

City Hall 601 4th Avenue E Olympia, WA 98501

Contact: Amy Buckler 360.570.5847

Meeting Agenda Planning Commission

Monday, June 16, 2014

6:30 PM

Room 207

1. CALL TO ORDER

Estimated Time for items 1-6: 15 minutes

- 1.A ROLL CALL
- 2. APPROVAL OF AGENDA
- 3. APPROVAL OF MINUTES

14-0594 Approval of May 19, 2014 Planning Commission Meeting Minutes

Attachments: 1. Draft Minutes

4. PUBLIC COMMENT

Sign-up sheets are provided at the meeting. During this time, citizens may address the Commission regarding items related to City business, including items on the agenda, except agenda items for which the Commission either held a public hearing in the last 45 days, or will hold a public hearing within the next 45 days.

5. ANNOUNCEMENTS

6. INFORMATION REQUESTS

Opportunity for Commissioners to ask staff about City or Planning Commission business.

7. BUSINESS ITEMS

<u>14-0583</u>	Briefing and F	PUBLIC HEARING	on LOTT Was	tewater Treatment Plant

Zoning

Attachments: 1. LOTT Zoning Handout

14-0584 Briefing and PUBLIC HEARING on Capitol View Offices Zoning

Attachments: 1. Capital View Zoning Handout

14-0585 Briefing and PUBLIC HEARING on Henderson Park Zoning

Attachments: 1. Henderson Park Zoning Handout

14-0587 Briefing and PUBLIC HEARING on Capitol Campus Zoning

<u>Attachments:</u> 1. Capital Campus Zoning Handout

13-0552 DELIBERATION ON RECOMMENDATION TO CITY COUNCIL: Proposed

Development Code Amendment Revising Rezone Criteria and Relating Pending

Change in Comprehensive Plan's Future Land Use Map to Zoning Map

Attachments: Proposed Code (annotated)

<u>Current Code - OMC 18.59.050</u> <u>Proposed amendment (bill format)</u>

8. REPORTS

- Leadership Team
- Finance Subcommittee
- Liaision Assignments

9. ADJOURNMENT

Approximately 9:30 p.m.

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 360-753-8447

Staff Report

File #: 14-0594 **Version**: 1

Type: minutes Status: In Committee

File created: 6/10/2014 In control: Planning Commission

Agenda date: 6/16/2014 Final action:

Title: Approval of May 19, 2014 Planning Commission Meeting Minutes

Attachments: <u>1. Draft Minutes</u>

Date Ver. Action By Action Result

Approval of May 19, 2014 Planning Commission Meeting Minutes



City Hall 601 4th Avenue E Olympia, WA 98501

Contact: Amy Buckler 360.570.5847

Meeting Minutes Planning Commission

Monday, May 19, 2014

6:30 PM

Room 207

1. CALL TO ORDER

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

1.A ROLL CALL

Present:

9 - Commissioner Jessica Bateman, Commissioner Roger Horn, Commissioner Missy Watts, Chair Max Brown, Vice Chair Kim Andresen, Commissioner Judy Bardin, Commissioner Darrell Hoppe, Commissioner Jerome Parker, and Commissioner Carole Richmond

OTHERS PRESENT

Community Planning and Development Principal Planner Todd Stamm, Associate Planner Amy Buckler

2. APPROVAL OF AGENDA

Commissioner Bardin requested a future meeting agenda item to discuss the notification process for public hearings.

Commissioner Parker requested a report from Ms. Buckler on the Eastside Neighborhood Association meeting she attended.

Commissioner Horn would like to have further discussion and clarification about neighborhood centers designation.

Ms. Buckler suggested these topics be referred to the next leadership team meeting and include all Commissioners who would like to attend.

The agenda was approved.

3. APPROVAL OF MINUTES

The minutes were adopted as amended.

14-0493 Approval of May 5, 2013 Planning Commission Meeting Minutes

4. PUBLIC COMMENT

Jeffrey Jaksich, a former planning commissioner, of 812 San Francisco Ave. NE spoke about the inadequacies of the Planning Commission processes and how he believes they could be improved. He discussed his perceptions while attending a recent Design Review Board (DRB) meeting and expressed concern about the inability of the DRB to protect historic neighborhoods. He believes the design review standards developed during his tenure were superior and public involvement was more robust. He encouraged the Planning Commission to make "sustainable" recommendations to Council considering ongoing budget restrictions with the associated impact that has on implementation.

Bob Jacobs of 720 Governor Stevens Ave. SE spoke about the public involvement process and problems he had using the City website Legistar software. He questioned the feasibility of having both a briefing and a hearing on the same night, believes it does not provide adequate time for thoughtful public comment, and recommended they be held on separate nights.

Chair Brown proposed the issue be discussed by the leadership team to consider the best way forward in the future.

Commissioner Parker inquired about former briefings on August 19 and in January on code amendments and consistency with the Comprehensive Plan (CP).

Ms. Buckler explained tonight's presentation would cover the details of the proposals and be in accord with the PC's decision to consolidate briefing and hearings, and separate out deliberation.

Commissioner Bardin expressed concern about the introduction of new criteria and the problem of getting information at the last minute. She wants the Coalition of Neighborhoods Association to have sufficient time to understand any new information so their input expresses an informed understanding.

Commissioner Horn reminded the Commission the topic of reaching out to the public will be a major focus at the retreat.

5. ANNOUNCEMENTS

Ms. Buckler gave a reminder about the short course on infill development hosted by the City of Tumwater on May 28, 2014 at 6:00 p.m., and open government training on June 4 2014 at the Washington Center for the Performing Arts. The open government training is a result of a recent law passed by Washington State requiring all elected officials to take training within 90 days of being elected. The law is effective July 1, 2014 and the City is requesting all sitting officials to take it within 90 days. An online training will be available for anyone who is unable to attend in person. She announced a City Information Technology department process to allow advisory boards' access to the City Outlook email service eliminating the need for them to use their personal email for City business. There is a new page on the City website which updates the code regulations regarding accessory dwelling units (ADUs) which will be helpful with questions from the public. She described some edits made to the Comprehensive

Plan Vision and Values chapter proposed by the Planning Commission and received feedback from the Commissioners regarding their preference on the suggested changes.

6. INFORMATION REQUESTS

Commissioner Horn requested clarification about a facet of the Tanesse project. Ms. Buckler will research the specific code regulations and include that in an email she will send.

7. BUSINESS ITEMS

13-0552 PUBLIC HEARING: Proposed Development Code Amendment Revising Rezone Criteria and Relating Pending Change in Comprehensive Plan's Future Land Use Map to Zoning Map

Mr. Stamm explained tonight's briefing will cover past re zoning criteria and new criteria being considered by City Council. He discussed the timeframe involving public input, Planning Commission deliberations, and eventual recommendations to Council. Because this criteria change is a proposed amendment to the development code, State law requires a public hearing and Planning Commission review and recommendation prior to Council action. He discussed how his presentation will support a smooth transition to the updated Comprehensive Plan so an appropriate code amendment can be adopted by the City Council concurrently with the Comprehensive Plan update in a few months. His presentation included information about the current code, consistency with the future land use map, current zoning map, and a proposed future land use map containing fewer categories. He addressed the history of a standard of rezone development criteria and relevant court cases.

Questions from the Commissioners: What constitutes a block? When does an appeal go to court?

Commissioner Parker suggested the Public Hearing begin and Commissioners submit their questions in writing to staff. Then Commissioners can refer to these and consider them during their deliberations.

Chair Brown opened the public hearing at 7:53 p.m.

Walt Jorgenson of 823 North Street expressed his concern regarding the proposed new code. He questioned wording of items A, B, E, G, H and J, and urged the Commission to use well understood operational definitions. He believes it is dangerous to make zoning changes outside the annual Comprehensive Plan process.

Bob Jacobs of 720 Governor Stevens Avenue expressed his concern about the idea of the land use map and zoning code being different and believes they should be identical. He thinks the drive for flexibility is problematic and can create openings for bias treatment of both applicants and proposals. He supports adherence to the

current approach.

Jeffrey Jaksich of 812 San Francisco Avenue endorsed the comments of previous speakers. He has worked as a developer and a state planner and supports a precise, simple approach for developers, the public and those who fund developers. He believes the proposed changes are too complex, and without performance measures necessitate the use of visual and graphic images. He discussed development around Timberland Regional Library. He recommends changing the CP once a year which gives developers and homeowners some certainty. He spoke about the costly problems concerning the Isthmus and expressed concern that more problems could occur if this approach is adopted.

Mary Wilkinson of 1903 Eskridge SE would like to submit written comment but was not able to locate any information about that timeframe.

The public hearing was closed at 8:10 p.m.

Commissioner Parker requested speakers to submit language which clearly describes these suggestions so that the Commission can consider it during deliberation.

Commissioner Richmond moved and was seconded by Vice chair Andresen, to keep the record open until June 12, 2014 at 5:00 to allow the Coalition of Neighborhood Associations. The motion passed unanimously.

Questions:

Why isn't the Planning Commission included in determining decision criteria for rezone requests?

Will all fifteen categories be in the hearing draft before the Council?

What is the 200 feet distance specifying?

Can an option regarding the "1000 foot from retail community" determination include a sub area planning process to include neighborhood preference?

What are the boundaries for medium density?

How do the overlay map and the downtown high density area relate?

Will the inclusion of item H create openings for court appeals?

The public hearing was held and closed with an extension of written comment submission until June 12, 2014 at 5:00 p.m.

14-0494 Discussion of the 2014 Annual Planning Commission Retreat

Chair Brown outlined three topics discussed by the Leadership team for consideration at the retreat.

- 1. A conversation about moving forward as a productive Planning Commission with the help of a facilitator.
- 2. A status report about downtown to include an overview of all studies done.
- 3. Fostering greater relationships between advisory committees and other groups.

Discussion:

- How the disparate experience of planning commissioners impacts the process and how the more experienced planning commissioners can support newer commissioners to better understand policies and process.
- Consensus on hiring a facilitator.
- Receipt of material sent by staff on downtown studies. Inviting Thera Black and Kathy McCormick from the Thurston Regional Planning Council (TRPC) to share their expertise.
- Inviting City Manager Steve Hall to present his status update on downtown.
- Community Planning and Development Director Keith Stahley will be on hand to overview the work of architectural firms.

The retreat will occur on June 21, 2014 from 10:00 a.m. to 2:30 p.m. with a site location of the LOTT Building, the Firehouse, or Council Chambers.

Staff will invite Kendra Dahlen to facilitate the Effective Communications segment.

The work session was completed.

14-0496 Briefing on the Action Plan for the Comprehensive Plan

Ms. Buckler gave a presentation on the Action Plan, a how to for "Taking Action on the Comprehensive Plan (CP) Goals and Policies." She discussed five action areas:

- 1) Community
- 2) Downtown
- 3) Economy
- 4) Environment
- 5) Neighborhoods

She outlined summaries of the language and concepts in the Comprehensive Plan that characterize each Action Area with goals and policies which serve as desired outcomes. She gave an overview of Olyspeaks emphasizing that these actions reflect the publics' concerns. She outlined how performance will be measured and described a new way to generate a more interactive web presence for the City.

Questions from Commissioners:

Will suggestion for language be solicited?

How will the overlap of Transportation into several categories be noted?

Will the approach of mixing strategic planning and communication with the public be effective?

Would it be feasible to have a matrix which includes the five action areas showing the overlap of transportation and land use?

The report was received.

8. REPORTS

Leadership Team Report:

Vice chair Andresen reported on discussion regarding outreach to neighborhood

meetings, tonight's public hearing, PC retreat, and the Finance Subcommittee finance meeting schedule. She attended the Coalition of Neighborhoods Association meeting and her notes are available.

Finance Subcommittee Report:

Commissioner Horn reported the next meeting date of June 22, 2014 at 6:30 p.m. in room 112. He requested hard copies of the Capitals Facilities Plan be provided. Principal Planner Steve Friddle has been invited to report on the real estate conference he attended.

Liasion Assignments:

Commissioner Hoppe reported on the Design Review Board meeting. He discussed the Olympia Volkswagen remodel, the Jimmy Johns development, and the Tanasse Building project.

Commissioner Bardin reported on the Southeast Neighborhood Association meeting.

Chair Brown reported on the Community Revitalization Area meeting.

Commissioner Horn attended the Eastside Neighborhood Association meeting with Ms. Buckler who reported on public input she received.

Commissioner Horn announced an invitation to the Finance Subcommittee to meet with the Community Economic Revitalization Committee (CERC) on June 12, 2014 at 4:30 p.m.

9. ADJOURNMENT

The meeting was adjourned at 9:39 p.m.



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Staff Report

File #: 14-0583 Version: 1

Type: public hearing Status: In Committee

File created: 6/10/2014 In control: Planning Commission

Agenda date: 6/16/2014 Final action:

Title: Briefing and PUBLIC HEARING on LOTT Wastewater Treatment Plant Zoning

Attachments: <u>1. LOTT Zoning Handout</u>

Date Ver. Action By Action Result

Briefing and PUBLIC HEARING on LOTT Wastewater Treatment Plant Zoning

Move to recommend to City Council that Zoning Map be amended to change LOTT Alliance wastewater treatment plant area from Industrial to Urban Waterfront zoning.

Issue:

Assuming the proposed Comprehensive Plan update is approved by City Council as recommended by the Planning Commission in December of 2013, should the zoning map of the City's development code be amended to change the LOTT wastewater plant from Industrial to Urban Waterfront land use zoning?

Staff Contact:

Todd Stamm, Principal Planner, Community Planning and Development Department, 360.753.8597

Presenter:

Todd Stamm, Principal Planner

Background and Analysis:

Washington's Growth Management Act requires that development regulations must be "consistent with and implement the comprehensive plan." RCW 36.70A.040. An update to the City's Comprehensive Plan recommended by the Planning Commission is now being considered by the City Council. A Council decision on the Plan is expected in the next few months. To provide for timely consideration of associated changes in the City's development regulations, including the land use zoning map, the City staff has proposed consideration of a variety of development code amendments, including the zoning change (also known as a "rezone") as described above.

Olympia's pending update of its Comprehensive Plan and the proposed Future Land Use map in particular, now being reviewed by the City Council, would designate the long-term land use of the LOTT wastewater treatment plant site as "Urban Waterfront." The draft Plan describes Urban Waterfront as, "Consistent with the State's Shoreline Management Act, this designation provides for a compatible mix of commercial, light industrial, limited heavy industrial, and multifamily residential uses along the waterfront." For comparison, the City's development code describes the Urban Waterfront District as "intended to: (a) Integrate multiple land uses in the waterfront area of downtown

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and the West Bay in a way that improves the City's appeal and identity as the Capital City on Budd Inlet; (b) Encourage high-amenity recreation, tourist-oriented, and commercial development which will enhance public access and use of the shoreline; (c) Encourage development that protects views of Budd Inlet, the Olympics, Mt. Rainier, and the Capitol, and preserves a sense of openness on the waterfront; (d) Encourage water-dependent and water-related development (as defined in the Shoreline Master Program for the Thurston Region) on shoreline properties and permit light manufacturing uses which support nearby industrial and marine related uses; [and] (e) Provide shoreline public access to significant numbers of the population, which is a major goal of the Shoreline Master Program for the Thurston Region. It is also the intent of this district to integrate the policies of the Shoreline Master Program for the Thurston Region into zoning designations applicable to waterfront properties. It is not the intent of this district, however, to make the restrictions of the Shoreline Master Program legally applicable outside the shoreline management zone." OMC 18.06.020(B)(4). In contrast, the Industrial District "is intended to provide for the continuation and development of heavy manufacturing industries in locations where they will be compatible with other similar uses, and which do not negatively impact adjacent land uses."

From early in the 1960s until 1981, generally all of the peninsula north of State Avenue between East and West Bays was in a 'Heavy Industry' zone. In 1981 the City created a new 'Central Waterfront' zone (now termed Urban Waterfront) and applied it to lands along East Bay and generally south of what is now Market Street. However, two blocks including the LOTT wastewater treatment plant remained in the Industrial category. In 1995 the City expanded the Urban Waterfront zone to the north beyond Market Street to include what is now the Farmer's Market, Batdorf and Bronson coffee roasters, and adjoining land. As a result, the LOTT industrial zone is now surrounded on all sides by Urban Waterfront zoning and by light industrial, retail, marine services, the Hands-on-Children museum, and similar uses.

The nine-acre site in question is currently in the Industrial zoning category. Both the Industrial and Urban Waterfront zones provide for wastewater treatment plants as permitted uses. In fact, the existing facility - although probably originally located entirely within the Industrial zone in question - spans the zoning line and extends into the Urban Waterfront category. The attached summary provides more details for comparing the building size and land use limitations of the two zones.

In the staff's opinion, the continuing designation of this remnant parcel as 'Industrial' could lead to a misimpression that in the near future it may be utilized for industrial purposes - such a misunderstanding could 'chill' development of neighboring properties for uses not compatible with heavy industry.

The criteria set forth in Olympia Municipal Code 18.59.050 should be used to evaluate any change in zoning: (A) The rezone is consistent with an approved amendment to the future land use map; (B) The rezone is consistent with the Comprehensive Plan; (C) The rezone will maintain the public health, safety, or welfare; (D) The rezone is warranted in order to achieve consistency with the Comprehensive Plan, or because of a need for additional property in the proposed land use district classification, or because the proposed zoning classification is appropriate for reasonable development of the subject property; and (E) The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject property.

Neighborhood/Community Interests:

To date, other than communications with the property owner, notice of this proposal has generated

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minimal public interest. On May 22, 2014, City staff hosted a combined public information meeting regarding the four pending zoning map changes. No one attending expressed an interest in this proposal.

Options:

- 1. Recommend to City Council that zoning of LOTT wastewater treatment plant site be changed from "Industrial" to "Urban Waterfront."
- 2. Recommend that LOTT wastewater treatment plant site remain in the Industrial zone designation.

Financial Impact:

None. Consideration of this change is part of budget for Comprehensive Plan update.



LOTT ALLIANCE WASTEWATER TREATMENT PLANT ZONING

May 22, 2014

The update of Olympia's Comprehensive Plan now being considered by the City Council has led to a review of the City's current zoning map. One of the sites that the staff has identified for a possible change is a portion of LOTT's downtown property north of Adams Street. The staff is now seeking public comment on this possibility. Comments and questions should be directed to Todd Stamm, Principal Planner, at city hall at 360.753.8597 or tstamm@ci.olympia.wa.us. Note that before any decisions are made, the Olympia Planning Commission would hold a public hearing and review the proposal – and any final decision would be made by the City Council.



<u>Current Land Use</u> <u>Zoning</u>:

Industrial (I)

Being Considered: Change to Urban

Change to Urban Waterfront (UW)

Options:

Retain Industrial zoning; change to Urban Waterfront zoning; or place in Urban Waterfront zone, but impose 45-foot height limit instead of standard 65-foot limit. See next page for a basic comparison of the two zones.

<u>Why change</u>? Wastewater treatment facilities are allowed by both the Industrial and Urban Waterfront zones. In fact, the treatment plant has outgrown the industrial designation on the map above and now extends into the surrounding Urban Waterfront area. LOTT's use of this portion of their property is not expected to change. However, designation of a portion of the LOTT site as Industrial does result in this site being treated as potentially occupied by heavy industry by appraisers of adjacent land. City regulations similarly require soundproofing of nearby buildings as if the LOTT plant will someday be an industrial site. Removing the Industrial designation would avoid such impressions, without affecting LOTT activities.

New Future (long-term) Land Use designation being considered for this site as part of the Comprehensive Plan: "Urban Waterfront. Consistent with the State's Shoreline Management Act, this designation provides for a compatible mix of commercial, light industrial, limited heavy industrial, and multifamily residential uses along the waterfront."

In general the Urban Waterfront zone is intended as a mixed use area near the waterfront of downtown and along West Bay, with view protection provisions. The zone would allow most businesses, but auto-oriented business such as service stations, auto sales and drive-through restaurants are prohibited. Although heavy industry is prohibited, most forms of light industry are allowed. Residential uses are generally allowed, except for low-density uses like single-family homes. Medical services requiring overnight stays are generally prohibited. Most public facilities, including wastewater treatment plants, are allowed, although some such as jails require special approval.

In contrast, the Industrial zone is intended for heavy manufacturing and other industry. Commercial uses are generally limited to those that commonly occur in industrial areas. Residential uses are prohibited, and even government offices require a special 'conditional use' approval.

Note that specific lists of permitted uses can be provided upon request. Development standards of the two zones are outlined below:

DEVELOPMENT STANDARDS - LOTT SITE COMPARISON

STANDARD	Industrial Zone	Urban Waterfront
MINIMUM LOT SIZE	No minimum.	No minimum.
FRONT YARD SETBACK	No minimum.	No minimum; however, see Chapter <u>18.100</u> for design guidelines for pedestrian access and view corridors
REAR YARD SETBACK	No minimum.	No minimum; however, see OMC <u>18.100</u> for design guidelines for pedestrian access and view corridors
SIDE YARD SETBACK	No minimum.	No minimum; however, see Chapter <u>18.100</u> for design guidelines for pedestrian access and view corridors
MAXIMUM BUILDING HEIGHT	50 feet	65', plus two additional residential stories may be built. See OMC <u>18.06.100(A)(2)(b)</u>
MAXIMUM BUILDING COVERAGE	1 sq. ft. of floor area per sq. ft. of land area	100% for properties not between the shoreline and the nearest upland street
MAX. DEVELOPMENT COVERAGE	100%	100% development coverage



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Staff Report

File #: 14-0584 Version: 1

Type: public hearing Status: In Committee

File created: 6/10/2014 In control: Planning Commission

Agenda date: 6/16/2014 Final action:

Title: Briefing and PUBLIC HEARING on Capitol View Offices Zoning

Attachments: 1. Capital View Zoning Handout

Date Ver. Action By Action Result

Briefing and PUBLIC HEARING on Capitol View Offices Zoning

Move to recommend to City Council that the Zoning Map be amended to change the two Capitol View blocks from Commercial Services - High Density (CS-H) to Professional Office / Residential Multifamily (PO/RM) zoning.

Issue:

Assuming the proposed Comprehensive Plan update is approved by City Council as recommended by the Planning Commission in December of 2013, should the zoning map of the City's development code be amended to change the Capitol View blocks described below from Commercial Services - High Density to Professional Office / Residential Multifamily land use zoning?

Staff Contact:

Todd Stamm, Principal Planner, Community Planning and Development Department, 360.753.8597

Presenter:

Todd Stamm, Principal Planner

Background and Analysis:

Washington's Growth Management Act requires that development regulations must be "consistent with and implement the comprehensive plan." RCW 36.70A.040. An update to the City's Comprehensive Plan recommended by the Planning Commission is now being considered by the City Council. A Council decision on the Plan is expected in the next few months. To provide for timely consideration of associated changes in the City's development regulations, including the land use zoning map, the City staff has proposed consideration of a variety of development code amendments, including the zoning change (also known as a "rezone") described above.

Olympia's pending update of its Comprehensive Plan and the proposed Future Land Use map in particular, now being reviewed by the City Council, would designate the long-term land use of the Capitol View blocks bounded by Eastside Street, Pear Street, 8th Avenue, and 7th Avenue SE as "Professional Offices and Multi-family Housing." The draft Plan states that, "This designation accommodates a wide range of offices, services, limited retail uses specifically authorized by the applicable zoning district, and moderate-to-high density multifamily housing in structures as large as

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four stories."

The City's development code describes the PO/RM District as "intended to (a) Provide a transitional area, buffering residential areas from more intensive commercial uses. Development within this district should be compatible with residential uses and generate low vehicular traffic characteristic of less intrusive uses [and] (b) Provide for a compatible mix of office, moderate- to high-density residential, and small-scale commercial uses, in order to provide opportunities for people to live, work, and recreate in a pedestrian-oriented area." For comparison, the CS-H District "is intended to (a) Allow limited commercial services that supplement or enhance activities on the capitol campus, not large-scale retail sales for regional markets; (b) Allow high-density multifamily residences near the chief employment centers such as the Downtown Business District, the Capitol Campus, and the central waterfront; [and] (c) Be located where high land values and public necessity warrant this type of development." OMC 18.06.020(B).

From early in the 1960s until 1981 much of the area between Plum Street and Eastside Street was zoned as "Commercial Services - General." In 1981 zoning changes in this area gradually eroded this general designation until only two blocks remained in the slightly more restrictive "Commercial Services - High Density" designation. Those two blocks are occupied by two office buildings, known as Capitol View 1 and 2, which are leased to the State of Washington.

These five acres are bordered on the north by a Residential Mixed- Use zone composed of housing and small offices, on the east by Residential 6-12 units per acre (duplex) zoning composed primarily of single-family homes, on the south by PO/RM zoned lands including offices, the City's Justice Center, and parking for the Capitol View buildings, and on the west by Downtown Business zoning with offices, restaurants and the new Smith Building family shelter. Both the PO/RM and CS-H zones allow large office buildings. The attached summary provides more details for comparing the building size and land use limitations of the two zones.

The PO/RM and CS-H zones are very similar. However, in the staff's opinion, the PO/RM designation provides a more appropriate designation for this transitional area from downtown to the mixed office and housing area north of Seventh Avenue and to the lower density residential area east of Eastside Street. Although major changes in the use of these two blocks are not expected in the near future, the PO/RM designation would ensure that high traffic uses such as large retail businesses and hotels would not be allowed. In addition, it would limit the height of any new buildings within 100 feet of the lower density neighborhood to the east.

The criteria set forth in Olympia Municipal Code 18.59.050 should be used to evaluate any change in zoning: (A) The rezone is consistent with an approved amendment to the future land use map; (B) The rezone is consistent with the Comprehensive Plan; (C) The rezone will maintain the public health, safety, or welfare; (D) The rezone is warranted in order to achieve consistency with the Comprehensive Plan, or because of a need for additional property in the proposed land use district classification, or because the proposed zoning classification is appropriate for reasonable development of the subject property; and (E) The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject property.

Neighborhood/Community Interests:

To date, notice of this proposal has generated minimal interest. On May 22, 2014, City staff hosted a combined public information meeting regarding the four pending zoning map changes. Two people

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attended to learn more about this specific proposal, but did not express strong support or objections.

Options:

- 1. Recommend that zoning of the Capitol View blocks be changed from "Community Services High Density" to "Professional Office / Residential Multi-family."
- 2. Recommend that the Capitol View blocks remain in 'Community Service High Density' zone designation.

Financial Impact:

None. Consideration of this change is part of the budget for Comprehensive Plan update.



CAPITOL VIEW ZONING

May 22, 2014

The update of Olympia's Comprehensive Plan now being considered by the City Council has led to a review of the current City zoning map. One of the sites that the staff has identified for a possible change is the 'Capitol View blocks' – two blocks located northeast of the Justice Center bounded by 7th and 8th Avenues and Pear and Eastside Streets.



Current Land Use Zoning:

Commercial Services – High Density (CS-H)

Being Considered: Change to Professional Office/Residential Multi-family (PO/RM) zone

Why change? Commercial Services is a zone primarily applied to Capitol Campus – only two other properties in Olympia are in this zone. The City has no zoning authority on the State Campus – instead planning for the campus is done by State government. This has led the City to consider whether different zoning might be more appropriate for the two remaining privately-owned CS-H sites.

<u>Options</u>: Retain CS-H zoning; change to PO/RM zoning; or choose another zone (to date City staff have not identified a viable third option.) See next page for a basic comparison of the two zones.

New Future (long-term) Land Use designation for these two blocks being considered as part of the Comprehensive Plan update: "Professional Offices & Multifamily Housing. This designation accommodates a wide range of offices, services, limited retail uses specifically authorized by the applicable zoning district, and moderate-to-high density multifamily housing in structures as large as four stories."

The zoning code describes the purpose of PO/RM as: "This district is intended to: provide a transitional area, buffering residential areas from more intensive commercial uses. Development within this district should be compatible with residential uses and generate a low vehicular traffic characteristic of less intrusive uses; and provide for a compatible mix of office, moderate- to high-density residential, and

small-scale commercial uses, in order to provide opportunities for people to live, work, and recreate in a pedestrian-oriented area."

Comments and questions regarding this proposal should be directed to Todd Stamm, Principal Planner, at city hall at 360.753.8597 or tstamm@ci.olympia.wa.us. Note that before any decisions are made, the Olympia Planning Commission would hold a public hearing and review the proposal – and any final decision would be made by the City Council.

TABLE 6.01 (EXCERPT) PERMITTED AND CONDITIONAL USES

CAPITOL VIEW COMPARISON

P=Permitted; C=Conditional Use (special approval required); Prohibited uses not listed

COMMERCIAL DISTRICT	CSH	PO/RM
1. EATING & DRINKING		
ESTABLISHMENTS		
Drinking Establishments	С	
Restaurants, without drive-	Р	С
in or drive-through		
2. INDUSTRIAL USES		
Publishing	С	С
Wholesale Sales		С
3. OFFICE USES (See		
also SERVICES, HEALTH)		
Banks	Р	Р
Business Offices	Р	Р
Government Offices	P	Р
4. RECREATION AND		
CULTURE		
Art Galleries	Р	Р
Commercial Recreation		С
Health Fitness Centers and	Р	P, maximum
Dance Studios		5,000 sq.ft.
Libraries	P	С
Museums	P	С
Parks, Neighborhood	Р	Р
Parks & Playgrounds, Other	Р	Р
5. RESIDENTIAL		
Apartments	Р	Р
Boarding Houses	Р	Р
Co-Housing		Р
Duplexes	Р	Р
Fraternities, Dormitories	Р	С

COMMERCIAL DISTRICT	CSH	PO/RM		
Group Homes (6 or less)	Р	Р		
Group Homes (7 or more)	С	С		
Retirement Homes	Р	Р		
Single-Family Residences	Р	Р		
Single Room Occupancy	Р			
Units				
Townhouses	Р	Р		
6. RETAIL SALES				
Commercial Greenhouses,	С	С		
Nurseries, Bulb Farms				
Electric Vehicle	Р	Р		
Infrastructure				
Food Stores	Р	P; maximum		
		5,000 sq.ft.		
General Merchandise Stores		P; maximum		
		5,000 sq.ft.		
Office Supplies and	Р	P, maximum		
Equipment		5,000 sq.ft.		
Pharmacies and Medical	Р	P, maximum		
Supply Stores		5,000 sq.ft.		
Specialty Stores		P, maximum		
		5,000 sq.ft.		
7. SERVICES, HEALTH				
Hospitals	Р			
Nursing, Congregate Care,	С	С		
and Convalescence Homes				
Offices, Medical	Р	Р		
8. SERVICES, LODGING				
Bed & Breakfast Houses		Р		
(1 guest room)				

COMMERCIAL DISTRICT	CSH	PO/RM
Bed & Breakfast Houses	С	Р
(2 to 5 guest rooms)		
Hotels/Motels	Р	
Lodging Houses	Р	Р
9. SERVICES, PERSONAL		
Adult Day Care Home	Р	Р
Child Day Care Centers	Р	Р
Crisis Intervention	С	Р
Family Child Care Homes	Р	Р
Funeral Parlors and		С
Mortuaries		
Laundries and Laundry Pick-		Р
up Agencies		
Personal Services	Р	Р
10. SERVICES,		
MISCELLANEOUS		
Printing, Commercial	Р	Р
Public Facilities (see also	Р	С
Public Facilities, Essential		
below)		
Radio/T.V. Studios	Р	Р
Recycling Facilities	Р	Р
School - Colleges and	P	С
Business, Vocational or		
Trade Schools		
Servicing of Personal		Р
Apparel and Equipment		
Workshops for Disabled	С	С
People		
11. PUBLIC FACILITIES,		
ESSENTIAL		
Inpatient Facilities	С	С
Jails	С	
Other Correctional Facilities	С	С
Other facilities as		С
designated by the		
Washington State Office of		
Financial Management,		
except prisons and solid		
waste handling facilities		

COMMERCIAL DISTRICT	CSH	PO/RM
Radio/TV and Other	С	С
Communication Towers and		
Antennas		
Sewage Treatment Facilities	С	С
State Education Facilities	С	С
State or Regional	С	С
Transportation Facilities		
12. TEMPORARY USES		
Off Site Contractor Offices	Р	Р
Emergency Housing	Р	Р
Mobile Sidewalk Vendors		Р
Residences Rented for	Р	Р
Social Event (6 or less in 1		
year)		
Residences Rented for	С	С
Social Event (7 or more in 1		
year)		
Temporary Surface Parking	Р	Р
Lot		
13. OTHER USES		
Agriculture	Р	Р
Animals	Р	Р
Cemeteries	С	С
Fraternal Organizations	Р	Р
Garage/Yard/Rummage and	Р	Р
Other Outdoor Sales		
Home Occupations	Р	Р
Parking Facility, Commercial		Р
Places of Worship	С	С
Racing Pigeons	С	С
Satellite Earth Stations	Р	Р
Schools	С	С
Utility Facility	P/C	P/C
Wireless Communications	P/C	P/C
Facilities		
<u> </u>	1	<u> </u>

TABLE 6.02 (Excerpt) COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

CAPITOL VIEW COMPARISON

STANDARD	Commercial Services (CS-H)	Professional Office/Residential Multi-Family (PO/RM)
MINIMUM LOT SIZE	7,200 Sq. Ft. if bldg. height is 35' or less. 12,500 Sq. Ft. if bldg. height is over 35'.	No minimum, except residential; 7,200 sq. ft. for apartments
FRONT YARD SETBACK	No minimum.	10' minimum
REAR YARD SETBACK	5' minimum if building has 1 or 2 stories. 10' minimum if building has 3 or more stories.	10' minimum; Except next to an R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories.
SIDE YARD SETBACK	5' minimum if building has 1 or 2 stories. 10' minimum if building has 3 or more stories; AND the sum of the 2 side yards shall be no less than 1/2 the building height.	No minimum on interior, 10' minimum on flanking street; Except: Next to R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each building floor above 2 stories. Solely residential structures: 5'.
MAXIMUM BUILDING HEIGHT	75' Exception: Up to 100' may be allowed with conditional approval by the City Council, upon recommendation of the Hearing Examiner.	Up to 35', if any portion of the building is within 100' of R 4, R 4-8, or R 6-12 district; up to 60' otherwise.
MAXIMUM BUILDING COVERAGE	No requirement.	70%, except 55% for residential only structures
MAX. DEVELOPMENT COVERAGE	100%	85%, except 75% for residential only structures
ADDITIONAL DISTRICT-WIDE DEVELOPMENT STANDARDS	Residential uses must comply with High Rise Multi-family (RM-H zone) development standards. (See table 4.04 of Development Code.)	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet.



City Hall 601 4th Avenue E. Olympia, WA 98501 360-753-8447

Staff Report

File #: 14-0585 Version: 1

Type: public hearing Status: In Committee

File created: 6/10/2014 In control: Planning Commission

Agenda date: 6/16/2014 Final action:

Title: Briefing and PUBLIC HEARING on Henderson Park Zoning

Attachments: <u>1. Henderson Park Zoning Handout</u>

Date Ver. Action By Action Result

Briefing and PUBLIC HEARING on Henderson Park Zoning

Move to recommend to City Council that Henderson Park area remain in Commercial Services (CS-H) zoning designation and that any future zoning criteria reflect that the CS-H category is consistent with the Comprehensive Plan's General Commercial designation.

Issue:

Assuming the proposed Comprehensive Plan update is approved by City Council as recommended by the Planning Commission in December of 2013, should the zoning map of the City's development code be amended to change the Henderson Park area from Commercial Services - High Density to General Commercial land use zoning?

Staff Contact:

Todd Stamm, Principal Planner, Community Planning and Development Department, 360.753.8597

Presenter:

Todd Stamm, Principal Planner

Background and Analysis:

Washington's Growth Management Act requires that development regulations must be "consistent with and implement the comprehensive plan." RCW 36.70A.040. An update to the City's Comprehensive Plan recommended by the Planning Commission is now being considered by the City Council. A Council decision on the Plan is expected in the next few months. To provide for timely consideration of associated changes in the City's development regulations, including the land use zoning map, the City staff has proposed consideration of a variety of development code amendments, including the zoning change (also known as a "rezone") described above.

Olympia's pending update of its Comprehensive Plan and the proposed Future Land Use map in particular, now being reviewed by the City Council, would designate the long-term land use of the Henderson Park area south of the Henderson Boulevard / Interstate 5 interchange as "General Commercial." The draft Plan states that, "This designation provides for commercial uses and activities which are heavily dependent on convenient vehicle access but which minimize adverse impact on the community, especially on adjacent properties having more restrictive development

File #: 14-0585, Version: 1

characteristics. The area should have safe and efficient access to major transportation routes. Additional "strip" development should be limited by filling in available space in a way that accommodates and encourages pedestrian activity."

The City's development code describes the General Commercial District as "intended to (a) Provide for those commercial uses and activities which are heavily dependent on convenient vehicular access; (b) Encourage the location of such uses on sites having safe and efficient access to major transportation routes; (c) Discourage extension of "strip" development by filling in available space in areas where substantial auto-oriented commercial development already exists; (d) Provide development standards which enhance efficient operation of these districts, and lead to more pedestrian-oriented development; [and] (e) Achieve minimum adverse impact on the community, especially on adjacent properties having more restrictive development characteristics." For comparison, the CS-H District "is intended to (a) Allow limited commercial services that supplement or enhance activities on the capitol campus, not large-scale retail sales for regional markets; (b) Allow high-density multifamily residences near the chief employment centers such as the Downtown Business District, the Capitol Campus, and the central waterfront; [and] (c) Be located where high land values and public necessity warrant this type of development." OMC 18.06.020(B).

The Henderson Park area was placed in the CS-H category in 1964. Nonetheless, it remained undeveloped until the last few years when a commercial "binding site plan" was approved. The developer has constructed a roundabout at the interchange, a public trail through the site, and a private driveway and utilities to serve four commercial lots. A hotel has been proposed on the largest lot.

These nine acres are bordered on the northwest by Interstate 5, on the northeast by Henderson Boulevard and the interchange, on the east by the City's Watershed Park (an open space park) and on the southeast and south by single-family developments. In general, these single-family areas are 'buffered' from the site by forested slopes and changes in elevation.

The GC and CS-H zones are very similar. The GC zone generally allows a broader range of land uses, while the CS-H zone allows larger buildings. In the staff's opinion, the CS-H designation is the more appropriate designation for this area. The binding site plan (bsp) approval was based on the current CS-H zoning. (A 'bsp' is a form of commercial development approval that includes provisions for dividing the ownership. For example, in this case it includes a tree tract and provisions for the private driveway to be shared by all four commercial lots.) Instead of significantly changing the zoning of the site to allow uses that may not be appropriate in this location (such as light industry, warehousing, and general retail uses), the staff believes the CS-H zone should be refined to achieve a category that better provides for neighborhood-supportive services. (Note, should City staff's recommendations regarding other rezones be approved, this site might be the only remaining CS-H zone in Olympia.) See the attached summary for a comparison of the zones, and to consider such opportunities.

The criteria set forth in Olympia Municipal Code 18.59.050 should be used to evaluate any change in zoning: (A) The rezone is consistent with an approved amendment to the future land use map; (B) The rezone is consistent with the Comprehensive Plan; (C) The rezone will maintain the public health, safety, or welfare; (D) The rezone is warranted in order to achieve consistency with the Comprehensive Plan, or because of a need for additional property in the proposed land use district classification, or because the proposed zoning classification is appropriate for reasonable development of the subject property; and (E) The rezone will not be materially detrimental to uses or

File #: 14-0585, Version: 1

property in the immediate vicinity of the subject property.

Neighborhood/Community Interests:

To date, except for communications with the owner of the four lots, notice of this proposal has generated minimal interest. On May 22, 2014, City staff hosted a combined public information meeting regarding the four pending zoning map changes. One person attended to learn more about this specific proposal, but did not express strong support or objections.

Options:

- 1. Recommend that zoning of Henderson Park site be changed from "Community Services High Density" to "General Commercial."
- Recommend that the Henderson Park site remain in 'Community Service High Density' zone designation; and that any future zoning criteria provide that the CS-H zone is considered consistent with the General Commercial designation of the Comprehensive Plan.

Financial Impact:

None. Consideration of this change is part of the budget for Comprehensive Plan update.



HENDERSON PARK ZONING

May 22, 2014

The update of Olympia's Comprehensive Plan now being considered by the City Council has led to a review of the City's current zoning map. One of the sites that the staff has identified for a possible change is the 'Henderson Park' property – a commercial site adjacent to Interstate 5. The staff is now seeking public comment on this possibility. Comments and questions should be directed to Todd Stamm, Principal Planner, at city hall at (360) 753-8597 or tstamm@ci.olympia.wa.us. Note that before any decisions are made, the Olympia Planning Commission would hold a public hearing and review the proposal – and any final decision would be made by the City Council.

<u>Current Land Use Zoning</u>: Commercial Services – High Density (CS-H)

Being Considered: Change to General Commercial (GC)

<u>Why change</u>? Commercial Services is a zone primarily applied to Capitol Campus – only two other properties in Olympia are in this zone. The City has no zoning authority on the State Campus – instead planning for the campus is done by State government. This has led the City to consider whether different zoning might be more appropriate for the two remaining CS-H sites.

Options: Retain CS-H zoning; change to GC zoning; or choose another zone (to date City staff have not identified a viable third option). See next page for a basic comparison of the two zones.

<u>Note</u>: Any change in zoning would <u>NOT</u> be applicable to the Hilton Gardens proposal now under review. But it could affect any lots where development applications have not been submitted.

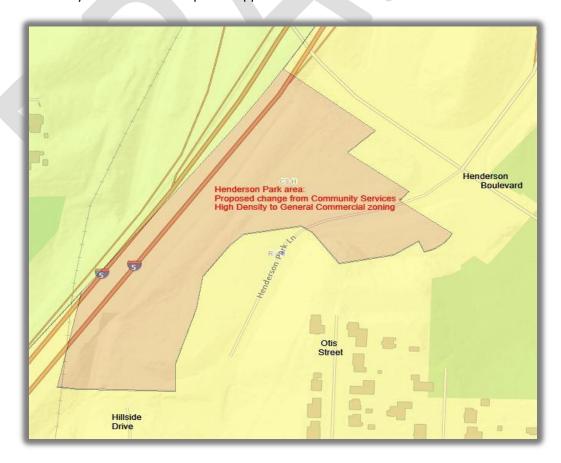




Table 6.02 (Excerpt) Commercial Districts' Development Standards HENDERSON PARK COMPARISON

STANDARD	Commercial Services (CS-H)	General Commercial (GC)
MINIMUM LOT SIZE	7,200 Sq. Ft. if bldg. height is 35' or less. 12,500 Sq. Ft. if bldg. height is over 35'.	No minimum, except townhouse 1,600 sq. ft. minimum and 2,400 sq. ft. average
FRONT YARD SETBACK	No minimum.	5' minimum for residential otherwise none.
REAR YARD SETBACK	5' minimum if building has 1 or 2 stories. 10' minimum if building has 3 or more stories.	10' minimum; Except:Next to single-family use or an R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories.
SIDE YARD SETBACK	5' minimum if building has 1 or 2 stories. 10' minimum if building has 3 or more stories; AND the sum of the 2 side yards shall be no less than 1/2 the building height.	No Minimum; Except: Next to R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each building floor above 2 stories. Residential excluding mixed use structures: 5' except 6' on one side of zero lot.
MAXIMUM BUILDING HEIGHT	75' Exception: Up to 100' may be allowed with conditional approval by the City Council, upon recommendation of the Hearing Examiner. For details, see 18.06.100(C)(5), Height, Commercial Services-High Density.	Up to 35', if any portion of the building is within 100' of R 4, R 4-8, or R 6-12 district; Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75', if at least one story is residential.
MAXIMUM BUILDING COVERAGE	No requirement.	70%; or 85% if at least 50% of the required parking is under the building.
MAX. DEVELOPMENT COVERAGE	100%	85%
ADDITIONAL DISTRICT-WIDE DEVELOPMENT STANDARDS	Residential uses must comply with High Rise Multi-family (RM-H zone) development standards. (See table 4.04 of Development Code.)	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(D)).

New Future (long-term) Land Use designation being considered as part of the Comprehensive Plan:

"General Commerce. This designation provides for commercial uses and activities which are heavily dependent on convenient vehicle access but which minimize adverse impact on the community, especially on adjacent properties having more restrictive development characteristics. The area should have safe and efficient access to major transportation routes. Additional "strip" development should be limited by filling in available space in a way that accommodates and encourages pedestrian activity."

TABLE 6.01 (EXCERPT) PERMITTED AND CONDITIONAL USES

HENDERSON PARK COMPARISON

P=Permitted; C=Conditional Use (special approval required); Prohibited uses not listed

DISTRICT	CSH	GC
1. EATING & DRINKING		
ESTABLISHMENTS		
Drinking Establishments	С	Р
Restaurants, with drive-in or		Р
drive-through		
Restaurants, without drive-in	Р	Р
or drive-through	· ·	
2. INDUSTRIAL USES		
Industry, Light		С
Printing, Industrial		С
Publishing	С	С
Warehousing		Р
Welding & Fabrication		С
Wholesale Sales		Р
Wholesale Products Incidental		Р
to Retail Business		
3. OFFICE USES (See also		
SERVICES, HEALTH)		
Banks	Р	Р
Business Offices	Р	Р
Government Offices	Р	Р
4. RECREATION AND		
CULTURE		
Art Galleries	Р	Р
Auditoriums and Places of		Р
Assembly		
Commercial Recreation		Р
Health Fitness Centers and	Р	Р
Dance Studios		

DISTRICT	CSH	GC
Libraries	Р	С
Museums	Р	Р
Parks, Neighborhood	Р	Р
Parks & Playgrounds, Other	Р	Р
Theaters (Drive-in)		С
Theaters (No drive-ins)		Р
5. RESIDENTIAL		
Apartments	Р	Р
Boarding Houses	Р	Р
Co-Housing		Р
Duplexes	Р	Р
Fraternities, Dormitories	Р	Р
Group Homes (6 or less)	Р	Р
Group Homes (7 or more)	С	С
Retirement Homes	Р	Р
Single-Family Residences	Р	Р
Single Room Occupancy Units	Р	С
Townhouses	Р	Р
6. RETAIL SALES		
Apparel and Accessory Stores		Р
Boat Sales and Rentals		Р
Building Materials, Garden and		Р
Farm Supplies		
Commercial Greenhouses,	С	С
Nurseries, Bulb Farms		
Electric Vehicle Infrastructure	Р	Р
Food Stores	Р	Р
Furniture, Home Furnishings,		Р
and Appliances		
Gasoline Dispensing Facilities		Р

DISTRICT	CSH	GC
accessory to a permitted use		
Gasoline Dispensing Facility		Р
accessory to a permitted use -		
Existing		
General Merchandise Stores		Р
Mobile, Manufactured, and		Р
Modular Housing Sales		
Motor Vehicle Sales		Р
Motor Vehicle Supply Stores		Р
Office Supplies and Equipment	Р	Р
Pharmacies and Medical	Р	Р
Supply Stores		
Specialty Stores		Р
7. SERVICES, HEALTH		
Hospitals	Р	
Nursing, Congregate Care, and	С	С
Convalescence Homes		
Offices, Medical	Р	Р
Veterinary Offices/Clinics		Р
8. SERVICES, LODGING		
Bed & Breakfast Houses (1		Р
guest room)		
Bed & Breakfast Houses (2 to	С	Р
5 guest rooms)		
Hotels/Motels	Р	P
Lodging Houses	Р	Р
Recreational Vehicle Parks		Р
9. SERVICES, PERSONAL		
Adult Day Care Home	Р	Р
Child Day Care Centers	Р	Р
Crisis Intervention	С	С
Family Child Care Homes	Р	Р
Funeral Parlors and Mortuaries		Р
Laundries and Laundry Pick-up		Р
Agencies		
Personal Services	Р	Р
10. SERVICES,		
MISCELLANEOUS		
Auto Rental Agencies		Р
Equipment Rental Services,		Р
Commercial		

DISTRICT	CSH	GC
Ministorage		Р
Printing, Commercial	Р	Р
Public Facilities (see also	Р	С
Public Facilities, Essential on		
next page)		
Radio/T.V. Studios	Р	Р
Recycling Facilities	Р	Р
School - Colleges and	Р	Р
Business, Vocational or Trade		
Schools		
Service and Repair Shops		Р
Service Stations/Car Washes		Р
Service Stations/Car Washes -		Р
Existing		
Servicing of Personal Apparel		Р
and Equipment		
Truck, Trailer, and		Р
Recreational Vehicle Rentals		
Workshops for Disabled	С	С
People		
11. PUBLIC FACILITIES,		
ESSENTIAL		
Airports		С
Inpatient Facilities	С	С
Jails	С	С
Mental Health Facilities		С
Other Correctional Facilities	С	С



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Staff Report

File #: 14-0587 Version: 1

Type: public hearing Status: In Committee

File created: 6/10/2014 In control: Planning Commission

Agenda date: 6/16/2014 Final action:

Title: Briefing and PUBLIC HEARING on Capitol Campus Zoning

Attachments: 1. Capital Campus Zoning Handout

Date Ver. Action By Action Result

Briefing and PUBLIC HEARING on Capitol Campus Zoning

Move to recommend to City Council that the entirety of the Capitol Campus owned or controlled by the State of Washington be designated as a "Planned Unit Development" zone on the City's zoning map.

Issue:

Assuming the proposed Comprehensive Plan update is approved by City Council as recommended by the Planning Commission in December of 2013, should the zoning map of the City's development code be amended to change the Capitol Campus from various zones to "Planned Unit Development" land use zoning?

Staff Contact:

Todd Stamm, Principal Planner, Community Planning and Development Department, 360.753.8597

Presenter:

Todd Stamm, Principal Planner

Background and Analysis:

Washington's Growth Management Act requires that development regulations must be "consistent with and implement the comprehensive plan." RCW 36.70A.040. An update to the City's Comprehensive Plan recommended by the Planning Commission is now being considered by the City Council. A Council decision on the Plan is expected in the next few months. To provide for timely consideration of associated changes in the City's development regulations, including the land use zoning map, the City staff has proposed consideration of a variety of development code amendments, including the zoning change (also known as a "rezone") described above.

Olympia's pending update of its Comprehensive Plan and the proposed Future Land Use map in particular, now being reviewed by the City Council, would designate the central Capitol Campus of the State of Washington as a "Planned Development" area." The draft Plan states that, "This designation includes areas of mixed uses where specific 'master plans' are required prior to development. These master plans are prepared and proposed by one or a few parties and subject to review and confirmation by the City. This designation is intended to achieve more innovative designs

File #: 14-0587, Version: 1

than in conventional developments but which are also compatible with existing uses in the area. Innovative designs may include offering a wider variety of compatible housing types and densities, neighborhood convenience businesses, recreational uses, open space, trails and other amenities. Generally residential densities should range from seven to thirteen units per acre, but the specific mix of land uses will vary with the zoning, environment, and master plan of each site. In addition to a variety of housing types, these areas may include neighborhood centers as described below. Each of the two planned developments along Yelm highway may include a larger neighborhood-oriented shopping center with a supermarket. The planned development designation also includes retaining certain existing, and potentially new, manufactured housing parks in locations suitable for such developments. Two unique planned developments include substantial government office buildings and related uses - these are the Capitol Campus; and Evergreen Park, which includes the site of the Thurston County courthouse." [Emphasis added.] In addition to 'Evergreen Park' - the areas sometimes called 'courthouse hill' - other planned developments in the City include the Briggs Urban Village and three 'neighborhood villages.'

The Capitol Campus is an area managed, controlled and generally owned by the State of Washington for specific purposes. Except for unique business arrangements, such as the new Department of Enterprise Services buildings, it usually does not include privately-owned buildings leased by the State, such as those near Plum Street. The City's zoning map indicates that a variety of zones are applicable to the Campus. For example, the largest portion is designated as Commercial Services - High Density, while a portion of Heritage Park is designated as Residential Multi-family High-Rise, others such as near Union Avenue are in the Downtown Business category, and Deschutes Parkway is in the residential and Evergreen Park Planned Unit Development zones of the lands to the west.

Despite the implications of the zoning map, the City of Olympia's zoning is not applicable to lands that are part of the Capitol Campus. Instead, pursuant to State law this area is planned and 'regulated' by the Capitol Campus Design Advisory Committee and the State Capitol Committee in accordance with a 'Master Plan' adopted by the State. In place of its more common regulatory role, the City works in cooperation with the State in the planning for Campus development and activities.

The City does have authority to regulate shoreline development of the Campus because under the Shoreline Management Act the City is acting on behalf of the Washington Department of Ecology; and the City inspects construction on the Campus for compliance with building codes pursuant to an agreement with the State. And the Growth Management Act does provide that, "State agencies shall comply with the local comprehensive plans and development regulations and amendments thereto adopted pursuant to this chapter." RCW 36.70.103.

To reflect the unique relationship between the State and City regarding development of this area, the staff proposes that the Zoning Map be amended to designate the Campus as a 'planned development.' By doing so, the development regulations would both be consistent with the Comprehensive Plan update being considered by the City Council and would more accurately communicate this relationship to the public.

The criteria set forth in Olympia Municipal Code 18.59.050 should be used to evaluate any change in zoning: (A) The rezone is consistent with an approved amendment to the future land use map; (B) The rezone is consistent with the Comprehensive Plan; (C) The rezone will maintain the public health, safety, or welfare; (D) The rezone is warranted in order to achieve consistency with the Comprehensive Plan, or because of a need for additional property in the proposed land use district

File #: 14-0587, Version: 1

classification, or because the proposed zoning classification is appropriate for reasonable development of the subject property; and (E) The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject property.

Neighborhood/Community Interests:

To date, except for communications with State staff, notice of this proposal has generated minimal interest. On May 22, 2014, City staff hosted a combined public information meeting regarding the four pending zoning map changes. Only State staff participated with regard to this particular proposal.

Options:

- 1. Recommend that zoning of all of the Capitol Campus be changed to "Planned Unit Development." (Note, this zoning map change should be accompanied by a code amendment providing for the possibility of lands to be removed from the Campus without sufficient time for the zoning map to be amended the specific text of this provision would be drafted by the City Attorney prior to amendment of the map by the Council.)
- 2. Retain the existing zoning of the Capitol Campus.

Financial Impact:

None. Consideration of this change is part of budget for Comprehensive Plan update.

CAPITOL CAMPUS ZONING



May 22, 2014

The update of Olympia's Comprehensive Plan now being considered by the City Council has led to a review of the City's current zoning map. One of the sites that the staff has identified for a possible change is the Capitol Campus. The staff is now seeking public comment on this possibility. Comments and questions should be directed to Todd Stamm, Principal Planner, at city hall at 360.753.8597 or tstamm@ci.olympia.wa.us. Note that before any decisions are made, the Olympia Planning Commission would hold a public hearing and review the proposal – and any final decision would be made by the City Council.

Specifically, the Council is considering designating the capitol campus area as a "Planned Development" in the updated Comprehensive Plan. That document describes Planned Development areas as "areas of mixed uses where specific 'master plans' are required prior to development. These master plans are prepared and proposed by one or a few parties and subject to review and confirmation by the City. This designation is intended to achieve more innovative designs than in conventional developments but which are also compatible with existing uses in the area."



<u>Current Land Use Zoning</u>: Although most of the campus is designated as "Commercial Services-High Density" (CS-H), a portion of Heritage Park is designated as High Rise Multi-family (RM-H), and various other zones such as Downtown Business are currently applied to other portions of the campus.

Being Considered: Change Capitol Campus area to **Planned Unit Development** (PUD) zoning district. Note, this change would NOT apply to any lands outside the Campus.

<u>Options</u>: Retain current zoning; change to Planned Unit Development zoning; or another zoning district. The two campus blocks downtown (Sylvester Park and Office of Superintendent of Public Instruction ("Old Capitol") and a portion of campus west of Capitol Lake may or may not be included – the specific boundary of the 'PUD' would be determined in cooperation with the State.

<u>Why change</u>? For decades the City of Olympia has shown the Capitol Campus on the City's zoning map as if it were subject to City development regulations like other property. However, the City does <u>not</u> have authority to regulate State lands within the Campus boundary. Instead that authority is reserved to the State and administered primarily by the Capitol Campus Design Advisory Committee and the State Capitol Committee. The City works in cooperation with these bodies and the Washington Department of Enterprise Services to ensure that the State's Capitol Master Plan and resulting development is consistent with the community's goals.

"Planned Unit Developments" are areas within the City subject to specific and unique master plans, rather than traditional zoning. Amending the City's zoning map to designate the campus as a "PUD" would acknowledge the State-planned nature of this area, and that the Capitol Master Plan is the guiding document.



City of Olympia

City Hall 601 4th Avenue E. Olympia, WA 98501 360-753-8447

Staff Report

File #: 13-0552 Version: 3

Type: recommendation Status: In Committee

File created: 7/9/2013 In control: Planning Commission

Agenda date: 6/16/2014 Final action:

Title: DELIBERATION ON RECOMMENDATION TO CITY COUNCIL: Proposed Development Code

Amendment Revising Rezone Criteria and Relating Pending Change in Comprehensive Plan's Future

Land Use Map to Zoning Map

Attachments: Proposed Code (annotated)

<u>Current Code - OMC 18.59.pdf</u> Proposed amendment (bill format)

Date	Ver.	Action By	Action	Result
5/19/2014	3	Planning Commission		
8/19/2013	1	Planning Commission	continued	
8/5/2013	1	Planning Commission	referred	

DELIBERATION ON RECOMMENDATION TO CITY COUNCIL: Proposed Development Code Amendment Revising Rezone Criteria and Relating Pending Change in Comprehensive Plan's Future Land Use Map to Zoning Map

Issue:

The draft Comprehensive Plan as recommended by the Planning Commission and now being reviewed by the City Council would consolidate land use categories in the Plan. Specifically, it would reduce the number of categories from over 30 to about 15. In addition, the draft Plan would add a specific Plan policy regarding rezone criteria. The City staff proposes a development code amendment revising the rezone criteria, including a new provision describing the relationship between the proposed more general Land Use map and the specific land use districts of the zoning code. (Note, 'rezones' are amendments of the zoning map depicting which property is within each land use zone or district described in the development (zoning) regulations.)

Staff Contact:

Todd Stamm, Community Planning & Development, Principal Planner, (360) 753-8597

Presenter(s):

Todd Stamm, Principal Planner

Background and Analysis:

Until 1994, Olympia's Comprehensive Plans included future land use maps that were general in nature. For example, the 1988 Plan's future land use map included 14 land use categories. In contrast, the City's zoning code included 19 zones plus various 'limited' and 'planned development' designations. When Olympia updated the Comprehensive Plan and zoning in response to the Growth Management Act of the early 90's, the City decided to include a more detailed Future Land Use Map in the Plan with over thirty land use categories with specific boundaries. The subsequent new zoning map 'mirrored' this detailed Plan map. The result of this approach has been a reduction in regulatory flexibility. Instead of the City or property owners being able to propose zoning map changes in response to changing circumstances, nearly any change in the zoning map must be accompanied by an amendment of the Comprehensive Plan. Such Plan amendments must be considered as part of a constrained annual review process.

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Whether to continue this approach or revert to the more traditional 'general plan map' combined with finer scale zoning was a topic of staff, public and Commission discussion during "Imagine Olympia" (the ongoing Plan update process). The staff proposed, and ultimately the Commission recommended, reverting to the more general map approach. A staff-prepared background "white paper" on this topic is available on request. A related new 'rezone criteria' policy was also recommended and is now being considered by the Council.

As currently proposed, that policy would read:

Proposed rezones shall meet criteria to be adopted into the Olympia Municipal Code that address:

- 1. Consistency with the Comprehensive Plan.
- 2. Consistency with the City's development regulations that implement the Comprehensive Plan.
- 3. Compatibility with adjoining zoning districts and transitioning where appropriate to ensure compatibility.

Whether the City should adopt this change in the Comprehensive Plan is one of the many issues now before the City Council. However, the Growth Management Act requires 'development regulations that are consistent with and implement the comprehensive plan.' RCW 36.70A.040. Thus, if the Council decides to adopt the proposed Future Land Use Map in the form recommended by the Commission, the staff believes the development (zoning) code should be amended to ensure that the more specific zoning map continues to be consistent with the Plan map. In particular, to provide guidance to zoning administrators and the public, the staff proposes that Olympia Municipal Code Section 18.59.050, "Decision criteria for rezone requests," should be revised as set forth in the attached documents.

Both the pending Comprehensive Plan update and the Development Code include descriptions of the intent and purposes of these Land Use designations and zoning districts. (See the proposed Plan's Land Use and Urban Design chapter Appendix A for the former, and Olympia Municipal Code sections 18.04.020, 18.05.020, 18.060.020 and 18.08.020 for the latter.) The proposed code amendment would supplement those and other provisions of the two documents and is intended to avoid any misunderstanding regarding the levels of specificity and flexibility associated with the two maps.

Because this is a proposed amendment of the development code, State law requires a public hearing and Planning Commission review and recommendation prior to Council action. To ensure a smooth transition to the updated Comprehensive Plan, the staff is presenting this proposal to the Planning Commission now so an appropriate code amendment can be adopted by the City Council concurrently with the Comprehensive Plan update a few months from now. Of course, if the Council elects to adopt a different version of the Future Land Use map, some revision of the attached proposal may be needed.

Elements of the proposed update are drawn from the direction provided by the pending Comprehensive Plan update, court rulings and examples from other Washington cities. Staff notes provided as part of attached proposal indicate some of these sources. However, because there is no one 'right' approach, the particular rezone criteria proposed would be unique to Olympia. In evaluating this proposal, the staff recommends that the Commission consider:

 That the final decision regarding any rezone will be made by the City Council following a public hearing and recommendation from the Planning Commission File #: 13-0552, Version: 3

- These rezone criteria will be applicable to all zoning map amendments, i.e., they should be crafted with all types of possibilities in mind, and not just pending, unique or special cases
- Criteria that more readily allow changes in zoning allow more flexibility for responding to changes in circumstances
- Criteria that more strictly limit rezones provide more predictability for property owners, residents, businesses and the general public

Specific details the Commission may wish to examine include:

- 1. Which of the criteria should be minimum requirements, and which should be 'factors to consider' in reaching a rezone decision?
- 2. If a minimum requirement, is the requirement reasonable? (Note that applicants must demonstrate compliance with minimums, i.e., they have the 'burden of proof'.)
- 3. Is it appropriate to allow all existing zoning to remain 'as is'?
- 4. Is four blocks (about 1000 feet) from a location shown on the Future Land Use Map an appropriate 'close enough' distance for Neighborhood Centers?
- 5. Should lower density residential zones be acceptable in Urban Corridors? (The proposed Plan has a 15 -units-per-acre minimum, so staff has proposed only zones that allow that many units. At present some portions of urban corridors are in the 'Single-family Residential 4 to 8 units per acre zone.)

Neighborhood/Community Interests (if known):

In additional to publication in the Olympian and mailing to other agencies and the news media, notice of this public hearing was provided directly to representatives of all of the City's recognized neighborhood associations on or before May 9. These notices have led to a handful of requests for copies of the amendment. Property owners, developers, and the general public may all be interested in this topic, particularly with respect to the degree of flexibility to be provided by the new code provisions.

Options (following close of public hearing):

- 1. Recommend Council approval as proposed.
- 2. Recommend alternative version of recommendation.
- 3. Table proposal until Council reaches a decision on Comprehensive Plan update.

Financial Impact:

Cost of code amendment included in base budget.

Proposed New version of Rezone criteria to replace current code

[Explanatory annotations provided by city staff would not be part of new code]

OMC 18.59.050 Decision criteria for rezone requests SHARE

The Department shall forward rezone, i.e., zoning map amendment, requests to the Planning Commission for review and recommendation and to the City Council for consideration for review and action. The following criteria shall be used to evaluate each rezone request. A zoning map amendment shall only be approved if the Council concludes that at minimum the proposal complies with subsections A through C. To be considered are whether: ["The Department" is defined in code as the Community Planning and Development Department. Requirement to meet certain criteria added. And the criteria below are in a different order than current code. Note that by separate action the City Council will be deciding whether rezone requests not associated with a Comprehensive Plan amendment should be heard by the Hearing Examiner or the Commission.]

- A. The rezone is consistent with either the Comprehensive Plan, including the Plan's Future Land Use map as described in subsection "J" below, or with a proposed and previously or concurrently approved amendment to the Plan. [Proposal would add specific reference to the Future Land Use map.]
- B. The rezone will maintain the public health, safety, or welfare and promote a public interest. [Proposal would add 'promotion of public interest' requirement.]
- C. The rezone is consistent with other development regulations that implement the Comprehensive Plan. [Proposed new requirement reflecting Plan amendment being considered by Council.]
- D. The rezone is warranted in order to achieve consistency with the Comprehensive Plan, or because of a need for additional property in the proposed land use district classification, or because the proposed zoning classification is appropriate for reasonable development of the subject property. [Current code.]
- E. The rezone will not be materially, i.e., logically and significantly, detrimental to uses or property in the immediate vicinity of the subject property. [Added paraphrasing to explain "materially."]
- F. The rezone will result in a district that is compatible with adjoining zoning districts; which may include providing a transition zone between potentially incompatible districts. [Proposed new criterion reflecting Plan amendment being considered by Council.]
- G. Conditions, which may include the City's Comprehensive Plan, have substantially changed since the current zoning was adopted. [Proposed new criterion to reflect forty years of appellate court decisions.]
- H. The current zoning does not allow any reasonable use of private property and the rezone will enable such use. [Proposed new criterion reflecting court decisions.]
- I. Public facilities and services existing and planned for the area are adequate and likely to be available to serve potential development allowed by the proposed zone. [Proposed new criterion reflecting Plan amendment being considered by Council.]

- J. To ensure consistency between the zoning map and the Future Land Use map: [New criterion reflecting form of the Comprehensive Plan Future Land Use map being considered by Council.]
- 1) Although the Future Land Use map is not specific with regard to the edges of Land Use designations, the zoning map boundaries should not vary more than 200 feet from the land use designation shown of the Future Land Map. [Zoning boundaries are specific, but to provide flexibility those of the proposed Plan are approximate. This criterion is intended to ensure the zoning map does not vary too much from the Comprehensive Plan's map. The 200-foot distance is stated in the Plan update being considered by Council.]
- 2) Each Neighborhood Retail or Neighborhood Center district, if any, should be no further than four blocks (approximately 1000 feet) from the Neighborhood Center locations indicated on the Future Land Use Map. [Similar to number one, but with greater distance to allow more siting and design flexibility.]
- 3) Districts on the zoning map shall correspond to categories of the Future Land Use Map in accordance with the following table and be consistent with the purposes of each designation. Only those districts listed below are deemed to be consistent with the corresponding Future Land Use map designation, provided that zoning districts in locations enacted prior to January 1, 2014, may remain. [The table below is to ensure that rezones independent of a Comprehensive Plan amendment would be limited to these sets of zones. Although compliance with this table would be mandatory for any changes in zoning, the last clause is provided to assure that current zoning may remain in place indefinitely -- there is no requirement to change zoning to reflect the new Future Land Use map.]

FUTURE LAND USE MAP DESIGNATION	ZONING DISTRICT(S)
Low Density Neighborhoods	Residential1 Unit per 5 Acres
	Residential Low Impact
	Residential - 4 Units per Acre [includes R-4 CB]
	Residential 4 to 8 Units per Acre
	Residential - 6 to 12 Units per Acre (but only when adjacent
	to similar or higher density zoning district)
Medium Density Neighborhoods	Residential Multifamily 18 Units per Acre
	Residential Multifamily 24 Units per Acre
Mixed Residential	Mixed Residential 7 to 13 Units per Acre
	Mixed Residential 10 to 18 Units per Acre
Neighborhood Centers	Neighborhood Retail
	Neighborhood Center District
Residential Mixed Use	Residential Mixed Use District
	Urban Residential
	Urban Waterfront – Housing

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Planned Developments	Residential Mixed Use	
	Residential Multifamily - High Rise	
	Community Services - High Density	
	Planned Unit Developments	
	Neighborhood Village District	
	Community-Oriented Shopping Center	
	Urban Village District	
Professional Office & Multi-family	Professional Office / Residential Multi-family	
Housing		
Urban Corridor	High-Density Corridor – 1	
	High-Density Corridor – 2	
	High-Density Corridor – 3 (only within area designated High	
	Density Neighborhood Overlay)	
	High-Density Corridor – 4	
	General Commercial	
	Manufactured Housing Park	
	Mixed Residential 10 to 18 Units per Acre	
	Residential Multifamily 18 Units per Acre	
	Residential Multifamily 24 Units per Acre	
	[Except for Manufactured Housing Park zone, all of these	
	allow at least the 15 residential units per acre that is the	
	minimum density target for Urban Corridors in the	
	Comprehensive Plan update being considered by Council.]	
Urban Waterfront	Urban Waterfront District	
Central Business District	Downtown Business	
General Commerce	General Commercial	
Auto Services	Auto Services	
Medical Services	Medical Services	
Light Industry	Light Industrial (Commercial)	
Industry	Industrial	

Rezone requests not accepted for review may be resubmitted by the proponent, subject to the timelines contained in this chapter. [Although other portions are not in 'bill-format' provision is shown here to note that the proposed amendment would delete this provision of code. Result would be that whether to consider repeated requests would be determined based on specific circumstances.]

Current Olympia Municipal Code

Section 18.59.050 - Decision criteria for rezone requests

The Department shall forward rezone requests to the Planning Commission for review and recommendation and to the City Council for consideration for review and action. The following criteria will be used to evaluate the rezone request.

- A. The rezone is consistent with an approved amendment to the future land use map.
- B. The rezone is consistent with the Comprehensive Plan; and
- C. The rezone will maintain the public health, safety, or welfare; and
- D. The rezone is warranted in order to achieve consistency with the Comprehensive Plan, or because of a need for additional property in the proposed land use district classification, or because the proposed zoning classification is appropriate for reasonable development of the subject property; and
- E. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject property.

Rezone requests not accepted for review may be resubmitted by the proponent, subject to the timelines contained in this chapter.

(Ord. 5792 §1, 1998).

OMC 18.59.050 Decision criteria for rezone requests SHARE

The Department shall forward rezone, <u>i.e.</u>, <u>zoning map amendment</u>, requests to the Planning Commission for review and recommendation and to the City Council for consideration for review and action. The following criteria will be used to evaluate the <u>each</u> rezone request. <u>A zoning map amendment shall only be approved if the Council concludes that at minimum the proposal complies with subsections A through C. To be considered are whether: [Note, some of the criteria below are in a different order than current code.]</u>

- A. The rezone is consistent with <u>either</u> the Comprehensive Plan, <u>including the Plan's Future Land Use</u> <u>map as described in subsection (J) below, or with a proposed and previously or concurrently approved amendment to the Plan. and</u>
- B. The rezone will maintain the public health, safety, or welfare and promote a public interest. and
- C. The rezone is consistent with other development regulations that implement the comprehensive plan.
- D. The rezone is warranted in order to achieve consistency with the Comprehensive Plan, or because of a need for additional property in the proposed land use district classification, or because the proposed zoning classification is appropriate for reasonable development of the subject property. and
- E. The rezone will not be materially, i.e., logically and significantly, detrimental to uses or property in the immediate vicinity of the subject property.
- F. The rezone will result in a district that is compatible with adjoining zoning districts; this may include providing a transition zone between potentially incompatible designations.
- G. Conditions, which may include the Comprehensive Plan, have substantially changed since the current zoning was adopted.
- H. The rezone will enable reasonable use of private property.
- I. Public facilities and services existing and planned for the area are adequate and likely to be available to serve potential development allowed by the proposed zone.
- J. To ensure consistency between the zoning map and the Future Land Use map:

 1) Although the Future Land Use map is not specific with regard to the edges of Land Use designations, the zoning map boundaries should not vary more than 200 feet from the land use designation shown of the Future Land Map.
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Neighborhood Centers	Neighborhood Retail Neighborhood Center District
Residential Mixed Use	Residential Mixed Use Urban Residential Urban Waterfront - Housing
Planned Developments	Residential Mixed Use Residential Multifamily - High Rise Community Services - High Density Planned Unit Developments Neighborhood Village District Community-Oriented Shopping Center Urban Village District
Professional Office & Multi-family Housing	Professional Office / Residential Multi-family
Urban Corridor	High-Density Corridor - 1 High-Density Corridor - 2 High-Density Corridor - 3 (only within area designated High Density Neighborhood Overlay) High-Density Corridor - 4 General Commercial Manufactured Housing Park Mixed Residential 10 to 18 Units per Acre Residential Multifamily 18 Units per Acre Residential Multifamily 24 Units per Acre
Urban Waterfront	<u>Urban Waterfront</u>
Central Business District	Downtown Business
General Commerce	General Commercial
Auto Services	Auto Services
Medical Services	Medical Services
Light Industry	Light Industrial (Commercial)
Industry	<u>Industrial</u>

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