



Land Use & Environment Committee

Parks and Open Space Zoning Discussion

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Title

Parks and Open Space Zoning Discussion

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Discuss options for protecting Parks and Open Space lands from conversion to other uses.
Discussion only. No action requested.

Report

Issue:

Whether to discuss options for protecting Parks and Open Space lands from conversion to other uses.

Staff Contact:

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Presenter(s):

Joyce Phillips, Senior Planner, Community Planning and Development

Background and Analysis:

The City of Olympia purchased properties totaling approximately 150 acres in the proximity of LBA Park. The properties were purchased with the primary intention of providing more parks and open space, although a small portion of the land (ten acres) was set aside for future development and some right-of-way for a future street connection. One of the properties (approximately 75 acres) was zoned "Neighborhood Village" and was subject to an approved Master Plan. The other property and the existing LBA Park are located in the Residential 4-8 (R 4-8) zoning district.

In order to extinguish the approved Bentrige Village Master Plan, which is binding on any property owner including the City, a Comprehensive Plan Amendment and Rezone was required. The City proposed to rezone the majority of the site to R 4-8, like most of the adjacent properties. Several members of the public thought the rezone request was because the City intended to develop the land for residential purposes, when in fact the primary reason was so the City would not be bound to the

development plans in the approved Bentrige Village Master Plan. The other property purchased did not need to go through the same process because it was not subject to an approved master plan.

During this process several people were surprised to learn the City of Olympia does not have a specific zoning district for parks and open spaces. Instead, Olympia allows parks and open spaces in all of its zoning districts except Industrial. Staff indicated that consideration of a parks and open space zone was beyond the capacity of an annual comprehensive plan amendment and rezone but did provide a list identifying the preliminary “pros and cons” of such a district. Later in 2017 Councilmembers Gilman and Cooper submitted a City Council Referral Request to the Land Use and Environment Committee to evaluate whether there should be a specific zoning district for parks and open space lands.

If such a zone were adopted, it is important to note there would be follow up work that is required. For example, every time property is purchased for parks or open space purposes, the City would be required to go through a rezone process. These processes can be time consuming and would impact the work programs of the Parks & Recreation and Community Planning & Development Departments. Resources to cover public notices, the public hearing, and the Hearing Examiner fees should be considered as well.

Given that some parks are relatively small in nature, a rezone may appear to be “spot zoning” to the public or development community. In order to be approved, the case would need to be successfully made that, at a minimum, the rezone is in the public interest and the action is consistent with the Comprehensive Plan, which does not currently have a separate land use designation for park and open spaces..

Development and adoption of a zoning district for parks and open space is not the only method available to ensure property is protected from converting to other uses. For example, recording covenants that would apply to the properties would actually afford greater protection at a lower cost to the taxpayers. Consideration of how to treat multi-purpose City properties, and privately owned parks or open space would also be needed.

Neighborhood/Community Interests (if known):

A few residents suggested the City zone the “Bentrige Village” property for parks, and presumably other city parks and open spaces as well, during last year’s comprehensive plan amendment and rezone process. It is conceivable that open space lands, or property purchased for park purposes but that is not yet developed, is the primary concern. These individuals seek assurance that the property will be retained for parks and open space purposes, especially in the case of the Bentrige Village/LBA Woods property because it was purchased after considerable public involvement and requests for the city to buy the land.

Once property is developed for park purposes, such as LBA Park, Priest Point Park, or any other city parks, it is unclear whether or not the concern remains. Staff is not aware of any instance where municipal park land in the City of Olympia was converted to a different land use, although it is potentially possible.

Options:

1. Discuss options for protecting Parks and Open Space lands from conversion to other uses.
2. Discuss options for protecting Parks and Open Space lands from conversion to other uses,

and direct staff to include further research of one or more options as a future work program item.

3. Decide not to pursue research and development of a new zoning district for Parks and Open Space uses at this time.

Financial Impact:

Unknown.

Attachments:

Pros and Cons Summary