



## Planning Commission

### Recommendation to City Council on Proposed Development Code Amendment Revising Rezone Criteria

**Agenda Date:** 7/21/2014  
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#### **Title**

Recommendation to City Council on Proposed Development Code Amendment Revising Rezone Criteria

#### **Recommended Action**

Not referred to a committee.

#### **Report**

##### **Issue:**

The draft Comprehensive Plan as recommended by the Planning Commission and now being reviewed by the City Council would consolidate land use categories in the Plan. Specifically, it would reduce the number of categories from over 30 to about 15. In addition, the draft Plan would add a specific Plan policy regarding rezone criteria. The City staff proposed a development code amendment revising the rezone criteria, including a new provision describing the relationship between the proposed more general Land Use Map and the specific land use districts of the zoning code. (Note, 'rezones' are amendments of the zoning map depicting which property is within each land use zone or district described in the development (zoning) regulations.) (File 13-0117)

#### **Staff Contact:**

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

Todd Stamm, Principal Planner

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

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

changes in response to changing circumstances, nearly any change in the zoning map must be accompanied by an amendment of the Comprehensive Plan. Such Plan amendments must be considered as part of a constrained annual review process.

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

As currently proposed, that policy would read:

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

1. Consistency with the Comprehensive Plan.
2. Consistency with the City’s development regulations that implement the Comprehensive Plan.
3. Compatibility with adjoining zoning districts and transitioning where appropriate to ensure compatibility.
4. Adequacy of infrastructure in light of development potential of the proposed zoning.

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

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

Because this is a proposed amendment of the development code, State law requires a public hearing and Planning Commission review and recommendation prior to Council action. To ensure a smooth transition to the updated Comprehensive Plan, the staff is presenting this proposal to the Planning Commission now so an appropriate code amendment can be adopted by the City Council concurrently with the Comprehensive Plan update a few months from now. The amendment proposed by staff is based on an assumption that the City Council will approve the related elements

of the Comprehensive Plan update in the form now being evaluated by the Council. If the Council elects to adopt a different version of the Future Land Use Map, some revision of the attached proposal may be needed.

On May 19, 2014, the Planning Commission held a public hearing regarding amendment of the rezone criteria as proposed by City staff. The Commission elected to leave the record open for written comments until June 12, 2014. All comments received were forwarded to the Commission prior its meeting on June 16. The Commission began deliberation at that meeting and concluded discussion with a preliminary decision directing the staff to prepare a revised version of the proposal for consideration and possible recommendation by the Commission on July 7, 2014. That revised amendment - portions of which are drawn from the current development code - is attached.

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

Comments have been received both at the public hearing and in writing.

**Options:**

1. Recommend Council approval as proposed at public hearing.
2. Recommend attached alternative to proposal.
3. Table proposal until Council reaches a decision on Comprehensive Plan update.

**Financial Impact:**

Cost of code amendment included in base budget.