



City Council

Discussion of Land Use Issues Related to Zoning

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Title:

Discussion of Land Use Issues Related to Zoning

Recommended Action

City Manager Recommendation:

Provide preliminary direction to staff regarding any changes or alternatives for the draft Comprehensive Plan update.

Report

Issue:

On August 12, 2014, following the public hearing, the Council directed that a work session be scheduled for more discussion of the "Zoning and Land Use" issues associated with the proposed Comprehensive Plan update. As described below, this work session encompasses a variety of issues related to land use aspects of the Plan - some general in nature and some specific - and potential implementing development regulations. (A separate agenda item addresses those land use issues related to the proposed Urban Corridors.)

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Background and Analysis:

The Comprehensive Plan generally does not directly regulate development; instead it guides preparation of development regulations such as zoning regulations and design and development standards. During the Council's public hearing, many individuals recommended 'putting zoning back in the Plan.' In general these comments arose from an early decision to make the updated Comprehensive Plan more accessible and readable by removing details regarding implementing measures, and instead placing those in other documents - including a new "Action Plan" - to be adopted by Council after the Plan is approved.

Compared to the Plan adopted in 1988, the Comprehensive Plan adopted by Olympia in 1994 in

response to the Growth Management Act included extensive background information regarding how the Plan would be implemented - including references to particular development regulations. In some cases those regulations have been adopted, but in other cases the City ultimately decided to pursue other implementation means such as capital improvements, public education, financial incentives or regulatory alternatives.

Unlike that '1994 Plan,' the updated Plan now being considered by the City Council would reserve many of the implementation decisions for the zoning code and other development regulations. By not prescribing specific regulations in the Plan itself, the approach in the updated Plan would have the effect of increasing flexibility when choosing the appropriate means of implementing the Plan. This approach both provides the City with the opportunity to consider all options and also avoids making undue 'promises' regarding specific implementation actions.

On August 12 the Council expressed general support for this less-specific approach to land use planning in the Comprehensive Plan, while also directing that a work session be scheduled to discuss specific issues raised during the public hearing. As identified on August 12, and further addressed below, these included:

- Whether the Plan should more specifically establish maximum building heights
- Whether the Plan should more particularly describe required minimum densities
- Whether the Plan appropriately directs the use of mandatory development regulations as the primary implementing measure to achieve certain goals
- How specific should the Plan be with regard to sites to be subject to design regulations
- How the Plan should provide for 'in-fill' - including provisions for "neighborhood centers," "accessory dwelling units," etc.
- Whether opportunities for changes in the implementing land use zoning code should be limited to once each year

These issues have in common the question of the degree to which the Plan should prescribe development regulations to be adopted by the City, but each has its own implications as well and could be approached differently in the Plan. Thus the staff encourages individualized discussion of these topics. The first two are more generic and are addressed below. The other more specific issues are addressed in more detail in attachments to this report. In addition, as noted above, other similar issues related to 'Urban Corridors' are addressed in a separate agenda item.

Maximum building heights

Both the current Comprehensive Plan and the proposed update usually express the heights of anticipated structures in terms of "stories." Many of these provisions are included in the "Future Land Use Designations" table near the end of the Land Use and Urban Design chapter. For example, for "Low-Density Neighborhoods" the draft Plan indicates that building heights will be "2 to 3 stories" and that, "Building heights is the approximate size of taller buildings anticipated in each category. Specific height or stories limits should be established by development regulations." Other height limits are addressed in the Plan in relation to scenic views, land use compatibility, complementary architecture, etc. (Note, an exception to the described-by-stories approach - proposed Land Use and Urban Design Policy 13.7, which prescribes a 35-foot height limit in a portion of the Urban Corridor, is addressed in the Urban Corridors agenda item.)

Some members of the public have recommended that the Plan more specifically prescribe height limits, usually suggesting a specific height in feet. Traditionally such specific limits are included in the development (zoning) code. This code has specific measurements, which can be refined by amendments in response to State-revised building codes, changes in architecture and shifting economic markets. For example, to accommodate modern heating, ventilation, and communications (internet) systems, the height of commercial floors has gradually increased, with the result that the zoning code limits some 3-story apartment buildings to 35 feet while 42 feet is allowed in many commercial areas.

Minimum residential densities

To ensure efficient use of land, since 1994 Olympia's Comprehensive Plan has disfavored 'sprawl-inducing' land uses. One aspect of this vision has been to describe minimum residential densities for certain areas of the city. In particular, proposed Land Use and Urban Design Policy 16.1 calls for the City to, "Support increasing housing densities through the well-designed, efficient, and cost-effective use of buildable land, consistent with environmental constraints and affordability. Use both incentives and regulations, such as minimum and maximum density limits, to achieve such efficient use." Some members of the public have suggested that the Plan should be more specific with regard to these minimum densities.

In some cases the Plan describes a range of housing densities, for example 'medium-density neighborhoods' are expected to have 13 to 24 units per acres. In contrast, the 'low-density neighborhoods' are described as "up to 12 units per acre" and the medical services areas are to have a "minimum 7 units per acre." The Plan elaborates that, "Residential Density is a general range for planning purposes and subject to variation based on site suitability. Specific allowed ranges should be established by development regulations." The City's development (zoning) code does include specific details, such as whether street rights-of-way, wetland buffers, tree tracts, etc., should be included in the density calculations. Although lacking the long-term predictability sought by some members of the public, this approach does allow for more readily refining density measures as circumstances change.

Development mandates - should the Plan "require"?

Members of the public have both commented that the Plan should be more specific with regard to development regulations, while others have suggested that policies calling for adopting development regulations should be removed. This topic is addressed in more detail in Attachment 1 to this staff report.

Scope of design review

Comments were received at the hearing regarding the 'vague' nature of the Plan's description of areas that should be subject to design (architectural) review. See Attachment 2 for more information.

Flexibility for 'in-fill'

Comments from many members of the public touched on the topic of how and where "in-fill" (new development and changes in land use) should be allowed in previously developed areas - especially with regard to established residential neighborhoods. This topic is addressed in an attachment to this report.

Rezones - only once each year?

Because the proposed Future Land Use Map of the Plan would provide opportunities to seek limited changes in zoning separate from the Plan amendment process, some members of the public have recommended that such 'rezone' applications be limited to a single consolidated annual process. This option is addressed in Attachment 3 to this staff report. (Note: This topic is limited to the rezone process; more information regarding the content of the new Future Land Use map is available upon request.)

Neighborhood/Community Interests (if known):

These topics have been of substantial interest to the general public and specific neighborhoods throughout the 'Imagine Olympia' Comprehensive Plan update process.

Options:

1. Direct no changes to the draft Comprehensive Plan.
2. Direct that specific alternatives be presented for Council consideration at a later meeting, or provide guidance to staff to draft specific alternatives. See specific options described in attachments to this report.

Financial Impact:

No direct impacts; implementation of the Plan would be budgeted at a later date.