



# Meeting Agenda

## Planning Commission

City Hall  
601 4th Avenue E  
Olympia, WA 98501

Contact: David Ginther  
360.753.8335

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**Monday, February 6, 2023**

**6:30 PM**

**Online via Zoom**

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**Meeting link:**

**[https://us02web.zoom.us/webinar/register/WN\\_c4NnOyluSNGfktGL1eloNQ](https://us02web.zoom.us/webinar/register/WN_c4NnOyluSNGfktGL1eloNQ)**

**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** [23-0138](#) Approval of the January 23, 2023 Olympia Planning Commission Meeting Minutes

**Attachments:** [Draft Mtg Minutes 01232023](#)

**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.*

*Comments 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**     [23-0136](#)     Zoning Code Text Amendments Related to Reasonable Use Exceptions -  
Deliberations

**Attachments:**     [Draft Code Amendments](#)

*Estimated Time: 45 minutes*

- 6.B**     [23-0139](#)     Electric Vehicle Parking - Briefing

**Attachments:**     [Focus Group Summary](#)

*Estimated Time: 45 minutes*

- 6.C**     [23-0142](#)     Residential Parking Standards - Briefing

*Estimated Time: 45 minutes*

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

*Approximately 9:00 p.m.*

**Upcoming Meeting**

*The next Planning Commission meeting is scheduled for March 6, 2023.*

**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 January 23, 2023 Olympia Planning Commission Meeting Minutes

**Agenda Date:** 2/6/2023  
**Agenda Item Number:** 3.A  
**File Number:**23-0138

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

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#### **Title**

Approval of the January 23, 2023 Olympia Planning Commission Meeting Minutes



# Meeting Minutes - Draft

## Planning Commission

City Hall  
601 4th Avenue E  
Olympia, WA 98501

Contact: David Ginther  
360.753.8335

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**Monday, January 23, 2023**

**6:30 PM**

**Online and Via Zoom**

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**1. CALL TO ORDER**

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

**1.A ROLL CALL**

**Present:** 6 - Chair Zainab Nejati, Vice Chair Greg Quetin, Commissioner Tammy Adams, Commissioner Candi Millar, Commissioner Carole Richmond and Commissioner Aaron Sauerhoff

**Excused:** 3 - Commissioner Tracey Carlos, Commissioner Rad Cunningham and Commissioner William Hannah

**1.B OTHERS PRESENT**

Community Planning and Development staff:  
Principal Planner Joyce Phillips

**2. APPROVAL OF AGENDA**

The agenda was approved.

**3. APPROVAL OF MINUTES**

[23-0074](#) Approval of the January 9, 2023, Olympia Planning Commission Meeting Minutes

The minutes were approved.

**4. PUBLIC COMMENT - None**

**5. STAFF ANNOUNCEMENTS**

Ms. Phillips provided staff announcements.

**6. BUSINESS ITEMS**

**6.A** [23-0017](#) Draft 2023-2024 Planning Commission Work Plan

**Commissioner Millar moved, seconded by Commissioner Richmond, to**

**approve the 2023 Work Plan as written, with the caveat that minor changes could be made to the topic descriptions before it gets submitted to the Community Livability and Public Safety Committee. The motion passed unanimously.**

## **7. REPORTS**

Commissioner Richmond has been attending the Capital Mall Triangle Subarea Plan and Environmental Impact Statement stakeholder meetings and encouraged others to attend the upcoming open house.

## **8. OTHER TOPICS**

Chair Nejati asked if anyone is interested in attending other advisory committees to send her an email indicating which advisory committee interests them.

Chair Nejati asked to push the Permit Processing Ordinance briefing back a meeting, since the preliminary agenda for the next meeting has five business items on it. There were no objections.

## **9. ADJOURNMENT**

The meeting adjourned at 8:48 p.m.



## Planning Commission

### Zoning Code Text Amendments Related to Reasonable Use Exceptions - Deliberations

**Agenda Date:** 2/6/2023  
**Agenda Item Number:** 6.A  
**File Number:** 23-0136

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

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#### Title

Zoning Code Text Amendments Related to Reasonable Use Exceptions - Deliberations

#### Recommended Action

Deliberate on recommended code changes and formulate a recommendation to the City Council.

#### Report

##### Issue:

The Planning Commission is being asked to recommend that City Council adopt the proposed amendments proposed, however minor modifications of the draft were requested by the Commission to be discussed at the Briefing. The primary purpose of amendments is to remove ambiguity of code language and to 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:

Some of the criteria for approval of a Reasonable Use Exception (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.

Following the Public Hearing, the Commission asked for further analysis and revision to the draft related to the following:

Alternative “bright line” between administrative and Hearing Examiner review for variances and Reasonable Use Exceptions. Staff has modified the draft to reflect the discussion by the Commission. The primary purpose of the revision is to allow minor RUE exceptions to be processed administratively. The “bright-line” for RUE proposed is based on the buffer reduction requested. Greater than a 75% reduction would require a Hearing Examiner Decision. The bright line between administrative and Hearing Examiner review for RUE does not rely on the unit type (single or multi-family) but in practicality a single-family residence is all the exception would allow. Other code criteria and past case law on the topic establish that the exception would be granted only for the most

minimally impactful use which is usually a single-family residence.

Variances are broader in nature and can be used for a variety of housing types and commercial projects. The amendments aim to allow variances associated with a RUE to be processed administratively. The initial draft used the term single family residence as the bright line between administrative or Hearing Examiner review. An alternative has been drafted to indicate that only a variance that would result in avoidance of an RUE, or a variance accompanying an RUE would be processed administratively. This is a narrower scope than initially drafted but is more directly applicable to RUE revisions.

Limits to impervious surfaces. The draft has been modified to indicate the minimum amount of impervious surface is required and that projects “should” propose less than 2,500sf. The language regarding 6% has been removed.

Defining Adjacent. A definition of adjacent has been added to the proposed code language that is intended to help address issues related to this topic specifically. For this reason, the definition has been added to this topic rather than the general definition section.

Lot Consolidation: The draft has been modified to include the requirement for a lot consolidation if the exception is approved. This will ensure clarity for future property owners regarding the limits of the development potential.

**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.

**Climate Analysis:**

The project is unlikely to appreciably affect greenhouse gas emissions as revisions would continue to allow development as well as critical area protections as contemplated in the Comprehensive Plan.

**Equity Analysis:**

This proposal primarily affects those community members who typically own multiple properties. Demographically these are relatively affluent white middle-aged people. The proposed amendments are unlikely to have meaningful impact on issues related to equity. Costs associated with development of these properties will often be cost prohibitive.

**Options:**

1. Recommend adoption of the draft amendments to City Council as proposed.
2. Recommend adoption of the draft amendments to City Council with revisions.
3. Recommend denial of the draft amendments to City Council.

**Financial Impact:**

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

**Attachments:**

Draft Code Amendments





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

**18.66.010 Authority**

The Director and Hearing Examiner ~~shall have the authority to~~ may grant ~~a variance~~ and ~~for 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. The Director may grant minor variances; a "minor variance" is (1) a variance to setback requirements that would alleviate the need for a Reasonable Use Exception (as provided for elsewhere in this Chapter), or (2) a variance that accompanies an administratively granted Reasonable Use Exception. All other variances may be granted by the Hearing Examiner.~~

**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. The Director or Hearing Examiner may approve a variance only when it is for relief from a dimensional standard when the application of such standard would result in an unusual or unreasonable hardship. Before any variance is granted, the Director (for minor variances) or the Hearing Examiner (for all other variance requests). The authority shall must 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 conditions and circumstances relating to the size, shape, topography, location, or surroundings of the subject property, the variance is necessary to provide ~~it the applicant~~ with use rights and privileges permitted ~~to for~~ 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. —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); a reasonable use exception is available when compliance with critical area regulations would result in depriving the property owner of from even minimal economic use to which a property owner is entitled under applicable state and federal constitutional provisions. A reasonable use Exceptions areis intended as a last resort, when all municipal code provisions are exhausted. Before any reasonable use exception may be granted, the Director (for -development proposals with buffer reductions of less than 75%) and Hearing Examiner (for all other requestsapplications) shall must find that the proposalapplication meets all of the following criteria:—circumstances exist:~~

~~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;

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

~~C.~~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 do 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 should be the minimum necessary and should not exceed 2,500 square feet;

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

~~G.~~F. The design maximizes protection and mitigates impacts to any critical area functions and values consistent with the best available science, and must be supported by critical area reports demonstrating compliance to OMC 18.32, including mitigation sequencing; and

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

H. In addition to meeting the conditions in A) through F); above, an applicant who requests a 75% or greater reduction in critical area buffers or requests to develop within a critical area itself, or requests both, must meet the conditions in 2) or 3) below, and such request must be approved by the Hearing Examiner.

1. Definitions: for purposes of this subsection G):

a. "Single ownership" means not owned (or previously owned) by a person or entity who concurrently owns one or more adjacent lots, tracts, or parcels.

b. "Common ownership" means owned by a person or entity who concurrently owns one or more adjacent lots, tract, or parcels.

c. "Undevelopable" means all reasonable economic use of the property is denied by applicable City regulations.

d. "Adjacent" means two or more parcels sharing a common boundary of at least one point. Parcels across unopen (unimproved) or vacated (by statue or otherwise) Rights of Way are adjacent.

2. The property is or has been in single ownership (i.e., not owned by a person or entity who concurrently owned one or more adjacent lots, tracts, or parcels) continuously since the adoption of the Critical Area Regulations; or

3. The property:

- a. Is or was at any time since adoption of the Critical Area Ordinance (June 5, 2005) in common ownership (i.e, the property was owned by a person or entity who concurrently owned one or more adjacent lots, tracts, or parcels at some time since June 5, 2005); and
- b. Did not become undevelopable solely by reason of passing out of common ownership and into single ownership, by sale or other transfer.
- a-4. Should the Reasonable Use Exception be granted, the adjacent lots, parcels, tracts determined to be held in common ownership must be legally consolidated into a single parcel prior to building permit issuance.

**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 are~~ not ~~be~~ violated. Violation of such conditions and safeguards when made part of the terms under which the variance or reasonable use exception is granted, ~~shall be deemed is~~ 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 the 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 may~~ 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 highest authority designated for deciding any part of the consolidated application makes the final decision on the consolidated applications ~~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

## Attachment I

### KEY:

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
<b>ZONING</b>							
Conditional Use Permit	D	R				D	
Interpretations	D					O	
Land Use Review	D <sup>1</sup>	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	
<a href="#">Administrative Zoning Variance</a>	<a href="#">D</a>	<a href="#">R</a>				<a href="#">O</a>	
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 <a href="#">Modification Variance</a>	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	

## Attachment I

	Director	SPRC	DRB	PC	HC	HE	Council
Landscape Plan	D					O	
Tree Plan	D					O	
Historic Properties	D	R			R	O	
<b>COMPREHENSIVE PLAN</b>							
Amendments (map, text)	R			R			D
<b>DESIGN REVIEW</b>							
Detailed Review	D		R				
major			O				
Concept Review	D	R	R			O	
Signs (general)	D					O	
Scenic Vistas	D	R	R			O	
<b>ENVIRONMENTAL</b>							
Threshold Determination	D					O	
Impact Statement Adequacy	D					O	
Reasonable Use Exception	R					D	
<a href="#">Administrative Reasonable Use Exception</a>	<a href="#">D</a>	<a href="#">R</a>				<a href="#">O</a>	
SEPA Mitigating Conditions	D					O	
Shoreline Substantial Development Permit	D	R				<a href="#">O</a>	
Shoreline Conditional Use Permit		R				D	
Shoreline Variance		R				D	
Shoreline Permit Revision or Exemption	D					O	
<b>SUBDIVISION</b>							
Boundary Line Adjustment (including lot consolidation)	D					O	
Preliminary Plat, Long	R					D	
Preliminary Short, (2-9 lots)	D <sup>1</sup>					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	

## Attachment I

<sup>1</sup> 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 be~~ automatically ~~be~~ extended to the first following non-holiday weekday.

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~~ ~~shall~~ provide written notice of this fact to the applicant. The notice ~~shall~~ ~~must~~ 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~~ ~~shall~~ 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 <a href="#">18.58.040</a> )	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 / <a href="#">Reasonable Use Exception</a>	90-days
Shoreline Substantial Development Permit	120-days

## Attachment I

Shoreline Exemption	90-days
Time Extension or Modification	90-days
Boundary Line Adjustment	90-days
Appeal to Hearing Examiner	90-days
<b>ENGINEERING PERMIT APPLICATION TYPE</b>	<b>TIME LIMIT</b>
Short Plat	120 days
Long Plat	120 days
Utility Extension (in-city)	120 days
Commercial	120 days
Multifamily	120 days
<b>BUILDING PERMIT APPLICATION TYPE</b>	<b>TIME LIMIT</b>
New Single-family Residential	30-days
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. ~~The [Hearing] Examiner shall issue Decisions~~ 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

~~An applicant is responsible for knowing~~ Knowledge of the expiration date of any approval ~~is the responsibility of the applicant.~~ The City ~~shall~~ is not ~~be held accountable~~ responsible for ~~notification~~ notifying an applicant of expirations.

## Attachment I

A. Variance/Reasonable Use Exception. Unless exercised, a variance or reasonable use exception ~~shall expires~~ one year from the date a final decision is issued. If timely exercised, a variance or reasonable use exception ~~shall be is~~ valid indefinitely.

B. Conditional Use Permit. Unless exercised or otherwise specified, a conditional use permit ~~shall be is~~ void one (1) year from the date a notice of final decision was issued. If exercised, a conditional use permit ~~shall be is~~ 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 the applicant must obtain a new permit ~~shall be obtained~~ in accordance with the provisions of this ~~title~~ Title prior to resuming operations.

C. Home Occupation Permit. A home occupation permit ~~shall be is~~ 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 is~~ 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~~ the applicant shall apply for and obtain a new permit ~~shall be applied for and obtained~~ in accordance with the provisions of this ~~title~~ Title prior to resuming operations. A Home Occupation permit ~~shall is~~ not ~~be~~ transferable to a new site or entity.

D. Land Use Approval. Unless exercised by complete application for necessary construction permits, any land use approval ~~shall expires~~ and ~~be is~~ null and void two years from the date the final approval was issued. Land use approval ~~shall may~~ 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, the City shall provide 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, the Director shall deny such extension ~~shall be denied~~.

E. Detailed Design Review approval ~~shall expires~~ 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 must~~ 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 is~~ 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	
HEARING EXAMINER	Subdivision Variance <a href="#">/ RUE</a> Rezone Conditional Use Master Planned Development	Post Site Mail Publish in Paper	Public Hearing - 10 days	PO RNA PR
	Conditional Use - Wireless Communications Facility	Post Site Mail Publish in Paper	Public Hearing - 30 days	PO RNA PR
		Mail	Decision	RNA PR
SHORE LANDS	Substantial Development Permit	Post Site Mail Publish in Paper Mail	Public Hearing - 15 days Decision	PO RNA PR RNA PR
LAND USE REVIEW	Multifamily Commercial Industrial Master Planned Development, <a href="#">Administrative Variance / RUE</a>	Mail	Meeting - 5 days Decision	RNA PR RNA PR
DETAILED DESIGN REVIEW	Multifamily/Commercial Master Planned Development	Mail	Public Meeting 10 days	RNA PR

TABLE 78-1

## CITY OF OLYMPIA - PUBLIC NOTIFICATION

PROCESS	APPLICATION TYPE	NOTICE TYPES	WHEN	WHO
APPEALS	Administrative to Hearing Examiner	Mail	Decision	RNA PR
		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
	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

### Electric Vehicle Parking - Briefing

**Agenda Date:** 2/6/2023  
**Agenda Item Number:** 6.B  
**File Number:** 23-0139

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

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#### Title

Electric Vehicle Parking - Briefing

#### Recommended Action

Information only. No action requested.

#### Report

##### Issue:

Whether to require electric vehicle (EV) parking standards that exceed the new building code requirements that go into effect in July.

#### Staff Contact:

Joyce Phillips, Principal Planner, Community Planning and Development, 360.570.3722

#### Presenter(s):

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.

### 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.

### Focus Groups

In November, City Staff held four focus group meetings with people who would be directly impacted by EV Ready parking requirements. Feedback was solicited to help staff better understand the issues around increasing the EV parking requirements from the minimum state requirements to those of the emerging best practices. Members of the focus groups also shared information that is being used to develop the first draft of the code amendments that will be issued soon for focus group member and public review and comment prior to the public hearing in late March. A summary of focus group comments is attached.

### **Climate Analysis:**

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.

### **Equity Analysis:**

Access to electric vehicles and charging infrastructure is an important aspect of equity. Additionally, any requirements that increases upfront development costs impacts all new development, including affordable housing proposals. Staff is working to address equity issues in the draft code language in a manner that is appropriate in both the near and long term.

### **Neighborhood/Community Interests (if known):**

City staff met with groups that would have specific interest in the provision of electric vehicle parking, to inform them of the upcoming state requirements and to discuss issues around the additional potential requirements under consideration to achieve best practice levels. This included representatives from Affordable Housing Developers, Architects, Engineers, Community Members, Realtors, Climate Advocates, Builders, and the Business Community. In addition, City staff met with staff from Puget Sound Energy to get a better understanding of any issues of concern.

Draft code language based on the input received to-date is almost finished and will be shared with those we spoke with earlier as well as the community as a whole. Any additional comments will be considered by staff before the public hearing draft is issued and by the Planning Commission at the public hearing and as it develops its recommendation to City Council.

**Options:**

None - No action requested.

**Financial Impact:**

None. Development of draft code language is covered by the Department's base budget.

**Attachments:**

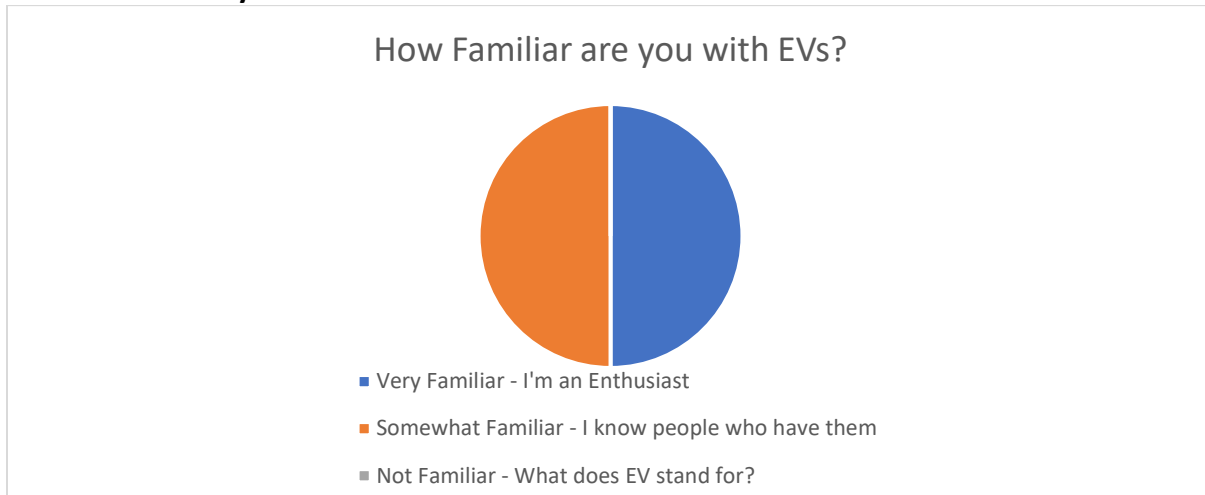
Focus Groups Summary

# EV-Ready Parking Focus Groups Summary

Four Focus Group meetings were conducted between November 17 and November 22, 2022.

The types of representatives who participated included: Affordable Housing Developers; Architects; Engineers; Community Members; Realtors; Climate Advocates; Builders; and Business Community Members

## How familiar are you with EVs?



## What excites you most about electric vehicles?

Lower Energy, Reducing CO<sub>2</sub>, contributing to a better future for my grandchildren, quieter, zippy, improves stormwater, saves money, environmentally friendly, chance to rethink need for driving as much, performance, convenience, low maintenance (no oil changes, no going to the gas station), micro-EVs (tiny cars, e-bikes, scooters), not having to pay for gas, no fossil fuels, interior technology, enables us to keep cars, business opportunities

## What worries you about electric vehicles?

Recycling of batteries, grid capacity, costs, accessibility for all, getting battery materials, battery production, batter interchangeability vs. charging (amount of time), standardized batteries, range anxiety, where to charge (especially when travelling), loss of range in colder temperatures, fires and emergency response, battery fires, emergency responders dealing with lithium battery fires, dirty mining, safety (my kids hearing them), slow adoption, resistance to EVs, availability of charging, increased traffic, technology failure, affordability, travel distance, actual carbon footprint, reliance on battery technology, ethical manufacturing

### Which best describes your role or organization?

Response	# of respondents for this option
Affordable housing developer or provider	3
Community-based organization	3
Local business owner	1
Industry professional	10
Community member	2

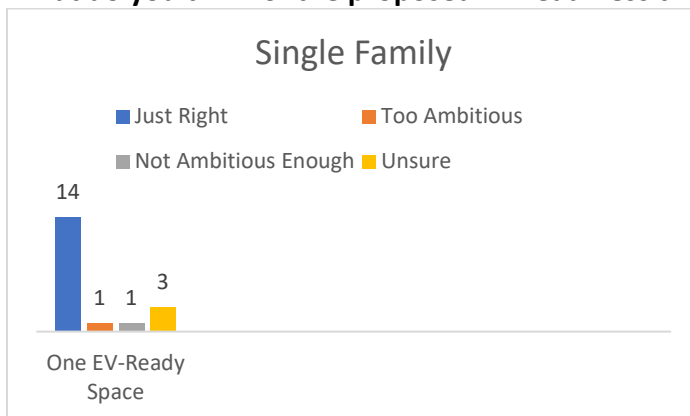
### What kind of properties does your organization work with? Select all that apply.

Response	# of respondents for this option
Commercial, multifamily	16
Commercial, non-residential	14
Single family	16
Other	11

### What does EV equity mean to you or your organization?

Access; Access for All; Reliability; Don't increase housing costs or production numbers; Availability; Affordable for all; accessible and affordable; amenity for tenants; affordable access to product and infrastructure; equitable access to infrastructure; equitable impact on location of infrastructure; giving everyone the chance to lower their carbon emissions (not just rich people); making sure EV access is not just for privileged individuals, families, and businesses; ability to choose access

### What do you think of the proposed EV readiness thresholds for single family dwellings?

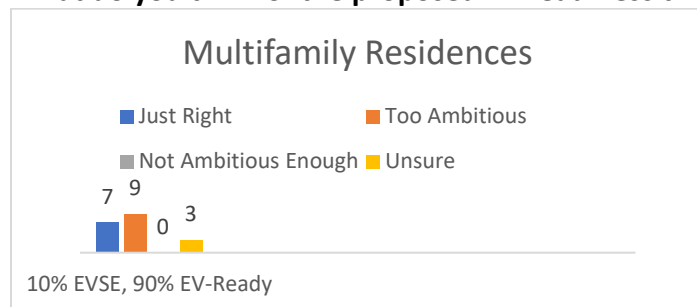




### Comments:

- Most people felt like the City's initial proposal was "just right"
- If two parking spaces are required (which may not be appropriate number), then both spaces should have EV-Ready access.
- The type of connection provided (required) should be the type that requires the least amount of work for the future user (Plug and Play)

### **What do you think of the proposed EV readiness thresholds for multifamily dwellings?**



### Comments:

- If applies to the total number of spaces provided instead of required, it will impact the number of spaces provided.
- Suggest phasing in the new requirements – start with some being EV-Capable instead of requiring all to be EV-Ready or EVSE Installed. Increase standards with time to be EV-Ready by 2030.
- Concern about theft of wiring.
- Costs and requirements keep going up – what can the city “give” to help off-set that? (Reducing parking requirements does not really help. Most developers want more parking.)
- Requiring 90% EV-Ready is probably too much too quickly. Most existing vehicles are gas and will be for several more years. The proposal for 10% EVSE and 90% EV-Ready will cost a lot. Should be EV-Capable instead. It's an investment now for a need that isn't there yet. Upsize the service pipe now but upgrade later to install the infrastructure/chargers.
- Technology is changing fairly quickly. Leave room to address changes.
- Impose the new requirements incrementally, not all at once. Consider staggering or phasing in these requirements.
- Installing the infrastructure that will prevent massive site disruptions later is important. EV-Capable probably does that.
- Having a mix of EV-Capable and EV-Ready is important. That way when the demand is there, it will get built. Put some of the proposed EV-Ready spaces into EV-Capable instead.
- Consider tying the number of spaces required in the categories to be tied to the number of units, not the number of stalls.
- This would require a huge amount of infrastructure upfront, and at a significant cost, even for EV-Capable, because of the extra panel requirements/capacity.

- The demand or use of the existing EV-Chargers at our multifamily projects is currently very low.
- Recent changes in market conditions have made costs to install this type of infrastructure go up considerably in the last year. In addition, the lead times to get the equipment to even install it is significantly longer than it used to be. It can easily take a year to get the equipment.
- Having the panels and availability with the appropriate taps is the most important thing to get upfront. EV owners could buy their own chargers and take them with them when they move as long as the tap is there for them to use. Install the outlet and panels.
- EV-Ready with a 110 option would be more cost effective. We already have problems with installing exterior outlets at mixed use developments (such as for restaurants). We have to turn them off every night after business hours and then on again in the mornings – otherwise we have people using them for charging things. It gets expensive to pay for the energy use.
- How do you go about getting the property owner to go from 10% EVSE and 90% EV-Ready to 100% EVSE over time? When would all of the spaces have the EV charging equipment installed?
- Please consider alternatives and incentives.
- Right now there are not a lot of EVs but there will be in future. These provisions will help remove barriers to people in the future.

#### What do you think of the proposed EV readiness thresholds for non-residential buildings?



#### Comments:

- 10% of spaces for each category seems reasonable.
- There is not much of a cost difference between EV-Capable and EV-Ready. The real cost is in the requirement for electrical panel capacity and space in the equipment room.
- Consider adding something less than EV-Capable, so the design is done.

- Opportunity charging is likely to become less important over time as range continues to improve. People will be more likely to rely on home and work charging.
- Need to consider designs for pull through spaces for trucks and towing (especially for DC Fast Charging).

**What, if any, special considerations should be made for affordable housing?**

Comments:

- For affordable housing, the requirement should be the same for access and equity reasons, but there has to be a way to offset the increased cost.
- Affordable housing projects are often on very tight spaces already. This will increase the cost of the units. Some tenants do not even own cars.
- Please phase in any new requirements.
- Meet the same requirements

**Recognizing that additional lead time may be necessary to incorporate EV ready standards into new construction design, when should local requirements go into effect?**

Implementation Date (local standards only)	# of respondents for this option
June 2023	5
July 2023	3
September 2023	1
December 2023	9

**At what construction phases should EV-ready standards apply? Select all that apply.**

- For any requirements tied to existing parking facilities, the requirement should be tied to clear thresholds (like in the building codes) and should only apply to the new parking spaces.
- There should be incentives to retrofit existing parking facilities.
- There should be more incentives than requirements.

**Should local EV-readiness requirements also include considerations for parking and charging electric bikes?**

Response	# of respondents for this option
Unsure	9
Yes	6
No	3

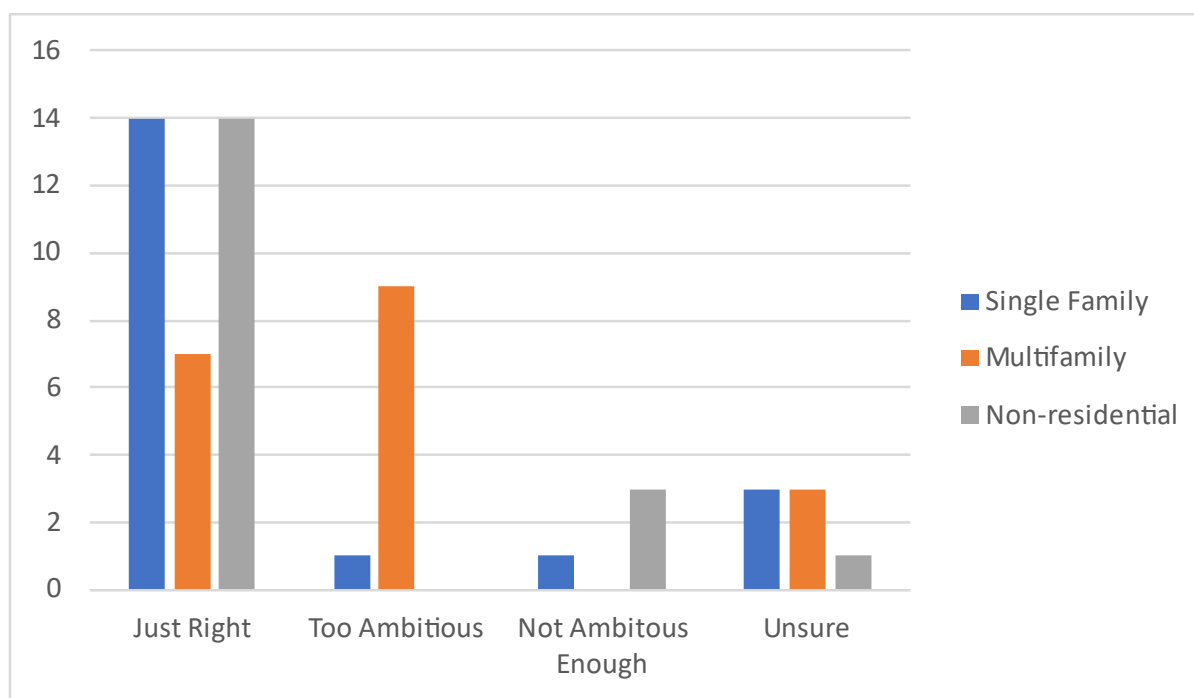
### Comments:

- More support for Long Term bicycle parking areas, as those are usually indoors.
- Less support for Short Term/Visitor parking.
- Most E-Bikes have good range and won't require being "topped off" before returning home to charge.

### **What can the City do to ease the transition to EV-readiness? Is there anything else we should consider?**

- Automatic Load Management Systems will be an important aspect of these requirements.
- Education
- Webpage with specific contacts
- Address all modes of electric transport
- Phasing/Staggering of EV Requirements.
- It is about \$5,000 per parking space to add the panel space/capacity, conduit, wiring, and the charger.
- Screens can be really hard to read/use, especially on sunny days.
- For privately operated charging stations, maintenance and operational facilities should be required and communicated to potential users.

### **OVERALL SUMMARY OF BEST PRACTICES LEVELS**





## Planning Commission

### Residential Parking Standards - Briefing

**Agenda Date:** 2/6/2023  
**Agenda Item Number:** 6.C  
**File Number:** 23-0142

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

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#### **Title**

Residential Parking Standards - Briefing

#### **Recommended Action**

Information and discussion only. No action requested.

#### **Report**

##### **Issue:**

Discussion on the residential parking requirements.

#### **Staff Contact:**

Joyce Phillips, Principal Planner, Community Planning and Development, 360.570.5722

#### **Presenter(s):**

Joyce Phillips, Principal Planner, Community Planning and Development

#### **Background and Analysis:**

In September 2022, City staff briefed the Planning Commission on efforts to reduce residential parking standards for new residential projects. This is part of a state funded grant the City was awarded to help implement its Housing Action Plan (HAP). Specifically, this work addresses the following strategy and action step of the HAP:

Strategy: Expand the overall housing supply by making it easier to build all types of housing.

Action 3i: Reduce parking requirements for residential uses, including for multi-family developments near frequent transit routes.

A community questionnaire was open for approximately one month on the City's Engage Olympia webpage. The questionnaire was not a scientific survey, instead it was an opportunity for members of the public to share opinions with staff on questions surrounding residential parking requirements.

#### **Climate Analysis:**

The reductions associated with the proposed reduction in automobile parking spaces will help reduce greenhouse gas emissions by supporting alternative forms of transportation and promoting compact urban areas within the City. However, changes to parking requirements only impact new

developments or substantial redevelopment projects.

**Equity Analysis:**

Equity and parking are complex issues to consider as not everyone has the same access to transportation options or the same transportation needs. These issues can vary based on a wide variety of factors, such as personal choice, proximity to daily needs, physical ability, income, and more.

**Neighborhood/Community Interests (if known):**

Neighborhood interests regarding parking vary from person to person and from neighborhood to neighborhood. At the briefing staff will share a summary of the questionnaire results. Additional public comments will be solicited once the proposed code amendments are drafted and at the public hearing tentatively scheduled for late March.

**Options:**

None - Discussion only. No action requested.

**Financial Impact:**

This work is being conducted using grant money from the Washington State Department of Commerce for the implementation of Housing Action Plans.

**Attachments:**

None.