



STATE CAPITOL COMMITTEE

June 15, 2017

STATE CAPITOL CAMPUS LAND USE

PURPOSE: ADVICE

The purpose of this agenda item is to seek the State Capitol Committee's (SCC) recommendation that the Olympia City Council approve the ordinance to remove from the Olympia Zoning Map all zoning designations at the State Capitol Campus. Bill Frare, Enterprise Services Assistant Director, will lead this agenda item.

OVERVIEW

In May 2014, Enterprise Services received a notice from the City of Olympia proposing land use zoning changes to four properties including the State Capitol Campus. The City proposed that the State Capitol Campus be rezoned to a Planned Unit Development (PUD) instead of the current seven zoning designations.

This proposal was presented at the September 2014 Capitol Campus Design Committee (CCDAC) and October 2014 SCC meetings. CCDAC members expressed concern with the City's proposal to change the land use designation at the State Capitol to a PUD. Members raised concerns that the PUD designation would put limitations on the State Capitol Campus. The SCC members did not support the ordinance as the proposed action indicates the City has authority over land use at the State Capitol, which is not consistent with the sovereign authority of the State of Washington and the State Capitol Committee.

At the December 2014 SCC meeting, Enterprise Services reported that the City of Olympia agreed that the PUD designation was not appropriate and that the State Capitol Campus is not under the jurisdiction of the City's zoning code. The City acknowledges the State Capitol Committee's authority to designate land use at the State Capitol.

STATUS

Enterprise Services and the State Attorney General's Office worked with the City of Olympia's Attorney and the Community Planning and Development Department to prepare ordinance language that responds to CCDAC's advice and the SCC's direction on the removal of the City's zoning designations at the State Capitol Campus.

Bill Frare will introduce Leonard Bauer with the City of Olympia's Community Planning and Development Department. Mr. Bauer will present and review with the SCC the attached draft ordinance that removes the City's current zoning designations at the State Capitol Campus from the Official Olympia Zoning Map. Cited below is key ordinance language that responds to CCDAC's advice and SCC's direction:

Ordinance Purpose:

An ordinance of the City of Olympia, Washington, amending the Official Olympia Zoning Map to remove the zoning designations of all lands and waters within the State Capitol Campus and label those areas as "State Capitol Campus."

Ordinance Preamble:

The Olympia City Council and the State Capitol Committee have determined that the City has no jurisdiction or authority to identify land use or zoning designations at the State Capitol Campus, as defined by the State Capitol Committee.

Pursuant to state law, including but not limited to Chapters 43.34 and 79.24 RCW, the State Capitol Campus, including development, planning and land uses thereon, is governed by the State Capitol Committee.

The Olympia City Council and the State Capitol Committee recommended the City of Olympia Official Zoning Map be amended to delineate the real property owned and controlled by the State of Washington, named the "State Capitol Campus," and to recognize the Washington State Capitol Committee alone has authority over land use at the State Capitol Campus.

Ordinance language:

Section 1. Amendment of Official Olympia Zoning Map adopted by OMC 18.02.160.B. The Official Zoning Map of the City of Olympia is hereby amended to remove the zoning designations relating to the Washington State Capitol Campus as defined now or as amended in the future by the State Capitol Committee. The map shall be revised and maintained accordingly to delineate the boundary of the "State Capitol Campus" and a note shall be added to the legend of the map stating, "The Washington State Capitol Committee alone has authority over land use for the State Capitol Campus." The Mayor is authorized but not required to sign such map.

At the June 9, 2017 CCDAC meeting, the members present supported the draft ordinance and advised the SCC recommend that the Olympia City Council approves the ordinance to remove city zoning from the State Capitol Campus. The following motion is offered to the SCCD for consideration:

The State Capitol Committee advises the State Capitol Committee recommends the Olympia City Council approves the ordinance to amend the Official Olympia Zoning Map to:

- *Remove the zoning designations of all the lands and waters within the State Capitol Campus and label those areas as the "State Capitol Campus," and to*
- *Recognize the State Capitol Committee alone has authority over land use at the State Capitol Campus.*

NEXT STEPS

With SCC's recommendation that the Olympia City Council approves the proposed ordinance, the DES Director Chris Liu will send a letter to the Olympia City Council stating that the Official Zoning Map of the City of Olympia be amended to:

- remove the zoning designations relating to the Washington State Capitol Campus as defined now or as amended in the future by the State Capitol Committee, and
- recognize the SCC's authority to designate land use at the State Capitol Campus.

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING THE OFFICIAL OLYMPIA ZONING MAP TO REMOVE THE ZONING DESIGNATIONS OF ALL LANDS AND WATERS WITHIN THE STATE CAPITOL CAMPUS AND LABEL THOSE AREAS AS "STATE CAPITOL CAMPUS"

WHEREAS, the Olympia City Council (the City) and the State Capitol Committee have determined that the City has no jurisdiction or authority to identify land use or zoning designations at the State Capitol Campus, as defined by the State Capitol Committee; and

WHEREAS, the Official Zoning Map of the City of Olympia designates zoning at the State Capitol Campus, as described and shown on the attached map, as of this date; and

WHEREAS, pursuant to state law, including but not limited to Chapters 43.34 and 79.24 RCW, the State Capitol Campus, including development, planning and land uses thereon, is governed by the State Capitol Committee; and

WHEREAS, the Shoreline Master Program is an implementation of separate state law and thus applicable to the State Capital Campus as well, except as prohibited by law; and

WHEREAS, the State Capitol Committee is advised in these matters by the Capitol Campus Design Advisory Committee; and

WHEREAS, following a public hearing on _____, 2017, the Olympia Planning Commission recommended an amendment to the City of Olympia Official Zoning Map to remove the current zoning designations at the State Capitol Campus, as defined by the State Capitol Committee; and

WHEREAS; on _____ the Capitol Campus Design Advisory Committee reviewed this proposed ordinance and recommended approval; and

WHEREAS, on _____ the State Capitol Campus Committee reviewed this proposed ordinance and recommended approval; and

WHEREAS, the Olympia City Council and the State Capitol Committee recommended the City of Olympia Official Zoning Map be amended to delineate the real property owned and controlled by the State of Washington, named the "State Capitol Campus," and to recognize the Washington State Capitol Committee alone has authority over land use at the State Capitol Campus; and

WHEREAS, this Ordinance meets the goals and requirements of the Growth Management Act, if it is applicable; and

WHEREAS, the purpose of this Ordinance is intended to recognize and implement existing law and not to change existing laws; and

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amendment of Official Olympia Zoning Map adopted by OMC 18.02.160.B. The Official Zoning Map of the City of Olympia is hereby amended to remove the zoning designations relating to the Washington State Capitol Campus as defined now or as amended in the future by the State Capitol Committee. The map shall be revised and maintained accordingly to delineate the boundary of the "State Capitol Campus" and a note shall be added to the legend of the map stating, "The Washington State Capitol Committee alone has authority over land use for the State Capitol Campus." The Mayor is authorized but not required to sign such map.

Section 2. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 4. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: