

Ordinance No. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING TITLE 18, UNIFIED DEVELOPMENT CODE, OF THE OLYMPIA MUNICIPAL CODE.**

**WHEREAS**, on January 9, 2019, the City of Olympia Community Planning and Development Department proposed multiple housekeeping and other minor amendments to various chapters in Title 18, Unified Development Code, of the Olympia Municipal Code (OMC) (the Proposed Amendments); and

**WHEREAS**, Notice of Application for the Proposed Amendments was routed to all Recognized Neighborhood Associations with the City of Olympia on January 15, 2019, and published in *The Olympian* newspaper on January 16, 2019; and

**WHEREAS**, on January 19, 2019, the Proposed Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt Development Regulation amendments as required by RCW 36.70A.106, and no comments were received from state agencies during the 60-day comment period; and

**WHEREAS**, the City of Olympia Responsible Official under the State Environmental Policy Act (SEPA), determined the Proposed Amendments to be categorically exempt under SEPA, pursuant to 197-11-800(19)(b) of the Washington Administrative Code; and

**WHEREAS**, on April 25, 2019, a legal notice was published in *The Olympian* newspaper regarding the date of the Olympia Planning Commission's public hearing on the Proposed Amendments; and

**WHEREAS**, on April 26, 2019, notice of the public hearing on the Proposed Amendments was provided to all Recognized Neighborhood Associations with the City of Olympia pursuant to Chapter 18.78 OMC, Public Notification; and

**WHEREAS**, on May 6, 2019, the Olympia Planning Commission received a briefing, held a public hearing, and deliberated the Proposed Amendments; and

**WHEREAS**, following the public hearing and deliberations, on May 6, 2019, the Planning Commission provided to the City Council its recommendation to amend multiple sections of Title 18 OMC, Unified Development Code, as proposed, with the exception of the proposed amendments to the Chapter 18.78 OMC, Public Notification; and

**WHEREAS**, the Proposed Amendments are consistent with the Olympia Comprehensive Plan and other chapters of Title 18 OMC; and

**WHEREAS**, the Proposed Amendments have been reviewed pursuant to the Rezones and Text Amendments process outlined in Chapter 18.58 OMC; and

**WHEREAS**, Chapters 35A.63 and 36.70A RCW and Article 11, Section 11 of the Washington State Constitution authorize and permit the City to adopt this Ordinance;

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

**Section 1. Amendment of OMC 18.04.040. Olympia Municipal Code Section 18.04.040 is hereby amended to read as follows:**

**18.04.040 TABLES: Permitted and Conditional Uses**

**TABLE 4.01  
PERMITTED AND CONDITIONAL USES**

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
District-Wide Regulations						18.04.060 (FF)	18.04.060 (N,Q)	18.04.060 (N,Q)	18.04.060 (N)	18.04.060 (N)	18.04.060 (N)	18.04.060 (N,BB)		18.04.060 (N)	
<b>1. SINGLE-FAMILY HOUSING</b>															
Accessory Dwelling Units	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(A)
Co-Housing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(F) 18.04.060(FF)
Cottage Housing				P	P	P	P	P	P	P	P	P	P	P	18.04.060(H) 18.04.060(FF)
Manufactured/Mobile Home Parks (Rental Spaces)								C	C	C			C		18.04.060(P)
Manufactured Homes	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(O) 18.04.060(FF)
Single-family Residences	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(FF)
Townhouses	P	P		P	P	P	P	P	P	P	P	P	P	P	18.04.060(FF) 18.64
<b>2. MULTIFAMILY HOUSING</b>															
Apartments				P			P	P	P	P	P	P		P	18.04.060(N) 18.04.060(FF)

**TABLE 4.01  
PERMITTED AND CONDITIONAL USES**

<b>DISTRICT</b>	<b>R1/5</b>	<b>R-4</b>	<b>R-4CB</b>	<b>RLI</b>	<b>R 4-8</b>	<b>R 6-12</b>	<b>MR 7-13</b>	<b>MR 10-18</b>	<b>RM 18</b>	<b>RM 24</b>	<b>RMH</b>	<b>RMU</b>	<b>MHP</b>	<b>UR</b>	<b>APPLICABLE REGULATIONS</b>
Boarding Homes				P				P	P	P					
Dormitories	P			P				P	P	P	P	P		P	
Duplexes - Existing	P	P		P	P	P	P	P	P	P	P	P	P	P	18.04.060(J)
Duplexes	P		P	P		P	P	P	P	P	P	P	P	P	18.04.060(FF)
Triplexes & Fourplexes			P			18.04.060 (FF)			P						
Fraternities, Sororities	P			P				P	P	P					
Group Homes with 6 or Fewer Clients and Confidential Shelters	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(K)
Group Homes with 7 or More Clients	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(K)
Lodging Houses									P	P	P	P		P	
Nursing/Convalescent Homes	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(S)
Retirement Homes				P			P	P	P	P	P	C		P	
<b>3. COMMERCIAL</b>															
Child Day Care Centers		C	C	C	C	C	C	P	P	P	P	P	C	P	18.04.060(D) 18.04.060(AA)
Commercial Printing												P			
Drive-In and Drive-Through Businesses -- Existing												P			18.04.060(J)
Food Stores											P	P		P	18.04.060(AA)

**TABLE 4.01  
PERMITTED AND CONDITIONAL USES**

<b>DISTRICT</b>	<b>R1/5</b>	<b>R-4</b>	<b>R-4CB</b>	<b>RLI</b>	<b>R 4-8</b>	<b>R 6-12</b>	<b>MR 7-13</b>	<b>MR 10-18</b>	<b>RM 18</b>	<b>RM 24</b>	<b>RMH</b>	<b>RMU</b>	<b>MHP</b>	<b>UR</b>	<b>APPLICABLE REGULATIONS</b>
Hardware Stores												P			
Home Occupations (including Adult Day Care, Elder Care Homes, Family Child Care Homes, and Bed & Breakfast Houses)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(L)
Hospice Care	C			C			C	C	C	C	C	C		C	18.04.060(M)
Laundries											P	P		P	18.04.060(AA)
Nursery (Retail and/or Wholesale Sales)	C	C	C	C	C	C	C	C	C	C			C		18.04.060(G)
Offices												P		P	18.04.060(AA)(2)
Personal Services												P			
Pharmacies												P			
Restaurants, without Drive-In and Drive-Through												P			
Servicing of Personal Apparel and Equipment												P			
Specialty Stores												P			
Veterinary Clinics - Existing	P	P		P	P	P							P		18.04.060(J)
Veterinary Clinics	P														
<b>4. ACCESSORY USES</b>															
Accessory Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(B)

**TABLE 4.01  
PERMITTED AND CONDITIONAL USES**

<b>DISTRICT</b>	<b>R1/5</b>	<b>R-4</b>	<b>R-4CB</b>	<b>RLI</b>	<b>R 4-8</b>	<b>R 6-12</b>	<b>MR 7-13</b>	<b>MR 10-18</b>	<b>RM 18</b>	<b>RM 24</b>	<b>RMH</b>	<b>RMU</b>	<b>MHP</b>	<b>UR</b>	<b>APPLICABLE REGULATIONS</b>
Electric Vehicle Infrastructure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(GG)
Garage/Yard/Rummage or Other Outdoor Sales	P	P		P	P	P	P	P	P	P	P	P	P	P	5.24
Large Garages			C		C	C	C	C	C	C	C	C	C	C	18.04.060(B)
Residence Rented for Social Event, 7 times or more in 1 year	C	C		C	C	C	C	C	C	C	C		C	C	
Satellite Earth Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.44.100
<b>5. RECREATIONAL USES</b>															
Community Parks & Playgrounds	C	C	C	C	C	C	C	C	C	C	P	P	C	P	18.04.060(T)
Country Clubs	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Golf Courses		C	C		C	C	C	C	C	C			C		
Neighborhood Parks	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(T)
Open Space - Public	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(T)
Racing & Performing Pigeons		C	C	C	C	C				C	C		C	C	18.04.060(Y)
Stables, Commercial and Private Existing		C		C	C										18.04.060(J)
Trails - Public	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(T)
<b>6. AGRICULTURAL USES</b>															
Agricultural Uses	P	P	P	P	P	P	P	P	P				P		

**TABLE 4.01  
PERMITTED AND CONDITIONAL USES**

<b>DISTRICT</b>	<b>R1/5</b>	<b>R-4</b>	<b>R-4CB</b>	<b>RLI</b>	<b>R 4-8</b>	<b>R 6-12</b>	<b>MR 7-13</b>	<b>MR 10-18</b>	<b>RM 18</b>	<b>RM 24</b>	<b>RMH</b>	<b>RMU</b>	<b>MHP</b>	<b>UR</b>	<b>APPLICABLE REGULATIONS</b>
Greenhouses, Bulb Farms	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(G)
<b>7. TEMPORARY USES</b>															
Emergency Housing	P	P	P	P	P	P	P	P	P	P			P		18.04.060(EE)
Model Homes	P	P	P	P	P	P	P	P	P	P	P		P	P	18.04.060(EE)
Residence Rented for Social Event, 6 times or less in 1 year	P	P	P	P	P	P	P	P	P	P	P		P	P	18.04.060(EE)
Wireless Communication Facility	P	P		P	P	P	P	P	P	P	P	P	P	P	18.44.060
<b>8. OTHER</b>															
Animals	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(C)
Cemeteries		C	C		C	C	C	C	C	C			C		18.04.060(E)
Community Clubhouses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Crisis Intervention	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(I)
Fraternal Organizations											P	P		C	
Historic House Museum		C	C	C	C	C	C	C	C	C	C	C	C	C	
Parking Lots and Structures				C							P	P			18.38.220 and .240
Places of Worship	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(U)
Public Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(V)
Public Facilities - Essential	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(W)

**TABLE 4.01  
PERMITTED AND CONDITIONAL USES**

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Radio, Television and Other Communication Towers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.44.100
Schools	C			C	C	C	C	C	C	C	C		C	C	18.04.060(CCD)
Mineral Extraction - Existing					C		C								18.04.060(J)
Utility Facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(X)
Wireless Communication Facilities	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.44
Workshops for Disabled People	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(R)

**LEGEND**

- |   |                                      |                                      |
|---|--------------------------------------|--------------------------------------|
| P = Permitted Use                       | C = Conditional Use                  | R-4 = Residential - 4                |
| R 4-8 = Residential 4-8                 | R 6-12 = Residential 6-12            | RLI = Residential Low Impact         |
| MR 10-18 = Mixed Residential 10-18      | RM 18 = Residential Multifamily - 18 | MR 7-13 = Mixed Residential 7-13     |
| RMH = Residential Multifamily High Rise | RMU = Residential Mixed Use          | RM 24 = Residential Multifamily - 24 |
|   |                                      | UR = Urban Residential               |

**Section 2. Amendment of OMC 18.04.060. Olympia Municipal Code Subsection 18.04.060.F is hereby amended to read as follows:**

**18.04.060 Residential districts' use standards**

F. CO-HOUSING.

Co-housing developments are allowed in the districts specified in Table 4.01 and 6.01 subject to the following requirements:

1. Common Structure. The following provisions apply to co-housing developments in the residential districts listed in OMC 18.04.
  - a. Quantity, size, and use. Co-housing projects may contain any number of common structures; however, no more than two (2) common structures shall exceed eight hundred (800) square feet in size and none shall exceed five thousand (5,000) square feet in size. At least one (1) common structure shall contain a dining room and kitchen large enough to serve at least fifty percent (50%) of the development's residents at a time (based upon occupancy of one (1) person per bedroom, and at least one (1) of the following: a children's day care center, mail boxes for a majority of the residents, recreational facilities (such as pool tables or exercise equipment), laundry facilities, or a meeting room available for the use of all residents.
  - b. Location. Common structures may be located in all developable portions of the site (e.g., excluding critical areas and their associated buffers and required building setback areas). However, within forty (40) feet of the site's perimeter or a public street extending through the site, no more than two (2) common or accessory structures may be contiguous to one another (i.e., uninterrupted by a dwelling or a landscaped open space with no dimension less than forty (40) feet). This requirement does not apply to structures which would not be visible from the site's perimeter or through streets (e.g., due to topography or vegetation) or which adjoin undevelopable property (e.g., critical areas) which will separate proposed structures by at least forty (40) feet from existing and potential dwelling sites. In no case shall more than fifty percent (50%) of any street frontage be occupied by common and/or accessory structures.
2. Business Uses. Co-housing developments may contain business uses allowed as home occupations (see Section 18.04.060(L)) in structures other than residential dwellings, subject to the conditions below:
  - a. The total building square footage devoted to business uses in the entire development shall not exceed the rate of five hundred (500) square feet per dwelling unit.
  - b. Business uses shall not occupy more than fifty (50) percent of a common building. The proportion of dwellings devoted to business uses shall comply with ~~Section OMC 18.04.060(L)~~, Home Occupations.
  - c. Structures containing a business which are visible from public rights-of-way adjoining the development shall give no outward appearance of a commercial use, other than one (1) sign mounted flush to the building in which the business is located. (See OMC 18.42.14043, Signs.) No outdoor storage related to a business may be visible from public rights-of-way bordering the development.



- d. Each business located in a co-housing development may employ a maximum of two (2) people who do not reside in the development. This limitation does not apply to seasonal agricultural employees.
  - e. Business uses shall not emit noise, pollutants, waste products, or create impacts which would pose a nuisance or health risk for the occupants of abutting properties.
3. Dwelling Units. Dwelling units in co-housing developments shall only be required to contain minimal kitchen facilities (e.g., a sink and stove or hot plate), consistent with the Building Code, OMC 16.04, provided that a common structure provides a fully equipped kitchen (e.g., containing a stove, refrigerator, and sink) and dining area available to all residents of the development.
4. Approval Process. Applications for co-housing projects shall be processed pursuant to ~~Chapter~~ OMC 18.56.
5. Common Areas. A note shall be added to the plat or site plan, as applicable, which establishes common areas and precludes their conversion to another use. (See ~~Chapter~~ OMC 18.100, Design Review, for applicable design guidelines.)
6. Platting.
- a. Dwellings in co-housing developments (as allowed in Table 4.01 or 6.01 for the applicable district) are not required to be located on individual lots.
  - b. Perimeter setbacks. The minimum building setbacks for unplatted co-housing developments in the R-4, R 4-8, and R 6-12 districts are as follows:
    - i. Five (5) feet from the side property line of an adjoining parcel.
    - ii. Twenty (20) feet from public rights-of-way and the rear property lines of adjoining parcels.
- The setbacks required in Subsections a. and b. above may be reduced per ~~OMC Sections 18.04.080 (H)(2) and (5)~~ 18.04.080.H.2 and 18.04.080.H.5.
- c. Dwelling separation. Residential structures (i.e., houses, duplexes, and townhouse structures with up to four (4) units) in co-housing developments in an R-4, R 4-8, or R 6-12 district, which are not on individual lots, shall be separated by at least ten (10) feet along the site's perimeter and six (6) feet elsewhere. Dwellings on individual lots are subject to the applicable setback standards specified in Table 4.04 or 6.01.

(See ~~Chapter~~ OMC 18.100, Design Review, for applicable design guidelines.)

**Section 3. Amendment of OMC 18.04.06. Olympia Municipal Code Subsection 18.04.060.EE is hereby amended to read as follows:**

**18.04.060 Residential districts' use standards**

**EE. GARAGE PLACEMENT AND WIDTH.**

(Also see ~~Chapters~~ OMC 18.100, Design Review, and OMC 18.175, Infill and Other Residential.)

- 1. Applicability. The standards listed in Subsection e-3 below apply only to:

- a. Single-family dwellings on lots of less than five thousand (5,000) square feet ~~or less~~ in size located in subdivisions for which a complete preliminary plat application is submitted after April 22, 1996;
  - b. ~~Single-family dwellings on lots within the areas depicted by Figure 4-2a, where at least fifty (50) percent of the lots within three hundred (300) feet on the same block face and the block face directly across the street are vacant or occupied by dwellings with flush or recessed garages;~~
  - be. Duplexes;
  - dc. Triplexes; and
  - ed. Fourplexes.
2. Exceptions. The dwellings listed in Subsection 1.a. above are exempt when located on one of the following types of lots:

- a. ~~Lots fronting on private access lanes (see the City of Olympia Development Guidelines and Public Work Engineering Design and Development Standards as adopted in OMC 12.02) where the garage would not face a public street;~~
  - b. ~~Flag lots (see Section OMC 18.02.180, Definitions, Lots);~~
  - c. ~~Wedge-shaped lots (see Section OMC 18.02.180, Definitions, Lots); and~~
  - d. ~~Lots with trees or topography which preclude compliance with the provisions of this Section, as determined by the approval authority.~~
3. Garage Standards.

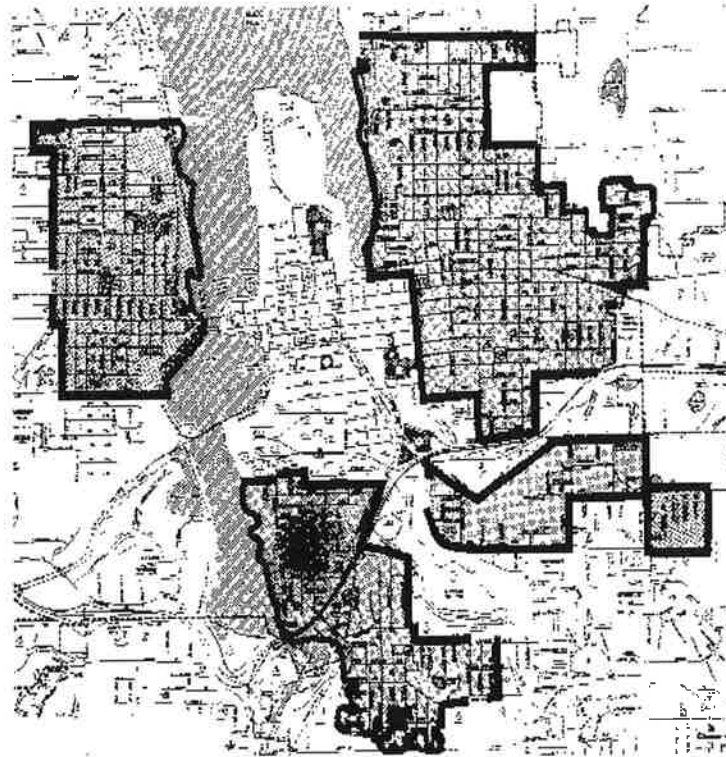
- a. Garages shall not protrude ahead of the dwelling's ground floor front facade more than:
  - i. Eight (8) feet on two (2) story dwellings (i.e., dwellings with habitable space above the ground floor); or
  - ii. Four (4) feet on single-story dwellings.

These requirements above (i. and ii.) do not apply to garages with doors which do not face the street (see ~~Section OMC 18.04A.210~~, Residential Design Guidelines - Garage Design), or garages flush with the supporting posts of covered porches which span the remainder of the dwelling's front facade.

- b. Garage width shall not exceed the following percentage of the dwelling's front facade:
  - i. Two-story dwellings (containing habitable space above the ground floor): sixty (60) percent.
  - ii. Single-story dwellings: fifty ~~(50)~~ percent (50%).

For purposes of the above measurements, garage width shall include the garage doors facing the street plus any required supporting panel. The dwelling's facade shall be measured in a

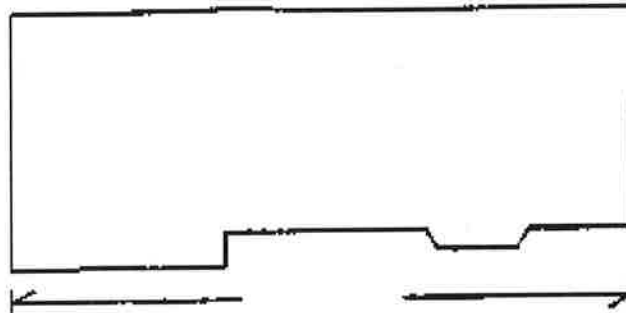
straight line, parallel to the building face, between the outermost ends of the facade facing the street. See Figure 4-2b.



**Areas Subject to Infill Regulations**

**Where the boundary coincides with a street, lots on both sides of the street are subject to the applicable regulations and design guidelines.**

**FIGURE 4-2a**



**Measurement of Front Facade**

**FIGURE 4-2b**

**Section 3. Amendment of OMC 18.04.080. Olympia Municipal Code Subsection 18.04.080.G is hereby amended to read as follows:**

**18.04.080 Residential districts' development standards**

G. Lot Width.

1. Measurement. The minimum lot width required by Table 4.04 shall be measured between the side lot lines at the point of intersection with the minimum front setback line.

~~2. Varied Lot Widths. The width of lots in new subdivisions and planned residential developments, except for the R-4CB district, with more than ten (10) lots shall be varied to avoid monotonous development patterns.~~

~~a. No more than three (3) consecutive lots, uninterrupted by a street, shall be of the same width. This requirement does not apply to townhouses.~~

~~b. Lot widths shall be varied by a minimum of six (6) foot increments.~~

~~c. The minimum lot widths specified in Table 4.04 may be reduced by up to six (6) feet for individual lots, provided that the average lot width for the project is no less than the minimum lot width required by Table 4.04 and Section 18.04.080(G)(3) below.~~

**Section 4. Amendment of OMC 18.04.080. Olympia Municipal Code Subsection 18.04.080.H is hereby amended to read as follows:**

#### **18.04.080 Residential districts' development standards**

##### **H. Setbacks**

1. Measurement. The required setback area shall be measured from the outermost edge of the building foundation to the closest point on the applicable lot line.

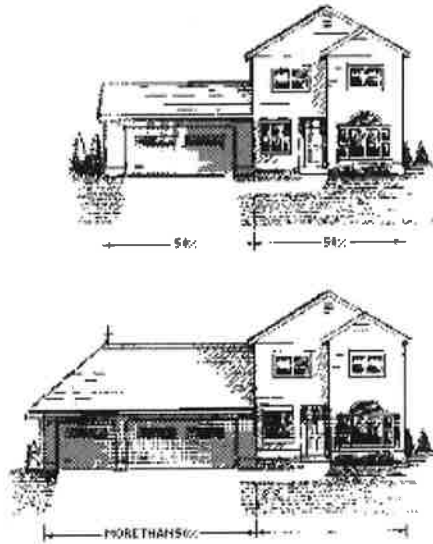
2. Reduced Front Yard Setbacks. Front yard setbacks in the R-4, R 4-8, R 6-12, MR 7-13 and MR 10-18 districts may be reduced to a minimum of ten (10) feet under the following conditions:

a. When garage or parking lot access is from the rear of the lot;

b. When the garage is located at least ten (10) feet behind the front facade of the primary structure on the lot; or

c. When the driveway will be aligned to provide at least a twenty (20) foot long parking space between the sidewalk edge (closest to lot) and the garage. (See Chapter OMC 18.100, Design Review, and Chapter OMC 18.175, Infill and Other Residential.)

~~d. Such setback reductions shall not be allowed where they would result in a setback of fifty (50) percent or less than the setback of an existing dwelling on an abutting lot fronting on the same street.~~



**FIGURE 4-3**

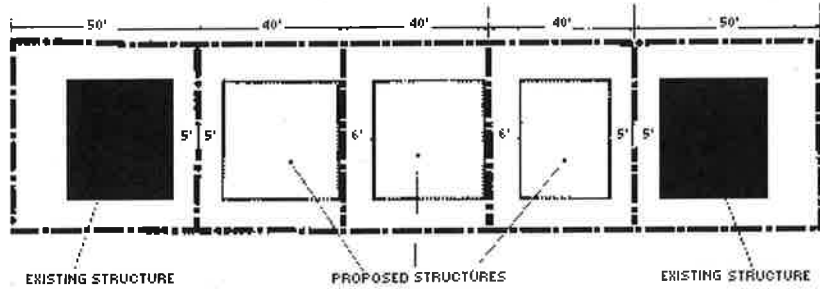
3. Rear Yard Setbacks. See Section OMC 18.04.080(H)(5), Encroachments into Setbacks, Section 18.04.080(D)(2), Transitional Lots, and Table 4.04.

4. Side Yard Setbacks.

a. Reduced side yard setbacks. Except for the R-4CB district, a side yard building setback shall not be required for a lot served by an alley (such alley must be open, improved and accessible, not solely a right-of-way) provided it meets the following conditions:

i. Provision for reduced or zero setbacks shall specifically appear upon the face of a final short or long plat. Such plat shall provide that the minimum distance between residences will be six (6) feet. If the distance between a proposed dwelling and a property line is less than three (3) feet, the applicant shall provide evidence of a maintenance easement, at least three (3) feet in width, which provides sufficient access for the owner of the dwelling to maintain the applicable exterior wall and roof of the dwelling. (Except as expressly provided, any reduced side yard provision appearing on a final plat shall withstand later amendments of this Title and shall be considered conforming.)

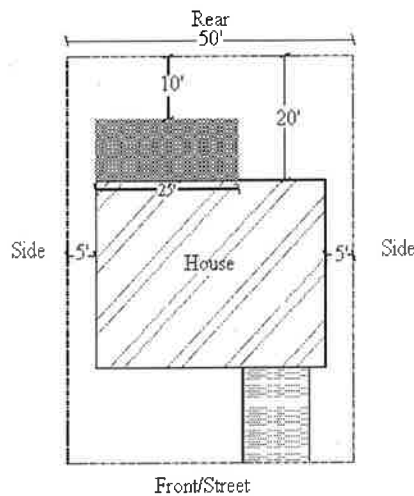
ii. Side yard setbacks shall not be less than five (5) feet along a property line adjoining a lot which is not developed or approved for reduced setbacks (e.g., a conventional lot with two (2) five (5) foot wide side yard setbacks). Side yard setbacks shall not be less than ten (10) feet along property lines which abut a public rights-of-way.



**ZERO LOT LINE**

**FIGURE 4-4**

- b. The minimum side yard setback from bikepaths and walkways shall comply with the side yard setback from the lot line as specified for the district in Table 4.04.
5. Encroachment Into Setbacks. The buildings and projections listed below shall be allowed outside of utility, access or other easements. See OMC 18.04.080(H)(5) for additional exceptions.
- a. Except for Accessory Dwelling Units, any accessory structures may be located in a required rear yard and/or in the rear twenty (20) feet of a required interior side yard; however, if a garage entrance faces a rear or side property line, it shall be setback at least ten (10) feet from that property line. Accessory dwelling units may not encroach into required side yard setbacks. Accessory dwelling units may encroach into rear yards; however, if the rear yard does not abut an alley, the accessory unit must be set back ten (10) feet from the rear property line. Further, any garage attached to any accessory dwelling unit shall conform with this Section.
  - b. Up to fifty (50) percent (50%) of a rear yards width may be occupied by a dwelling (primary residence or ADU) provided that the structure (foundation) is located at least ten (10) feet from the rear property line. For purposes of this sSection, the rear yards width shall be measured in a straight line between the side property lines at the point of intersection with the rear property line.



**Figure 4-4a**

- c. Townhouse garages may share a common rear property line provided that access for interior lots is from a single common driveway to not more than one public street entrance.

6. Front yard setbacks for through lots. A through lot has two (2) front lot lines parallel or approximately parallel to each other. The front yard setback shall apply to each front lot line, except the Director may designate one (1) of the front lot lines as a rear lot line, provided the following criteria are met:

a. Orientation of the lot or structure shall be considered; and

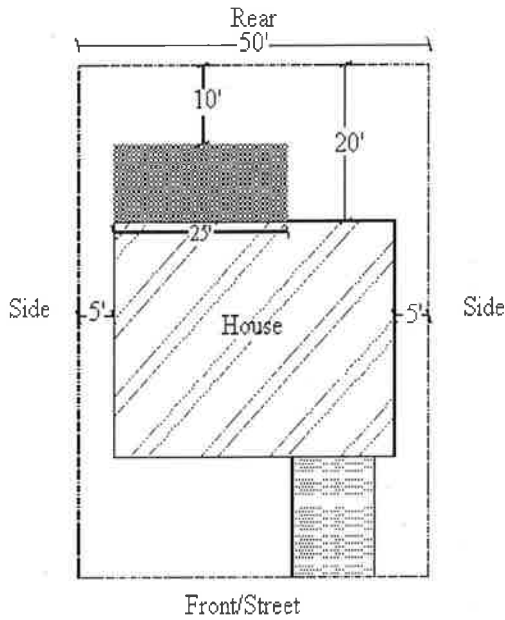
a-b. At least sixty (60) percent (60%) of the lots or structures within the neighborhood block, or area being considered, are oriented in a similar direction away from the lot line being designated as a rear lot line.

**Section 6: Amendment of OMC 18.05.080. Olympia Municipal Code Subsection 18.05.080.L is hereby amended to read as follows:**

**18.05.080 Development standards**

L. Encroachment into Setbacks.

1. Required setback areas shall be kept free of any building or structure higher than thirty (30) inches.
2. EXCEPTIONS: The buildings and projections listed below shall be allowed in the portion of the setback not contained in a utility, access, or other easement:
  - a. Accessory structures, including accessory dwelling units, may be located in a required rear yard and/or in the rear thirty (30) feet of a required interior side yard; however, if a garage entrance faces the rear or side property line, it shall be setback at least ten (10) feet from that property line.
  - b. Cornices, window sills, bay windows, flues and chimneys, planters, and roof eaves may project two (2) feet into the required yard area.
  - c. Marquees and awnings for commercial uses.
  - d. Fences in compliance with the fence height requirements specified in Section-OMC 18.40.060(D) Fences.
  - e. Swimming pools, hot tubs, and satellite dish antennas may be placed in the rear or interior side yard setback area.
  - f. Up to fifty (50) percent (50%) of a rear yards width may be occupied by a dwelling (primary residence or ADU) provided that the structure (foundation) is located at least ten (10) feet from the rear property line. For purposes of this sSection, the rear yards width shall be measured in a straight line between the side property lines at the point of intersection with the rear property line.
  - g. Signs in compliance with Chapter-OMC 18.4243.



**FIGURE 5-4**

**Section 7: Amendment of OMC 18.05A.130. Olympia Municipal Code Section 18.05A.130 is hereby amended to read as follows:**

**18.05A.130 Signs –Attached to the building**

**LEGEND**

- |                           |   |
|---------------------------|---|
| UV = Urban Village        | COSC = Community Oriented Shopping Center |
| NV = Neighborhood Village | NC = Neighborhood Center                  |

A. REQUIREMENT: Provide adequate signs for businesses while maintaining the building’s architectural integrity, by locating signs so that building details shall not be covered or obscured. (UV, NV, COSC, NC). Signs will conform to the Olympia Zoning Ordinance Sign Code (OMC Chapter ~~OMC 18.4243~~, Signs).

**Section 8: Amendment of OMC 18.05A.140. Olympia Municipal Code Section 18.05A.140 is hereby amended to read as follows:**

**18.05A.140 Signs –Freestanding**

**LEGEND**

- |                           |   |
|---------------------------|---|
| UV = Urban Village        | COSC = Community Oriented Shopping Center |
| NV = Neighborhood Village | NC = Neighborhood Center                  |

A. REQUIREMENT: Provide adequate signage for businesses when building-mounted signs cannot be used because they will obscure the architectural details of the building. (UV, NV, COSC, NC). Signs will conform to the ~~Olympia Zoning Ordinance Sign Code (OMC Chapter OMC 18.4243, Signs)~~.



**Section 9: Amendment of OMC 18.05A.240. Olympia Municipal Code Section 18.05A.240 is hereby amended to read as follows:**

**18.05A.240 Signs**

**LEGEND**

UV = Urban Village	COSC = Community Oriented Shopping Center
NV = Neighborhood Village	NC = Neighborhood Center

A. REQUIREMENT: Minimize the amount of signage needed to identify the multifamily development. (UV, NV, COSC, NC). Signs will conform to ~~the Olympia Zoning Ordinance Sign Code (OMC Chapter OMC 18.4243, Signs).~~

**Section 10. Amendment of OMC 18.06.060. Olympia Municipal Code Subsection 18.06.060.G is hereby amended to read as follows:**

**18.06.060 Commercial districts' use standards**

G. Public Facilities, Essential.

1. Regulations applicable to all commercial zoning districts. Essential public facilities are subject to the procedures and conditions listed in ~~Section OMC 18.04.060(W)~~, as well as any other applicable provisions of this Title.
2. ~~Community Retail District (CMR)~~ and Professional Office/Residential Multifamily District (PO/RM) Regulations. "Other facilities as designated by the Washington State Office of Financial Management, except prisons and solid waste handling facilities" (see Table 6.01 above) shall be limited to office uses.
3. General Commercial District (GC), High Density Corridor-4 (HDC-4), Urban Waterfront (UW), and Downtown Business District (DB) Regulations. "Other facilities as designated by the Washington State Office of Financial Management, except prisons and solid waste handling facilities" (see Table 6.01 above) shall be limited to those office uses, industrial uses, recreation and culture uses otherwise allowed in these districts. In addition to the requirements for Essential Public Facilities, these uses shall meet all other applicable regulations of this Chapter and Title.

**Section 11: Amendment of OMC 18.06.120. Olympia Municipal Code Section 18.06.120 is hereby amended to read as follows:**

**18.06.120 Additional regulations**

Refer to the following Chapters for additional related regulations:

Chapter 18.100-145	Design Guidelines
Chapter 18.36	Landscaping and Screening
Chapter 18.38	Parking and Loading
Chapter 18.40	Property Development and Protection Standards
Chapter 18.4243	Signs
Article III	Overlay Districts

**Section 12. Amendment of OMC 18.12.090. Olympia Municipal Code Section 18.12.090 is hereby amended to read as follows:**

**18.12.090 Heritage Register - Alteration and Construction**

A. Applicability. (See Design Guidelines, ~~Sections OMC 18.105.020 and OMC 18.105.030~~, Remodeled Historic Buildings.) No person shall construct any new building or structure, or reconstruct, alter, restore, remodel, repair or demolish any existing building or structure which is on the Heritage Register or within a Historic District without review by the Heritage Commission, the Heritage Review Committee, or Joint Design Review, as required by OMC 18.12.070 and OMC 18.76.180. The review shall apply only to exterior or interior features designated as significant and relating to the designation of the property to the Heritage Register and interior features for historically significant interior spaces of public buildings, including privately owned buildings open to the public; provided, that this ~~s~~Section shall have no application to ordinary repair and maintenance, including painting, or Emergency Repair measures as defined in ~~Chapter OMC 18.02~~, Definitions. Violation of this rule shall be grounds for the Heritage Commission to review the property for removal from the Heritage Register. The review shall be based upon OMC 18.105.020 and OMC 18.105.030.

B. Review Process

1. Whenever applications are made for alterations, changes, or construction on any properties within a Historic District or on the Heritage Register, the Building Official shall notify the Preservation Officer so that the proposed change may be reviewed under the provisions of OMC Sections 18.105.020 and OMC 18.105.030. The Building Official or Preservation Officer shall also notify the applicant of the special review that is required. The Building Official shall continue to process such application and shall work with the Historic Preservation Officer in considering Building and Fire Code requirements and consider the Historic Building Code 16.04.020 but shall not issue any such permit, except as provided by law, until review and recommendations have been completed by the Heritage Commission, its Committee, the Joint Design Review Committee or the Preservation Officer. Consistent with law, any recommendations by the Heritage Commission, the Preservation Officer, or the Heritage Review Committee that are incorporated into the permit official's decision, shall become binding conditions of approval of any permits granted.
2. If no permit is required to pursue work on a designated property or within a designated Heritage Register District, whoever is responsible for the work is encouraged to consult with the Preservation Officer prior to commencement of the work for consistency with The Secretary of the Interior's Standards for the Treatment of Historic Properties (as amended).
3. Such applications shall be accompanied by such information as is required by the Heritage Commission and which is reasonably necessary for the proper review of the proposed project.
4. The Preservation Officer may review and approve minor work requiring a permit that does not involve substantial alterations, additions or removals that only alter the features identified when the property was listed on the Heritage Register, or District.
5. Unless legally required elsewhere, there shall be no notice, posting or publication requirements for action on the application, but all such actions shall be made at a regular meeting of the Heritage Commission or at a meeting of the Heritage Review Committee. The Heritage Commission's recommendations shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision. These findings of fact and reasons shall be based on the factors to consider in reviewing changes as cited in ~~Section OMC 18.12.120(C)~~, Additional Factors to Consider.

6. The Heritage Commission's recommendations shall be transmitted to the Building Official. The recommendations of the Heritage Commission shall be given substantial weight by the Building Official in establishing conditions for the permit.

C. Standards for Review.

1. For a property individually listed on a Heritage Register, the proposed work should not detrimentally alter, destroy or adversely affect any exterior feature or interior feature relating to the designation of the property to the Heritage Register. In the case of construction of a new improvement, building or structure on the site of a Heritage Register property, the exterior of such construction will not adversely affect and will be compatible with the external appearance of existing designated improvements, buildings and structures on the site. The Secretary of the Interior's Standards for the Treatment of Historic Properties (as amended) shall be the standards which guide the review of Heritage Register properties.

2. For any property located within a Historic District, the proposed construction, removal, rehabilitation, alteration, remodeling, excavation or exterior alteration shall conform to the standards in ~~OMC 18.110.210~~, 18.105.020, and OMC 18.105.030 and preserve the historic context and merit of the district, consistent with The Secretary of the Interior's Standards for the Treatment of Historic Properties (as amended).

3. Proposed alterations or significant changes necessary or appropriate in order to meet the requirements of any other law, statute, ordinance, regulation, code or ordinance shall be coordinated with, and given consideration along with historic preservation concerns, in reviewing proposed changes to Heritage Register properties.

**Section 13. Amendment of OMC 18.12.100. Olympia Municipal Code Section 18.12.100 is hereby amended to read as follows:**

**18.12.100 Demolition of a Historic Building or a Contributing Historic District Property**

Demolition of a Historic Building or a Contributing Historic District Property. Findings and a recommendation to the Building Official made by the Heritage Commission or Historic Preservation Officer is required before a permit may be issued to allow whole or partial demolition of a designated structure or facility of recognized historical significance, which for the purposes of WAC 197-11-800(2)(fg) is one listed on the Olympia Heritage Register, Washington Heritage Register, or National Register of Historic Places. The owner or his/her agent shall apply to the Building Official who will request a review of the proposed demolition by the Heritage Commission. The Heritage Commission shall recommend to the Building Official the approval or denial of the proposed demolition. Recommendations may also include steps to mitigate the loss of the property through, but not limited to, the procedures described in the SEPA Mitigation Policy for Olympia Historic Resources. The Building Official shall give substantial weight to these recommendations in establishing conditions of approval of the permits granted. If the structure is demolished, the Heritage Commission shall initiate the procedure for removal of the structure from the Heritage Register and may recommend designation as a historic site.

**Section 14: Amendment of OMC 18.20.480. Olympia Municipal Code Section 18.20.480 is hereby amended to read as follows:**

### **18.20.480 Signage Regulations**

Signage shall conform to OMC 18.423, Sign Regulations. In addition, the following provisions shall apply within the shoreline jurisdiction:

- A. All offsite signs, except for directional signs, shall be prohibited;
- B. All signs shall be located and designed to avoid interference with vistas, viewpoints, and visual access to the shoreline;
- C. Signs shall be designed and placed so that they are compatible with the aesthetic quality of the existing shoreline and adjacent land and water uses;
- D. Over water signs and signs on floats or pilings, except as needed for navigational purposes, shall be prohibited;
- E. Where lighted signs and illuminated areas are permitted, such illuminating devices shall be shaded and directed so as to minimize, to the extent feasible, light and glare from negatively impacting neighboring properties, streets, public areas or water bodies. Lighted signs shall be designed to reduce glare when viewed from surrounding properties or from the water. Lighting shall not shine directly upon or cast a glare on the water; and
- F. All signs shall be located in such a manner that they minimize interference with public views. Free standing signs which may disrupt views to the water shall be placed on the landward side of development.

### **Section 15: Amendment of OMC 18.37.060. Olympia Municipal Code Subsection 18.37.060.D is hereby amended to read as follows:**

#### **18.37.060 Nonconforming use**

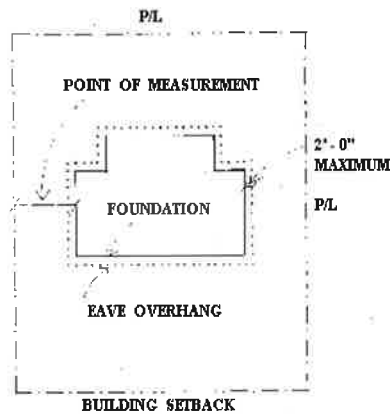
- D. Signs. See ~~Chapter OMC 18.4243~~.

### **Section 16. Amendment of OMC 18.40.060. Olympia Municipal Code Subsection 18.40.060.H is hereby amended to read as follows:**

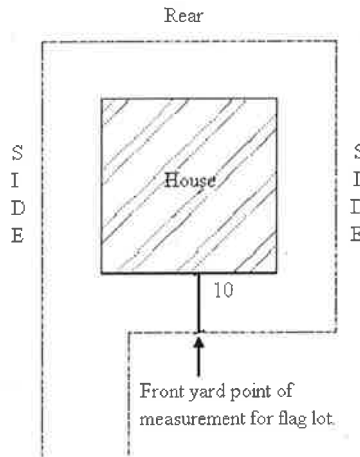
#### **18.40.060 General standards**

- H. Yards.
  - 1. In addition to the following, yard regulations found in ~~Section OMC 18.04.060(B)~~ (Accessory Structures) apply to all building sites in all use districts of the city.
  - 2. Yards/Setbacks.
    - a. The required setback area shall be parallel to the structure requiring a setback. Setback width shall be measured from the outermost edge of the building foundation to the closest point of the parallel (or nearly parallel) adjoining lot line. In the event of a planned unit development or binding site plan, such development shall meet all Uniform Building Code separation requirements. (See Figure 40-4.)
    - b. A required yard area shall be kept free of any building or structure taller than thirty (30) inches, except that a building or projection shall be allowed as provided below:

- i. Cornices, window sills, bay windows, flues and chimneys, planters, and eaves of roofs may project two (2) feet into the required yard area.
  - ii. Marquees and awnings of commercial buildings may project into required setback areas.
  - iii. Fences may project into the required yard area if they meet fence height requirements found in ~~Section OMC 18.40.060(C)~~.
  - iv. Uncovered steps, porches, or patios, which are no more than thirty (30) inches above the adjacent grade may be placed within the required setback area.
  - v. Uncovered swimming pools, hot tubs, and satellite dish antennas may be placed in the rear or interior side yard setback area. ~~See 18.04.060(X)(2)(f)~~.
  - vi. Signs in compliance with ~~Chapter OMC 18.4243~~.
  - vii. Refer to each land use district for other allowed projections in required yards.
- c. No building construction nor projection is allowed within any utility, access or public/private easement.
- d. The front yard setback for a flag lot shall be a minimum of ten (10) feet measured from the nearest parallel or nearly parallel lot line adjacent to the front facade of the dwelling.



**FIGURE 40-4**

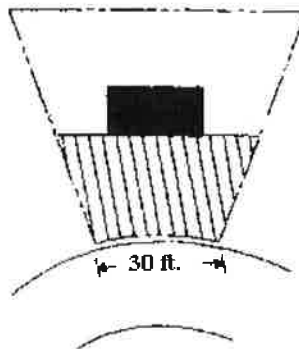


**FIGURE 40-5**

3. Use of Yard by Another Building. No yard or other open space required by this chapter for any building shall be considered as a yard or other open space for any other building; nor shall any yard or open space on one building site be considered as a yard or open space for a building on any other building site.

I. Minimum Street Frontage.

1. Each lot, other than in townhouse, cottage and co-housing projects, shall have a minimum of thirty (30) feet of frontage on a public or private street. With respect to binding site plans, this requirement shall apply to the entirety of the binding site plan and not to each individual site or lot. The Director may allow the street frontage to be reduced or eliminated to the minimum extent necessary to enable access to property where public street access is not feasible for such reasons, including but not limited to, physical site conditions or preexisting development or to protect environmentally Critical Areas.



**FIGURE 4-2**

2. Subdivisions, short subdivisions, binding site plans, and lot line adjustments creating flag lots (with street frontages of less than thirty (30) feet) are subject to the following conditions:

- a. The project shall be designed to minimize the creation of flag lots.
- b. Adjoining flag lots shall share a common driveway wherever possible.

c. All driveways accessing flag lots shall be designed to allow fire truck access to within one hundred fifty (150) feet of all exterior points of the building(s) on the lot(s), unless alternate forms of fire protection approved by the Chief of the Fire Department are provided, including but not limited to, sprinkler systems.

d. The area of a flag lot which is less than thirty (30) feet in width shall not be considered part of the minimum lot area required in Table 4.04.

**Section 17. Amendment of OMC 18.59.020. Olympia Municipal Code Section 18.59.020 is hereby amended to read as follows:**

**18.59.020 Preliminary review and evaluation criteria**

A. Prior to City Council action, the Department shall conduct a preliminary review and evaluation of proposed amendments, including rezones, and assess the extent of review that would be required under the State Environmental Policy Act (SEPA). The preliminary review and evaluation shall also include any review by other departments deemed necessary by the Department, and except as provided in OMC 18.58.080 shall be based on the following criteria:

1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code?
2. Would the proposed amendment cause little or no adverse environmental impacts and, is the time required to analyze impacts available within the time frame of the standard annual review process?
3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process?
4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline?
5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process?
6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again?

B. If the Department determines that the answer to any of the above questions is no, it may recommend to the City Council that the proposed amendment or revision not be further processed in the current amendment review cycle. Upon direction from City Council, Department staff will inform those whose proposed amendments or revisions will not be considered because (a) impact analysis beyond the scope of the amendment process is needed; (b) the request does not meet preliminary criteria; or (c) likelihood of inclusion of the proposal in a department's work program. Proponents may resubmit proposals to the department at any time, subject to the timelines contained in this chapter.

**Section 18. Amendment of OMC 18.72.100. Olympia Municipal Code Section 18.72.100 is hereby amended to read as follows:**

## Chapter 18.72.100, Review and appeal authority

The following table describes development permits and the final decision and appeal authorities. When separate applications are consolidated at the applicant's request, the final decision shall be rendered by the highest authority designated for any part of the consolidated application

### KEY:

Director	=	Community Planning and Development Director or designee
SPRC	=	Site Plan Review Committee
DRB	=	Design Review Board
PC	=	Planning Commission
HC	=	Heritage Commission
HE	=	Hearing Examiner
Council	=	City Council
R	=	Recommendation to Higher Review Authority
D	=	Decision
O	=	Open Record Appeal Hearing
C	=	Closed Record Appeal Hearing

[NOTE: City Council decisions may be appealed to Superior Court except comprehensive plan decisions which may be appealed to the State Growth Management Hearings Board.]

	Director	SPRC	DRB	PC	HC	HE	Council
<b>ZONING</b>							
Conditional Use Permit	D	R				D	
Interpretations	D					O	
Land Use Review	D <sup>1</sup>	R				O	
Small Lot Review	D					O	
Townhouse (2 – 4 Units)	D					O	
Townhouse (10 or more units)		R	R			D	
Townhouse Final (2-9)	D					O	
Townhouse Final (10 or more)		R					D
Zoning Variance	R					D	
Zone Map Change, without Plan Amendment	R					R	D
Zone Change, with Plan Amendment or Ordinance Text Amendment	R			R			D
Home Occupation	D					O	
Temporary Use Permit	D					O	
SEPA exempt Building Permit	D					O	
Parking or Fence Variance	D	R				O	
Accessory Dwelling Unit	D					O	



	Director	SPRC	DRB	PC	HC	HE	Council
Accessory Building	D					O	
Occupancy Permit	D					O	
Sign Permit	D					O	
Landscape Plan	D					O	
Tree Plan	D					O	
Historic Properties	D	R			R	O	
<b>COMPREHENSIVE PLAN</b>							
Amendments (map, text)	R			R			D
<b>DESIGN REVIEW</b>							
Detailed Review	D		R				
Major			O				
Concept Review	D	R	R			O	
Signs (general)	D					O	
Scenic Vistas	D	R	R			O	
<b>ENVIRONMENTAL</b>							
Threshold Determination	D					O	
Impact Statement Adequacy	D					O	
Reasonable Use Exception	R					D	
SEPA Mitigating Conditions	D					O	
Major Shoreline Substantial Development Permit		R				D	
Shoreline Conditional Use Permit		R				D	
Shoreline Variance		R				D	
Shoreline Permit Revision or Exemption	D					O	
<b>SUBDIVISION</b>							
Boundary Line Adjustment (including lot consolidation)	D					O	
Preliminary Plat, Long	R					D	
Preliminary Short, (2-9 lots)	D <sup>1</sup>					O	
Final Short Plat	D					O	
Final Long Plat	R						D
Master Plan Approval	R		R			R	D
MPD Project Approval		R	R			D	
Preliminary PRD		R				R	D
Final PRD		R					D
Time Extensions	D					O	

<sup>1</sup> Except when the Director refers the project for a public hearing before the Hearing Examiner pursuant to OMC 18.60.080 or 17.32.130(A)(4).

**Section 19. Olympia Municipal Code.** Copies of the Olympia Municipal Code are and shall be retained on file with the office of the City Clerk.

**Section 20. Corrections.** The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerkal errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 21. 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 22. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 23. Effective Date.** This Ordinance shall take effect five (5) days after publication, as provided by law.

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM:**



\_\_\_\_\_  
CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**