



Meeting Agenda

Planning Commission

City Hall
601 4th Avenue E
Olympia, WA 98501

Contact: David Ginther
360.753.8335

Monday, November 7, 2022

6:30 PM

Online and via phone

Register to attend:

https://us02web.zoom.us/webinar/register/WN_0FMM9mmKR0K9YUkJ0NpJgQ

1. CALL TO ORDER

Estimated time for items 1-5: 20 minutes

1.A ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

- 3.A** [22-0882](#) Approval of the September 27, 2022, Olympia Planning Commission Finance Subcommittee Meeting Minutes

Attachments: [Draft OPC FS Minutes 09272022](#)

- 3.B** [22-1042](#) Approval of October 3, 2022, Planning Commission Meeting Minutes

Attachments: [Minutes](#)

4. PUBLIC COMMENT

During this portion of the meeting, community members may address the Planning Commission regarding items related to City business, including items on the Agenda. In order for the Commission to maintain impartiality and the appearance of fairness in upcoming matters and to comply with the Public Disclosure Law for political campaigns, speakers will not be permitted to make public comments before the Commission in these two areas: (1) agenda items for which the Commission either held a Public Hearing in the last 45 days, or will hold a Public Hearing within 45 days, or (2) where the speaker promotes or opposes a candidate for public office or a ballot measure.

Commenters are limited three (3) minutes or less.

REMOTE MEETING PUBLIC COMMENT INSTRUCTIONS:

Live public comment will be taken during the meeting, but advance registration is required. The link to register is at the top of the agenda. When you register to attend the meeting, you will be asked if you would like to give public comment. After you register you will receive a link by email to log onto or call into Zoom for use at the meeting date and time. If you plan on calling into the meeting, you will need to provide your phone number at registration so you can be recognized during the meeting. Once connected to the meeting you will be auto-muted. At the start of the public comment period, the Chair will call participants by name to speak in the order they signed up. When it is your turn to speak, your microphone will be unmuted.

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** [22-0943](#) Electric Vehicle Ready (EV Ready) Parking - Briefing

Estimated time: 30 minutes

6.B [22-1043](#) Amendments to the Municipal Code Related to Variances and Reasonable Use Exceptions - Briefing

Attachments: [RUE Draft Amendments](#)

Estimated time: 30 minutes

6.C [22-1041](#) Discussion of the Capital Mall Triangle Subarea Plan and EIS

Estimated time: 30 minutes

7. REPORTS**8. OTHER TOPICS****9. ADJOURNMENT****Upcoming Meetings**

November 21, 2022

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 September 27, 2022, Olympia Planning Commission Finance Subcommittee Meeting Minutes

Agenda Date: 11/7/2022
Agenda Item Number: 3.A
File Number:22-0882

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

Title

Approval of the September 27, 2022, Olympia Planning Commission Finance Subcommittee Meeting Minutes



Meeting Minutes

Planning Commission

City Hall
601 4th Avenue E
Olympia, WA 98501

Contact: David Ginther
360.753.8335

Tuesday, September 27, 2022

5:00 PM

Online only

Finance Subcommittee

1. CALL TO ORDER

Subcommittee Chair Quetin called the meeting to order at 5:01 p.m.

1.A ROLL CALL

Present: 5 - Chair Zainab Nejati, Vice Chair Tracey Carlos, Commissioner William Hannah, Commissioner Carole Richmond and Commissioner Greg Quetin

City of Olympia staff present:

Joyce Phillips, Principal Planner, Community Planning and Development

2. APPROVAL OF AGENDA

The agenda was approved.

3. APPROVAL OF MINUTES

- 3.A [22-0854](#) Approval of the September 12, 2022, Olympia Planning Commission Finance Subcommittee Meeting Minutes

The minutes were approved.

4. BUSINESS ITEMS

- 4.A [22-0876](#) Preliminary Capital Facilities Plan, 2023-2028 Financial Plan Discussion

Commissioners discussed the issues to include in the draft comment letter to present to the full Planning Commission, including what was done well and where there is room for improvement.

5. ADJOURNMENT

The meeting was adjourned at 6:10 p.m.



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

Planning Commission

Approval of October 3, 2022, Planning Commission Meeting Minutes

Agenda Date:
Agenda Item Number: 3.B
File Number:22-1042

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

Title

Approval of October 3, 2022, Planning Commission Meeting Minutes



Meeting Minutes - Draft

Planning Commission

City Hall
601 4th Avenue E
Olympia, WA 98501
Contact: David Ginther
360.753.8335

Monday, October 3, 2022

6:30 PM

Online and via phone

1. CALL TO ORDER

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

1.A ROLL CALL

Present: 9 - Chair Zainab Nejati, Vice Chair Tracey Carlos, Commissioner Tammy Adams, Commissioner Rad Cunningham, Commissioner William Hannah, Commissioner Carole Richmond, Commissioner Aaron Sauerhoff, Commissioner Candi Millar and Commissioner Greg Quetin

1.B OTHERS PRESENT

City of Olympia Community Planning and Development staff:
Senior Planner David Ginther
Principal Planner Joyce Phillips
Interim Transportation Director Sophie Stimson

2. APPROVAL OF AGENDA

The agenda was approved.

3. APPROVAL OF MINUTES

3.A [22-0896](#) Approval of September 19, 2022 Planning Commission Meeting Minutes

The meeting minutes were approved.

4. PUBLIC COMMENT - None

5. STAFF ANNOUNCEMENTS

Mr. Ginther and Ms. Phillips provided staff announcements.

6. BUSINESS ITEMS

6.A [22-0884](#) Preliminary Capital Facilities Plan, 2023-2028 Financial Plan - Deliberations

Commissioner Quetin provided a copy of the draft comment letter for review and the Commissioners discussed.

Commissioner Carlos moved, seconded by Commissioner Millar, to amend the wording in the comment letter.

As part of Business Item 6.A., there was discussion and questions/answers among Commissioners and Interim Transportation Director Sophie Stimson regarding funding levels for sidewalks, sidewalk programs, and prioritization of projects. Commissioners decided to add another bulleted comment to the letter regarding exploring additional funding sources for sidewalks. They also reworded last two bullets in the letter for clarification.

Commissioner Cunningham moved, seconded by Commissioner Millar, to amend the initial motion to further change the wording in the comment letter. The amended motion was approved and passed unanimously.

7. REPORTS - None

8. OTHER TOPICS

Chair Nejati asked the commissioners if they have any preference of how they address each other. The consensus is there are no concerns with how they are addressed.

9. ADJOURNMENT

The meeting adjourned at 7:30 p.m.



Planning Commission

Electric Vehicle Ready (EV Ready) Parking - Briefing

Agenda Date: 11/7/2022
Agenda Item Number: 6.A
File Number: 22-0943

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

Title

Electric Vehicle Ready (EV Ready) Parking - Briefing

Recommended Action

Information only. No action requested.

Report

Issue:

Discussion on the options and issues regarding EV Ready parking.

Staff Contact:

Pamela Braff, Climate Program Manager, City Manager's Office, 360.753.8249
Joyce Phillips, Principal Planner, Community Planning and Development, 360.570.3722

Presenter(s):

Pamela Braff, Climate Program Manager, City Manager's Office
Joyce Phillips, Principal Planner, Community Planning and Development

Background and Analysis:

Charging and/or charging-readiness for electric vehicles (EV or EVs) will soon become a requirement for most new development and redevelopment, as part of the State building codes.

EV-ready codes establish infrastructure requirements for new buildings, such as electrical capacity, pre-wiring, and any design features that are necessary for the installation of future EV charging stations.

EV-readiness is an important strategy to future-proof new buildings. It ensures that new buildings will be able to accommodate the anticipated rapid growth of electric vehicles, without requiring expensive and complicated retrofits in the future.

Electric Vehicle (EV) Readiness

Access to convenient charging is frequently cited as one of the most important factors influencing EV purchasing decisions. However, installing the necessary infrastructure to support EV charging after a building has been constructed can often be cost prohibitive. Ensuring that buildings are designed

and built with the capacity to provide future EV-charging is known as EV-readiness.

Analyses of EV-infrastructure costs consistently report that it is more cost-effective to plan for future EV parking in new construction, than it is to retrofit buildings and parking lots to accommodate EV charging in the future. EV-readiness requirements can range from providing a minimum electrical panel capacity to support future charging, to the installation of fully operational EV-charging equipment.

The 2021 Washington State Building Code identifies three levels of EV-readiness:

- EV-Capable - A parking space provided with a conduit, electrical panel, and load capacity to support future installation of EV charging equipment.
- EV-Ready - A parking space provided with a receptacle outlet allowing charging of electric vehicles.
- EV-Charging Station - An EV-ready parking space with installed EV-charger.

In 2020, King County completed an assessment of EV charging infrastructure (Electric Vehicle Charging Options Report), reporting that previous studies have estimated the cost of a fully wired, level 2, EV-ready space in new construction to be:

- \$150 to \$375 per space for single-family homes and duplexes
- \$1,330 to \$1,380 per space for multifamily and commercial buildings

They also found that EV-readiness retrofits can be up to eight times more expensive than new construction, increasing costs by \$900 to \$5,000 per space. Increased costs for retrofits are attributed to breaking and repairing walls, parking surfaces, and sidewalks, as well as electrical service upgrades, more expensive methods of conduit installation, and additional permitting and inspection.

Electric Vehicle (EV) Readiness - Current Requirements and Options

In April 2022, the State Building Code Council approved amendments to the International Building Code, which establish statewide requirements to provide EV charging infrastructure in new construction, effective July 2023. The approved EV infrastructure requirements include:

- For single-family, duplex, and dwelling units with private garages: 1 EV-ready parking space per unit.
- For all other residential parking spaces: 10% EV-charging, 25% EV-ready, and 10% EV-capable.
- For all non-residential parking spaces: 10% EV-charging, 10% EV-ready, and 10% EV-capable. (Note: applies only to employee designation parking for assembly, educational, and mercantile occupancies).

To increase access to EV-ready parking, Olympia could adopt EV charging codes that set EV-ready standards beyond the state minimum. Several jurisdictions in Washington (e.g., Seattle, Lacey, and King County) have taken similar actions to establish local EV-readiness and EV-charging standards through land use and zoning requirements.

Consistency with the Thurston Climate Mitigation Plan

Transportation and the built environment are the two largest sources of emissions in Thurston County, making up more than 90% of regional greenhouse gas emissions. In 2019, the built

environment, which includes the energy used to power, heat, and cool buildings, contributed 62% of regional emissions, while transportation contributed 31% of emissions.

Requiring EV-ready construction is consistent with the strategies and actions of the Thurston Climate Mitigation Plan.

EV-ready requirements support:

- Strategy T3: Increase the adoption of electric vehicles.
- Action T3.1: EV parking new construction. Require large commercial and residential buildings to dedicate a percentage of parking spots for electric vehicle charging.
- Action T3.5: EV ready building code. Require all new residential construction to be built EV ready.

Land Use and Environment Committee direction

In June 2022, staff briefed the Land Use and Environment Committee on policy options to support electric vehicle charging in new construction. During the briefing, the Committee also received relevant background information on existing EV charging requirements under the Washington State Building Code, example policies from other jurisdictions, and recommended best practices for EV charging. After a brief discussion, the Committee directed staff to develop a proposal for a local EV readiness policy to achieve the recommended best practices for EV charging and readiness.

Neighborhood/Community Interests (if known):

Since the acceptance of the Thurston Climate Mitigation Plan in February 2021, community members have continued to urge the City to take immediate action to address climate change. EV-ready development supports community priorities of reducing barriers to EV adoption.

However, more community input is needed to understand concerns associated with any requirements the city may consider beyond adopting the minimum state requirements. City staff will conduct focus group meetings to understand comments and concerns from a variety of those who would be directly impacted by such actions, such as property managers, developers, low income/affordable housing developers, and climate advocates. In addition, public meetings and outreach will be provided to include members of the public in the decision-making process.

Options:

None at this time. Briefing only.

Financial Impact:

None at this time. Future actions to require EV-ready or solar-ready development may increase construction costs for new buildings.

Attachments:

None.



Planning Commission

Amendments to the Municipal Code Related to Variances and Reasonable Use Exceptions - Briefing

Agenda Date: 11/7/2022
Agenda Item Number: 6.B
File Number: 22-1043

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

Title

Amendments to the Municipal Code Related to Variances and Reasonable Use Exceptions - Briefing

Recommended Action

Information only, no action requested at this meeting.

Report

Issue:

Discussion of proposed amendments to the Municipal Code related to Reasonable Use Exceptions, which are a specific type of Variance from Critical Area Regulations. The primary purpose of amendments is to remove ambiguity of code language. Additional changes are proposed that would modify code applicability related to review authority and criteria applicability.

Staff Contact / Presenter:

Nicole Floyd, Principal Planner, Community Planning and Development, 360.570.3768

Background and Analysis:

Sites that are encumbered by critical areas (environmental constraints such as wetlands) are regulated by the Critical Area Ordinance which is a science-based set of regulations that protect environmentally sensitive areas through the use of buffers and similar limitations on development. In some situations, the critical area regulations can eliminate any development potential of a property. In these rare situations, an owner can apply for a Reasonable Use Exception (RUE), which is a type of variance to allow special exception from critical area regulations (usually buffers) so that reasonable economic use of the property can be achieved. Prior to applying for a RUE, all code established buffer modifications must be exhausted and found unworkable. These exceptions are a last resort and only allow minimal development. The code provisions are rarely applicable or used. Recent changes in the housing economy have resulted in increased interest in development of properties encumbered by Critical Areas, leading to increased scrutiny of the RUE provisions.

Some of the criteria for approval of an RUE are difficult to decipher because they are poorly worded, particularly in relationship to groups of parcels in single ownership. The primary purpose of these amendments is to re-word the language related to consolidated ownership as it has proven difficult to understand by applicants and staff alike. Similarly, there is added language to better differentiate

when a variance or RUE would be required. Other related but subsidiary amendments are proposed including:

- Slight relaxation of the consolidated ownership requirements by:
 - Modifying the date from 1985 to 2005, which is consistent with other similar provisions within the Municipal Code.
 - Reducing applicability of the ownership requirements to only those properties requesting buffer reductions of 75% or greater.
- Clarifying language related to how an applicant would demonstrate their project is the minimum necessary to derive economic use.
- Proposal to allow for variance and RUE (less than 75% buffer reduction) related to the construction of a single-family residence to be approved by the Director, reducing processing times by approximately 3 months. Hearing Examiner review would remain applicable and appropriate for all other development types because there are often more subjective criteria to evaluate where a public hearing and third party review authority provides benefit.

Staff will provide a presentation at the briefing. Following the presentation, staff will request feedback from the Planning Commission. Staff will then refine the proposal before a Public Hearing in January.

Neighborhood/Community Interests (if known):

None known. A handful of property owners within the City are interested in this project as it would affect their approach to development of their property.

Options:

Briefing only - no action.

Financial Impact:

None, processing of these amendments is covered by the departments annual budget.

Attachments:

Draft Code Amendments

Attachment I

Proposed Amendments to the Variance and Reasonable Use Exception Chapter:**18.66.010 Authority**

The Director and Hearing Examiner shall have the authority to grant ~~a variance~~ and ~~/or a~~ reasonable use exceptions as set forth in this chapter following the procedural noticing requirements of ~~from the requirements of Chapter 18.32,~~ after considering the matter at a public hearing duly called and giving notice to adjoining property owners as provided in Chapter 18.78, Public Notification.

18.66.020 Variance

A. A Variance is a mechanism that allows the provisions of OMC Title 18 to be varied on a case by case basis. Approval of a variance may only be granted when it is for relief from a dimensional standard when the requirement of such would result in an unusual or unreasonable hardship. Before any variance is granted, the Director for single family development proposals, and the Hearing Examiner for all other applicable development types shall find that the following circumstances exist:

1. That the proposed variance will not amount to a rezone or constitute a change in the district boundaries shown on the Official Zoning Map;
2. That because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property the variance is necessary to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located;
3. That the special conditions and circumstances do not result from the actions of the applicant;
4. That granting of the variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property is located;
5. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject property is situated; and
6. That the variance is the minimum variance necessary to provide the rights and privileges described above.

18.66.040 Reasonable Use Exception

A. Applicability and Intent. A Reasonable Use Exception is a unique type of variance that pertains to the regulations within the Critical Area Ordinance (OMC 18.32). An applicant may apply for a reasonable use exception if it can be demonstrated that application of the Critical Area Regulations would deny all reasonable use of property. A reasonable use exception is intended as a "last resort" when no plan and/or mitigation can meet applicable requirements in a way that would allow the applicant a reasonable use of their property. Before any reasonable use exception may be granted, the Director for single family residential development proposals with buffer reductions of less than 75% and Hearing Examiner for all other requests shall find that the proposal meets all of the following criteria: ~~circumstances exist:~~

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~~A. The property has been in a single ownership (i.e., not held in conjunction with any adjacent lot, tract or parcel) since January 10, 1985 or, if the property was held in conjunction with any other adjacent lot, tract or parcel since January 10, 1985, the then applicable provisions of this Chapter denied all reasonable economic use of the properties as combined;~~

A. The application of ~~this OMC 18.32, the Critical Area Ordinance, Chapter~~ would deny all reasonable economic use of the property;

B. No other reasonable economic use of the property would have less impact on any critical area;

C. The use proposed is the minimum necessary to allow for reasonable economic use of the property. Project plans must demonstrate:

1. Other development alternatives did not result in less impact to the critical area. An alternatives analysis must address: a change in use, reduction in project size, and variances for setback and other development standards.

2. Impervious surface coverage shall not exceed 2,500 square feet or 6% of the parcel. Exceptions outlined in OMC 18.04.080.k.3. Note: hard surface limits of the underlying zone apply;

E. The inability of the applicant to derive reasonable economic use of the property is not the result of actions by the applicant or their predecessor(s), after the effective date of ~~this Chapter~~ the Critical Area Ordinance (June 5, 2005). ;

F. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site;

G. The design maximizes protection and mitigates impacts to any critical area functions and values consistent with the best available science; and

H. The proposal is consistent with all other applicable regulations and standards.

I. The following criteria are in addition to the criteria above, and apply only to exception requests to reduce buffers by more than 75% and for request to construct within a critical area itself. When applicable, either of the following must be met in order to be eligible for the exception and such exception request requires Hearing Examiner review:

1. The property must have been in a single ownership (i.e., not held in conjunction with any adjacent / abutting lot(s), tract(s) or parcel(s)) since the adoption of the Critical Area Regulations (June 5, 2005); or

2. If the property was held in conjunction with any other adjacent / abutting lot(s), tract(s) or parcel(s) since the adoption of the Critical Area Regulations (June 5, 2005) the condition causing the request cannot have been caused by the sale or separation of the parcel(s) from the larger consolidated group of parcels.

18.66.050 Additional conditions of approval

Before granting a variance or reasonable use exception, the Hearing Examiner or Director as appropriate, may prescribe appropriate conditions and safeguards that will ensure that the purpose and intent of this Title shall not be violated. Violation of such conditions and safeguards when made part of the terms under which the variance or reasonable use

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exception is granted, shall be deemed a violation of this Title and punishable under Chapter [18.73](#), Civil and Criminal Penalty.

18.66.060 Limitation of use

With respect to uses of land, buildings and other structures, this Title is declared to be a definition of the public interest by City Council, and the spirit of this Title will not be observed by any variance which permits a use not generally or by conditional use, permitted in the district involved, or any use expressly or by implication prohibited, by the terms of this Title in the district. Therefore, under no circumstances shall the Hearing Examiner [or Director](#), grant a variance to permit a use not generally or by conditional use permitted in the district involved, or any use expressly or by implication prohibited, by the terms of this Title in the district.

Proposed Amendments to the Permit Processing Chapter:

These changes would be necessary to accompany the variance / reasonable use exception changes proposed related to Director Approval Authority.

18.72.100 Review and appeal authority

The following table describes development permits and the final decision and appeal authorities. When separate applications are consolidated at the applicant's request, the final decision shall be rendered by the highest authority designated for any part of the consolidated application.

KEY:

Director	=	Community Planning and Development Director or designee
SPRC	=	Site Plan Review Committee
DRB	=	Design Review Board
PC	=	Planning Commission
HC	=	Heritage Commission
HE	=	Hearing Examiner
Council	=	City Council
R	=	Recommendation to Higher Review Authority
D	=	Decision
O	=	Open Record Appeal Hearing
C	=	Closed Record Appeal Hearing

[NOTE: City Council decisions may be appealed to Superior Court except comprehensive plan decisions which may be appealed to the State Growth Management Hearings Board.]

	Director	SPRC	DRB	PC	HC	HE	Council
ZONING							
Conditional Use Permit	D	R				D	
Interpretations	D					O	

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	Director	SPRC	DRB	PC	HC	HE	Council
Land Use Review	D ¹	R				O	
Small Lot Review	D					O	
Townhouse (2 – 4 Units)	D					O	
Townhouse (10 or more units)		R	R			D	
Townhouse Final (2-9)	D					O	
Townhouse Final (10 or more)		R					D
Zoning Variance	R					D	
Administrative Zoning Variance	D	R				O	
Zone Map Change, without Plan Amendment	R					R	D
Zone Change, with Plan Amendment or Ordinance Text Amendment	R			R			D
Home Occupation	D					O	
Temporary Use Permit	D					O	
SEPA exempt Building Permit	D					O	
Parking or Fence Modification Variance	D	R				O	
Accessory Dwelling Unit	D					O	
Short-Term Rental – Vacation Rental	D					O	
Accessory Building	D					O	
Occupancy Permit	D					O	
Sign Permit	D					O	
Landscape Plan	D					O	
Tree Plan	D					O	
Historic Properties	D	R			R	O	
COMPREHENSIVE PLAN							
Amendments (map, text)	R			R			D
DESIGN REVIEW							
Detailed Review	D		R				
major			O				
Concept Review	D	R	R			O	
Signs (general)	D					O	
Scenic Vistas	D	R	R			O	
ENVIRONMENTAL							

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	Director	SPRC	DRB	PC	HC	HE	Council
Threshold Determination	D					O	
Impact Statement Adequacy	D					O	
Reasonable Use Exception	R					D	
Administrative Reasonable Use Exception	D	R				O	
SEPA Mitigating Conditions	D					O	
Shoreline Substantial Development Permit	D	R				O	
Shoreline Conditional Use Permit		R				D	
Shoreline Variance		R				D	
Shoreline Permit Revision or Exemption	D					O	
SUBDIVISION							
Boundary Line Adjustment (including lot consolidation)	D					O	
Preliminary Plat, Long	R					D	
Preliminary Short, (2-9 lots)	D ¹					O	
Final Short Plat	D					O	
Final Long Plat	D					O	
Master Plan Approval	R		R			R	D
MPD Project Approval		R	R			D	
Preliminary PRD		R				R	D
Final PRD		R					D
Time Extensions	D					O	

¹ Except when the Director refers the project for a public hearing before the Hearing Examiner pursuant to OMC [18.60.080](#) or [17.32.130](#)(A)(4).

18.72.120 Permit review time periods

A. Notice of Completeness. The Department shall provide a written notice within twenty-eight (28) days of the date of receipt of any application stating whether the application is complete, and identifying any other governmental agencies known to have jurisdiction over the proposal; or if not complete setting forth any deficiency of the application, and specifying a date upon which the application will be null and void if any deficiencies have not been corrected. Upon receipt of any required additional information, the Department shall notify the applicant within fourteen (14) days whether the application is now complete or what additional information is necessary.

B. Weekends and Holidays. Regardless of whether any period is a minimum or maximum, when any permit review, notice or decision time limit of this Title terminates upon a weekend or City holiday, such time limit shall automatically be extended to the first following non-holiday weekday.

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C. Review Period. The review and processing of project permit applications shall result in a decision being rendered within time limits set forth below.

D. Notice of Delayed Decision. If the City is unable to issue its final decision within the time limits listed below, the City will provide written notice of this fact to the applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of a final decision.

E. Request for Timeline. Where no time limit is specified, upon written request the City will provide an estimated time of review. (Also see Council Resolution regarding exceptions.)

F. Application Time Limits.

PLANNING APPLICATION TYPE	TIME LIMIT
Site-Specific Rezones (also see OMC 18.58.040)	180-days
Environmental Review (SEPA Checklist and Assessment)	90-days
Environmental Impact Statement (draft)	365-days
Short Plats	90-days
Land Use Approval	120-days
Preliminary Plat (10 or more lots)	90-days
Preliminary Planned Residential Development	90-days
Final Planned Residential Development	30-days
Final Plat	30-days
Conditional Use Permit	120-days
Conditional Use Permit – Residential	120-days
Variance / Reasonable Use Exception	90-days
Shoreline Substantial Development Permit	120-days
Shoreline Exemption	90-days
Time Extension or Modification	90-days
Boundary Line Adjustment	90-days
Appeal to Hearing Examiner	90-days
ENGINEERING PERMIT APPLICATION TYPE	TIME LIMIT
Short Plat	120 days
Long Plat	120 days
Utility Extension (in-city)	120 days
Commercial	120 days
Multifamily	120 days
BUILDING PERMIT APPLICATION TYPE	TIME LIMIT
New Single-family Residential	30-days

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Residential Addition/Remodel	30-days
New Multifamily	120-days
New Commercial	120-days
Commercial Addition/Remodel	120-days

G. Time Limit Exceptions. The time limits set forth above do not include:

1. Up to the first twenty-eight (28) days after receipt of an application during which the City determines whether the application is complete.
2. Any period during which the applicant has been requested by the City to correct plans, perform studies or provide additional information requested by the City.
3. If the City determines that the additional information submitted to the City by the applicant under Subsection (2) above is insufficient, the City shall notify the applicant of the deficiencies and the procedures of Subsection (2) shall apply as if a new request for information has been made.
4. Any appeal period. Decisions regarding appeals shall be issued by the Examiner within 90 days of receipt of an appeal.
5. Any extension of time mutually agreed upon by the applicant and the City.
6. The time required to prepare and issue a final EIS in accordance with the State Environmental Policy Act.

18.72.140 Expiration of approvals

Knowledge of the expiration date of any approval is the responsibility of the applicant. The City shall not be held accountable for notification of expirations.

A. Variance/[Reasonable Use Exception](#). Unless exercised, a variance [or reasonable use exception](#) shall expire one year from the date a final decision is issued. If timely exercised, a variance [or reasonable use exception](#) shall be valid indefinitely.

B. Conditional Use Permit. Unless exercised or otherwise specified, a conditional use permit shall be void one (1) year from the date a notice of final decision was issued. If exercised, a conditional use permit shall be valid for the amount of time specified by the approval authority. If the use allowed by the permit is inactive, discontinued or abandoned for twelve (12) consecutive months, the permit is void and a new permit shall be obtained in accordance with the provisions of this title prior to resuming operations.

C. Home Occupation Permit. A home occupation permit shall be valid indefinitely unless a time limitation is specified by staff or the Hearing Examiner or it is revoked for lack of compliance to conditions. A home occupation permit shall be void unless exercised within one (1) year from the date such permit was issued. If the use allowed by the permit is inactive, discontinued or abandoned for twelve (12) consecutive months, the permit is void and a new permit shall be applied for and obtained in accordance with the provisions of this title prior to resuming operations. A Home Occupation permit shall not be transferable to a new site or entity.

Attachment I

D. Land Use Approval. Unless exercised by complete application for necessary construction permits, any land use approval shall expire and be null and void two years from the date the final approval was issued. Land use approval shall be extended two additional years if a complete building or other construction permit application for the project is submitted prior to expiration of the land use approval. Even absent such application, upon finding that there has been no substantial change in relevant circumstances and standards, land use approval may be extended up to two (2) additional years by the Director pursuant to a written request submitted prior to expiration of land use approval. Upon receiving such request, notice shall be provided pursuant to the comparable notice of application procedures of Table 78-1. Following a comment period of at least 14 days, the Director may grant, limit or deny the extension and may impose such conditions of extension to ensure compliance with any subsequently revised standards. If such written request for extension is not received by the Department prior to expiration, such extension shall be denied.

E. Detailed Design Review approval shall expire simultaneously with expiration of any associated building or other construction permit.

18.78.020 Procedures

To inform the public of proposed project actions, the Department and applicants shall provide notice as identified in Table 78-1. A vicinity map and basic site plan shall be included with any mailed notices. If a project is SEPA-exempt and no public hearing is required, notice of application as required by RCW [36.70B.110](#)(5) will be limited to the type of notice described below.

TABLE 78-1**CITY OF OLYMPIA - PUBLIC NOTIFICATION**

PROCESS	APPLICATION TYPE	NOTICE TYPES	WHEN	WHO
CONCEPTUAL DESIGN REVIEW	Multifamily/Commercial in DR districts/Master Planned Development	Mail	Public Meeting 10 Days	PO RNA PR
SEPA	Environmental Checklist	Mail	Notice of Application	PO RNA PR Agencies
		Post site Mail Notify Paper	SEPA Threshold Determination	PO RNA PR Agencies
SEPA, when using the Optional DNS Process	Environmental Checklist	Mail Post Site Notify Paper	Notice of Application/ notice of anticipated SEPA Threshold Determination	PO RNA PR Agencies
		Mail	Final Threshold Determination	PR Agencies
SUBDIVISIONS	Short Plats	Post Site	Application	

TABLE 78-1

CITY OF OLYMPIA - PUBLIC NOTIFICATION

PROCESS	APPLICATION TYPE	NOTICE TYPES	WHEN	WHO
HEARING EXAMINER	Subdivision Variance / RUE Rezone	Post Site	Public Hearing - 10 days	PO RNA
	Conditional Use Master Planned Development	Mail Publish in Paper		PR
	Conditional Use - Wireless Communications Facility	Post Site Mail Publish in Paper	Public Hearing - 30 days	PO RNA PR
SHORE LANDS	Substantial Development Permit	Mail	Decision	RNA PR
		Post Site Mail	Public Hearing - 15 days	PO RNA PR
		Publish in Paper Mail	Decision	RNA PR
LAND USE REVIEW	Multifamily Commercial Industrial Master Planned Development, Administrative Variance / RUE	Mail	Meeting - 5 days	RNA PR
			Decision	RNA PR
DETAILED DESIGN REVIEW	Multifamily/Commercial Master Planned Development	Mail	Public Meeting 10 days	RNA PR
		Mail	Decision	RNA PR
APPEALS	Administrative to Hearing Examiner	Post Site Mail	Open Hearing - 10 Days	RNA PR
	Hearing Examiner to City Council OCC	Mail	Closed Hearing 10 Days	PR RNA
ANNEXATION	10 Percent Notice of Intent	Mail	Public Meeting 10 days	PO RNA PR
	50/60 Percent Petition	Mail Post Publish in Paper	Public Hearing - 10 days	PO RNA PR
COMPREHENSIVE PLAN AMENDMENT/ZONING MAP AMENDMENT	Proposal	Mail Publish in Paper	Proposal Availability	RNA

TABLE 78-1

CITY OF OLYMPIA - PUBLIC NOTIFICATION

PROCESS	APPLICATION TYPE	NOTICE TYPES	WHEN	WHO
	Application	Mail Publish in Paper	Public Hearing - 10 days	PO RNA PR

LEGEND

PO = Property Owner within 300 feet of site

RNA = Recognized Neighborhood Associations

PR = Parties of Records on File with the Case



Planning Commission

Discussion of the Capital Mall Triangle Subarea Plan and EIS

Agenda Date: 11/7/2022
Agenda Item Number: 6.C
File Number: 22-1041

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

Title

Discussion of the Capital Mall Triangle Subarea Plan and EIS

Recommended Action

Information only. No action requested.

Report

Issue:

Briefing and introduction for the Capital Mall Triangle Subarea Plan and EIS.

Staff Contact:

David Ginther, Senior Planner, Community Planning and Development, 360.753.8335

Presenter(s):

David Ginther, Senior Planner

Background and Analysis:

The Capital Mall Triangle is one of three urban centers envisioned in Olympia's 20-year Comprehensive Plan. The city anticipates this area will remain a regional destination for shopping and services - while also realizing significantly more housing development than exists there today. The vision is that over the next 20 years this area will grow into a more people-oriented urban neighborhood. A place where residents can commute to work, shop, recreate, and meet basic needs without a car. This planning project involves the creation of a subarea plan and a Planned Action Environmental Impact Statement. Completion is scheduled for June of 2023 with any follow-up amendments to development regulations occurring late in 2023 or early 2024.

Neighborhood/Community Interests (if known):

EIS scoping comment period is open until November 14, 2022. Community workshop/meeting was held on October 20, 2022. Comments on subarea plan are on-going. Extensive ongoing outreach to neighborhoods, property owners, residents, businesses, the public in general, interested organizations, state agencies, tribes, etc.

Options:

None at this time; briefing only.

Financial Impact:

\$250,000 Transit-Oriented Development Implementation grant from Washington Department of Commerce

Attachments:

N/A