Staff			5,000 new residents will need nearby parks
16	Former Griswold's	2017—2018	\$300,000		Unknown	Encourage private redevelopment of the property
17	Clean and Safe support	2017—2022*	\$245,000	Partially Funded in 2017 Only (No Funding 2018—2022)	\$102,000 2017 Only	Ambassador program partially funded. *Funding needs ongoing. \$102,000 NOT funded for 2017. \$347,000 ongoing yearly cost NOT funded starting 2018
18	Retail strategy	2018			\$50,000 2018 only	Several actions will occur in 2017 through the existing Economic Development and Downtown Liaison programs. Funding need is for 2018
19	Public restrooms	2017—2022*			\$120,000 Ongoing	Fund two new and two existing Porta Potties. Note: \$40,000 already allocated for design of Artesian Commons restroom; future construction costs unknown. *Funding needs ongoing. \$120,000 ongoing yearly cost NOT funded
20	Walking Patrol	2018—2022*			\$812,000 Ongoing	Extends walking patrol to day and evening (includes Sergeant). *Funding needs ongoing. \$812,000 ongoing yearly cost NOT funded

TOTAL **	\$1,485,000	\$1,351,000
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** Does not include costs for capital facility, ongoing programs or staff resources.

Downtown Strategy Draft Implementation Plan

ATTACHMENT 2

Continued



CAPITAL PROJECTS

	PROJECT	TIMING	FUNDED	NOT FUNDED	NOTES
21	Planned street overlay projects (PW)	2017—2022	\$7,500,000		Major repaving project starts with Franklin St. continuing to Legion Way. Paving continues on Washington St. and Jefferson St. ending with Capitol Way; transforming these Downtown streets. Currently estimate funding needs to be \$1,500,000 per year over 6 years for a total of \$7,500,000
22	Parking Strategy Implementation	2018—2022	Unknown	\$10,000,000	Expanded parking supply including parking structure

OTHER RELATED PROJECTS

	PROJECT	TIMING	FUNDED	NOT FUNDED	NOTES
23	Housing Strategy (Consultant)	2018		\$50,000	Develop a detailed action plan for maintaining existing housing stock and expanding new housing stock for a broad range of incomes. See housing tool kit below
24	Missing Middle Housing	2017	Existing Staff		Review options for increasing density and supporting infill housing in existing neighborhoods
25	Housing tool kit	2017	Existing Staff		Review tool kit and consider amendments to support a broad range of housing production. Prework for the Housing Strategy
26	Transportation Master Plan (Consultant)	2017-18	\$200,000 (see notes)		City-wide plan that will have implications for Downtown. Funded through CP&D professional services
27	Sign Code update (Consultant)	2016-17	\$40,000 (see notes)		Ongoing project with ramifications for Downtown. Funded through CPD professional services.



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Connecting People, Places & Spaces



Planning Commission

'Missing Middle' Infill Housing Analysis - Public Involvement Plan

Agenda Date: 1/9/2017
Agenda Item Number: 6.C
File Number: 17-0024

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

Title

'Missing Middle' Infill Housing Analysis - Public Involvement Plan

Recommended Action

NA. Briefing only.

Report

Issue:

Review public involvement plan for analysis of regulations related to Missing Middle housing opportunities.

Staff Contact:

Leonard Bauer, Deputy Director, CP&D, 360.753.8206

Presenter(s):

Leonard Bauer, Deputy Director, CP&D

Background and Analysis:

The term 'Missing Middle' refers to a range of multi-unit housing types that are compatible in scale with single-family homes. In other words, they provide 'middle' density housing. There have been relatively few of these types of housing constructed in Olympia (and nation-wide) over the past 40 years - thus, they are referred to as 'missing'. Some examples of housing types this project will particularly focus on include tiny houses, modular units, cottage homes, townhouses, small multi-family apartments, and accessory dwelling units.

To implement Comprehensive Plan goals and policies regarding providing a variety of housing types (see below), the Missing Middle Infill Housing Analysis will review existing city regulations - such as zoning, permit fees, development standards, utility connection charges, etc. - for potentially disproportionate effects on the ability to provide for a variety of housing types in the City's residentially zoned areas. Staff will provide additional information on missing middle housing types in Olympia at the Planning Commission meeting.

Attached is a draft schedule for public involvement and outreach for this project. The schedule includes a work group to provide in-depth discussion and feedback throughout the project. The work

group is currently proposed to include two Planning Commission members and one Utility Advisory Commission member. Two of these three commission members would serve as chair and vice-chair. Remaining work group members would represent a broad range of perspectives on infill housing design, financing, construction, neighborhood compatibility, and affordable housing. Staff will provide a draft charter for the work group at the Planning Commission meeting.

Relevant Comprehensive Plan Policies

The Olympia Comprehensive Plan includes numerous goals and policies calling for land use regulations that support a variety of housing types throughout the community. A few relevant examples include:

Goal GL 16: The range of housing types and densities are consistent with the community's changing population needs and preferences.

PL 16.2: Adopt zoning that allows a wide variety of compatible housing types and densities.

PL 16.5: Support affordable housing throughout the community by minimizing regulatory review risks, time and costs and removing unnecessary barriers to housing, by permitting small dwelling units accessory to single-family housing, and by allowing a mix of housing types.

Goal GS 3: Affordable housing is available for all income levels throughout the community.

PS 3.1 Promote a variety of residential densities and housing types so that housing can be available in a broad range of costs.

(Note: These goals also include other associated policies; the most applicable to this project are included above).

Financial Impact:

This project is included in the CP&D work program.

Attachments:

Project Schedule and Outreach

"Missing Middle" Infill Housing Analysis

Project Schedule and Outreach Plan	2017											
Project Steps	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1. Research Existing Conditions (since October 2016)	■											
2. Analyze Existing Conditions and Identify Key Issues	■											
3. Review Existing Codes, Fees and Standards for Potential Impacts on Key Issues			■									
4. Analyze Potential Changes to Codes, Fees or Standards				■								
5. Public Outreach and Community Conversation					■							
6. Draft Implementing Ordinances or Policies								■				
7. Public Review & Adoption Process									■			
Outreach Tools												
Project Webpage	●	●	●	●	●	●	●	●	●	●	●	●
Project e-newsletter or Social Media		●			●			●				
Public open house or tour			●				●					
Potential Oly Speaks survey						●						
Project Display- Second Floor Permitting Area							●				●	
Missing Middle' Work Group		●	●	●	●	●	●	●				
Land Use & Environment Committee		●			●		●		●			
Planning Commission	●		●			●		●	●			
Coalition of Neighborhood Associations			●				●					
City Council						●				●	●	

- Citywide
- Advisory Committees
- Interested Parties
- Decision-makers & Advisory Committees

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ATTACHMENT 1