



## City Council

### Approval of Ordinance Amending OMC Chapters 12, 14, 16, 17 and 18 Related to Project Review and Decisions by the Site Plan Review Committee

**Agenda Date:** 7/7/2015  
**Agenda Item Number:** 4.1  
**File Number:** 15-0285

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**Type:** ordinance **Version:** 4 **Status:** Passed

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#### **Title**

Approval of Ordinance Amending OMC Chapters 12, 14, 16, 17 and 18 Related to Project Review and Decisions by the Site Plan Review Committee

#### **Recommended Action:**

##### **Committee Recommendation:**

The Land Use and Environment Committee recommends approval of the attached ordinance related to land use project review and decisions by the Site Plan Review Committee.

##### **City Manager Recommendation:**

Approve the attached ordinance related to land use project review and decisions by the Site Plan Review Committee.

#### **Body**

##### **Issue:**

Whether to amend the Municipal Code provisions related to land use project review and decisions by the Site Plan Review Committee.

##### **Staff Contacts:**

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Leonard Bauer, Deputy Director, Community Planning & Development (CPD) 360.753.8206  
Darren Nienaber, Deputy City Attorney 360.753.8044.

**Presenters:** Leonard Bauer, Deputy Director, CPD

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

Two scrivener's errors were identified in the ordinance after first reading and have been corrected for second reading. The first is in Section 11 (p.12) of the ordinance:

Prior to the submission of the preliminary plat application, the subdivider or his representative may meet with the Site Plan Review Committee Director to discuss

preliminary sketches or studies. At this time, said **committee Director** shall make available all pertinent information as may be on file relating to the general area ...

The second is in Section 13 (p.13) of the ordinance. Subsection 17.34.070.C is redundant to the appeal provisions of chapters 18.75 and 18.82 OMC and has been deleted.

~~C.—Appeal of the Decision. The decision of the Site Plan Review Committee shall be final, unless an appeal to the hearing examiner is filed with CP&D within fourteen (14) days after the committee's written decision. The appeal shall be in writing and accompanied by the appropriate filing fee.~~

The background and analysis have not changed from first to second reading.

### Background

The Olympia Municipal Code specifies decision-making authority for land use applications (OMC 18.72.100). Pursuant to that section, decisions on various types of development permits are made by staff, by the Site Plan Review Committee or the Hearing Examiner - depending upon level of project complexity, whether coordinated multi-agency review is required, or level of public interest.

The Site Plan Review Committee (SPRC) was first created in 1978 to provide a coordinated, multi-disciplinary review and formal decision of many land use project applications. SPRC currently consists of the Building Official, Senior Planner, Development Services Engineer, Environmental Review Officer (SEPA Official), and Fire Chief, or their designees. SPRC is well suited to render land use decisions on projects which have minimal public interest consistent with the City, State and Federal regulations. The SPRC also conducts pre-submission conferences to advise potential land-use applicants about City and State land use regulations.

The Hearing Examiner is appointed by the City Council to conduct quasi-judicial open record public hearings on larger projects, which potentially have significant public interest. The Examiner provides an independent project permit review and issues a final decision on major land use projects consistent with the City, State and Federal regulations.

### Summary of Proposed Ordinance

The attached ordinance includes the following changes to

- 1) clarify the roles of SPRC, the Community Planning and Development Director, and the Hearing Examiner, and
- 2) be more consistent with guidance from our insurance authority regarding land use procedures:
  - Make SPRC an advisory body to the Director of Community Planning and Development;
  - Provide the Director of Community Planning and Development discretion to render a land use decision or refer the application to the Hearings Examiner with a staff recommendation;
  - Modify the composition of SPRC to be appointees designated by the Director of Community Planning and Development, the Director of Public Works, and the Fire Chief.

The ordinance makes no changes to the public's opportunities to participate in the land use application review process. Meetings of the SPRC would remain open to the public. There are no changes proposed to public comment periods, or to appeal procedures. CPD staff will continue

current practice of hosting public informational meetings regarding most new land use applications.

Land Use and Environment Committee Consideration

At its March 26, 2015 meeting, the Land Use and Environment Committee reviewed the proposed ordinance and directed staff to provide additional information and seek feedback from interested citizens and neighborhood interests. Staff provided a briefing at the April 13 meeting of the Coalition of Neighborhood Associations, and directly contacted a citizen that had provided comment to the Committee prior to its March 26 meeting. After their review and discussion of the ordinance, there were no specific comments or changes proposed to the ordinance by the CNA members or citizens.

**Neighborhood/Community Interests:**

There is high interest in the Olympia community for transparent land use review processes. There is also general support to ensure that on larger projects, which potentially have significant public interest, to allow the Hearings Examiner to provide an independent project permit review and issue a decision of major land use projects.

**Options:**

1. Approve the attached ordinance related to land use project review and decisions by the Site Plan Review Committee.
2. Do not approve the attached ordinances.
3. Provide additional direction on changes to the attached ordinance.

**Financial Impact:** None