



## City Council

### Approval of an Ordinance Adding a New Chapter to Title 18 Updating the City's Latecomer Agreement Requirements

**Agenda Date:** 1/15/2019  
**Agenda Item Number:** 4.G  
**File Number:** 19-0019

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**Type:** ordinance **Version:** 2 **Status:** Passed

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#### **Title**

Approval of an Ordinance Adding a New Chapter to Title 18 Updating the City's Latecomer Agreement Requirements

#### **Recommended Action**

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

The Land Use and Environment Committee reviewed revised Latecomer Agreement Requirements and concurred with the proposed new Chapter in Title 18 of the Olympia Municipal Code (OMC).

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

Move to approve the ordinance adding Chapter 18.41 to Title 18 OMC to update the City's Latecomer Agreement requirements on second reading.

#### **Report**

##### **Issue:**

Whether to approve an ordinance adding Chapter 18.41 to Title 18 OMC to update the City's Latecomer Agreement requirements.

##### **Staff Contact:**

Stephen Sperr, P.E., Assistant City Engineer, Public Works Engineering, 360.753.8739

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

None - Consent Calendar Item.

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

Background and analysis has not changed from first to second reading.

The City reviews and updates the Engineering Design and Development Standards (EDDS) every year to address changes in regulations or standards, improve consistency with the Comprehensive Plan, and add clarity. On June 21 and November 15, the Land Use and Environment Committee reviewed the proposed changes, which included updating the Latecomer Agreement requirements. A public hearing was held on December 11 on all of the proposed changes this year related to the EDDS, including proposed updates to Latecomer Agreement requirements.

The attached ordinance specifically addresses the requirements for Latecomer Agreements for utilities and streets in greater detail than the EDDS, and adds a new Chapter to Title 18 of the OMC. These updates address changes in state law, adding more specific language regarding how Latecomer Agreements are to be developed and executed, and clarifying the minimum length of the different types of Agreement.

The existing Latecomer Agreement requirements, currently addressed in Section 2.080 of the EDDS, have been reduced to a general explanation of these types of Agreements, as part of the 2018 EDDS Update Ordinance on Council's consent agenda as a separate item. If approved, the attached ordinance will set forth requirements for utility and street Latecomer Agreements in greater detail, consistent with state law.

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

This ordinance ensures that Latecomer Agreements are prepared and executed in a manner consistent with state law.

**Options:**

1. Approve the ordinance adding Chapter 18.41 to Title 18 OMC to update the City's Latecomer Agreement requirements on second reading. The most recent standards for Latecomer Agreements will apply to development projects seeking to enter into such an agreement.
2. Do not approve the ordinance adding Chapter 18.41 to Title 18 OMC, which updates the City's Latecomer Agreement requirements. This option will result in potential conflicts with state law in developing and executing Latecomer Agreements.

**Financial Impact:**

This Ordinance will not result in any increase to the costs of private development or Public Works projects.

**Attachments:**

Ordinance