



Meeting Agenda

Planning Commission

City Hall
601 4th Avenue E
Olympia, WA 98501

Contact: Stacey Ray
360.753.8046

Monday, November 19, 2018

6:30 PM

Room 207

1. CALL TO ORDER

Estimated time for items 1 through 5: 20 minutes

1.A ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

[18-1105](#) Approval of November 5, 2018 Planning Commission Meeting Minutes

Attachments: [Draft Meeting Minutes](#)

4. PUBLIC COMMENT

During this portion of the meeting, citizens may address the Advisory Committee or Commission regarding items related to City business, including items on the Agenda. In order for the Committee or Commission to maintain impartiality and the appearance of fairness in upcoming matters and to comply with Public Disclosure Law for political campaigns, speakers will not be permitted to make public comments before the Committee or Commission in these two areas: (1) on agenda items for which the Committee or Commission either held a Public Hearing in the last 45 days, or will hold a Public Hearing within 45 days, or (2) where the speaker promotes or opposes a candidate for public office or a ballot measure.

5. STAFF ANNOUNCEMENTS

This agenda item is also an opportunity for Commissioners to ask staff about City or Planning Commission business.

6. BUSINESS ITEMS

[18-1104](#) Briefing on the Thurston Housing Land Trust (THLT)

Attachments: [Thurston Housing Land Trust Bylaws](#)
[Thurston Housing Land Trust Update](#)

Estimated Time: 30 minutes

[18-1022](#) Briefing on a Proposed Text Amendment Related to Multifamily Housing along Lilly Road Northeast in the Medical Services (MS) Zoning District (CPD File 18-3886)

Attachments: [Application Forms](#)
[SEPA Checklist](#)
[DRAFT OMC 18.06 Txt Amend](#)
[MS Map](#)

Estimated Time: 30 minutes

[18-1097](#) Deliberation on an Ordinance for Emergency (Homeless) Housing Facilities Hosted by Faith-Based Organizations, Not-for-Profit Organizations or Units of Government

Attachments: [OPC Deliberation notes from 110518](#)
[Fire Department Comments Revised](#)
[Approved cooking and heating guidance](#)
[State statutes](#)
[Public Comments](#)
[City Staff Comments](#)
[Current Ordinance](#)
[Zoning code amendment](#)
[Pilot Partnership Description](#)

Estimated Time: 60 minutes

[18-1096](#) Sign Code Update - Deliberations

Attachments: [Electronic Message Sign Webpage](#)
[Comparison of other Studies](#)
[Message Change Information](#)

Estimated Time: 30 minutes

7. REPORTS

From Staff, Officers, and Commissioners, and regarding relevant topics.

8. OTHER TOPICS

9. ADJOURNMENT

Approximately 9:30 p.m.

Upcoming Meetings

Next regular Commission meeting is December 3, 2018. See 'meeting details' in Legistar for list of other meetings and events related to Commission activities.

Accommodations

The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the City Advisory Committee meeting, please contact the Advisory Committee staff liaison (contact number in the upper right corner of the agenda) at least 48 hours in advance of the meeting. For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1.800.833.6384.



City Hall
601 4th Avenue E.
Olympia, WA 98501
360-753-8244

Planning Commission

Approval of November 5, 2018 Planning Commission Meeting Minutes

Agenda Date: 11/19/2018
Agenda Item Number:
File Number:18-1105

Type: minutes **Version:** 1 **Status:** In Committee

Title

Approval of November 5, 2018 Planning Commission Meeting Minutes



Meeting Minutes - Draft

Planning Commission

City Hall
601 4th Avenue E
Olympia, WA 98501

Contact: Stacey Ray
360.753.8046

Monday, November 5, 2018

6:30 PM

Room 207

1. CALL TO ORDER

Chair Cunningham called the meeting to order at 6:31 p.m.

1.A ROLL CALL

Commissioner Adams arrived at 6:36 p.m.

Commissioner Richmond arrived at 6:40 p.m.

Present: 6 - Chair Rad Cunningham, Commissioner Tammy Adams,
Commissioner Kento Azegami, Commissioner Paula Ehlers,
Commissioner Candi Millar and Commissioner Carole Richmond

Excused: 2 - Commissioner Joel Baxter and Commissioner Travis Burns

OTHERS PRESENT

City of Olympia Community Planning and Development Staff:

Senior Planner Stacey Ray

Senior Planner Joyce Phillips

Program and Planning Supervisor Amy Buckler

2. APPROVAL OF AGENDA

The agenda was approved.

3. APPROVAL OF MINUTES

[18-1042](#) Approval of October 15, 2018 Planning Commission Meeting Minutes

The minutes were approved.

4. PUBLIC COMMENT - None

5. STAFF ANNOUNCEMENTS

Ms. Ray made announcements and provided a handout regarding 2018 meeting dates, nominations for an officer position and the Commissions work plan for 2019-2020.

6. BUSINESS ITEMS

6.A [18-1004](#) Sign Code Update - Public Hearing

Prior to the public hearing, Ms. Phillips presented a Power Point Presentation and provided handouts regarding Sign Code Updates.

The public hearing was opened at 7:01 p.m. The following people spoke: Jim Lazar, Karen Messmer, Bob Jacobs and Denise Pantelis. The public hearing was closed at 7:31 p.m.

The public hearing was held and closed.

6.B [18-1039](#) Deliberation on an Ordinance for Emergency (Homeless) Housing Facilities Hosted by Faith-Based Organizations, Not-for-Profit Organizations or Units of Government

Ms. Buckler presented Emergency (Homeless) Housing Facilities and provided a handout regarding revised Fire Department comments. Ms. Ray documented deliberation recommendation notes, which are available on Legistar.

The Committee agreed to continue their deliberations at the next Planning Commission Meeting on November 19, 2018.

7. REPORTS

Commissioners reported on meetings attended.

8. OTHER TOPICS - None

9. ADJOURNMENT

The meeting was adjourned at 10:01 p.m.

Upcoming Meetings

The next scheduled meeting is for November 19, 2018.



Planning Commission

Briefing on the Thurston Housing Land Trust (THLT)

Agenda Date: 11/19/2018
Agenda Item Number:
File Number: 18-1104

Type: information **Version:** 1 **Status:** In Committee

Title

Briefing on the Thurston Housing Land Trust (THLT)

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Receive a briefing on the Thurston Housing Land Trust. Briefing only; no action requested.

Report

Issue:

Whether to receive a briefing on the Thurston Housing Land Trust.

Staff Contact:

Stacey Ray, Senior Planner, Community Planning and Development, 360.753.8046

Presenter(s):

Dan Rubin, President, Thurston Housing Land Trust
Susan Davenport, Board Member, Thurston Housing Land Trust
Ally Upton, Housing Director, South Puget Sound Habitat for Humanity

Background and Analysis:

Thurston Housing Land Trust is a not-for-profit community land trust (CLT). Our mission is to create, develop, and preserve affordable housing for low to moderate income people using the community land trust model. We will operate throughout Thurston County. Like other types of not-for-profit land trusts (focused on such missions as preserving farmland, environmentally sensitive land or historic sites), CLTs retain ownership of the land in perpetuity, outside the speculative market. Unique to CLTs is the focus on applying this very long-term perspective to affordable housing. There are over 300 CLTs nationwide. About 30 are in the Pacific Northwest (many profiled in a Northwest Community Land Trust Coalition brochure we provided to staff).

THLT was formed over the past two years by a small group of local people with strong and often very

long-standing desire to take speculative pressures out of at least some residential properties. One of our founders, Susan Davenport, will address her own history of interest in this area.

Like most CLTs, we use a highly democratic governance model. Our Board, currently numbering nine Trustees, is equally divided among three groups, all elected by our Members: (1) actual homeowner lessees (or before there are enough, others able to represent their interests); (2) other THLT members; and (3) Trustees who represent the interest of the public, providing viewpoints and knowledge we need.

Affordability in Community Land Trusts

Housing becomes permanently affordable under the Community Land Trust model based on a unique ownership arrangement whereby the land under a house is owned by the Trust. Homeowners hold a ground lease with the trust. This is a well-established legal mechanism for separating very long-term rights to the home and use of the land (typically 99-year leases with possibility of renewal) from the Trust's perpetual ownership of the land itself. Similar mechanisms are used for different reasons when a large business chooses to lease rather than buy its own special purpose buildings.

Three mechanisms, typically, make the house cost less - sometimes a great deal less.

First, a home buyer pays only the cost of the dwelling, not the land. The homeowner leases the land and the rights for residential uses. Homeowners hold mortgages and build equity on their dwelling. Homeowners who sell have the benefit of the equity they have built, as well as a (limited) portion of the value of market appreciation over time, but within the terms of an agreement to assure future affordability.

Second, subsidies can greatly reduce eligible home buyers' mortgages. The deeper the subsidies available, the farther we can go into low-income populations where homeownership otherwise is frankly impossible. Some subsidies come from governmental funding sources, within each source's broader allocation process. Subsidy also can come in the form of donations of land and homes. We already are in discussion with individuals who would consider donating their property, whether soon or through bequest. Many CLTs around the country also receive local government donations of property for various reasons.

Third, initial cost reductions are passed forward permanently through contractual agreements that limit how much can be charged to future homebuyers. THLT is working to finalize its own ground lease but it will fall in the range of many CLTs. In a rising market, homeowners selling a THLT home will be able to recover their investment (down payment, paid-off mortgage), plus probably 25% of the increase in appraised value for the portion they own. We are considering allowing full recovery of expenses for CLT-approved improvements by the homeowner (say, an added bedroom).

This last factor, the "resale formula," does not increase affordability for the first purchase - but think what it means in ten or twenty years if the market rises 20% (or 50%). Nationally, CLT homeowners sell on average after seven years. Looking into the future, this is an extremely potent strategy for tomorrow's affordability - far outstripping the staying power of low-income "set-asides" of limited duration, or home-buying subsidies that allow mobility for an individual family but do not benefit future owners. The return on community investment is magnified by this long-term dynamic.

Low to Moderate Income Focus

We aim to provide affordable housing for people between 30% and 120% of area median income (AMI). Our attachments include a table showing dollar income levels, by family size, that correspond to various AMI percentage levels commonly used in funding and prioritization. Most CLTs focus on achieving the level of subsidy necessary to assist homeownership in the 60 to 80% AMI range. Our vision is broader. As resale limitations increase affordability over time, and sometimes through generous donations, we hope in time to be able to reach families with even lower income. A couple of the approaches now under discussion are worth special mention:

- We are working with residents of several shared houses where low-income people live cooperatively as renters. They are studying the feasibility of a model where residents become member owners of a legal cooperative, which in turn can purchase their home through a ground lease with THLT.
- We also are in discussion with some parents with adult disabled children (all very low-income) who are looking for ways to give or bequeath personal homes in a way that would ensure housing for their own child and others of like needs.

No homeownership-oriented program, including Thurston Housing Land Trust, is an immediate response to homelessness. However, it is a very important component for a long-term balanced approach that provides somewhere to go after homelessness for people move forward with their lives but need support. Like other CLTs, we will develop home-buying preparation and homeowner “back-stopping” services that greatly enhance success in owning and maintaining a home. This is one of the areas where we are working with Habitat for Humanity, which now operates similar programs in our community. Due to such programming, the default rate among CLT homeowners is much lower nationally than for others of similar income, often leading to greater lender willingness to consider issuing a mortgage.

At the other end of our intended income spectrum, our mission includes affordable housing for moderate income families in the 80% to 120% of AMI range. Escalating real estate prices and demographic shifts southward in the Puget Sound basin mean that being of “moderate income” no longer guarantees the ability to own a home. We will be balancing efforts and benefits in order to maintain a strong low-income focus, but realistically we do not want to let the pace of major subsidy funding to prevent us from moving forward - recognizing that today’s “moderate income” home may, with resale price limitations, become tomorrow’s low-income home under Trust stewardship.

Other Areas of Programmatic Focus

The ground lease we are developing goes beyond the resale formula. Other provisions, for example, require sale to only income-eligible purchasers; maintain residential use; guard against long-term or profit-oriented rental or sub-leasing; restrict unsustainable second mortgages; and require Trust approval for major structural changes. However, it is a lease geared to home ownership, much longer-term and generally less invasive than a rental contract.

THLT is in start-up mode and currently has no property. We expect to begin assembling an affordable housing inventory by 2020 if not 2019, and for this to continue at an increasing pace. The first housing resources held in trust by THLT will likely be “scattered site” or individual homes, with any

development limited to special opportunities created by land donation. Farther down the road development of new housing stock is possible, especially on a partnership basis. While THLT is oriented to homeownership, we don't exclude the option of partnering on affordable rental housing. In that case another non-profit organization would hold the ground lease with THLT. Whatever the details, we would be looking for a pathway to very long-term affordability.

Partnership and Alignment

This concept is very important in understanding our mission and prospects. We hope we can create collaborative opportunities that may not exist now in our community. In addition to individuals, we can work with other affordable housing organizations, groups of people with a common goal (such as cooperatively-owned households and parents with disabled children) and to organizations that conduct other socially beneficial activities. We are working now with Habitat for Humanity, the Northwest Center for Cooperative Development (NWCDC) and participate in the Housing Action Team of Thurston Thrives. Ally Upton, the Housing Director of South Puget Sound Habitat for Humanity, is one of our trustees and will provide examples of how partnership can work.

We welcome other partnership discussions, including with Olympia and other local governments. There are examples of municipal partnerships with CLTs in Northwest communities of similar size to Olympia (such as Bellingham and Bend) as well as in large cities (such as Seattle and Portland) and rural areas (such as Chelan, Methow Valley and the San Juan Islands).

Specific to Olympia, when we look at the Comprehensive plan we see a number of themes that align well with THLT potential, including:

- Affordable housing for all economic segments
- Preservation of existing housing stock as well as adding units
- Providing for varied lower income needs, including family housing, group homes, aging individuals, college students and senior citizens
- Dispersion of special-need housing (scattered site)
- Promotion of home ownership
- Within zoning and other policies, allowing for subdivision of larger older homes, accessory housing and other strategies for increasing density without violating neighborhood character.

Where We Are in Our Evolution

We are a new organization. THLT incorporated as a Washington State not-for-profit corporation in May of 2018. We elected our first Trustees in early June and all positions will be refilled by election at our Annual Meeting on December 8. During this start-up year we have operated as a volunteer organization with about \$5,000 of cash donations as operating funds. Early in 2019 we expect milestones including adopting our basic ground lease and resale formula and filing a 501 (c) (3) application with IRS (now mid-stream in preparation), we hope to be able to add staffing sometime in 2019.

Being a new organization means a lot of work before results become dramatic, but it also offers great opportunities to develop partnerships which support our own, and others', long-term vision to build and develop enough properties to significantly increase the amount of affordable housing stock in Thurston County, far into the future. We are very interested in working with the City of Olympia to this

end.

Attachments:

Thurston Housing Land Trust Articles of Incorporation
Accomplishments Overview

**Thurston Housing Land Trust
Proposed Bylaws - As Adopted June 9, 2018**

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ARTICLE I
NAME AND PURPOSE

- 1. Name.** The name of this organization shall be Thurston Housing Land Trust, hereinafter referred to as the "Land Trust" or "Corporation."
- 2. Purposes.** The purposes of the Corporation, as stated in the Corporation's Articles of Incorporation (the "Articles") shall be:
- (a). To acquire or build housing for low and moderate income people, and to preserve and improve such housing for future generations of low and moderate-income people.
 - (b). To secure public or private lands, loans, grants, donations or financing with the primary purpose of providing on an affordable basis to low or moderate income people.
 - (c). To lease or sell housing held by the Land Trust to low and moderate income people with agreements that include buy-back provisions which:
 - (1) allow these people to develop equity and pride of stewardship,
 - (2) allow them to get back their original equity plus the value of approved improvements (including sweat equity), all adjusted for changes in the value of the dollar, and
 - (3) limit future increases in equity so the housing can continue to be affordable by low and moderate-income persons.
 - (d). To acquire and use land and/or existing structures in a manner consistent with stewardship of the land which supports the improvement of low and moderate income neighborhoods and communities, including socially valuable uses other than housing.
 - (e). To support and develop community-based, democratically controlled organizations among low and moderate income people, neighborhoods and communities, including democratic governance across the organization and, where appropriate, within properties.
 - (f). To collect and share information and skills which will enable, encourage and support the improvement of housing, land and other activities which will improve low and moderate income neighborhoods and communities.
 - (g). To aid, support, and assist by gifts, contributions or otherwise, other nonprofit corporations, land trusts, community chests, funds and foundations organized and operated exclusively for charitable, scientific, or educational purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation.
 - (h). To do any and all lawful activities which may be necessary, useful or desirable for the furtherance, accomplishment, fostering or attainment of the foregoing purposes, either directly or indirectly and either alone or in conjunction with cooperation with others, whether such others be persons or organizations of any kind or nature, such as corporations, firms, associations, trusts, institutions, foundations or governmental bureaus, departments, or agencies.

ARTICLE II -
MEMBERSHIP

1. Membership. Subsequent to the first annual meeting, the members ("Members" or the "Membership") of the Land Trust, with full voting rights, shall be:

- (a) The "Lessee Members," who shall be all persons who lease land or housing from the Land Trust or who lease or own housing that is located on land leased by another entity from the Land Trust; and
- (b) The "General Members," who shall be all other persons, eighteen years of age or older, who have complied with the following requirements.
 - (1) Submission of a membership application including a signed statement of support for the purposes of the Corporation in a form to be determined by the Board of Trustees.
 - (2) Payment of dues as established by the Corporation for the current calendar year.

2. Requirements for Continuing Membership. To maintain status as a Member beyond a person's first year of such status a person must either be a Lessee Member or have paid dues established for the current calendar year.

3. Membership Dues

- (a) Annual membership dues shall be assessed for each calendar year by an affirmative vote of a majority of the Members present and voting at the Annual Meeting preceding that year. If no such action is taken to assess dues for a given year, the dues for that year shall be as established for the previous year.
- (b) The Annual dues may be paid either in cash or through a contribution to the organization. The Board of Trustees may determine other kinds of services which may be credited instead of cash.

4. Rights of Members.

- (a) Every Member shall have the right to participate in meetings of the Membership, to cast one vote on all matters properly put before the Membership for consideration, to nominate and participate in the election of the Board of Trustees as provided by these Bylaws, to serve on the Board of Trustees or on committees if chosen, and to receive notices and minutes of Membership meetings and Annual Reports of the Corporation.
- (b) The assent of the Members, in accordance with these Bylaws, shall be required before action may be taken on the assessment of membership dues, the sale of land except as permitted in Article VI, section 3 of these bylaws, the establishment or alteration of the "resale formula," the amendment of the Articles or these Bylaws, and the dissolution of the Corporation.

5. Supporting Membership.

- (a) Any person who has paid the annual dues established for the current calendar year but who does not wish to become a Member or has not met all of the requirements of status as a Member shall be designated a "Supporting Member" of the Corporation.
- (b) Supporting Members shall have all of the rights of Members except the right to nominate and participate in the election of the Board of Trustees and the right to vote on matters put before the Members.

6. Membership meetings.

(a) Notice of Meetings. Written notice of every Membership meeting shall be given to all Members and Supporting Members and shall include an agenda for the meeting. Except as otherwise provided in Article VIII of these Bylaws, notice shall be provided at least seven days prior to a meeting by mail or email to the Members in accordance with the contact information most recently provided in writing by the respective Members.

(b) Annual Meetings. An annual meeting (the "Annual Meeting") of the Membership, for reports to the Members by the Board of Trustees and Officers, the election of Trustees, the assessment of dues, and the transaction of other business, shall be held in the fourth quarter of each year. The location and specific time of the Annual Meeting shall be determined by the Board of Trustees. Notice of the Annual Meeting shall include a list of those persons nominated for the Board of Trustees as provided in Article III of these Bylaws.

(c) Regular Meetings. Regular meetings of the Membership may be scheduled by the Members at such times and places as they shall establish at the Annual Meeting.

(d) Special Meetings. Special meetings of the Membership may be called by the Board of Trustees or by a written petition signed by at least one tenth (10%) of the Members or at least 15 Members, addressed to the President of the Corporation. At a special meeting of the Membership, only those matters stated on the agenda, as included in the notice of the meeting, may be acted upon by the Membership.

(e) Open meetings. All Membership meetings shall be open to any person.

(f) Minutes. Minutes of all Membership meetings shall be recorded by the Secretary of the Land Trust or by another person designated by the Board of Trustees. Minutes for every meeting shall be approved by the Members at the next Membership meeting.

(g) Quorum. A quorum shall consist of 5 percent of the total Membership or 20 members, as determined by the Secretary of the Corporation.

(h) Decision-Making. Decisions shall be made at Membership meetings by an affirmative vote of a majority of the Members present, a quorum being assembled, except as otherwise provided in these Bylaws. Before a vote is held on any motion, the exact language of the motion shall be recorded by the Secretary and read to the Membership, and all Members present shall have a reasonable opportunity to express their opinions on the proposition.

ARTICLE III **BOARD OF TRUSTEES**

1. Number of Trustees. Subject to the provisions herein requiring Membership approval of certain actions, the Corporation will be managed by a Board of Trustees (the "Board" or "Board of Trustees," and each member thereof, a "Trustee"). The Board shall be comprised of not less than nine and not more than fifteen Trustees, as determined by the Board pursuant to Section 4(b) and 4(c) of this Article III.

2. Intended Composition of the Board. It is the Corporation's intention that one-third of the Trustees should be Lessee Trustees, one-third of the Trustees shall be General Members (the "General Trustees") and one-third of the Board shall be shall represent the interests of the general public (the "Public Trustees").

3. Board Composition Requirements. At least one-third of the Trustees should be residents of low-income neighborhoods, other low-income community residents, or representatives of low-income organizations (the "Public Trustees"), and at least one-third of the Trustees should be Lessee Members (the "Lessee Trustees"). Notwithstanding the foregoing, if such Board composition requirements are not satisfied at any time, or the number of Trustees is not between nine and fifteen in accordance with Section 1 of this Article III, as a result of the resignation or removal of one or more Trustees or otherwise, the Board should have the limited authority to take actions reasonably necessary for the continuation of the Corporation and responsible management of its ongoing business, including the authority to fill vacancies on the Board in accordance with Section 6 of this Article III. Until such time as the Land Trust has Lessee members, the Members shall appoint persons to serve on the Board of Trustees to represent the interests of future Lessees.

4. Nomination of Trustees. Candidates for election as Trustees shall be nominated as follows:

- (a) Any Trustee or Member may propose any person to be nominated for election as a Trustee by submitting such proposal in writing to the Secretary of the Corporation at least thirty days prior to an Annual Meeting. The Board shall review the qualifications and willingness to serve of potential nominees for Public Trustees and shall make nominations for Public Trustees. The Board may adopt a list of recommendations for Public Trustees. Additional nominations for Lessee Trustees and General Trustees may also be made from the floor at the Annual Meeting.
- (b) The Board shall determine the Board size and the list of nominees and include such list in the notice to Members in respect of any Annual Meeting at which Board elections will take place, which will specify each nominee's status as a nominee for Lessee Trustee, General Trustee or Public Trustee, in accordance with policies determined by the Board. In making such determination, the Board shall include all nominations made in accordance with Subsection 4(a) of this Article III. The Board shall promote an election of a Board of Trustees that will result in the Intended Composition, and will determine into which categories of trustee each nominee belongs. Prior to vote on election of Trustees at an Annual Meeting, the list of nominees will be updated with any nominations properly made at such Annual Meeting in accordance with Subsection 4(a) of this Article III.

5. Election of Trustees. Trustees shall be elected by the Members present and voting at each Annual Meeting, a quorum being assembled, in accordance with the following procedures.

- (a) All Members present may vote upon the election of each Trustee, provided, however, that only Lessee Members may vote upon the election of Lessee Trustees, and provided further, that if no Lessee Members are present, the General Members present may vote upon the election of Lessee Trustees.
- (b) Subject to the Lessee Members' exclusive right to elect Lessee Trustees pursuant to Subsection 5(a) of this Article III, each Member may vote, within each category of Trustees, for nominees up to the number of vacancies as identified by the Board in accordance with Subsection 4(b) of this Article III.
- (c) Subject to the requirements of Section 3 of this Article III, the Trustees shall be elected as follows: In each category of Trustees (Lessee Trustees, General Trustees and Public Trustees), the nominees receiving the most votes are elected, even if by plurality rather than majority.

6. Vacancies.

- (a) If any Trustee vacates his or her term or is removed from the Board, the remaining Trustees (though they may constitute less than a quorum) may elect a person to fill the vacancy, or may, decide to leave the position vacant until the next Annual Meeting, provided the Board composition satisfies the requirements of Section 3 of this Article III. Elections to fill vacancies shall be by a majority of the remaining Trustees.

(b) Any person elected to fill a vacancy as a Lessee Trustee or General Trustee must be one who can be reasonably expected to represent the interests of the Lessee Members or the General Members, respectively.

(c) Replacement Trustees elected by the Board shall serve out the remaining term of the person who has vacated the position.

7. Terms of Trustees.

(a) Terms of Trustees. Except as otherwise provided in these Bylaws, each Trustee shall serve a term of three years. Terms shall be staggered within each category of Trustees, with initial Trustees selected for terms of one, two or three years so that the same or similar numbers of Trustees have terms that expire each year. The principles for the election of Trustees set forth in Section 5 of this Article III shall apply only to the subset of Trustees to be elected at an Annual Meeting for the election of Trustees, as modified to the extent necessary to maintain the Intended Composition.

(b) Commencement of Terms. The term of office of a regularly elected Trustee shall commence at the adjournment of the Annual Meeting in which he or she is elected. The term of office of a Trustee elected by the Board to fill a vacancy shall begin at the time of his or her acceptance of the position.

(c) Re-election. No person shall serve as a Trustee for more than two consecutive elected terms. After a year's absence from the Board, however, a person who has served two consecutive elected terms may return to the Board, if re-elected, and may serve up to two consecutive elected terms.

8. Resignation.

(a) Any Trustee may resign at any time by giving written notice to the President. Unless otherwise specified, such resignation shall be effective upon the receipt of notice by the President.

(b) A Trustee shall be considered to have given notice of resignation and his or her position shall be declared vacant by the Board of Trustees if he or she fails to attend three consecutive meetings of the Board with the exception of emergency meetings, unless good cause for absence and continuing interest in participation on the Board are recognized by the Board. When a Trustee has failed to attend three consecutive meetings, the President shall notify him or her in writing that, at the next regular Board meeting, his or her position will be declared vacant unless the Board determines that there has been good cause for the Trustee's absences and that the Trustee continues to be interested in participating on the Board of Trustees. The notification by the President shall be mailed or electronically communicated no later than seven days prior to the Board meeting at which the position may be declared vacant. At this meeting, the Trustee in question shall be given the opportunity to show good cause for past absences from meetings and continuing interest in participating on the Board. The resignation of a Trustee who has missed three consecutive meetings shall not become effective until the Board has declared the position vacant as provided herein.

9. Removal of Trustees.

A Trustee of the Corporation may be removed by either two thirds vote of all currently serving Trustees or a majority vote of the membership at a meeting called for that purpose. Each trustee considered for removal will be given their own vote. At any meeting where a Trustee is up for removal they will be given the opportunity to speak.

10. Meetings of the Board of Trustees.

(a) Regular Meetings. The Board of Trustees shall meet no less often than once every two months, at such times and places, and in such manner, as the Board may establish.

b) Notice of Meetings. Except as provided below for emergency meetings, written notice of a Board meeting shall be mailed or communicated electronically to all Trustees at least seven days prior to the meeting. Notice of every meeting shall include an agenda for the meeting.

(c) Waiver of Notice. Any Trustee may waive any notice required by these Bylaws. Any Trustee who has not received notice of a Board meeting but has attended that meeting shall be considered to have waived notice of that meeting, unless he or she requests that his or her protest be recorded in the minutes of the meeting.

(d) Annual Meeting. The Annual Meeting of the Board of Trustees may be held immediately following the Annual Membership Meeting and must be held no later than six weeks following the Annual Membership Meeting.

(e) Special Meetings and Emergency Meetings. Special meetings of the Board may be called by the President, by any three Trustees, or by 10% of the Membership. Notice must be given as provided above, unless any three Trustees determine that the matter at hand constitutes an emergency. When so determined, an emergency meeting may be called on one-day notice. Notice of Emergency Meetings, including an announcement of the agenda, shall be given by telephone, verified electronic communication, or in person to all Trustees. At any special or emergency meeting of the Board, only those matters included in the announced agenda may be acted upon unless all of the Trustees are present at the meeting and unanimously agree to take action on other matters.

11. Procedures for Meetings of the Board of Trustees.

(a) Open Meetings. All meetings of the Board of Trustees shall be open to any member except when the Board has voted, during an open meeting, to go into executive session.

(b) Executive Session. A motion to go into executive session shall state the nature of the business of the executive session, and no other matter may be considered in the executive session. No binding action may be taken in executive session except actions regarding the securing of real estate purchase options or contracts in accordance with paragraph (b)(2) below. Attendance in executive session shall be limited to the Trustees and any persons whose presence is requested by the Board of Trustees. Minutes of an executive session need not be taken; however, if they are taken, they shall be recorded as a part of the minutes of the meeting in which the Board has voted to go into executive session. The Board shall not hold an executive session except to consider one or more of the following matters.

- (1) Contracts, labor relations agreements with employees, arbitration, grievances, or litigation involving the Land Trust when premature public knowledge would place the Land Trust or a person involved at a substantial disadvantage.
- (2) Real estate purchase offers and the negotiating or securing of real estate purchase options or contracts.
- (3) The appointment or evaluation of an employee, and any disciplinary or dismissal action against an employee (however, nothing in this section shall be construed to impair the right of the employee to written notice of any discipline or dismissal and a meaningful opportunity to respond.)
- (4) The consideration of applications from persons seeking to lease land and/or housing, purchase housing or other improvements, or arrange financing from the Land Trust.
- (5) Relationships between the Land Trust and any party who might be harmed by public discussion of matters relating to the relationship including personnel matters involving the disclosure of personal information.

(c) Quorum. At any meeting of the Board, a quorum shall consist of a majority of the Board of Trustees then in office, provided that at least one representative from each of the three categories of representatives is present.

(d) **Decision-Making.** The Board shall attempt to reach unanimous agreement on all decisions. In the event that unanimous agreement cannot be achieved, a decision may be made by a majority of the Trustees present and voting, except as otherwise provided in these Bylaws.

(e) **Minutes.** Minutes of all Board meetings shall be recorded by the Secretary or by such other person as the Board may designate, and shall be corrected as necessary and approved by the Board at the next Board meeting. All duly approved minutes of Board meetings shall be kept on permanent record by the Land Trust and, with the exception of any Executive Committee Minutes, shall be open for inspection by any Member.

12. Duties of the Board of Trustees. The Board of Trustees shall carry out the purposes of the Land Trust, implement the decisions of the Membership, and be responsible for the general management of the affairs of the Corporation in accordance with these Bylaws. Specifically, the Board shall:

- (a) Approve a written Annual Report to the Membership, and make this report available to all Members. This report shall include a summary of the Corporation's activities during the previous year, and the Corporation's most recent financial reports.
- (b) Adopt an annual operating budget prior to the beginning of each fiscal year, and approve any expenditures not included in the budget.
- (c) Select all officers of the Corporation.
- (d) Hire and supervise the Executive Director of the organization, or others, as applicable, including contracts for services.
- (e) Supervise the activities of all officers, agents, and committees of the Corporation in the performance of their assigned duties and investigate any possible conflicts of interest within the Corporation.
- (f) Adopt and implement personnel policies providing for the hiring, supervision, and evaluation of employees.
- (g) Provide for the deposit of funds in accordance with Article IX of these Bylaws.
- (h) Determine by whom and in what manner deeds, leases, contracts, checks, drafts, endorsements, notes and other instruments shall be signed on behalf of the Corporation.
- (i) Acquire such parcels of land, with or without buildings and other improvements, through donation, purchase, or otherwise, as the Board shall determine that it is useful and prudent to acquire in furtherance of the purposes of the Corporation.
- (j) Convey the right to use land, through leases or other limited conveyances, in accordance with the provisions of Articles VI and VII of these Bylaws.
- (k) Convey ownership of housing and other improvements on the Corporation's land to qualified lessees, as possible, in accordance with the provisions of Articles VI and VII of these Bylaws.
- (l) Exercise, as appropriate, the Land Trust's option to repurchase (or arrange for the resale of) housing and other improvements on the Corporation's land, or condominium units on which the corporation holds a purchase option.
- (m) Develop the resources necessary for the operation of the Land Trust and for the acquisition and development of land and housing.
- (n) Assure the sound management of the Corporation's finances.

13. Powers of the Board of Trustees. In addition to the power to carry out the duties enumerated above, the Board of Trustees shall have the power to:

- (a) Appoint and discharge advisors and consultants.
- (b) Create such committees as are necessary or desirable to further the purposes of the Corporation. Any Member may be appointed to any committee. No committee may take action on behalf of the Corporation except as authorized by the Board of Trustees.

- (c) Call special meetings of the Membership.
- (d) Approve the borrowing and lending of money as necessary to further the purposes of the Land Trust and in accordance with Article X, section 4 of these Bylaws.
- (e) Exercise all other powers necessary to conduct the affairs and further the purposes of the Corporation in accordance with the Articles and these Bylaws.

14. Limitation on the Powers of the Board of Trustees. Action taken by the Board of Trustees on any motion for the assessment of membership dues, the removal of Trustees, the sale of land except as permitted in Article VI, section 3 of these bylaws, the establishment or alteration of the "resale formula," the amendment of the Articles or these Bylaws, or dissolution of the Land Trust shall not become effective unless and until such action is approved by the Membership in accordance with these Bylaws.

ARTICLE IV - OFFICERS

1. Designation. The officers of the Land Trust shall be: President, Vice President, Secretary, and Treasurer.

2. Election. The officers of the Corporation shall be elected by a majority vote of the Board of Trustees, from among themselves, at the Annual Meeting of the Board. Any vacancies occurring in any of these offices shall be filled by the Board for the unexpired term.

3. Tenure. The officers shall hold office until the next Annual Meeting of the Board after their election, unless, before such time, they resign or are removed from their offices, or unless they resign or are removed from the Board of Trustees. Any officer who ceases to be a member of the Board of Trustees shall thereby cease to be an officer.

4. Removal from Office. The officers shall serve at the pleasure of the Board of Trustees and may be removed from office at any time by an affirmative vote of two-thirds of all Trustees serving on the Board

5. Duties of the President. The President shall:

- (a) Preside at all meetings of the Board of Trustees and the Membership when able to do so.
- (b) Consult with the other officers and the committees of the Land Trust regarding the fulfillment of their duties.
- (c) Assure that an agenda is prepared for every meeting of the Membership and the Board of Trustees.
- (d) Give notice to any Trustee who has been absent from three consecutive regular meetings, as required by these Bylaws.
- (e) Call special meetings of the Membership or Board of Trustees when petitioned to do so in accordance with these Bylaws.
- (f) Carry out the duties assigned to the President regarding the removal of a Trustee.
- (g) Perform such other duties as the Board of Trustees may assign.

6. Duties of the Vice President. The Vice President shall:

- (a) Perform all duties of the President in the event that the President is absent or unable to perform these duties.
- (b) Perform those duties assigned to the President regarding the resignation or removal of a Trustee when the President is disqualified from performing these duties.

(c) Assure that up-to-date copies of these Bylaws (incorporating any duly approved amendments) are maintained by the Land Trust; answer all questions from the Board regarding these Bylaws; and assure that all actions of the Membership and Board of Trustees comply with these Bylaws.

(d) Assure that any and all committees established by the board of Trustees are constituted as the board has directed and meet as necessary and appropriate.

(e) Perform such other duties as the Board of Trustees may assign.

7. Duties of the Secretary. The Secretary shall:

(a) Assure that a list of all Members and their mailing addresses is maintained by the Corporation.

(b) Assure that proper notice of all meetings of the Membership and the Board of Trustees is given.

(c) Assure that motions and votes in meetings of the Membership and Board are accurately represented to those present and are accurately recorded in the minutes.

(d) Assure that minutes of all meetings of the Membership and the Board of Trustees are recorded and kept on permanent record.

(e) Perform such other duties as the Board of Trustees may assign.

8. Duties of the Treasurer. The Treasurer shall oversee the finances of the Corporation. Specifically, the Treasurer shall:

(a) Assure that the financial records of the Land Trust are maintained in accordance with sound accounting practices.

(b) Assure that funds of the Corporation are deposited in the name of the Corporation in accordance with these Bylaws.

(c) Assure that all deeds, title papers, leases, and other documents establishing the Corporation's interest in property and rights in particular matters are systematically and securely maintained.

(d) Assure that all money owed to the Land Trust is duly collected and that all gifts of money or property to the Corporation are duly received.

(e) Assure the proper disbursement of such funds as the Board of Trustees may order or authorize to be disbursed.

(f) Assure that accurate financial reports (including balance sheets and revenue and expense statements) are prepared and presented to the Board at the close of each quarter of each fiscal year.

(g) Assure that such reports and returns as may be required by various government agencies are prepared and filed in a timely manner.

(h) Assure that an annual operating budget is prepared and presented to the Board for its approval prior to the beginning of each fiscal year.

ARTICLE V -
CONFLICT OF INTEREST POLICY

1. Duty to Land Trust. Every Board and committee member shall make decisions and carry out his or her oversight responsibilities in the best interests of the Land Trust.

2. Interested Person. An "Interested Person" is anyone who has a financial interest, either directly or through family or business relationships, in a compensation arrangement with the Land Trust or in an entity with which the Land Trust is considering entering into a transaction.

3. Appearance of a Conflict of Interest. The appearance of a conflict of interest occurs when a reasonable person might have the impression, after full disclosure of the facts, that a person's judgment might be significantly influenced by outside interests, even though the person is not an Interested Person. 9

4. Disclosure. Any member of the Board of Trustees or a committee with powers delegated to it by the Board of Trustees who believes he or she is an Interested Person or might appear to have a conflict of interest with regard to any matter coming before the Board or such committee must disclose the existence of the interest or apparent conflict to the Board or committee.

5. Voluntary Recusal. If such a person believes his or her interest in a matter constitutes either a conflict of interest or the appearance of a conflict of interest, he or she shall recuse herself or himself from any discussion related to the matter and from voting on the matter.

6. Recusal by Board or Committee. If the person does not voluntarily recuse herself or himself, any Board member or committee member may request that the Board or committee determine whether such person should be recused. Such person shall not be present during the discussion and vote on the recusal and may not be counted in determining the existence of a quorum at the time of such vote. In making the decision as to recusal, the Board or committee shall keep in mind that it is the Corporation's policy to avoid the appearance of a conflict of interest. If a majority of the Board or committee votes for recusal, a quorum being present, the person shall be immediately recused. The results of the vote shall be recorded in the minutes of the meeting.

7. Recused Members. A recused Board member or committee member shall not be present during the discussion of the matter in regard to which he or she has been recused and shall not participate in the vote on such matter.

8. Agreement to Comply. Upon joining the Board of Trustees or of a committee with powers delegated by the Board of Trustees, each new member shall be given a copy of this conflict-of-interest policy and shall sign a document stating that he or she has read and understood the policy and agrees to comply with it.

ARTICLE VI - STEWARDSHIP OF LAND

1. Principles of Land Use. The Board of Trustees shall oversee the use of land owned by the Land Trust and shall convey the right to use such land so as to facilitate access to land and affordable housing by low and moderate income people. In so doing, the Board shall be guided by the following principles:

- (a) The Board shall consider the needs of potential lessees and shall attempt to effect a just distribution of land use rights.
- (b) The Board shall convey land use rights on terms that will preserve affordable access to land and housing for future low and moderate income residents of the community.
- (c) The Board shall convey land use rights in a manner that will promote the long-term well-being of the community and the long-term health of the environment.

2. Encumbrance of Land. The decision to mortgage or otherwise encumber land owned by the Land Trust shall require the approval of the Board of Trustees. Any such encumbrance shall be subordinated to any ground leases relating to such land.

3. Sale of Land. The sale of land does not conform with the philosophy and purposes of the Corporation. Accordingly, land shall not be sold except in accordance with the following guidelines:

- (a) Any sale of property requires an affirmative vote by at least two-thirds of all Trustees serving on the Board, at a regular or special Board meeting, or by resolution adopted by electronic communication,

provided that written notice of such meeting or resolution has described the proposed sale and the reasons for the proposal; and

(b) Additionally, no parcel of land may be sold at any time that a low-income or moderate-income person or family, or any organization whose mission is to serve such persons or families, is leasing such parcel unless the sale is also approved by a two-thirds vote of the membership present at a properly noticed meeting of the membership.

(c) If any of the Corporation's land is to be sold to any person or entity other than a not-for-profit corporation or public agency sharing the purposes of the Corporation, any ground lessees on that land shall have the opportunity to exercise a right of first refusal to purchase the land that they have been leasing from the Corporation.

ARTICLE VII

OWNERSHIP OF HOUSING AND OTHER IMPROVEMENTS LOCATED ON THE CORPORATION'S LAND, AND LIMITATIONS ON RESALE

1. Ownership of Housing and Improvements on the Land Trust's Land. In accordance with the purposes of the Land Trust, the Board of Trustees shall take appropriate measures to promote and facilitate the ownership of housing and other improvements on the Land Trust's land by low and moderate income people. These measures may include, but are not limited to, provisions for the sale of housing to such people; provisions for financing the acquisition of housing by such people, including direct loans by the Land Trust; direct loans to the Land Trust; and provision for grants or other subsidies that will lower the cost of housing for such people.

2. Preservation of Affordability. It is a purpose of the Land Trust to preserve the affordability of housing and other improvements for low and moderate income people in the future. Accordingly, when land is leased for such purpose, the Board of Trustees shall assure that, as a condition of the lease, housing on the land may be resold only to the Land Trust or to another low or moderate income person and only for a price limited by a "resale formula" as described in Section 3 below. However, notwithstanding the foregoing, the Board of Trustees may choose, for reasons consistent with the charitable purposes of the Land Trust, to lease certain parcels of land for uses that do not require continued affordability for low or moderate income people, and in such cases the resale restrictions described above shall not be required as a condition of the lease.

3. The Resale Formula. Whenever its purpose is to preserve affordability, the Land Trust shall restrict the price that ground lessees may receive when they sell housing and other improvements located on the land that is leased to them by the Land Trust. The same policy shall be applied in the case of cooperatives or condominiums stewarded by the Land Trust regardless of whether the land is owned by the Land Trust. A policy establishing such restrictions in the form of a "resale formula" shall be adopted by the Board of Trustees and the Members, in accordance with the following principles:

- (a) To the extent possible, the formula shall allow the seller to receive a price based on the value that the seller has actually invested in the property being sold.
- (b) To the extent possible, the formula shall limit the price of the property to an amount that will be affordable for other low and moderate income people at the time of the transfer of ownership.

4. Procedures for Adoption of the Resale Formula. The initial adoption of the resale formula shall require an affirmative vote by at least two-thirds of all Trustees serving on the Board, at any regular or special Board

meeting, provided that written notice of such meeting has set forth the proposed formula with an explanation thereof.

5. Procedures for Altering the Resale Formula. The consistent long-term application of a resale formula is essential to the purposes of the Land Trust. Accordingly, the resale formula shall not be altered, or differentiated for different types of properties, unless the Board of Trustees and Members determine that the current formula presents an obstacle to the achievement of the purposes of the Land Trust. In such event, the resale formula may be altered only by a two-thirds vote of all Trustees serving on the Board, and a two-thirds vote of the Members present at a Membership meeting, as described above for the adoption of the formula.

ARTICLE VIII -
AMENDMENT OF ARTICLES OF INCORPORATION AND BYLAWS

The Articles may be amended and these Bylaws may be amended or may be repealed and new Bylaws adopted only by:

1. An affirmative vote by two-thirds of all Trustees serving on the Board, at any regular or special Board meeting, provided that written notice of such meeting has set forth the proposed amendment or replacement, with appropriate explanations thereof; and
2. An affirmative vote by two-thirds of the Members present at any regular or special Membership meeting, a quorum being assembled, provided that written notice of such meeting has set forth the proposed amendment or replacement, with appropriate explanations thereof.

ARTICLE IX -
DISSOLUTION

A decision to dissolve the Corporation and to distribute the Corporation's assets in a particular manner in accordance with the Articles shall require:

1. An affirmative vote by two-thirds of all Trustees serving on the Board, at any regular or special Board meeting, provided that written notice of such meeting has included a full description of a proposed plan of dissolution; and
2. An affirmative vote by two thirds of the Members present at a regular or special Membership meeting, a quorum being assembled, provided that written notice of such meeting, including a full description of the proposed plan of dissolution, has been given to all Members of the Corporation no later than three weeks prior to the meeting.
3. Distribution of assets will go to another similar nonprofit organization.

ARTICLE X -
MISCELLANEOUS PROVISIONS

1. Fiscal Year. The fiscal year of the Corporation shall begin on January 1 of each year, and shall end on December 31 of each year.

2. Deposit of Funds. All funds of the Land Trust not otherwise employed shall be deposited in such banks, trust companies, or other reliable depositories as the Board of Trustees from time to time may determine.

3. Checks, etc. All checks, drafts, endorsements, notes and evidences of indebtedness of the Land Trust shall be signed by such officers or agents of the Land Trust and in such manner as the Board of Trustees from time to time may determine. Endorsements for deposits to the credit of the Land Trust shall be made in such manner as the Board of Trustees from time to time may determine.

4. Loans. No loans or advances shall be contracted on behalf of the Land Trust, and no note or other evidence of indebtedness shall be issued in its name, except as authorized by the Board of Trustees.

5. Contracts. Any officer or agent of the Land Trust specifically authorized by the Board of Trustees may, on behalf of the Land Trust, enter into those contracts or execute and deliver those instruments that are specifically authorized by the Board of Trustees. Without the express and specific authorization of the Board of Trustees, no officer or other agent of the Land Trust may enter into any contract or execute and deliver any instrument in the name of the Land Trust.

6. Indemnification. Any person (and the heirs, executors and administrators of such person) made or threatened to be made a party to any action, suit or proceeding by reason of the fact that he or she is or was a Trustee or Officer of the Corporation shall be indemnified by the Land Trust against any and all liability and the reasonable expenses, including attorneys' fees and disbursements, incurred by him or her (or his or her heirs, executors, or administrators) in connection with the defense or settlement of such action, suit, or proceeding, or in connection with any appearance therein, except in relation to matters as to which it shall be adjudged in such action, suit or proceeding that such Trustee or Officer has not acted in good faith, with the care an ordinarily prudent person in a like position would exercise under similar circumstances, and in a manner such Trustee or Officer reasonably believed to be in the best interests of the Land Trust of the purposes.

Adopted by the Membership this 9th day of June, 2018..



Gail O'Sullivan, Secretary, Thurston Housing Land Trust

JUNE 13, 2018
Date:



Thurston Housing Land Trust

Creating, developing and preserving affordable housing for low to moderate income persons using the community land trust model.

Thurston Housing Land Trust: An Update after Four Months

Thurston Housing Land Trust (THLT) was formed in the first half of 2018. Two public meetings early in the year chartered a Steering Committee and then approved directions underway to develop Bylaws and other basic principles. In May THLT was filed as a Washington State non-for-profit corporation. Then at a Foundational Membership Meeting on June 9, members adopted Bylaws and elected nine Trustees as THLT's first Board (through our Annual Meeting on December 8). Trustees are evenly divided among three groups: those representative of future THLT homeowners ("lessees"); other Members; and Public Trustees connecting THLT with other local affordable housing efforts.

The Trust was formed to create, develop, and preserve affordable housing for low to moderate income people (using the community land trust (CLT) model. Our basic model is assistance to be homeowners, not renters. The Trust owns the land itself in perpetuity. The homeowner leases the land and builds equity on the dwelling. The trust seeks means to subsidize affordable purchase. Homeowners who sell have the benefit of the equity that has built over time within the terms of an agreement ("ground lease") that protects affordability to future owners.

Since that June 8 membership meeting we have moved forward swiftly with many of the things needed to become an operational organization able to carry out our mission! The Board organized itself, formed a short-term work plan, and elected officers: President (Dan Rubin); Vice President (Paul Williams); Treasurer (Caitlin Moore); and Secretary (Gail O'Sullivan). Three major committees were formed, Outreach (chaired by Susan Davenport); Finance (chaired by Caitlin); and Finance (chaired by Caitlin).

Much work since July has focused on five priority tasks:

- Task 1, Population focus, including which income bands to serve. We reaffirmed our commitment to an approach emphasizing scattered-site affordable housing, inclusive of demographic diversity, located throughout Thurston County. We specified that by "low and moderate income" we mean people with household income between 30% and 120% of the county's "area median income," with the very lowest income range (30% to 50%) likely to require waiting until we can acquire funds for the heavy subsidies required for affordability.

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- Task 2 Create messaging and materials for print and online.: Led by the Outreach Committee, a very basic brochure {ADD LINK} was developed and is in use, as well as talking points to allow us to communicate consistently about THLT. We have a rudimentary website which is a priority for improvement and plan to initiate a newsletter.
- Task 3, 501 (c) (3) application. The Administrative and Finance Committees are working together to complete the federal (IRS) application for non-profit status (accepting charitable donations). This has included research on how IRS approaches community land trusts, some free legal advice, and examination of the material filed by another recently incorporated Northwest CLT (Kor in Bend, Oregon).
- Task 4. Develop ground lease including the limit on resale price by a homeowner. The work group for this task (Dan, Paul and Jerry Bustamante) studied the national model ground lease for CLTs, as well as the leases used by a number of CLTs around the US. They are developing a draft of the lease for discussions with the Board, technical and legal advisers and with THLT Members and interested community members. Please attend the presentation and listening session scheduled for 6 to 8 pm on Monday, October 22! Location is the community meeting room at MIXX-96 radio station (119 Washington St. N in downtown Olympia).
- Task 5 Obtain seed money for running organization: Caitlin and the Finance Committee have developed a list of grant prospects and initial fund-raising has begun. We are very grateful to have received a \$2,500 start-up funding donation from a supporter and member who chooses to remain anonymous.

Other exciting progress includes:

- Outreach activities have included many personal discussions and visible presence in a number of the public discussions on affordable housing. This includes ongoing involvement in a major affordable housing coordinating body (“Housing Action Team” of Thurston Thrives) at which city and county officials sit with organizational leaders. A presentation to Olympia Planning Commission is scheduled. {EDIT, ADD?}
- A strong partnership has begun with South Puget Sound Habitat for Humanity, which shares many goals and has strengths from which THLT can learn. Ally Upton, Habitat’s Director of Housing, recently joined the THLT Board to fill a vacancy in a “public trustee” position. We welcome other organizational partnerships.

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- A special offshoot of the Outreach Committee is ongoing detailed work with residents of several shared-living houses who are interested in exploring conversion to formal legal cooperatives that then could hold ground leases with THLT. Lessee Trustee Jen Merrill has been very active in this work.
- Discussions have begun with potential donors of specific properties. The Board has established a confidentiality policy to protect identities, properties and negotiations from premature public
- The Northwest Center for Cooperative Development) NWCDC) has included technical assistance to THLT in its official funded workplan for the year starting October 2018. This allows for increased help from Sam Green, who donated personal time as a Steering Committee member and active contributor and now can assist us as part of his job as a NWCDC employee.

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Planning Commission

Briefing on a Proposed Text Amendment Related to Multifamily Housing along Lilly Road Northeast in the Medical Services (MS) Zoning District (CPD File 18-3886)

Agenda Date: 11/19/2018
Agenda Item Number:
File Number: 18-1022

Type: information **Version:** 1 **Status:** In Committee

Title

Briefing on a Proposed Text Amendment Related to Multifamily Housing along Lilly Road Northeast in the Medical Services (MS) Zoning District (CPD File 18-3886)

Recommended Action

Information only. No action requested.

Report

Issue:

Discussion of a proposal submitted by the Thurston County Housing Authority to amend text in the Medical Service (MS) commercial zoning district to allow single-use multifamily housing development within 600 feet of Lilly Road NE.

Staff Contact:

Catherine McCoy, Associate Planner, Community Planning and Development Department,
360.570.3776

Presenter(s):

Catherine McCoy, Associate Planner, Community Planning and Development Department

Background and Analysis:

The Community Planning & Development Department received a proposal from the Housing Authority of Thurston County to amend language in the Commercial Code, specifically in the Medical Services Zoning District (MS), related to residential development along Lilly Road.

Proponents of the text amendment would like to have the following language stricken from the commercial zoning code to allow single-use multi-family housing within 600 feet of Lilly Road NE.

18.06.060 Commercial Districts' Use Standards:

T. Residential Restrictions in the Medical Services District (MS). Residential uses may not be constructed within six hundred (600) feet of Lilly Road except above the ground floor in mixed

-use buildings.

Of the two MS districts, the current restriction on residential uses only applies to the Lilly Road corridor. The modification to the zoning ordinance would allow the Housing Authority to expand an existing low and middle-income multi-family housing development by approximately 24 units on one of two remaining undeveloped parcels within 600 feet of Lilly Road.

Neighborhood/Community Interests (if known):

The notice of the Planning Commission public hearing was mailed on September 26, 2018, and again on November 1, 2018, in accordance with Olympia Municipal Code 18.78, Public Notification. To date staff has received no written comment regarding the proposal.

Options:

Briefing only. No action required.

Financial Impact:

Not applicable.

Attachments:

Application Forms
SEPA Checklist
DRAFT Code Amendment
Lilly Road Medical Service District Map



GENERAL LAND USE APPLICATION

OFFICIAL USE ONLY

Case #: _____ Master File #: _____ Date: _____
 Received By: _____ Related Cases: _____ Project Planner: _____

One or more of the following **Supplements** must be attached to this **General Land Use Application** and submitted **electronically with the application**:

- | | |
|---|--|
| <input type="checkbox"/> Adjacent Property Owner List | <input type="checkbox"/> Large Lot Subdivision |
| <input type="checkbox"/> Annexation Notice of Intent | <input type="checkbox"/> Parking Variance |
| <input type="checkbox"/> Annexation Petition (with BRB Form) | <input type="checkbox"/> Preliminary Long Plat |
| <input type="checkbox"/> Binding Site Plan | <input type="checkbox"/> Preliminary PRD |
| <input type="checkbox"/> Boundary Line Adjustment | <input type="checkbox"/> Reasonable Use Exception (Critical Areas) |
| <input type="checkbox"/> Conditional Use Permit | <input checked="" type="checkbox"/> SEPA Checklist |
| <input type="checkbox"/> Design Review – Concept (Major) | <input type="checkbox"/> Shoreline Development Permit (JARPA Form) |
| <input type="checkbox"/> Design Review – Detail | <input type="checkbox"/> Short Plat |
| <input type="checkbox"/> Environmental Review (Critical Area) | <input type="checkbox"/> Soil and Vegetation Plan |
| <input type="checkbox"/> Final Long Plat | <input type="checkbox"/> Variance or Unusual Use (Zoning) |
| <input type="checkbox"/> Final PRD | <input checked="" type="checkbox"/> Other <u>Rezone or Code Text Amendment</u> |
| <input type="checkbox"/> Land Use Review (Site Plan) Supplement | <u>Supplement</u> |

Project Name: Lilly Road Medical Services District – Text Amendment
 Project Address: n/a – not site specific

Applicant: Housing Authority of Thurston County
 Mailing Address: 1206 12th Ave SE, Olympia, WA. 98501
 Phone Number(s): General: 360-753-8292 Craig Chance: 360-918-5828 Bob Ricks: 360-918-5819
 E-mail Address: CraigC@hatc.org BobR@hatc.org

Owner (if other than applicant): n/a
 Mailing Address: _____
 Phone Number(s): _____

Other Authorized Representative (if any): n/a
 Mailing Address: _____
 Phone Number(s): _____
 E-mail Address: _____

Project Description: Text amendment to Medical Services district to strike language restricting residential use within 600 feet of Lilly Road.
 Size of Project Site: n/a – not site specific
 Assessor Tax Parcel Number(s): n/a – not site specific

Section : 17 Township: 18N Range: 1W

Full Legal Description of Subject Property (attached): n/a – not site specific

Zoning: Medical Services District

Shoreline Designation (if applicable): There are no designated shorelines within the Lilly Road Medical Services district

Special Areas on or near Site (show areas on site plan):

Creek or Stream (name): Woodard Creek

Lake or Pond (name): _____

Swamp/Bog/Wetland Historic Site or Structure

Steep Slopes/Draw/Gully/Ravine Flood Hazard Area (show on site plan)

Scenic Vistas None

Water Supply (name of utility if applicable): City of Olympia

Existing: City water is widely available in this district

Proposed: No changes proposed

Sewage Disposal (name of utility if applicable): City of Olympia

Existing: City sewer is widely available in this district

Proposed: No changes proposed

Access (name of street(s) from which access will be gained): n/a – not site specific

I affirm that all answers, statements, and information submitted with this application are correct and accurate to the best of my knowledge. I also affirm that I am the owner of the subject site or am duly authorized by the owner to act with respect to this application. Further, I grant permission from the owner to any and all employees and representatives of the City of Olympia and other governmental agencies to enter upon and inspect said property as reasonably necessary to process this application. I agree to pay all fees of the City that apply to this application.

Signature _____ Date _____

_____ I understand that for the type of application submitted, **the applicant is required to pay actual Hearing**
Examiner
Initials costs, which may be higher or lower than any deposit amount. I hereby agree to pay any such costs.

Applicants may be required to post the project site with a sign provided by the City within seven days of this application being deemed complete. Please contact City staff for more information.



SUBMITTAL REQUIREMENTS

REQUIRED FOR EVERY LAND USE APPLICATION AND SUPPLEMENTAL APPLICATION(S)

Provide the following:

- All required submittal materials, reports, plans, documents and applications shall be provided in electronic format (Memory stick, USB drive, etc.), and
- 2 complete full size hard copy sets of all required materials, reports, and documents
- 2 full size plan sets with 1 reduced size of all required plans (unless otherwise stated)
- Original signed application(s), accompanied by a scanned electronically submitted copy.
- All applicable fees are due at time of submittal.

The General Land Use Application shall include each of the following:

1. Vicinity map depicting location of project with respect to nearby streets and other major features, and encompassing at least one (1) square mile, and not more than forty (40) square miles.
2. Unless exempt, an environmental checklist with a title-company certified list of property owners of record within 300 feet of the project site. (list requirements below). (See Olympia Municipal Code (OMC) 14.04.060 and WAC 197-11-800 regarding SEPA exemptions.)
3. All supplemental attachments for each and every land use approval required by the City of Olympia for the proposed project.
4. A map to scale depicting all known or suspected critical areas on the site or within 300 feet of the site. (See Chapter 18.32 of the OMC.)
5. An Environmental Review Report if within 300 feet of any critical area (wetland, stream, landslide hazard area or other critical area. (See Chapter 18.32 of the OMC.)

If your project requires a certified property owner list to be submitted:

1. Before ordering a property owner list from a title company, please request from a Planner from Community Planning & Development Department to provide you with a map of the properties to be included. Generally, this will include properties within 300 feet of the project site and possibly additional properties depending on the location of your project.
2. The list of property owners shall be certified by a title company. Certification may be done on a cover sheet included with the list. The certification should include, at minimum: 1) the name of the title company, 2) the date the mailing list was prepared, 3) the name and signature of the person who prepared it, 4) the total number of records, and 5) a map showing the properties of the property data obtained.
3. Submit the list on a flash drive or memory stick in Excel worksheet format. The list shall include the following for each property:
 - Property owner's complete mailing address
 - Property complete mailing address. (Situs Address)
 - Tax parcel number(s) for each property
4. The cover sheet and list shall be submitted to the city in electronic format and hard copy.

USB Drive File Format-

Electronic Files provided on a USB Drive shall have:

- Each plan set, applications and reports required shall be listed individually on the USB Drive
- Document name examples to be used are referenced below:
 - Site Plan, Landscape Plan, Wetland Report, Wetland Survey, Soil and Vegetation Plan, Stormwater Site Plan, Drainage and Erosion Control Plan, Grading Plan, Architectural Plan Set, Civil Plan Set, Geotech Report, Integrated Pest Management Plan, Traffic Impact Analysis, Hydro-geological Report , Certified Property Owners List, Preliminary Plat Map...etc.)

This form has been approved for use by the Olympia Community Planning and Development (CPD) Department.



Keith Stahley, Director,
Community Planning and Development

12/1/2016

Date

REZONE OR CODE TEXT AMENDMENT SUPPLEMENT

OFFICIAL USE ONLY

Case #: _____

Master File #: _____

Date: _____

Received By: _____

Project Planner: _____

Related Cases: _____

 Rezone
 Text Amendment
Current land use zone: Medical ServicesProposed zone: Medical Services

Answer the following questions (attach separate sheet):

- A. How is the proposed zoning consistent with the Comprehensive Plan including the Plan's Future Land Use map as described in OMC 18.59.055? If not consistent, what concurrent amendment of the Plan has been proposed, if any?
- B. How would the proposed change in zoning maintain the public health, safety and welfare?
- C. How is the proposed zoning consistent with other development regulations that implement the Comprehensive Plan?
- D. How will the change in zoning result in a district that is compatible with adjoining zoning districts?
- E. Please describe whether public facilities and services existing and planned for the area are now adequate, or likely to be available, to serve potential development allowed by the proposed zone.

A Rezone Or Code Text Amendment Application shall accompany a General Land Use Application and shall include:

All required submittal materials, reports, plans, documents and applications shall be provided in electronic format (memory stick, USB drive, etc.).

1. The current zoning of the site.
2. The proposed zoning of the site.
3. Specific text amendments proposed in "bill-format." (See example.)
4. A statement justifying or explaining reasons for the amendment or rezone.
5. Reproducible maps (8½" x 17" or 11" x 17") to include a vicinity map with highlighted area to be rezoned and any nearby city limits, and a map showing physical features of the site such as lakes, ravines, streams, flood plains, railroad lines, public roads, and commercial agriculture lands.
6. A site plan of any associated project.
7. A site sketch 8½" x 11" or 11" x 17" (reproducible).
8. A typed and certified list, prepared by title company, of all property owners of record within 300 feet of the proposed rezone.
9. A copy of the Assessor's Map showing specific parcels proposed for rezone and the immediate vicinity.
10. An Environmental (SEPA) Checklist.

NOTE: Although applications may be submitted at any time, site specific rezone requests are only reviewed twice each year beginning on April 1 and October 1.

Applicants are required to post the project site with a sign provided by the City within seven days of this application being deemed complete. Please contact City staff for more information.

Sample of Bill Formatting

1. Fence height is measured to the top of the fence, excluding posts. Point of ground measurement shall be the high point of the adjacent final grade. ~~the average grade five (5) feet on either side of the fence.~~
2. Fences, walls, and hedges are permitted within all yard areas provided that regardless of yard requirements, no closed gate, garage door, bollard or other feature shall obstruct a driveway or other motor vehicle private ingress within twenty (2) feet of a street right-of-way nor they do not obstruct automobile views exiting driveways and alleys (see clear vision triangle). This 20-foot requirement is not applicable within the downtown exempt parking area as illustrated at Figure 38-2. Additional exceptions may be granted in accordance with OMC 18.38.220(A)(2).
3. ~~Solid fences or walls higher than two (2) feet within the front yard area are prohibited; this does not include hedges.~~ Front yard fences, of common areas, such as tree, open space, park, and stormwater tracts, must be a minimum of fifty (50) twenty-five (25) percent unobstructed, i.e., must provide for visibility through the fence. See Figure 40-2.

This form has been approved for use by the Olympia Community Planning and Development (CPD) Department.



12/1/2016

Keith Stahley, Director,
Community Planning and Development

Date

- A. How is the proposed zoning consistent with the Comprehensive Plan including the Plan's Future Land Use map as described in OMC 18.59.055? If not consistent, what concurrent amendment of the Plan has been proposed, if any?

We are requesting that the text of the Medical Services district be amended to remove the residential restrictions contained in 18.06.060(T) of the City Municipal Code. Current zoning for the Medical Services district prohibits residential development within 600 feet of Lilly Road except above the ground floor in mixed use buildings. There are only two small parcels of land in the Medical Services district within 600 feet of Lilly Road that are undeveloped. The total size of these two parcels is 3.79 acres. The restriction on residential use within the MS district has had the intended effect of concentrating medical services in this district. Now that this district is nearly completely developed, loosening the restrictions on residential use will provide an incentive to develop much needed affordable housing close to employment and along a major transportation corridor. The current restriction on residential use in the Medical Services district only applies to the Lilly Road corridor. The Medical Services district on the west side of Olympia does not have this same residential restriction.

In the Comprehensive Plan, PL1.7 specifically calls for the support of housing in the medical services area of Lilly Road:

***PL1.7** Enable frequent transit service, **support housing**, utilize existing infrastructure, provide public improvements and concentrate new major shopping, entertainment and office uses downtown, **in the medical services area of Lilly Road**, near the Capital Mall, and in the urban corridors. (emphasis added)*

The Lilly Road medical services district is well served by Intercity Transit, existing infrastructure is equipped to support additional multi-family development.

The Future Land Use Map published 10/26/2016 doesn't appear to anticipate any changes to the Lilly Road medical services district.

- B. How would the proposed change in zoning maintain the public health, safety and welfare?

The proposed text amendment will not impact public health, safety or welfare. Since there are only 3.79 acres of undeveloped land that will be affected by this amendment, this will have only a very minor impact on the general character of the Lilly Road medical services district.

- C. How is the proposed zoning consistent with other development regulations that implement the Comprehensive Plan?

The proposed text amendment will not change the zoning for this district. Residential development is already permitted in the Medical Services district. Residential use is also consistent with the development regulations in OMC 18.06.020.A.7 for the MS zoning district. This section specifically calls for:

d. Allow relatively high density housing near medical facilities to help meet the needs of the large number of people employed there.

e. Allow developments which will provide maximum convenience to medical facility users and employees, and an environment conducive to the healing arts.

- D. How will the change in zoning result in a district that is compatible with adjoining zoning districts?

The adjoining zoning districts to the north, east, and west are residential (RM-18 and R-4-8). The adjoining district to the south is HDC-4, which permits residential, multi-family development. The existing Lilly Road medical services district also has existing residential developments, some of which are pre-existing developments within the 600' corridor of Lilly Road.

- E. Please describe whether public facilities and services existing and planned for the area are now adequate, or likely to be available, to serve potential development allowed by the proposed zone.

The proposed text amendment will have only a modest impact on existing public facilities and services. The Lilly Road medical services district is almost fully developed. The remaining two parcels within 600' of Lilly Road are only 3.79 acres in size. Existing facilities and services are adequate to meet this small increase in density over what is currently permitted.



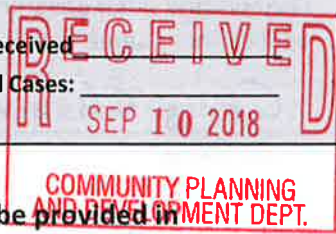
ENVIRONMENTAL CHECKLIST (SEPA) COVER FORM

OFFICIAL USE ONLY

Case #: _____
Received By: ZK/BZ

Master File #: 18-3886
Project Planner: _____

Date Received: _____
Related Cases: _____



All required submittal materials, reports, plans, documents and applications shall be provided in electronic format (memory stick, USB drive, etc.).

Agency application to be attached to this:

- State Environmental Policy Act- Environmental Checklist

For electronic versions, go to: <http://www.ecy.wa.gov/programs/sea/sepa/forms.htm>

Applicant: Housing Authority of Thurston County Phone: (360) 753-8292

Mailing Address: 1206 12th Ave SE City Olympia St WA Zip 98501

Email Address: BobR@hatc.org

Project Name: Text Amendment for Medical Services Zone Tax Parcel No. Multiple

Project Address: Parcels within 600 feet of Lilly Road NE

Section/Township/Range: 17/18N/1W Total Acres _____

Approx. 93 acres within 600' either side of the center line of Lilly Rd.

Zoning: Medical Services Shoreline Designation: none in this zone Water Body (if any): Woodard Creek

Initial Permit Type(s): We are not requesting any permits at this time.

List of all supplemental reports accompanying this application:

REQUIRED CHECKLIST ATTACHMENTS


- Title company-certified list of adjacent property owners within 300 feet.
- All fees, including supplemental review fees.
- Reproducible site plans and vicinity map (11"x17" or smaller).
- Five copies of all supplemental reports.

Applicants are required to post the project site with a sign provided by the City within seven days of this application being deemed complete. Please contact City staff for more information

I affirm that all answers, statements, and information submitted with this application are correct and accurate to the best of my knowledge. I also affirm that I am the owner of the subject site or am duly authorized by the owner to act with respect to this application. Further, I grant permission from the owner to any and all employees and representatives of the City of Olympia and other governmental agencies to enter upon and inspect said property as reasonably necessary to process this application. I agree to pay all fees of the City that apply to this application.

Craig Chance

Print Name


Signature ED,
HARC

Signature

DOHS
9-10-18

Date

This form has been approved for use by the Olympia Community Planning and Development (CPD) Department.



Keith Stahley, Director,
Community Planning and Development

12/1/2016

Date

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [HELP]

1. Name of proposed project, if applicable: Text Amendment to Medical Services District
2. Name of applicant: Housing Authority of Thurston County
3. Address and phone number of applicant and contact person:

1206 12th Ave SE
Olympia, WA, 98501
Bob Ricks, (360) 918-5819

4. Date checklist prepared: 8/31/2018
5. Agency requesting checklist: City of Olympia
6. Proposed timing or schedule (including phasing, if applicable): We would like to have a decision on this text amendment request by November 30th, 2018.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. If this text amendment is approved, we plan to purchase and develop the parcel of land located at 204 Lilly Rd. NE. for residential, multi-family use.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. We have not prepared any environmental documents directly related to this request.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. We are not aware of any other pending applications or governmental approvals.
10. List any government approvals or permits that will be needed for your proposal, if known. We are not aware of any other approvals or permits required for this text amendment request.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

We are requesting that the text of the Medical Services district be amended to remove the residential restrictions contained in 18.06.060(T) of the City Municipal Code. Current zoning for the Medical Services district prohibits residential development within 600 feet of Lilly Road except above the ground floor in mixed use buildings. There are only two small parcels of land in the Medical Services district within 600 feet of Lilly Road that are undeveloped. The total size of these two parcels is 3.79 acres. The restriction on residential use within the MS district has had the intended effect of concentrating medical services in this district. Now that this district is nearly completely developed, loosening the restrictions on residential use will provide an incentive to develop much needed affordable housing close to employment and along a major transportation corridor. The current restriction on residential use in the Medical Services district only applies to the Lilly Road corridor. The Medical Services district on the west side of Olympia does not have this same residential restriction.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or

boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

a. General description of the site: Lilly Road Medical Services district

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other: The Medical Services district is generally flat with some slopes on the western boundary.

b. What is the steepest slope on the site (approximate percent slope)? The steepest slopes in developable areas of the Medical Services district appear to be about 8%.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. According to the Thurston County Geodata website, area soils in the Lilly Road Medical Services district are predominantly Alderwood gravelly sandy loam and Yelm fine sandy loam.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. None that we know of. New developments of any type would need to conduct their own geotechnical investigations.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. Not applicable. This proposal is a zoning text amendment only.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Not applicable. This proposal is a zoning text amendment only.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? Not applicable. This proposal is a zoning text amendment only.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: Not applicable. This proposal is a zoning text amendment only.

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. Not applicable. This proposal is a zoning text amendment only.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. None that we know of.

c. Proposed measures to reduce or control emissions or other impacts to air, if any: Not applicable. This proposal is a zoning text amendment only.

3. **Water** [help]

a. Surface Water: [help]

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. Woodard Creek is located along the western boundary of the the Medical Services district. There are existing wetland buffers that protect Woodard Creek in this district. The current proposal would not effect the existing wetland protections for Woodard Creek.
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. We are not proposing any work that would impact any waters – text amendment only.
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. We are not proposing any filling or dredging of surface areas or wetlands. This is a text amendment only.
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. Not applicable – text amendment only.
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. There are some areas of the Medical Services district that are within a 100-year floodplain. The floodplain is along Woodard Creek in areas that are protected from development. This text amendment proposal will not have any effect on the 100-year floodplain.
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. Not applicable – text amendment only.

b. Ground Water: [help]

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. This text amendment proposal will not result in any groundwater being withdrawn for drinking or other purposes. City water is widely available in this district.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. The Lilly Road Medical Services district is currently served by City sewer. This text amendment proposal will not have any impact on the discharge of waste materials into the ground.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. Not applicable – text amendment only. New developments of any type within this district would need to comply with City stormwater requirements.

2) Could waste materials enter ground or surface waters? If so, generally describe. Not applicable – text amendment only.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. Not applicable – text amendment only.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: Not applicable – text amendment only.

4. **Plants** [help]

a. Check the types of vegetation found on the site: Medical Services district

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

Orchards, vineyards or other permanent crops.

wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

____ other types of vegetation

- b. What kind and amount of vegetation will be removed or altered? None – text amendment only.
- c. List threatened and endangered species known to be on or near the site. Unknown. According to the Department of Natural Resources website, there are only two threatened plant species in Thurston County and no endangered plant species. One of these species, water howellia, is an aquatic plant growing in marshes and ponds. Since these areas would be protected from development with existing regulations, no impact would be expected. The other protected species is the golden paintbrush. Since this proposal is a text amendment only, removal of the residential restrictions in the Medical Services district would not create a greater threat to this species over existing and permitted medical services development.
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: Not applicable – text amendment only.
- e. List all noxious weeds and invasive species known to be on or near the site. We have not surveyed the Medical Services district in the Lilly Road corridor for noxious and invasive plant species. Since this is a text amendment proposal only, no additional impact is anticipated.

5. **Animals** [help]

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. We have not surveyed the Lilly Road Medical Services district for birds or other animals. Since this is a text amendment proposal only, no additional impact is anticipated.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site. We have not surveyed the Lilly Road Medical Services district for any threatened or endangered animal species. Since this is a text amendment proposal only, no additional impact is anticipated with residential development over currently permitted development.
- c. Is the site part of a migration route? If so, explain. Unknown. Since this is a text amendment proposal only, no additional impact is anticipated.
- d. Proposed measures to preserve or enhance wildlife, if any: None – text amendment proposal only.

e. List any invasive animal species known to be on or near the site. Not applicable – text amendment only.

6. Energy and Natural Resources [help]

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. Not applicable – text amendment only. Typical energy utilities are readily available in the Lilly Road Medical Services district.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. Not applicable – text amendment only.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: Not applicable – text amendment only.

7. Environmental Health [help]

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

- 1) Describe any known or possible contamination at the site from present or past uses. According to the EnviroMapper feature on the Department of Ecology website, there are some sites within the subject Lilly Road MS district that report to the EPA. Since this is a text amendment only, it is not anticipated that the proposal will have any effect on existing environmental health hazards.
- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. Not applicable – text amendment only.
- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. Not applicable – text amendment only.
- 4) Describe special emergency services that might be required. Not applicable – text amendment only.
- 5) Proposed measures to reduce or control environmental health hazards, if any: Not applicable – text amendment only.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? Current noise levels are not excessive and are compatible with residential, multi-family use.
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. Not applicable – text amendment only.
- 3) Proposed measures to reduce or control noise impacts, if any: Not applicable – text amendment only.

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. Current land use in the Lilly Road Medical Services district is primarily medical services. The proposal will allow more residential development on the few remaining, undeveloped parcels within 600 feet of Lilly Road.
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? Unknown. The Lilly Road MS district has been developed primarily for medical services. We are unaware of any farmlands or working forest lands within this district.
 - 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: No. There are no working farms or working forest lands in the Lilly Road MS district.
- c. Describe any structures on the site. Not applicable – text amendment only.
- d. Will any structures be demolished? If so, what? No. Text amendment only.
- e. What is the current zoning classification of the site? Medical Services
- f. What is the current comprehensive plan designation of the site? Medical Services

- g. If applicable, what is the current shoreline master program designation of the site? The Lilly Road MS district does not include and designated shorelines.
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. The Lilly Road MS district is located in a Critical Aquifer Recharge Area. Allowing more residential development on the few remaining undeveloped parcels as opposed to medical services development that is already permitted will not have an adverse impact on the Aquifer Recharge Area.
- i. Approximately how many people would reside or work in the completed project? Not applicable – text amendment only.
- j. Approximately how many people would the completed project displace? Not applicable – text amendment only.
- k. Proposed measures to avoid or reduce displacement impacts, if any: Not applicable – text amendment only.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: There are existing residential developments within the Lilly Road MS district. Additional housing in this district will be compatible with existing developments and will bring much-needed housing close to employment sources.
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: Not applicable. Agricultural and working forest land use is incompatible with existing zoning.

9. Housing [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. There are only 2 undeveloped parcels left in the Lilly Road MS district that would be affected by this proposal. The total acreage for these sites is 3.79 acres. At an estimated density of 18 units per acre, this could provide approximately 68 units of multi-family housing. The Housing Authority is interested in developing one of these parcels into approximately 24 units of affordable housing for low- and middle-income households.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. The only two remaining undeveloped parcels in the Lilly Road MS district affected by this proposal are both vacant without any existing housing located on them.

- c. Proposed measures to reduce or control housing impacts, if any: The proposed text amendment would not reduce housing in the Lilly Road MS district, and likely will increase it. The amount of new housing that could be added to this district will be controlled by the limited amount of undeveloped land that is available.

10. Aesthetics [help]

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? The proposed text amendment would not affect building heights. Building height would still be controlled by the existing MS district zoning. Building materials used on the exterior of any future development is unknown at this time.
- b. What views in the immediate vicinity would be altered or obstructed? Not applicable. The proposed text amendment would not have any effect on allowable building heights in this district.
- b. Proposed measures to reduce or control aesthetic impacts, if any: Not applicable. The proposed text amendment would have no effect on aesthetic impacts of future development. Any new development would still be subject to the City's design review requirements.

11. Light and Glare [help]

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Not applicable. Text amendment only.
- b. Could light or glare from the finished project be a safety hazard or interfere with views? Not applicable – text amendment only.
- c. What existing off-site sources of light or glare may affect your proposal? Not applicable – text amendment only.
- d. Proposed measures to reduce or control light and glare impacts, if any: Not applicable – text amendment only.

12. Recreation [help]

- a. What designated and informal recreational opportunities are in the immediate vicinity? The Chehalis Western Trail borders the Lilly Road MS district on the east side.
- b. Would the proposed project displace any existing recreational uses? If so, describe. No. Text amendment only.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: Not applicable

13. Historic and cultural preservation [help]

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe. Not applicable – text amendment only.
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. Not applicable – text amendment only.
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. Not applicable – text amendment only.
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. Not applicable – text amendment only.

14. Transportation [help]

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. Lilly and Ensign roads are the main thoroughfares through the Lilly Road MS district. Martin Way is nearby, as well as Interstate 5.
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? Intercity Transit route 60 provides regular bus service to the Lilly Road MS district. During the morning and evening commute times, buses run on the half hour. During the day, buses run on the hour. Route 60 connects to the Olympia and Lacey transit centers.
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? Not applicable – text amendment only.
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). Not applicable – text amendment only.
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. There is no water, rail or air transportation directly available in the Lilly Road MS district.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? Not applicable – text amendment only.
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. There are no agricultural or forest product operations within the vicinity of the Lilly Road MS district.
- h. Proposed measures to reduce or control transportation impacts, if any: Not applicable – text amendment only.

15. Public Services [help]

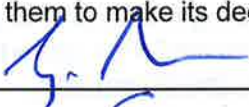
- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. Increased residential density in this district would have some impact on these public services. Since there are only 3.79 acres of undeveloped land within 600 feet of Lilly Road, the additional impact on public services will be limited.
- b. Proposed measures to reduce or control direct impacts on public services, if any. None proposed.

16. Utilities [help]

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other . All wet and dry utilities are generally available within the Lilly Road MS district.
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. None proposed – text amendment only.

C. Signature [HELP]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 
 Name of signee Craig Chance
 Position and Agency/Organization Executive Director, Housing Authority of Thurston County
 Date Submitted: 9-10-2018

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed text amendment, which could slightly increase residential density in this district, is not likely to increase any discharges to water; emissions to air; production, storage, or release of hazardous substances; or projection of noise above what would be produced from medical services development.

Proposed measures to avoid or reduce such increases are: None proposed

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Residential development of the few remaining parcels of land in this district would not result in an increased affect to plants, animals, fish, or marine life over development of medical services that is currently permitted.

Proposed measures to protect or conserve plants, animals, fish, or marine life are: None proposed

3. How would the proposal be likely to deplete energy or natural resources?

Residential development of the few remaining parcels in this district would not result in any greater depletion of energy or natural resources than the currently permitted medical services.

Proposed measures to protect or conserve energy and natural resources are: None proposed

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The two remaining parcels of undeveloped land that are within 600 feet of Lilly Road are not

considered to be in environmentally sensitive areas, or areas designated for governmental protection.

Proposed measures to protect such resources or to avoid or reduce impacts are: None proposed.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed text amendment could slightly increase multi-family residential development within the Lilly Road Medical Services district. Residential development is already a permitted use in this district at distances greater than 600 feet from Lilly Road. Additional multi-family development in this district would be compatible and complimentary to existing multi-family developments in the district. None of the parcels in the Lilly Road MS district are designated as shorelines.

Proposed measures to avoid or reduce shoreline and land use impacts are: None proposed

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed text amendment could increase demands on public transportation. The two remaining parcels within 600 feet of Lilly Road are well serviced by Intercity Transit bus service and are within established transportation corridors. Public utilities are also well established in this district. Allowing more residential development in the two remaining parcels is not likely to create significantly greater demand on public utilities than currently permitted medical services development.

Proposed measures to reduce or respond to such demand(s) are: None proposed

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

We are not aware of any issues with the proposed text amendment that would conflict with local, state, or federal laws or requirements for the protection of the environment.

Chapter 18.06 COMMERCIAL DISTRICTS Revised 10/17

18.06.000 Chapter Contents

Sections:

- [18.06.020](#) Purposes.
- [18.06.040](#) Permitted, conditional, and prohibited uses.
- [18.06.060](#) Commercial districts' use standards.
- [18.06.080](#) Commercial districts' development standards (General).
- [18.06.100](#) Commercial districts' development standards (Specific). Revised 10/17
- [18.06.120](#) Additional regulations. Revised 10/17

18.06.020 Purposes

A. The general purposes of this Chapter are as follows:

1. To provide appropriate commercial areas for retail and service establishments, neighborhood convenience and office uses required by residents of the City in a manner consistent with the Comprehensive Plan.
2. To provide employment opportunities for existing and future residents of the City and those of adjacent communities.
3. To provide for land uses which meet the needs of and attract regional populations, in addition to local residents.
4. To provide adequate space to meet the needs of commercial development, including off-street parking and loading.
5. To protect commercial and adjacent areas from excessive noise, illumination, unsightliness, odor, smoke, and other objectionable influences.
6. To provide for an intensity of development and activity within commercial areas which will increase their vitality, facilitate mass transit, and make better use of available infrastructure.
7. To accommodate a balanced mix of commercial, residential, and recreational uses in commercial areas which will enable people to live, shop, work, and play within walking distance; thereby reducing dependence on motor vehicles and potentially reducing traffic congestion, energy consumption, and air pollution.
8. To establish standards for the development of commercial areas which will make them easily accessible and inviting for pedestrians, bicyclists, and transit riders, as well as motorists.
9. To establish guidelines for the design of commercial areas which will improve their appearance, function, and appeal.

B. The purpose of each commercial district is as follows:

1. Community Retail District (CMR).

This district is intended to:

- a. Permit businesses which offer the most frequently needed consumer goods and services, in districts of sufficient size to provide a relatively wide range of such goods and services.
- b. Provide for site development standards which will achieve the clustering of buildings and/or business establishments in such fashion as to create a safe, convenient and attractive pedestrian environment, including access for transit riders and bicyclists, as well as safe and convenient parking and access.
- c. Allow for clustering of commercial services along urban arterials adjacent to residential neighborhoods, in order to reduce the amount of vehicular travel required of the consumer to acquire such goods and services.
- d. Allow for residential and mixed-use projects to increase the opportunities for people to live, work, shop, and recreate within walking distance.
- e. Not locate new community retail districts closer than three-fourths of a vehicular mile from one another, or from any other district providing similar services or facilities.

2. Commercial Services - High Density District (CS-H).

This district is intended to:

- a. Allow limited commercial services that supplement or enhance activities on the capitol campus, not large-scale retail sales for regional markets.
- b. Allow high-density multifamily residences near the chief employment centers such as the Downtown Business District, the Capitol Campus, and the central waterfront.
- c. Be located where high land values and public necessity warrant this type of development.

3. Auto Services (AS) District.

This district is intended to:

- a. Encourage development of a regional center for auto sales and services and related uses.
- b. Discourage development incompatible with auto sales and services.

4. Urban Waterfront (UW) District.

This district is intended to:

- a. Integrate multiple land uses in the waterfront area of downtown and the West Bay in a way that improves the City's appeal and identity as the Capital City on Budd Inlet.
- b. Encourage high-amenity recreation, tourist-oriented, and commercial development which will enhance public access and use of the shoreline.
- c. Encourage development that protects views of Budd Inlet, the Olympics, Mt. Rainier, and the Capitol, and preserves a sense of openness on the waterfront.
- d. Encourage water-dependent and water-related development (as defined in the Shoreline Master Program for the Thurston Region) on shoreline properties and permit light manufacturing uses which support nearby industrial and marine related uses.
- e. Provide shoreline public access to significant numbers of the population, which is a major goal of the Shoreline Master Program for the Thurston Region. It is also the intent of this district to integrate the policies of the Shoreline Master Program for the Thurston Region into zoning designations applicable to waterfront properties. It is not the intent of this district, however, to make the restrictions of the Shoreline Master Program legally applicable outside the shoreline management zone.

5. Downtown Business District (DB).

This district is intended to:

- a. Encourage a wide range of activities which make downtown Olympia the cultural, civic, commercial, and employment heart of the community.
- b. Retain existing downtown housing and encourage additional development of a dense mix of urban housing which is located near jobs, shopping, and transit.
- c. Provide a full range of urban services, tourism, recreation, and entertainment activities to support downtown workers, residents, and visitors.
- d. Encourage pedestrian-oriented land uses and design, in order to link downtown activity to the Capitol Campus and the waterfront, and to the gateways to the City.
- e. Permit development of a scale, height, and bulk which reinforces downtown Olympia's historic character, buildings, places, and street layout. Modern architecture is appropriate if it is consistent with the City's urban design vision.

6. General Commercial District (GC).

This district is intended to:

- a. Provide for those commercial uses and activities which are heavily dependent on convenient vehicular access.

- b. Encourage the location of such uses on sites having safe and efficient access to major transportation routes.
- c. Discourage extension of "strip" development by filling in available space in areas where substantial auto-oriented commercial development already exists.
- d. Provide development standards which enhance efficient operation of these districts, and lead to more pedestrian-oriented development.
- e. Achieve minimum adverse impact on the community, especially on adjacent properties having more restrictive development characteristics.

7. Medical Service District (MS).

This district is intended to:

- a. Allow the development of major and full-service health care facilities to serve a regional population.
- b. Permit the clustering of interrelated and complementary health care facilities.
- c. Permit limited types of nonmedical uses which provide convenience services primarily to medical facility users and employees.
- d. Allow relatively high density housing near medical facilities to help meet the needs of the large number of people employed there.
- e. Allow developments which will provide maximum convenience to medical facility users and employees, and an environment conducive to the healing arts. Incompatible land uses and traffic generated by uses other than those providing medical and related services are to be avoided.

8. Neighborhood Retail District (NR).

This district is intended to:

- a. Permit small retail establishments which offer a limited range of goods within a residential neighborhood.
- b. Protect existing neighborhood retail districts and permit new establishments where local economic demand and appropriate design can assure compatibility with the neighborhood.
- c. Be located not less than one-half (1/2) mile from another neighborhood retail district or any other commercial district providing similar services or facilities.
- d. Have a maximum size for a Neighborhood Retail district of not more than one (1) acre.
- e. Limit the size, scale and expansion of such establishments in order to minimize traffic volumes and congestion, and other adverse impacts on the neighborhoods in which said establishments are located.

f. Ensure that development in this district is characterized by small buildings, low traffic generation, considerable walk-in trade, quiet operations and little or no night activity.

9. Professional Office/residential Multifamily District (PO/RM).

This district is intended to:

- a. Provide a transitional area, buffering residential areas from more intensive commercial uses. Development within this district should be compatible with residential uses and generate low vehicular traffic characteristic of less intrusive uses.
- b. Provide for a compatible mix of office, moderate- to high-density residential, and small-scale commercial uses, in order to provide opportunities for people to live, work, and recreate in a pedestrian-oriented area.

10. High Density Corridor-1 (HDC-1).

This district is intended to:

- a. Provide for a compatible mix of office, moderate to high-density multifamily residential, and small-scale commercial uses.
- b. Ensure that residential and mixed-use projects are built within walking distance to transit.
- c. Establish a street edge that is as continuous as possible with buildings which are close to the street and which have multiple floors, distinctive windows facing the street, and entrances that are visible from the street.
- d. Ensure that projects are designed, using a neighborhood area design theme in order to blend with the historic buildings in the corridor and the adjacent neighborhoods.
- e. Create a safe, convenient, and attractive environment for pedestrians, transit riders and bicyclists, and which includes parking and convenient access for vehicles.

11. High Density Corridor-2 (HDC-2).

This district is intended to:

- a. Provide for a compatible mix of office, medium intensity commercial and moderate to high-density multifamily residential uses.
- b. Ensure that residential and mixed-use projects are built within walking distance to transit.
- c. Establish a street edge that is as continuous as possible with buildings which are close to the street and which have multiple floors, distinctive windows facing the street, and entrances that are visible from the street.

- d. Ensure that projects (buildings) are designed, using a neighborhood area design theme in order to blend with the historic buildings in the corridor and the adjacent neighborhoods.
- e. Create a safe, convenient, and attractive environment for pedestrians, transit riders, and bicyclists, and which includes parking and convenient access for vehicles.

12. High Density Corridor-3 (HDC-3).

This district is intended to:

- a. Provide for a compatible mix of medium to high-intensity commercial, offices, and moderate to high-density multifamily residential uses.
- b. Ensure that access to transit is a part of all new projects.
- c. Establish a street edge that is as continuous as possible with buildings which are close to the street and which have multiple floors, distinctive windows facing the street, and entrances that are visible from the street.
- d. Create a safe, convenient, and attractive environment for pedestrians, transit riders, and bicyclists, and which includes parking and access for vehicles.

13. High Density Corridor-4 (HDC-4).

This district is intended to:

- a. Provide for a compatible mix of high-intensity commercial, offices, and high-density multifamily residential uses.
- b. Transform these areas to commercial and residential activity centers, over time.
- c. Ensure that access to transit is a part of new projects.
- d. Establish a street edge that is as continuous as possible with buildings which are close to the street and which have multiple floors, distinctive windows facing the street, and entrances that are visible from the street.
- e. Create a safe, convenient, and attractive environment for pedestrians, transit riders, and bicyclists, and which includes parking and access for vehicles.

14. Urban Waterfront - Housing District.

This district is intended to:

- a. Provide for a neighborhood of residential housing with the option of limited retail/commercial/office or other uses able to locate in a street edge storefront configuration.

- b. Help meet downtown housing and sustainability density goals, through the use of land for housing in a location, and at a density, that makes the use of a car a choice and not a necessity.
- c. Contribute to downtown vitality.
- d. Result in well designed buildings on continuous urban street edges.
- e. Increase resident surveillance and all day use of public spaces to increase safety and decrease vandalism or other security problems.
- f. Help the City achieve land use, transportation, environment, and housing goals.

(Ord. 7032 §6 (Exh. E), 2016; Ord. 6195 §16, 2002; Ord. 6073 §13, 2000; Ord. 5830 §2, 1998; Ord. 5569 §3, 1995; Ord. 5517 §1, 1995).

18.06.040 TABLES: Permitted and Conditional Uses



TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)						18.130.020	
1. EATING & DRINKING ESTABLISHMENTS														
Drinking Establishments			P		P	P	P		C 18.06.060(P)		P	P	P	
Drinking Establishments - Existing		P 18.06.060(GG)				P								
Restaurants, with drive-in or drive-through			P 18.06.060(F)(3)										P 18.06.060(F)(3)	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Restaurants, with drive-in or drive-through, existing			P				P 18.06.060(U)					C	P	
Restaurants, without drive-in or drive-through	P 18.06.060(U)(3)	C	P	P 18.06.060(U)(2)	P	P	P 18.06.060(U)(1)	P	P	P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
2. INDUSTRIAL USES														
Industry, Heavy														
Industry, Light			C				P/C 18.06.060(N)							

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
On-Site Treatment & Storage Facilities for Hazardous Waste					P 18.06.060 (Q)									
Piers, Wharves, Landings					P									
Printing, Industrial			C		P/C 18.06.060 (N)									
Publishing		C	C		P		P		C	C				
Warehousing			P		P/C 18.06.060 (AA)		P							
Welding & Fabrication			C		P/C 18.06.060 (N)		P							



TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Wholesale Sales		C 18.06.060(BB)(3)	P		P/C	18.06.060 (BB)		P		P	18.06.060(BB)(2)			
Wholesale Products Incidental to Retail Business			P		P	P						P	P	
District-Wide Regulations	18.06.060(R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060(F)(2)							
3. OFFICE USES (See also SERVICES, HEALTH)														
Banks		P	P		P/C 18.06.060 (D)(2)	P 18.06.060 (D)(2)	P/C 18.06.060(D)(2)	P	P	P	P	P	P	18.06.060 (D)(1) 18.06. 060 (F)(3)
Business Offices		P	P		P	P	P	P	P	P	P	P	P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Government Offices		P	P		P	P	P	P	P	P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
4. RECREATION AND CULTURE														
Art Galleries	P	P	P		P	P	P		P	P	P	P	P	
Auditoriums and Places of Assembly			P		P	P	P					P	P	
Boat Clubs					P	P								
Boating Storage Facilities					P			P						
Commercial Recreation		C	P		P	P	P	P		C	C	P	P	



TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Health Fitness Centers and Dance Studios	P	P 18.06.060(L)	P	P	P	P	P	P	P	P	P	P	P	
Libraries	C	C	C	C	P	P	P		P	C	P	P	P	18.04.060(V)
Marinas/Boat Launching Facilities					P 18.06.060(CC)	P								
Museums		C	P		P	P	P		P	C	C	P	P	18.04.060(V)
Parks, Neighborhood	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)
Parks & Playgrounds, Other	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)
Theaters (Drive-in)			C											
Theaters (No drive-ins)			P		P	P	P				C	P	P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
5. RESIDENTIAL														
Apartments		P	P	P 18.06.060 (F)	P	P	P		P	P	P	P	P	
Apartments above ground floor in mixed use development	P	P	P	P 18.06.060 (F)	P	P	P		P	P	P	P	P	
Boarding Houses		P	P	P 18.06.060 (F)	P	P	P		P	P	P	P	P	
Co-Housing		P	P			P	P			P	P		P	
Duplexes	P	P	P	P 18.06.060 (F)			P		P	P	P		P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Fraternities, Dormitories		C	P	P 18.06.060 (F)	P	P	P		P	C	P	P	P	
Group Homes (6 or less)	P	P	P 18.06.060 (K)	P 18.06.060 (F)	P	P	P 18.06.060(K)		P	P	P	P 18.06.060 (K)	P 18.06.060 (K)	18.04.060(K)
Group Homes (7 or more)	C	C	C 18.06.060 (K)	C 18.06.060 (F)	C	C	C 18.06.060(K)		C	C	C	C 18.06.060 (K)	P 18.06.060 (K)	18.04.060(K)
Mobile or Manufactured Homes Park - Existing		C	C	C 18.06.060 (F)						C			C	18.04.060(P)
Quarters for Night Watch person/Caretaker					P	P								

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Retirement Homes		P	P	P 18.06.060 (F)	P	P	P		P	P	P	P	P	
Single-Family Residences	P	P	P	P 18.06.060 (F)			P		P	P	P	P	P	
Single Room Occupancy Units			C		P	P	P		P					C
Townhouses	P	P	P	P 18.06.060 (F)		P	P		P	P	P	P	P	
Triplexes, Four-plexes, and Cottage Housing		P												P
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							

6. RETAIL SALES

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Apparel and Accessory Stores			P		P	P	P					P	P	
Boat Sales and Rentals			P		P	P	P	P						P
Building Materials, Garden and Farm Supplies	P		P		P	P	P					P	P	
Commercial Greenhouses, Nurseries, Bulb Farms	C	C 18.04.060(G)	C	C					C		P	P		18.04.060(G)
Electric Vehicle Infrastructure	P	P	P	P	P 18.06.060(W)	P 18.06.060(W)	P 18.06.060(W)	P	P	P	P	P	P	
Food Stores	P	P 18.06.060(H)	P		P	P	P		P	P 18.08.060(H)	P	P	P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Furniture, Home Furnishings, and Appliances			P		P	P	P				P	P	P	
Gasoline Dispensing Facilities accessory to a permitted use	P 18.06.060(W)(4)		P		P 18.06.060(W)		P 18.06.060(W)(2)	P				P 18.06.060(W)	P 18.06.060(W)	
Gasoline Dispensing Facility accessory to a permitted use - Existing	P 18.06.060(W)		P		P 18.06.060(W)		P 18.06.060(W)				P	P 18.06.060(W)	P	
General Merchandise Stores	P	P 18.06.060(J)	P		P	P	P			P 18.06.060(J)	P	P	P	
Mobile, Manufactured,			P											

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
and Modular Housing Sales														
Motor Vehicle Sales			P				P	P					P	
Motor Vehicle Supply Stores			P		P	P	P	P			P	P	P	
Office Supplies and Equipment		P 18.06.060(D) DD)	P		P	P	P		P	P 18.06.060 (DD)	P	P	P	18.06.060(C) C)
Pharmacies and Medical Supply Stores	P	P 18.06.060(E) EE)	P	P	P	P	P		P	P 18.06.060 (EE)	P	P	P	18.06.060(D) D)
Specialty Stores	P 18.06.060(Y)(3)	P 18.06.060(Y)(4)	P	C 18.06.060(Y)(2)	P	P	P			P 18.06.060(Y)(4)	P	P	P 18.06.060(Y)(1)	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
7. SERVICES, HEALTH														
Hospitals				P			P		P					

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Nursing, Congregate Care, and Convalescence Homes	C	P	C	P			C		C	C	C	P	P	18.04.060(S)
Offices, Medical		P	P	P	P	P	P	P	P	P	P	P	P	
Veterinary Offices/Clinics		P	P	P			P			P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
8. SERVICES, LODGING														
Bed & Breakfast Houses (1 guest room)	P	P 18.06.060(E)	P 18.06.060(E)	P 18.06.060(E)	P	P	P			P	P	P	P	18.04.060(L)(3)(c)
Bed & Breakfast Houses (2 to 5 guest rooms)	C	P 18.06.060(E)	P 18.06.060(E)	P 18.06.060(E)	P	P	P		C	P	P	P	P	18.04.060(L)(3)(c)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Hotels/Motels			P	C	P		P		P				P	
Lodging Houses		P	P	P	P		P		P	P	P	P	P	
Recreational Vehicle Parks			P										P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
9. SERVICES, PERSONAL														
Adult Day Care Home	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)(3)(b)
Child Day Care Centers	C	P	P	P	P	P	P		P	P	C	P	P	18.04.060(D)
Crisis Intervention	C	P	C	P			P		C	P	C	C	C	18.04.060(I)
Family Child Care Homes	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)
Funeral Parlors and Mortuaries		C	P				P			C		P	P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Laundries and Laundry Pick-up Agencies	P	P	P	P	P	P	P			P	P	P	P	18.06.060(O)
Personal Services	P	P	P	P	P	P	P	P	P	P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
10. SERVICES, MISCELLANEOUS														
Auto Rental Agencies			P		P	P	P	P			C	P	P	
Equipment Rental Services, Commercial			P		P		P				P	P	P	
Equipment Rental Services,		P												
		18.06.060(FF)												

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Commercial - Existing														
Ministorage			P				P							
Printing, Commercial	P	P	P		P	P	P		P	P	P	P	P	
Public Facilities (see also Public Facilities, Essential on next page)	C	C	C	C	P	C	P	P	P	C	C	C	C	18.04.060(V)
Radio/T.V. Studios		P	P		P	P	P		P	P	P	P	P	
Recycling Facilities	P	P	P	P	P		P		P	P	P	P	P	18.06.060(V)
School - Colleges and Business, Vocational or Trade Schools		C	P		P	P	P		P	C	C	C	P	18.06.060(X)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Service and Repair Shops			P				P	P				P	P	
Service Stations/Car Washes			P				P	P				P	P	18.06.060(W) 18.06.060(W) 18.06.060(W)
Service Stations/Car Washes - Existing			P		P		P	P			P	P	P	18.06.060(W) 18.06.060(W) 18.06.060(W)
Servicing of Personal Apparel and Equipment	P	P	P		P	P	P			P	P	P	P	
Truck, Trailer, and Recreational Vehicle Rentals			P					P						
Workshops for Disabled People	C	C	C	C	P	C	P		C	C	C	C	C	18.04.060(R)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
11. PUBLIC FACILITIES, ESSENTIAL														
Airports			C										C	18.06.060(G)
Inpatient Facilities		C	C	C 18.06.060(T)	C		C		C	C	C	P	P	18.06.060(G) 18.04.060(K)
Jails			C		C		C		C				C	18.06.060(G)
Mental Health Facilities			C	C 18.06.060(T)	C		C						C	18.06.060(G) 18.04.060(K)
Other Correctional Facilities		C	C	C 18.06.060(T)	C	C	C		C	C	C	C	C	18.06.060(G)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Other facilities as designated by the Washington State Office of Financial Management, except prisons and solid waste handling facilities		C	C		C		C			C	C	C	C	18.06.060(G))
Radio/TV and Other Communication Towers and Antennas	C	C	C	C	C	C	C	C	C	C	C	C	C	18.06.060(G)) 18.44.100
Sewage Treatment Facilities	C	C	C	C	P		P		C	C	C	C	C	18.06.060(G)) 18.04.060(X))



TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
State Education Facilities		C	C		C		C		C	C	C	C	C	18.06.060(G) 18.06.060(X)
State or Regional Transportation Facilities	C	C	C	C	C	C	C		C	C	C	C	C	18.06.060(G)
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
12. TEMPORARY USES														
Entertainment Events			P		P	P	P						P	
Off Site Contractor Offices	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(D)
Emergency Housing	P	P	P	P	P			P	P	P	P	P	P	18.04.060(D)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Fireworks, as determined by Fire Dept.			P		P	P	P				P	P	P	9.48.160
Mobile Sidewalk Vendors		P	P	P	P	P	P			P	P	P	P	
Parking Lot Sales			P		P	P	P	P			P	P	P	
Residences Rented for Social Event (6 or less in 1 year)	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(D)
Residences Rented for Social Event (7 or more in 1 year)	C	C	C	C	C	C	C		C	C	C	C	C	
Temporary Surface Parking Lot		P	P		P	P	P		P					

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
13. OTHER USES														
Accessory Structures/Uses														
Adult Oriented Businesses			P										P	18.06.060(B)
Agriculture	P	P	P	P					P	P	P	P	P	
Animals	P	P	P	P	P	P	P		P	P	P	P	P	18.06.060(C)
Cemeteries	C	C	C	C					C	C	C		C	
Conference Center			P		P	P	P						P	
Fraternal Organizations		P	P		P	P	P		P/C 18.06.060(I)	P	P	P	P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	A S	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Gambling Establishments			C											
Garage/Yard/Rummage and Other Outdoor Sales	P	P	P	P	P	P	P		P	P	P	P	P	5.24
Home Occupations	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)
Parking Facility, Commercial		P	P		P	P	P			P	P	P	P	18.04.060(V)
							18.06.060(S)					18.06.060(S)		
Places of Worship	C	C	P	C	P	P	P		C	C	C	P	P	18.04.060(U)
Racing Pigeons	C	C	C	C					C	C	C	C	C	18.04.060(Y)
Satellite Earth Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	18.44.100
Schools	C	C	P	C	C	C	C		C	C	C	P	P	18.04.060(D)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
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	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	18.44

LEGEND

P = Permitted Use

MS = Medical Services

DB = Downtown Business

C = Conditional Use

PO/RM = Professional

Office/Residential Multifamily

AS=Auto Services

NR = Neighborhood Retail

GC = General Commercial

UW = Urban Waterfront

UW-H = Urban Waterfront-Housing

CSH = Commercial Services-High Density

HDC-1=High Density Corridor-1

HDC-2=High Density Corridor-2

HDC-3=High Density Corridor-3

HDC-4=High Density Corridor-4

(Ord. 7032 §6 (Exh. E), 2016; Ord. 6975 §3, 2015; Ord. 6759 §5, 2011; Ord. 6592 §5, 2008)

18.06.040 Permitted, conditional and prohibited uses **A. PERMITTED AND CONDITIONAL USES.**

Table 6.01, Permitted and Conditional Uses, identifies land uses in the commercial districts which are permitted outright (P) or subject to a Conditional Use Permit (C). The applicable requirements for these uses and activities are identified by a number referencing the list of use regulations under Section [18.06.060](#), Use Standards. Numbers listed under the heading Applicable Regulations apply to the corresponding land use in all of the commercial districts. Regulations that pertain only to a specific use in a specific district are identified by a number in the space corresponding to that use and district. (Also see Section [18.06.080](#), Development Standards--General, and 18.06.100, Development Standards--Specific.)

B. PROHIBITED AND UNSPECIFIED USES.

Land uses which are not listed as permitted or conditional uses are prohibited unless authorized by the Director of Community Planning and Development (or the Hearing Examiner on appeal) consistent with Section [18.02.080](#), Interpretations. However, in no event shall secure community transition facilities be permitted.

(Ord. 7032 §6 (Exh. E), 2016; Ord. 6395 §27, 2006; Ord. 6273 §33, 2003; Ord. 6210 §5, 2002; Ord. 6195 §36, 2002; Ord. 6140 §42, 2001; Ord. 6092 §5, 2001; Ord. 6073 §31, 2000; Ord. 5861 §5, 1998; Ord. 5830 §56, 1998; Ord. 5801 §4, 1998; Ord. 5664 §13, 1997; Ord. 5661 §2, 1996; Ord. 5569 §3, 1995; Ord. 5517 §1, 1995).

18.06.060 Commercial districts' use standards **A. Accessory Uses and Structures.**

Only those uses that meet the definition of an Accessory Use as defined under this chapter will be permitted in the zones outlined in the tables of this chapter.

B. Adult Oriented Businesses.

1. Location. Adult oriented businesses may be permitted, but only if the following separation and distance conditions are met:

a. No adult oriented businesses shall be located closer than one thousand (1,000) feet to another such business whether such other business is located within or outside the city limits. Said distance shall be measured by following a straight line from the nearest point of public entry into the structure which will house the proposed adult facility to the nearest point of public entry into the structure housing another adult facility.

b. No adult oriented businesses may be located closer than two hundred fifty (250) feet from the nearest point of the boundary of a General Commercial (GC, or High Density Corridor-4 (HDC-4) district; PROVIDED, this restriction shall not apply to a proposed business with respect to a particular zone boundary when the proposed site of the business is separated from said boundary by an arterial street of at least four (4) travel lanes in width.

- c. No adult oriented businesses shall be located closer than three hundred thirty (330) feet of any of the following uses whether such use is located within or outside the city limits:
- i. Any residential use;
 - ii. Family child care home;
 - iii. Child day care center;
 - iv. Preschool facility; and
 - v. Nursery school;
 - vi. The point of ingress to or egress from any public trail identified in the city's Comprehensive Plan, Urban Trails, except when such point is separated from the proposed business by a four-lane or wider street arterial.
- d. No adult oriented businesses shall be located closer than one thousand three hundred twenty (1,320) feet to any of the following uses whether such use is located within or outside the City limits:
- i. Public park;
 - ii. Public or private primary or secondary schools, colleges and universities; and
 - iii. Places of worship (e.g., church, temple or synagogue or other facility primarily devoted to the teaching or practice of religious beliefs);
 - iv. Public library
- e. Such distance shall be measured by following a straight line distance between the point of public entry into the structure housing the adult facility and:
- i. The nearest point on a property line of a public park; or
 - ii. The nearest point of public entry to any residential use, public library, child day care home, child day care center, preschool, nursery school, public or private primary or secondary school, college, university, church, temple, or synagogue, or other facility primarily devoted to the teaching or practice of religious beliefs, or the nearest point on the perimeter of the area actually used in conjunction with any such use, whichever is closer.

For purposes of this ordinance, "actually used in conjunction with" means areas used for the primary and related structures, yards, parking lots, designated play areas and other areas used to determine site coverage under this code.

f. Waiver of Distance Requirements. The following procedures and criteria shall be adhered to with regard to a request for waiver of distance requirements:

i. Distance waiver required. Any party proposing to locate an adult facility within less than the required distances from uses or zones as specified in this ordinance may do so only after obtaining a waiver therefor from the Hearing Examiner through a conditional use permit.

ii. Waiver notice requirements. In addition to the notice requirements for conditional use permits, first class mailing notice shall be made to all parties within either distance set forth in subsections [18.06.060\(B\)\(1\)\(c\)](#) and (d), depending upon the use in question. The applicant shall provide the names and addresses of all property owners and businesses within said distances from the proposed use.

iii. Criteria for decision. The final decision on the request for waiver of distance shall be made by the Hearing Examiner, based on consideration of the following:

- (a) The extent to which physical features would result in an effective separation in terms of visibility and access.
- (b) Compatibility with adjacent and surrounding land uses.
- (c) The availability or lack of alternative locations for the proposed use.
- (d) Ability to avoid the adult facility by alternative vehicular and pedestrian routes.

2. Intervening Uses. Uses and zones specified in Subsection [18.06.060\(B\)\(1\)\(c\)](#) and (d) shall not be allowed to locate within the specified distances of an adult oriented business. Any party proposing to locate such a use or zone within the specified distances of an adult facility is considered an intervening use and may do so only after obtaining a distance waiver pursuant to the provisions of Subsection [18.06.060\(B\)\(1\)\(f\)](#) of this code regarding waiver of distance requirements; provided, that notice requirements shall conform with the provisions of Section [18.78.020](#) of the Olympia Municipal Code; and provided further, that the owner seeking to expand a sensitive use specified in Subsections [18.06.060\(B\)\(1\)\(c\)](#) or (d) into a separation area provided herein need not procure a waiver of distance requirement under (B)(1)(f) herein if such expansion is to be done on the same parcel on which the sensitive use is located and no new lots are thereby created.

3. Adult Oriented Businesses - Forbidden in Other Zones. The allowance of adult oriented businesses shall be limited to the General Commercial (GC, or High Density Corridor-4 (HDC-4) zones and such uses are forbidden in all other zones within the City of Olympia.

C. Animals. All Commercial Districts:

1. Quantity. No more than three (3) pets, such as dogs, cats, hens, and untraditional pets (e.g., potbelly pigs and rabbits), four (4) months of age or older, shall be permitted per dwelling unit. (Traditional pets are defined as a species of animals which can be house-broken, or walked on a leash, or are frequently, but not necessarily, housed within a residence and are neither obnoxious nor a public safety or health threat.)

2. Birds. Song birds or other traditional pet birds (e.g., parrots) are permitted. Fowl, such as roosters, ducks and geese, are prohibited. [NOTE: The keeping of racing and performing pigeons is permitted as a conditional use.]
3. Other Animals. Swine, other than potbelly pigs, and goats are prohibited. The keeping of other animals and pets, which are not specifically prohibited in this section is permitted, provided that:
 - a. There shall be no more than one (1) animal per acre, in addition to those animals/pets permitted in Subsection C.1 above; and
 - b. Such animals shall be confined within a suitably fenced area which shall be located no closer than fifty (50) feet from any property line; and
 - c. The keeping of such animals does not constitute a nuisance or hazard to the peace, health or welfare of the community in general and neighbors in particular.

D. Banks.

1. High Density Corridor-3 (HDC-3) Requirements. Banks which offer only drive-through service (i.e., which serve customers exclusively in or on their vehicles) are not permitted.
2. Urban Waterfront (UW) and Downtown Business (DB) District Requirements. Drive-through banks may be permitted with a conditional use permit if the proposed project meets the Street Edge Development Standards of the Pedestrian Streets Overlay District, Chapter [18.16](#) OMC. The proposed project may be exempted from the Pedestrian-Oriented Street Wall Requirement under the "Pedestrian Streets Overlay District Requirements" if it is found that:
 - a. The proposed design meets the intent of the Pedestrian Streets Overlay District, "Pedestrian Streets Overlay District Requirements"; and
 - b. The building site presents unusual conditions which require an alternative design to accomplish the intent of the Pedestrian Streets Overlay District, "Pedestrian Streets Overlay District Requirements."

E. Bed and Breakfast Houses. Professional Office/Residential Multifamily (PO/RM), High Density Corridor-1 (HDC-1), General Commercial (GC), High Density Corridor-4 (HDC-4), and Medical Services (MS) districts requirements: All Bed and Breakfast Houses are subject to the Bed and Breakfast House requirements in residential districts, Section [18.04.060\(L\)\(3\)\(c\)](#).

F. Drive-Through and Drive-In Uses.

1. High Density Corridor-3 (HDC-3) Requirements. Businesses which serve customers exclusively in their vehicles are prohibited. This includes uses such as drive-through laundry pick-up agencies, drive-through-only banks, and drive-through photo processing services. This does not include car washes. Restaurants are not permitted to have drive-up or drive-through facilities.
2. Downtown Business and Urban Waterfront (UW) Requirements. Drive-through and drive-in uses are prohibited as a primary or accessory use (exception: drive-through banks are a conditional use). Existing drive-in and drive-through restaurants permitted before January 1, 1994, are conforming uses. Such uses shall be treated the same as other

allowed uses, consistent with applicable regulations or conditional use requirements. Other uses made nonconforming by this zoning ordinance are subject to the requirements of Chapter [18.37](#), Nonconforming Buildings and Uses.

3. Pedestrian Streets and Drive-Through or Drive-In Uses. Drive-through and drive-in uses are allowed on parcels that abut pedestrian oriented streets, as follows:

a. A Streets: Drive-through or drive-in uses are permitted on parcels abutting Pedestrian Oriented A Streets when there is another building(s) or a designated pedestrian plaza or other gathering space located between the drive-through or drive-in building and the street. In the event a pedestrian plaza or gathering space is located between the building and an "A" Street, provisions to prevent vehicles from entering the plaza or gathering space shall be provided (e.g. curb and a landscaped area, bollards, low masonry wall).

b. B Streets: Drive-through lanes are prohibited between the pedestrian oriented street and the building. Drive-through lanes may be located to the side or rear of the building when designed for the safety of pedestrians or bicyclists on the sidewalk or other internal designated routes for pedestrians and/or bicyclists.

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 [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.

H. Food Stores. Professional Office/Residential Multifamily District (PO/RM), and High Density Corridor-1 (HDC-1)

Requirements: Food stores are allowed up to a maximum size of five thousand (5,000) square feet of gross floor area.

EXCEPTION: In the PO/RM area west of Yaeger Road adjacent to Harrison/Mud Bay Road, maximum gross floor area shall be ten thousand (10,000) square feet.

I. Fraternal Organizations. Fraternal organizations are permitted within the CSH zone district under the condition that if alcohol is served, the use shall be subject to all requirements governing nightclubs, taverns and lounges (see Section [18.06.060\(P\)](#) Nightclubs and Taverns, below).

J. General Merchandise Stores. Professional Office/Residential Multifamily District (PO/RM), and High Density Corridor-1 (HDC-1) Requirements: General Merchandise stores shall have a maximum size of five thousand (5,000) square feet of gross floor area. EXCEPTION: In the PO/RM area west of Yaeger Road adjacent to Harrison/Mud Bay Road, maximum gross floor area shall be ten thousand (10,000) square feet.

K. Group Homes.

1. General requirements for group homes are identified in subsection [18.04.060\(K\)](#).
2. Downtown Business District (DB) Requirements. There is no minimum lot size for group homes with up to twenty (20) unrelated residents, exclusive of on-site operators.
3. General Commercial District (GC), High Density Corridor-3 (HDC-3), High Density Corridor-4 (HDC-4), and Medical Services District (MS) Requirements. The Hearing Examiner may relax the minimum lot size standard in paragraph 18.04.060(K)(3) where the characteristics of the home so warrant.

L. Health Fitness Centers and Dance Studios. Professional Office/Residential Multifamily (PO/RM), High Density Corridor-1 (HDC-1), and High Density Corridor-2 (HDC-2) District Requirements: These uses shall have a maximum size of five thousand (5,000) square feet of gross floor area. EXCEPTION: In the PO/RM area west of Yauger Road adjacent to Harrison/Mud Bay Road, maximum gross floor area shall be ten thousand (10,000) square feet.

M. Industry, Heavy. CW - 1 Zone District: Manufacturing, compounding, processing, treatment or assembly of products--except those which cause excessive danger or offense--is permitted within this district. Heavy industrial uses are not permitted south of Corky Street.

N. Industry, Light.

1. Urban Waterfront (UW) Requirements. Light industry is a permitted use east of Washington Street. It is a conditional use west of Washington Street.

O. Laundry and Laundry Pick-Up Agency. High Density Corridor-3 (HDC-3) Requirements: No drive-through facilities are allowed for drop-off or pick-up of laundry.

P. Nightclubs and Taverns. Commercial Services - High Density (CS-H) District Requirements: Night clubs, taverns and lounges are a conditional use, subject to the following conditions:

1. Setback. No building shall be located closer than sixty (60) feet from a property line abutting a residential use.
2. Noise Insulation. The building shall be of sound-reducing construction that will assure compliance with the sound emission requirements of Section [18.40.080](#), Property Protection Standards.
3. Loudspeakers. There shall be no outside loudspeakers.

Q. On-Site Treatment and Storage Facilities for Hazardous Waste. Urban Waterfront (UW) District Requirements: These facilities are allowed only as an accessory use, subject to siting criteria pursuant to Chapter [70.105](#) RCW.

R. Operating Hours - Neighborhood Retail (NR) District. Operating hours for businesses in the NR District shall be limited to the hours between 6:00 a.m. and 11:00 p.m. A later opening time and/or an earlier closing time may be required if necessary to assure compatibility with the adjacent residential neighborhood.

S. Parking Facilities and Garages.

1. High Density Corridor-3 (HDC-3) Requirements. Parking lots established as separate, primary uses are a conditional use. The proposed parking lot shall exclusively serve specifically identified uses in or adjacent to the district to accommodate shared employee or customer parking or off-site employee parking. The uses served by the lot may change over time.
2. Downtown Business District (DB) Requirements. Public plazas, temporary surface parking lots (See OMC [18.04.060\(EE\)\(1\)\(h\)](#)), or structured parking is permitted. Parking lots not associated with a permitted or conditional use are prohibited. All existing parking lots permitted before January 1, 1994, are conforming uses. Such lots shall be treated the same as other allowed uses, consistent with applicable regulations. Other uses made nonconforming by this zoning ordinance are subject to the requirements of Chapter [18.37](#), Nonconforming Buildings and Uses.

~~T. Residential Restrictions in the Medical Services District (MS). Residential uses may not be constructed within six hundred (600) feet of Lilly Road except above the ground floor in mixed use buildings.~~

U. Restaurants.

1. Downtown Business (DB) District Requirements. New drive-in and drive-through restaurants are not permitted. All existing drive-in and drive-through restaurants permitted before January 1, 1994, are conforming uses. Such uses shall be treated the same as other allowed uses, consistent with applicable regulations. Other uses made nonconforming by this zoning ordinance are subject to the requirements of Chapter [18.37](#), Nonconforming Buildings and Uses.
2. Medical Services (MS) District Requirements. Restaurants may be allowed as a conditional use where it can be demonstrated that the medical community or the consumers of medical services are clearly and primarily benefitted by the convenience of the facilities.
3. Restaurants in the Neighborhood Retail District shall be limited to one thousand (1000) square feet of gross floor area and shall not require nor include a Type I Hood as defined in the Uniform Mechanical Code.

V. Recycling Facilities. Only Type I Recycling Facilities are allowed in the following districts: Neighborhood Retail (NR), Community Retail (CMR), Professional Office/Residential Multifamily (PO/RM), Medical Services (MS), Urban Waterfront (UW), High Density Corridor-1 (HDC-1), High Density Corridor-2 (HDC-2), High Density Corridor-3 (HDC-3), High Density Corridor-4 (HDC-4), and Commercial Services-High Density (CS-H).

W. Electric Vehicle Infrastructure, Service Stations and Car Washes.

1. High Density Corridor-3 (HDC-3) District Requirements. Car washes are permitted only in conjunction with a service station.
2. High Density Corridor-3 (HDC-3) and High Density Corridor-4 (HDC-4) District Requirement. Service stations and car washes are not permitted to locate on corner properties at intersections. Services stations and car washes vested before January 20, 2001 are conforming uses.

3. Downtown Business District (DB) Requirements.

- a. Service stations, car washes and accessory uses are not permitted, except on those properties located south of Union Street and east of Plum/Henderson (see Figure 6-1) or where otherwise listed as allowed under this section. This also applies to gasoline dispensing facilities accessory to a permitted use.
- b. All existing service stations permitted before January 1, 1994, are conforming uses. Such uses shall be treated the same as other allowed uses, consistent with applicable regulations.
- c. Detached drive-thru restaurants of less than 200 square feet without Type I hoods are permitted as an accessory use to service stations in this District.
- d. Electric Vehicle Infrastructure is permitted as an accessory use in the Downtown Business District if it meets the criteria set forth in OMC 18.04.060GG.



FIGURE 6-1

Other uses made nonconforming by this zoning ordinance are subject to the requirements of Chapter [18.37](#), Nonconforming Buildings and Uses.

4. Urban Waterfront (UW) Requirements.

- a. New service stations and car washes are not permitted. This also applies to gasoline dispensing facilities accessory to a permitted use. EXCEPTION: gasoline dispensing facilities accessory to a marina or boat club are permitted.
- b. All existing service stations and car washes permitted before January 1, 1994, are conforming uses. Such uses shall be treated the same as other allowed uses, consistent with applicable regulations. Other uses made

nonconforming by this zoning ordinance are subject to the requirements of Chapter [18.37](#), Nonconforming Buildings and Uses.

c. Electric Vehicle Infrastructure is permitted as an accessory use in the Urban Waterfront (UW) District if it meets the criteria set forth in OMC 18.04.060GG.

5. Neighborhood Retail District (NR) and Community Retail (CMR) District Requirements. State or regional transportation facilities shall be linear facilities only, such as roads or railroads.

- a. Underground petroleum storage tanks are prohibited within the Allison Springs aquifer recharge area.
- b. No more than four (4) gas dispensing devices serving a maximum of eight (8) vehicles at one time are permitted at convenience stores/gas stations in the CMR District.
- c. No more than two (2) gas dispensing devices serving a maximum of four (4) vehicles at one time are permitted at convenience stores in the NR District.

6. Urban Waterfront Housing (UW-H) Requirements.

- a. Electric Vehicle Infrastructure is permitted as an accessory use in the Urban Waterfront Housing (UW-H) District if it meets the criteria set forth in OMC 18.04.060GG.

X. School - Colleges and Commercial, Business or Trade Schools. The following requirements apply to all colleges and commercial, business or trade schools requiring a Conditional Use Permit hereafter erected, established or relocated.

- 1. Lot Size. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area of a school in excess of four (4) students shall be based upon a determination made by the Hearing Examiner.
- 2. Setbacks. Setbacks and screening shall be sufficient to protect neighboring uses.
- 3. Traffic. The Hearing Examiner shall set such conditions as may be necessary to limit traffic impacts to levels that will be compatible with the neighborhood. If the traffic to be generated cannot be adequately mitigated without adverse impacts, the permit shall be denied.

Y. Specialty Stores.

- 1. High Density Corridor-3 (HDC-3) District Requirements. No drive-through facilities are allowed for retail uses, such as a pick-up window for photo processing.
- 2. Medical Services (MS) District Requirements. Retail developments such as florists, gift shops and the like may be allowed as a conditional use where it can be demonstrated that the medical community or the consumers of medical services are clearly and primarily benefitted by the convenience of such retail facilities.

3. Neighborhood Retail (NR) District Requirements. Specialty stores are limited to those selling such items as gifts, antiques, variety goods, light hardware, hobby supplies, garden supplies, reading materials and other small items used primarily in a private home.

4. Professional Office/Residential Multifamily District (PO/RM), and High Density Corridor-1 (HDC-1) Requirements. Specialty stores shall have a maximum gross floor area of five thousand (5,000) square feet. EXCEPTION: In the PO/RM area west of Yauger Road adjacent to Harrison/Mud Bay Road, maximum gross floor area shall be ten thousand (10,000) square feet.

Z. Temporary Uses.

1. Intent. Certain uses, when active for a limited period of time and when properly regulated, can be compatible, or otherwise limited in impact to neighboring properties and the general community. In accord with this intent, no temporary use shall be allowed unless a temporary use permit is approved by the City as prescribed by this section. Each separately proposed activity or use shall require a separate permit and pay the fee required by OMC [4.40.010\(A\)](#).

2. General Standards. Temporary uses are subject to the following regulations:

a. Temporary uses not listed in the use table of this chapter may be authorized by the applicable approval authority, provided such temporary uses are similar to and no more intensive than other temporary uses permitted in the district in which the subject property is located.

b. The applicable approval authority may apply additional conditions to any temporary use permit in order to:

i. Ensure compliance with this chapter;

ii. Ensure that such use is not detrimental to neighboring properties and the community as a whole; and

iii. Ensure compliance with the Building Code.

c. Within three (3) days after termination of the temporary use permit, such use shall be abated and all structures, signs and evidence of such use removed. The Director may require a financial surety be posted by the applicant upon application to defray the costs of cleanup and repair of the property should the permittee fail to do so. The property owner is responsible for such abatement action and costs should the permittee fail to properly clean and repair the property.

d. Temporary use permits not exercised within thirty (30) days of issuance shall be null and void.

e. Unless otherwise stated in this section temporary use permits are valid from the date of issuance for ninety (90) consecutive days per calendar year.

f. Unless otherwise stated in this section no more than two (2) temporary use permits will be issued for any specific site per calendar year.

- g. Nothing in this section shall exempt the applicant from obtaining all necessary applicable permits from all other agencies having jurisdiction.
- h. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 7:00 a.m. to 10:00 p.m. unless otherwise specified in writing by the Planning Director or his designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties.

3. Specific Temporary Use Standards. The following temporary uses are permitted in commercial districts and the Evergreen Park PUD, subject to the following regulations:

- a. Entertainment Events to include: circuses, carnivals and similar transient amusement enterprises, limited to operation of not more than twice each year, and not more than ten (10) consecutive days per event per site in any one (1) calendar year.
- b. Off-site contractor's Offices (including trailers and mobile homes) and storage yards associated with an active construction project, not to exceed one (1) year in duration.
- c. Mobile Vendors.
 - i. Temporary use permits for mobile vendors are valid for one (1) year from the date of issuance.
 - ii. Approval from the property owner, or underlying property owner if located in a right-of-way, is required.
 - iii. Mobile vendors located within the sidewalk right-of-way must comply with the following rules:
 - (a). Only one mobile sidewalk vendor shall be permitted per block face.
 - (b). Public sidewalks used by mobile vendors shall have a minimum width of eight (8) feet.
 - (c). In no instance shall the clear walking area around a sidewalk vendor be less than forty-eight (48) inches. The clear walking area around a sidewalk vendor must be at least six (6) feet if within the downtown "Pedestrian Walking Lane" area delineated in OMC [9.16.180\(B\)](#), Figure 1.
 - (d). The maximum length of space occupied by a mobile sidewalk vendor and equipment is eight (8) feet.
 - (e). Mobile sidewalk vendor stands must be readily movable at all times.
 - (f). Mobile sidewalk vendors shall locate their stands at the back of the sidewalk away from curb.
 - (g). All locations shall be approved on a first-come, first-serve basis.
 - (h). Mobile sidewalk vendors shall sign a Hold Harmless Agreement with the City of Olympia.

- d. Parking lot and other outdoor sales of merchandise and/or services unrelated to the primary use of the property must comply with the following:
- i. Merchandise displays may only occupy parking stalls which are in excess of city parking requirements.
 - ii. There shall be no obstruction of emergency exits, Fire Lanes or other Emergency apparatus.
 - iii. Sales areas shall be maintained in an attractive and trash-free manner.
 - iv. Sales areas shall not substantially alter the existing circulation pattern of the site.
- e. Temporary, commercial wireless communications facilities, for the purposes of providing coverage of a special event such as news coverage or sporting event. Such facilities must comply with all federal and state requirements. Temporary wireless communications facilities may be exempt from the provisions of Chapter [18.44](#) up to one week after the duration of the special event.
- f. Temporary surface parking lots on previously developed property are allowed subject to approval by the Director, and are limited to a one time permit valid for two years. A one year extension may be granted by the Director if a complete Land Use Application has been submitted for review. All applications must provide a complete Site Plan and comply with the following:
- i. A twenty by twenty (20'x20') foot paved surface at all approved points of ingress/egress.
 - ii. A dust-free surface.
 - iii. An erosion control and stormwater containment plan.
 - iv. Clear designation of parking spaces and drive aisles consistent with OMC [18.38.220](#) with striping and/or parking blocks. To prevent obstruction of public rights-of-way wheel blocks must be provided at the perimeter of the site.
 - v. No new or additional points of access.
 - vi. Provision for an enforceable compliance and closure agreement.
 - vii. May not be established on Pedestrian "A" streets per OMC [18.16.080\(H\)](#).
4. Violations. At any time a temporary use is operated in violation of required conditions of this section or of the permit (Subsection [18.06.060\(Z\)\(2\)\(b\)](#)) or otherwise found to constitute a nuisance, the City may take appropriate enforcement action including the process set forth at OMC [18.73.010](#).

AA. Warehousing.

1. Urban Waterfront (UW) District Requirements:

- a. East of Adams Street and north of Olympia Avenue.
 - i. Warehousing is a permitted use.
- b. Elsewhere in the District:
 - i. Warehouses are prohibited except when part of a larger project and included within the proposed building.
 - ii. All existing warehouses permitted before January 1, 1994, are conforming uses. Such warehouses shall be treated the same as other allowed uses, consistent with applicable regulations. Other uses made nonconforming by this zoning ordinance are subject to the requirements of Chapter [18.37](#), Nonconforming Buildings and Uses.

BB. Wholesale Sales. The following Conditional Use Permit restrictions apply to wholesale uses:

1. Urban Waterfront (UW) District Requirements. Wholesale sales are a permitted use in those portions of the UW District which are not within the Pedestrian Streets Overlay District (see Chapter [18.16](#)). In those portions of the UW District which are within the Pedestrian Streets Overlay District, wholesale sales may be allowed as a conditional use if the proposed project meets the Street Edge Development Standards of the Pedestrian Streets Overlay District. The proposed project may be exempted from the Pedestrian-Oriented Street Wall Requirement if:
 - a. The proposed design meets the intent of the Chapter; and
 - b. The building site presents unusual conditions which require an alternative design to accomplish the intent.
2. Commercial Services - High Density (CS-H) District Requirements. Permitted uses include those which offer specialized products at wholesale to other uses permitted in this district, including, but not limited to, office machine sales and repair services, and office supply sales.

CC. Marinas. Urban Waterfront (UW) District Requirements: As an accessory use, marinas may provide sites for recreational vehicles for users of the marina, at a rate of up to 1.5 sites per 100 mooring slips. These sites shall be provided with hook-ups for water, sewer, and electricity. Users of these sites shall be limited to two (2) weeks occupancy per year.

DD. Office Supplies and Equipment. High Density Corridor-1 (HDC-1), and Professional Office/Residential Multifamily District (PO/RM) Requirements. Office supplies and equipment stores shall have a maximum gross floor area of five thousand (5,000) square feet. EXCEPTION: In the PO/RM area west of Yauger Road adjacent to Harrison/Mud Bay Road, maximum gross floor area shall be ten thousand (10,000) square feet.

EE. Pharmacies and Medical Supply Stores. High Density Corridor-1 (HDC-1), and Professional Office/Residential Multifamily District (PO/RM) Requirements. Pharmacies and medical supply stores shall have a maximum gross floor area of five thousand (5,000) square feet. EXCEPTION: In the PO/RM area west of Yauger Road adjacent to Harrison/Mud Bay Road, maximum gross floor area shall be ten thousand (10,000) square feet.

FF. Equipment Rental Services. Existing equipment rental services legally established as of July 2001 are conforming uses in the PO/RM District and shall be treated the same as other allowed uses, consistent with applicable regulations. In the PO/RM area west of Yauger Road adjacent to Harrison Mud Bay Road, maximum gross floor area shall be ten thousand (10,000) square feet.

GG. Drinking Establishments. Existing drinking establishments legally established (as of July 2001) are conforming uses in the PO/RM District and shall be treated the same as other allowed uses, consistent with applicable regulations. In the PO/RM area west of Yauger Road adjacent to Harrison/Mud Bay Road, maximum gross floor area shall be ten thousand (10,000) square feet.

HH. Urban Waterfront Housing. Up to a maximum of 1 FAR (floor area ratio) can be made up of allowed uses other than residential. (Refer to Pedestrian Street Overlay District 18.16.060(B) for amount and location of commercial uses in a predominantly residential project on "A" streets.)

II. Veterinary Clinic and Office, Veterinary Clinic. Downtown Business (DB), Medical Services (MS), High Density Corridor-1 (HDC-1), and Professional Office/Residential Multifamily District (PO/RM) Requirements. Animals shall be kept indoors except for very brief periods of time as necessary for the animal's health.

(Ord. 7032 §6 (Exh. E), 2016; Ord. 6975 §4, 2015; Ord. 6967 §18, 2015; Ord. 6942 §4, 2014; Ord. 6842 §7, 2013; Ord. 6759 §6, 2011; Ord. 6755 §2, 2011; Ord. 6592 §6, 2008; Ord. 6395 §22, 2006; Ord. 6309 §2, 2004; Ord. 6273 §8, §9, 2003; Ord. 6195 §17, 2002; Ord. 6140 §21, §22, §23, §24, §25, §26, §27, 2001; Ord. 6092 §2, 2001; Ord. 6073 §14, 2000; Ord. 5830 §6, 1998; Ord. 5714 §13, 1997; Ord. 5671 §3, 1997; Ord. 5664 §6, 1997; Ord. 5661 §2, 1996; Ord. 5569 §3, 1995; Ord. 5517 §1, 1995).

18.06.080 Commercial districts' development standards (General)

A. General Standards. The standards contained in Table 6.02 (Commercial Districts' Development Standards) relating to lot area, building setbacks, development coverage, building coverage, and building height apply to commercial districts as indicated. They may be a minimum requirement (e.g. minimum lot size), or a maximum allowance (e.g., maximum height). Many of the standards in Table 6.02 are summaries of more detailed information found in Section [18.06.100](#), Specific Development Standards.

(Ord. 7032 §6 (Exh. E), 2016; Ord. 6408 §41, 2006; Ord. 6317 §3, 2004; Ord. 6273 §34, 2003; Ord. 6195 §37, 2002; Ord. 6140 §43, 2001; Ord. 6073 §33, 2000; Ord. 5830 §56, 1998; Ord. 5664 §13, 1997; Ord. 5661 §2, 1996; Ord. 5569 §3, 1995; Ord. 5517 §1, 1995).

TABLE 6.02

COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
MINIMUM LOT SIZE	7,200 Sq. Ft.	No minimum, except 1,600 = cottage 3,000 = zero lot 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse 6,000 sq. ft. = duplex 7,200 sq. ft. = multifamily 4,000 = other	No minimum, except 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse	No minimum, except 1,600 = cottage 3,000 = zero lot 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse 6,000 sq. ft. = duplex 7,200 sq. ft. = multifamily 4,000 = other	No minimum, except 1,600 = cottage 3,000 = zero lot 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse 6,000 sq. ft. = duplex 7,200 sq. ft. = multifamily 4,000 = other	No minimum, except 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse	No minimum, except 1,600 sq. ft. minimum 2,400 sq. ft. average = townhouse	See also 18.06.100(D) for regulations on existing undersized lots of record.
FRONT YARD SETBACK	See Chapter 18.110 , Basic Commercial Design Criteria	10' maximum, if located in a High Density Corridor; 10' minimum otherwise.	5' minimum for residential otherwise none.	0-10' See 18.130	0-10' See 18.130	0-10' See 18.130	0-10' See 18.130	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with clear sight

TABLE 6.02

COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
								triangle requirements, Section 18.40.060(C) . 3. Must comply with site design standards, Chapter 18.100 .
REAR YARD SETBACK	15' minimum.	10' minimum; Except: 1. Next to an R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories. 2. Next to MR 7-13, MR 10-18, RM-18, RM-24 or RMH district = 10' minimum + 5'	10' minimum; Except: 1. Next to single-family use or an R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories. 2. Next to MR 7-13, MR 10-18, RM-18, RM-24 or RMH district (refer to 1 above if adjacent use is	10' minimum; Except: 1. Next to an R4, R4-8, or R6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories; 10 ft. where an alley separates HDC-1 from the above residential district. 2. Next to MR7-13, MR 10-18, RM-18, RM-24 or RMH	10' minimum; Except: 1. Next to an R4, R4-8, or R6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories; 10 ft. where an alley separates HDC-2 from the above residential district. 2. Next to MR7-13, MR 10-18, RM-18, RM-24, or RMH	10' minimum; Except: 1. Next to single-family use or an R4, R4-8, or R6-12 district = 15' minimum + 5' for each bldg. floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district (refer to 1 above if adjacent use is single-family) = 10'	10' minimum; Except: 1. Next to single-family use or an RLI, R4, R4-8, or R6-12 district - 15' minimum + 5' for each bldg. floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district (refer to 1 above if adjacent use is single-family) = 10'	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with site design standards, Chapter 18.100 .

TABLE 6.02

COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
		for each bldg. floor above 2 stories.	single-family) = 10' minimum + 5' for each bldg. floor above 2 stories.	district = 10' minimum + 5' for each bldg. floor above 2 stories.	district = 10' minimum + 5' for each bldg. floor above 2 stories.	minimum + 5' for each bldg. floor above 2 stories.	minimum + 5' for each bldg. floor above 2 stories.	
SIDE YARD SETBACK	15' minimum.	No minimum on interior, 10' minimum on flanking street; Except: 1. Next to R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR 7-13, MR 10-18, RM-18, or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed	No Minimum; Except: 1. Next to R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR 7-13, MR 10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed	No minimum on interior, 10' minimum on flanking street; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories.	No minimum on interior, 10' minimum on flanking street; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each building floor above 2 stories.	No Minimum; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures; 5'	No Minimum; Except: 1. Next to RLI, R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures; 5'	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section 18.40.060(C) . 3. Residential sideyards can be reduced consistent with 18.04.080(H)(5).

TABLE 6.02

COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
		for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures: 5' except 6' on one side of zero lot.	use structures: 5' except 6' on one side of zero lot.	3. Residential excluding mixed use structures: 5' except 6' on one side of zero lot.	3. Residential excluding mixed use structures: 5' except 6' on one side of zero lot.	except 6' on one side of zero lot.	except 6' on one side of zero lot.	4. Must comply with site design standards, Chapter 18.100 .
MAXIMUM BUILDING HEIGHT	Up to 35', whichever is less.	Up to 35', if any portion of the building is within 100' of R 4, R 4-8, or R 6-12 district; Up to 60' otherwise.	Up to 35', if any portion of the building is within 100' of R 4, R 4-8, or R 6-12 district; Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75', if at least	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the	1. Not to exceed height limit set by State Capitol Group Height District, 18.10.060, for properties near the State Capitol Campus. 2. Must comply with site design standards, Chapter 18.100 . 3. HDC-1 and HDC-2 additional story

TABLE 6.02

COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
			one story is residential.	lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise. Provided that one additional story may be built for residential development only.	lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise. Provided that one additional story may be built for residential development only.	lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75', if at least one story is residential.	lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75', if at least one story is residential. See 18.130.060 Significant Building Entry tower exemption (allows an additional 30' for a tower element at Capital Mall). Up to 75' for HDC-4 zoned properties where the	must comply with OMC 18.06.100.A.6.

TABLE 6.02

COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
							proposed project provides for the development of replacement dwelling units in a development agreement and the project site is all or part of an area of 40 acres or more that was in contiguous common ownership in 2009.	
MAXIMUM BUILDING COVERAGE	45%	70%, except 55% for residential only structures	70%; or 85% if at least 50% of the required parking is under the building.	70% for all structures	70% for all structures	70% for all structures, 85% if at least 50% of the required parking is under the building.	70% for all structures. 85% of the site if at least 50% of the required parking is under the building. On redeveloped sites, 85% if at least 50% of new	For projects in the GC and HDC-4 zones west of Yauger Way, limitations of building size per 18.06.100(C) and 18.130.020 apply.

TABLE 6.02

COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
							required parking is under the building or in a structured parking form. 85% for HDC-4 zoned properties where the proposed project provides for the development of replacement dwelling units in a development agreement and the project site is all or part of an area of 40 acres or more that was in contiguous common ownership in 2009.	
MAXIMUM IMPERVIOUS	50%	70%	85%	85% for all structures	85% for all structures	85% for all structures	85% for all structures	See OMC 18.06.100(D) .

TABLE 6.02

COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
SURFACE COVERAGE								
MAXIMUM HARD SURFACE	60%	85%, except 75% for residential structures						
ADDITIONAL DISTRICT-WIDE DEVELOPMENT STANDARDS	Maximum building size (gross sq. ft.): 3,000 for single use; 6,000 for mixed use.	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B) and Figure 6-3).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building Floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	For properties in the vicinity of the Downtown or Kaiser Road and Harrison Ave NE, also see Pedestrian Streets Overlay District, Chapter 18.16 . For retail uses over 25,000 square feet in gross floor area, see Section 18.06.100(G) Large Scale Retail Uses. EXCEPTION: Section

TABLE 6.02

COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
								18.06.100 (G) shall not apply to motor vehicle sales.

LEGEND

NR = Neighborhood Retail
GC = General Commercial

PO/RM = Professional Office/Residential Multifamily

HDC-1=High Density Corridor-1
HDC-2=High Density Corridor-2
HDC-3=High Density Corridor-3
HDC-4=High Density Corridor-4

TABLE 6.02

COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
MINIMUM LOT AREA	7,200 Sq. Ft.	No minimum.	No minimum.	No minimum.	7,200 Sq. Ft. if bldg. height is 35' or less. 12,500 Sq. Ft. if bldg. height is over 35'.	No minimum.	
FRONT YARD SETBACK	10' maximum.	No minimum; however, see Chapter 18.100 for design	No minimum.	No minimum.	No minimum.	30' minimum for buildings; 15' for other	1. 50' minimum from property line for agriculture

TABLE 6.02

COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
		guidelines for pedestrian access and view corridors.				structures except signs	buildings (or structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section 18.40.060(C) . 3. See Design Guidelines, Chapter 18.100 .
REAR YARD SETBACK	15' minimum; If next to a residential zone, 15' minimum plus 5' for every story over 3 stories.	No minimum; however, see Chapter 18.100 for design guidelines for pedestrian access and view corridors.	No minimum.	No minimum.	5' minimum if building has 1 or 2 stories. 10' minimum if building has 3 or more stories.	15' minimum.	50' minimum from property line for agriculture buildings (or structures) which house animals other than pets.
SIDE YARD SETBACK	10' minimum; 15' minimum plus 5' for every story over 3 stories if	No minimum; however, see Chapter 18.100 for design guidelines for pedestrian access and view corridors.	No minimum.	No minimum.	5' minimum if building has 1 or 2 stories. 10' minimum if building has 3 or	5' minimum 30' minimum for buildings and 15' minimum for other	1. 50' minimum from property line for agriculture buildings (or structures) which

TABLE 6.02

COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
	next to a residential zone.				more stories; AND the sum of the 2 side yards shall be no less than 1/2 the building height.	structures from flanking streets.	house animals other than pets. 2. Must comply with clear sight triangle requirements, Section 18.40.060(C) . 3. See Design Guidelines, Chapter 18.100 .
MAXIMUM BUILDING HEIGHT	75'; except hospitals, which may exceed that height.	See Figure 6-2, Urban Waterfront District Height Limits Exceptions: 1) In the portion of the area Downtown with a height limit of 65', two additional residential stories may be built. See 18.06.100(A)(2)(b) . 2) In the portion of the area on West Bay Drive with a height limit of 42' to 65', the taller height limit is	Refer to Figure 6-2 and 6-2B for specific height and building configurations required on specific blocks.	75'; PROVIDED, however, that two additional stories may be built, if they are residential. There are also restrictions around Sylvester Park. For details, see 18.06.100(C)(6) Height, Downtown Business District.	75' Exception: Up to 100' may be allowed with conditional approval by the City Council, upon recommendation of the Hearing Examiner. For details, see 18.06.100(C)(5) , Height, Commercial Services-High Density.	40' accessory building limited to 20'.	Not to exceed height limit set by State Capitol Group Height District, 18.10.060 , for properties near the State Capitol Campus.

TABLE 6.02

COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
		conditioned upon the provision of certain waterfront amenities. See 18.06.100(A)(2)(c).					
MAXIMUM BUILDING COVERAGE	50%	60% for properties between the shoreline and the nearest upland street. 100% for properties not between the shoreline and the nearest upland street. See also Chapter 18.100 for design guidelines for pedestrian access and view corridors.	100%	No requirement.	No requirement.	85%	
MAXIMUM IMPERVIOUS SURFACE COVERAGE	60%	100% development coverage.	100%	100%	100%	85%	See OMC 18.06.100(D) .
MAXIMUM HARD SURFACE	65%						
ADDITIONAL DISTRICT-WIDE	Building floors above 3 stories which abut a	Street ends abutting the water shall be preserved to provide views of and public	Street ends abutting the water shall be		Residential uses must comply with High Rise Multi-	6' of sight-screening buffer shall be	For properties in the vicinity of the Downtown, also see

TABLE 6.02

COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
DEVELOPMENT STANDARDS	street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(F)). Residential uses (Section 5 of Table 6.01) may not be constructed within 600 feet of Lilly Road except in upper stories of mixed use building; all other development standards are the same as for commercial uses.	access to the water, pursuant to Section 12.16.050(D) OMC. See also Chapter 18.100 for Downtown design guidelines for Pedestrian Access and View Corridors and Waterfront Public Access; Chapter 18.100 for Port Peninsula design guidelines for Pedestrian Connections and View Corridors; Section 18.06.100(A)(2)(c) for West Bay Drive building height and view blockage limits; and Chapter 18.100 for West Bay Drive view corridors. See also Chapter 18.100 for Downtown design guidelines for Pedestrian Access and View Corridors and Waterfront Public Access; Chapter	preserved to provide views of and public access to the water, pursuant to OMC Section 12.16.050(D) .		family (RM-H) development standards.	provided along north, east, and west district boundaries. See Olympia Park Replat covenants for access, and other standards applicable to replat lots.	Pedestrian Streets Overlay District, Chapter 18.16 . For retail uses over 25,000 square feet in gross floor area, see Section 18.06.100 (G) Large Scale Retail Uses. EXCEPTION: Section 18.06.100 (G) shall not apply to motor vehicle sales.

TABLE 6.02

COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
		<p>18.100 for Port Peninsula design guidelines for Pedestrian Connections and View Corridors; Section 18.06.100(A)(2)(c) for West Bay Drive building height and view blockage limits; and Chapter 18.100 for West Bay Drive view corridors.</p>					

LEGEND

MS = Medical Services

DB = Downtown Business

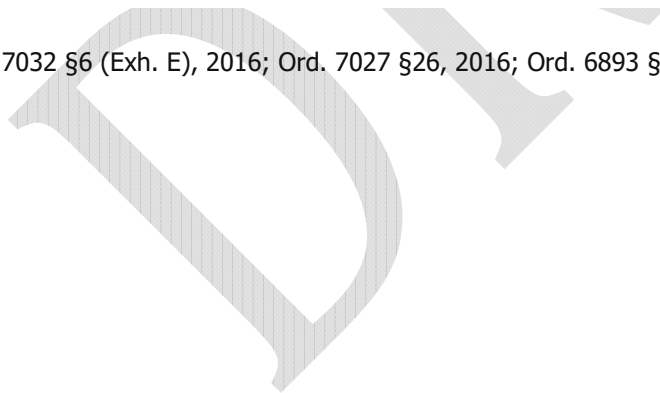
CS-H = Commercial Services - High Density

UW = Urban Waterfront

UW-H = Urban Waterfront-Housing

AS=Auto Services

(Ord. 7094 §7, 2017; Ord. 7032 §6 (Exh. E), 2016; Ord. 7027 §26, 2016; Ord. 6893 § 1, 2014; Ord. 6842 §6, 2013; Ord. 6666 §1, 2009; Ord. 6490 §2, 2007).



18.06.100 Commercial districts' development standards--Specific Revised 10/17 

A. Height.

1. Roof structures for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building, fire or parapet walls, skylights, towers, flagpoles, chimneys, smoke stacks, wireless masts, T.V. antennas, steeples and similar structures may be erected above the height limits prescribed in this Title, provided that no roof structure, feature or any other device above the prescribed height limit shall be allowed or used for the purpose of providing additional floor space. This height exception does not apply to the additional story provision for residential development described in OMC 18.06.100.A.6. Provided, further, that no roof structure or architectural feature shall be erected more than eighteen (18) feet above the height limit of the district, whether such structure is attached to it or free-standing.

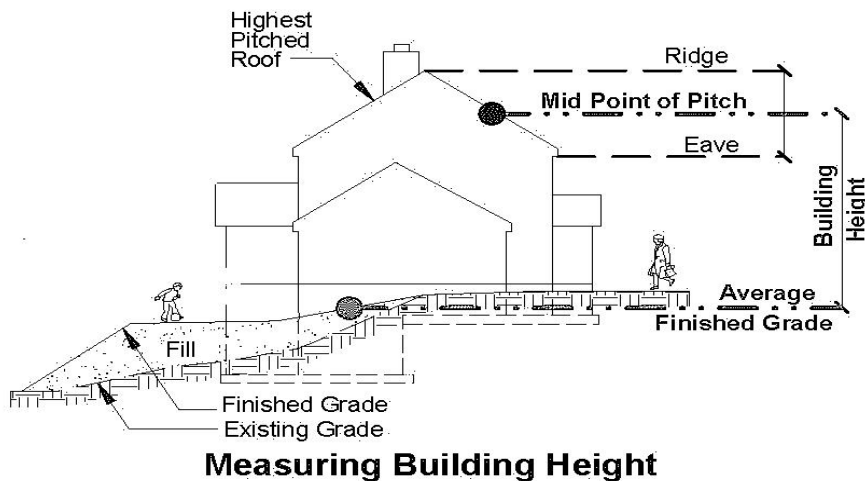


FIGURE 6-1A

2. Urban Waterfront (UW) District.

- a. Allowed building heights in the Urban Waterfront (UW) District are specified in Figure 6-2.
- b. Bonus for residential development.
 - i. In the area labeled sixty-five (65) feet on Figure 6-2, up to two additional stories may be built, if the project is located in the downtown, if the added stories are stepped back from the street wall at least eight (8) feet, and if floor area equal to the amount from the added stories is provided for residences:
 - (a) In the same building--i.e., it is a residential or a mixed use building; or
 - (b) With commercial and residential uses in separate buildings on the same site; or

- (c) With commercial and residential uses on separate sites within the Urban Waterfront (UW) district.
- ii. Occupancy. Housing provided under this bonus provision as part of a mixed use project must receive an occupancy permit at the same time as, or in advance of, issuance of an occupancy permit for non-residential portions of the project.
- iii. Conversion. Housing provided under this bonus provision shall not be converted to commercial use.
- iv. Source of housing units. Housing provided under this bonus provision may be:
 - (a) New construction,
 - (b) Adaptive reuse of a formerly non-residential structure, or
 - (c) Rehabilitation of existing housing.
- c. West Bay Drive building height and view blockage limits.
 - i. In order to retain public and private view access to Budd Inlet from hillside sites above West Bay Drive, the maximum building height in the West Bay Drive portion of the Urban Waterfront (UW) District labeled " 42'-65' " on Figure 6-2 shall be up to a maximum of 42 feet, except as provided in subsections (iii) and (iv) below.
 - ii. In order to retain public view access of Budd Inlet from street level in the West Bay Drive portion of the Urban Waterfront (UW) District labeled " 42'-65' " on Figure 6-2, view blockage shall be limited as follows:
 - (a) Views of the water will be defined as area without obstruction by buildings or major structures measured between 45 and 90 degrees to West Bay Drive, as illustrated in Figure 6-2A.
 - (b) Said view blockage shall be limited to 45 percent of the views of the water from West Bay Drive by buildings or major structures located between West Bay Drive and the mean high water line.
 - (c) Exceptions are provided in subsections (iii) and (iv) below.
 - iii. Development shall be subject to the alternate standards for building height and view blockage, if alternate waterfront view access is provided through public amenities as follows:

Amenity Provided	Limits on Horizontal View Blockage and Height
Waterfront Trail	70% up to 42 ft., OR 45% up to 65 ft.

Amenity Provided	Limits on Horizontal View Blockage and Height
Expanded Waterfront Trail Corridor Facility (or small waterfront park area).	50% up to 42 ft., OR 45% up to 50 ft.
Both	70% up to 65 ft.

Any development over 42 feet shall be required to include a minimum of 20% of the usable building area for residential purposes.

iv. Criteria for approval of alternate waterfront view access.

(a) Waterfront Trail.

- (1) Trail right-of-way consistent with City trail standards shall be dedicated to the City.
- (2) The trail shall be designed consistent with City standards and requirements, or as otherwise approved by the Olympia Parks, Arts and Recreation Department. Because the trail passes by different land uses, it may take a different character in different locations, for reasons of safety, privacy, or environmental protection.
- (3) The developer shall design, build, and dedicate the facility to the City.
- (4) An analysis of recreation needs shall be provided by the Olympia Parks, Arts and Recreation Department. An analysis of environmental impacts, hazardous waste risks, and engineering issues sufficient to determine the design and location for the trail facility shall be approved by the Olympia Parks, Arts and Recreation Department but provided by the developer. All analysis shall be complete prior to approval.

(b) Expanded Waterfront Trail Corridor Facility or Small Waterfront Park.

- (1) The developer shall build and dedicate the facility and its site to the City.
- (2) The expanded waterfront trail corridor facility or small park area shall be designed consistent with City and other applicable government standards and requirements, or as otherwise approved by the Olympia Parks, Arts and Recreation Department. The expanded waterfront trail corridor facility or small park may vary in size from City park standards and could include additional right-of-way for the expanded trail, landscaping, habitat enhancement, benches, lighting, parking, restrooms, garbage receptacles, telephones, interpretive signs and other park facilities.
- (3) An analysis of environmental impacts, hazardous waste risks, trail improvements, and engineering issues sufficient to design the expanded waterfront trail corridor facility or small park area shall be approved by Olympia Parks, Arts and Recreation Department but provided by the developer. All analysis shall be complete prior to approval.

(4) The expanded waterfront trail corridor facility or small park shall have a publicly accessible connection to West Bay Drive, designed, constructed, and dedicated for public use by the developer.

v. The view blockage rules shall be applied on a project-wide basis and not for each lot or parcel in a project, thus allowing projects providing more views on some lots to have more view blockage on other lots as long as the overall project meets the view blockage requirements.

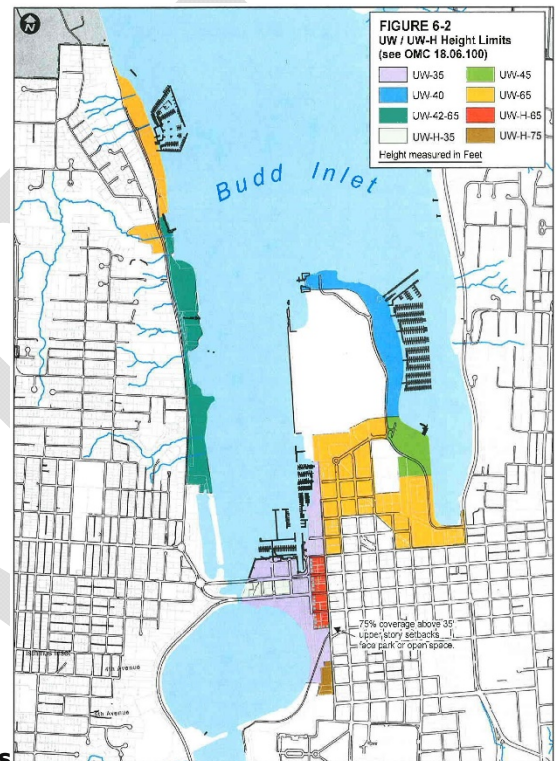


Figure 6-2 Urban Waterfront and Urban Waterfront Height Limits

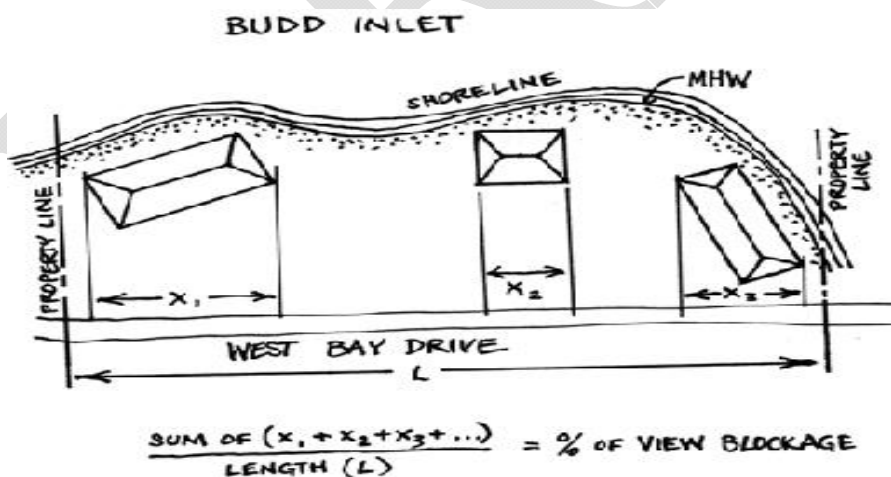


FIGURE 6-2A

Calculating View Blockage in a portion of the Urban Waterfront District along West Bay Drive.

3. Commercial Services-High Density. The maximum building height allowed is one hundred (100) feet. Provided, however, that no building or structure may exceed seventy-five (75) feet in height without conditional review and approval by the Hearing Examiner. Approval of structures exceeding seventy-five (75) feet in height shall meet the following criteria:

- a. The building design shall be compatible with or enhance the physical characteristics of the site, the appearance of buildings adjacent to the site and the character of the district.
- b. The site plan shall facilitate efficient and convenient circulation, shall include landscaping that creates a pleasing appearance from both within and off the site and shall be an asset to the community at large.
- c. Enhancement of public view access or direct public access to usable open space areas shall offset any potential upland view loss which may occur as a result of the proposal.

4. Downtown Business District.

- a. Building height allowed outright in the DB zone is seventy-five (75) feet.
- b. Bonus for residential development.
- c. Enhancement of public view access or direct public access to usable open space areas shall offset any potential upland view loss which may occur as a result of the proposal.
 - i. Buildings may exceed the height allowed outright (75 feet) by up to two (2) stories, if the added stories are stepped back from the street wall at least eight (8) feet, and if floor area equal to the amount from the added stories is provided for residences:
 - (a) In the same building--i.e., it is a residential or a mixed use building; or
 - (b) With commercial and residential uses in separate buildings on the same site; or
 - (c) With commercial and residential uses on separate sites within the Downtown Business (DB) zone.
 - ii. Occupancy. Housing provided under this bonus provision as part of a mixed use project must receive an occupancy permit at the same time as, or in advance of, issuance of an occupancy permit for non-residential portions of the project.
 - iii. Conversion. Housing provided under this bonus provision shall not be converted to commercial use.
 - iv. Source of housing units. Housing provided under this bonus provision may be:
 - (a) New construction,
 - (b) Adaptive reuse of a formerly non-residential structure, or

(c) Rehabilitation of existing housing.

5. Urban Waterfront - Housing.

- a. Allowed building heights in the Urban Waterfront-Housing District are specified in Figure 6-2.
- b. Required step backs and placement of step backs over 35 feet on specific blocks are specified in Figure 6-2.

6. High Density Corridor (HDC - 1 and HDC - 2).

- a. Building height allowed outright in the HDC-1 and HDC-2 zones as outlined in OMC [18.06.080](#), Table 6.02.
- b. Additional story for residential development.
 - i. Additional story can only be allowed for those development that do not provide a mechanical "penthouse" room as allowed under the provisions of OMC [18.06.100.A](#). However, the additional story can be occupied with both residential development and mechanical equipment.
 - ii. Buildings may exceed the height allowed outright in OMC [18.06.080](#), Table 6.02, by one (1) story. The additional story cannot exceed fourteen (14) feet above the maximum allowable height requirement as specified in OMC [18.06.080](#), Table 6.02.
 - iii. The additional story must be stepped back at least eight (8) feet from any abutting street or any abutting residential zoning district. See OMC 18.06.100.B.2.
 - iv. Housing provided under this additional story as part of a mixed use project must receive an occupancy permit at the same time as, or in advance of, issuance of an occupancy permit for non-residential portions of the project.
 - v. Housing provided under this additional story provision shall not be converted to commercial use. Except that the residential units may conduct business activities under the provision for home occupations. See OMC [18.04.060.I](#).
 - vi. Housing provided under this bonus provision may be:
 - (a) New construction;
 - (b) Adaptive reuse of a formerly non-residential structure, or
 - (c) Rehabilitation of existing housing.
 - vii. This additional story is not available and will not be approved within 100 feet of a designated historic district.

B. Upper Story StepBacks.

1. High Density Corridor-1 (HDC-1), Community Retail (CMR), High Density Corridor-2 (HDC-2), General Commercial (GC), High Density Corridor-4 (HDC-4), Medical Services (MS), and Professional Office/Residential Multifamily (PO/RM) District Requirements:

Building floors above three (3) stories which abut a street or residential district must be stepped back a minimum of eight (8) feet (see Figure 6-3).

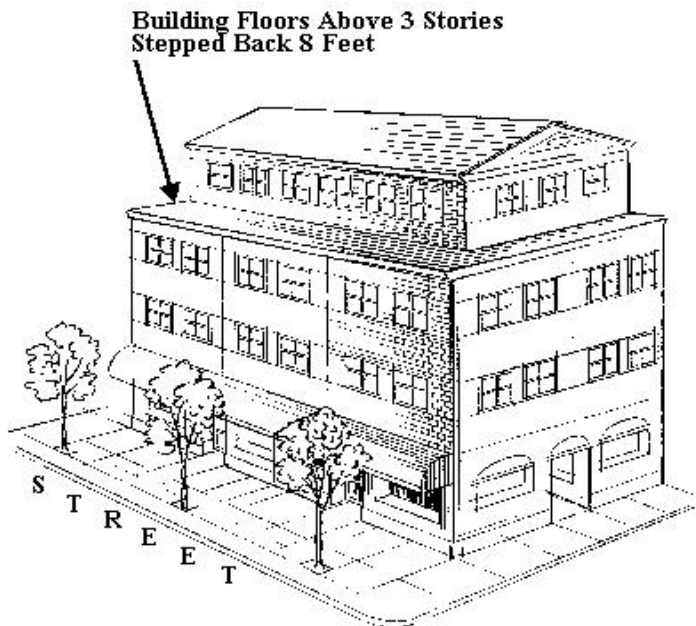


FIGURE 6-3

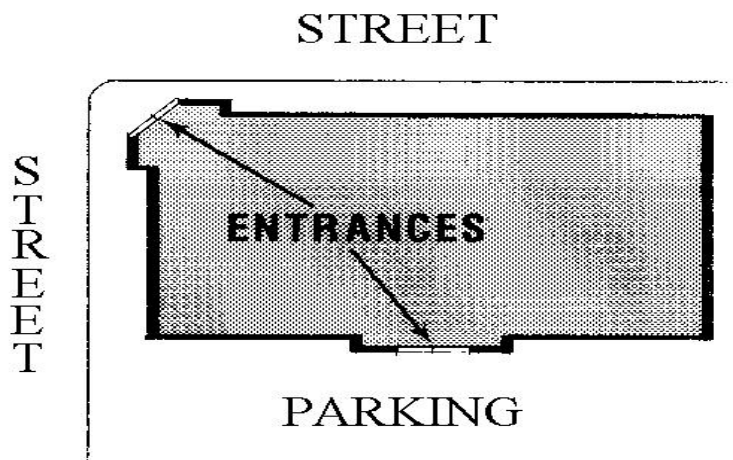
2. Additional Story Provision for HDC-1 and HDC-2. Projects within the HDC-1 and HDC-2 zoning districts which use the additional story provisions for residential development as outlined in OMC 18.06.100.A.6, must step the additional story back by a minimum of eight (8) feet. The step back is required for the additional story which abuts a street or residential district.

C. Large Scale Retail Uses. Retail uses over twenty-five thousand (25,000) square feet in gross floor area under common ownership or use shall meet the design requirements of this section. For purposes of this section, a retail use under common ownership or use shall mean a single establishment which shares checkstands, management, a controlling ownership interest, or storage areas, e.g., a plant nursery or a grocery store associated with a general merchandise store, such as a home improvement store.

In General Commercial and HDC-4 zones west of Yauger Way, single story or single use commercial retail space shall not occupy more than 60,000 square feet of enclosed building space on the ground floor, unless a development agreement is approved. These buildings shall be designed and oriented to provide for pedestrian and bicycle circulation throughout the site and to adjacent buildings and properties. A building larger than 60,000 square feet can be allowed when it is not directly adjacent to a street designated as an "A" street in the Pedestrian Street Overlay and if a development agreement is approved that at a minimum addresses:

- 1) Building orientation, massing, and use of high quality materials

- 2) Parking is located to the rear or side of the building, or is separated from the street by additional retail buildings
 - 3) Pedestrian, bicycle, and vehicular circulation on site and connections to adjacent properties
 - 4) Community assets, such as the multi-use trail identified in the Kaiser Harrison Opportunity Area Plan
1. Customer entrances. Customer entrances shall be provided on each facade that faces an abutting street, customer parking, or a public park or plaza, up to a maximum requirement of three customer entrances per business occupancy. If there are two or more facades facing abutting streets, at least two such facades must provide a customer entrance. An entrance on a corner of the building may count as serving two facades. Such entrances shall provide both ingress and egress, and shall be double doors, not just single units. See Figure 6-4.

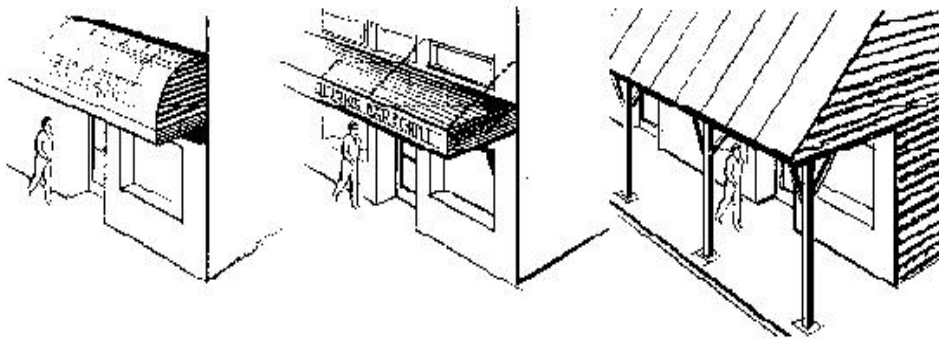


Customer Entrances must be provided on facades facing abutting streets and parking. Example shows corner entrance serving two street facades, plus entrance serving parking.

FIGURE 6-4

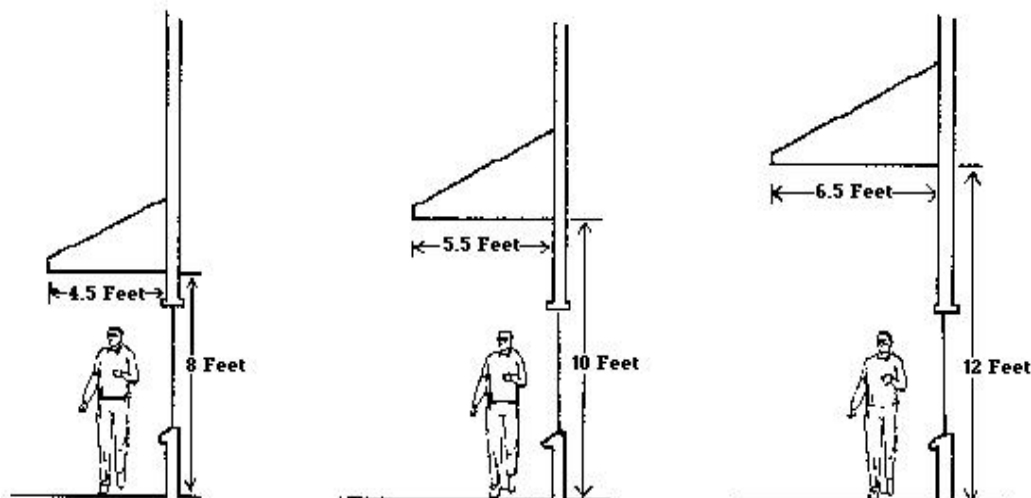
2. Rain protection. Awnings, canopies, marquees, arcades, building overhangs or similar forms of pedestrian weather protection, at least four and one half (4 1/2) feet wide, shall be provided over a pedestrian walkway along at least eighty (80) percent of any facade with a customer entrance. See Figure 6-5. Such weather protection shall be placed no less than eight (8) feet above the walkway. If placed more than eight (8) feet above the walkway, such weather protection shall be at least an additional six (6) inches in width for each additional foot of height, or portion thereof. See Figure 6-6.

Development in the HDC-4 Capital Mall Area shall use design standards established for this area instead of the above rain protection regulation. See 18.130.050 HDC 4-Capital Mall.



Rain Protection (L to R): Awning, Marquee, Arcade

FIGURE 6-5



Width of Rain Protection is determined by height above walkway.

FIGURE 6-6

3. Wall articulation. Facades greater than fifty (50) feet in length shall incorporate wall plane projections or recesses having a depth of at least three percent (3%) of the length of the facade and extending in the aggregate at least twenty percent (20%) of the length of the facade. No uninterrupted length of any such facade shall exceed fifty (50) horizontal feet. EXCEPTION: This requirement shall not apply to walls which:

- a. have no customer entrance; and
- b. are only visible from service areas, and not from nearby residences or from the customer parking lot or an abutting street.

Development in the HDC-4 Capital Mall Area shall use design standards established for this area instead of the above wall articulation regulation. See 18.130.050 HDC 4-Capital Mall.

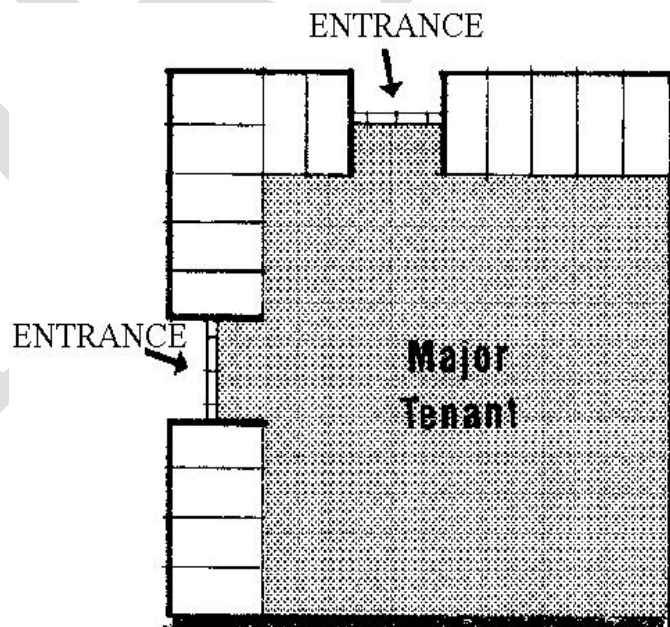
4. Frontage limit. The frontage per business occupancy shall be limited to one hundred (100) feet along any facade facing an abutting street, unless sixty percent (60%) or more of the facade between two (2) and eight (8) feet above the sidewalk is in transparent glazing; i.e., transparent windows, display windows, or transparent store doors (staff note: this would allow a major tenant to have lots of its own display windows, or to lease peripheral space to lots of small tenants, or to look like it was doing so, or to build added stories to get added floor area). See Figures 6-7 through 6-12. EXCEPTION: This requirement shall not apply to that portion of a facade where the average grade level of the sidewalk of the abutting street is 4 feet or more above or below the adjacent floor level of the building. See Figure 6-13.

Development in the HDC-4 Capital Mall Area shall use design standards established for this area instead of the above frontage limit. See 18.130.050 HDC 4-Capital Mall.



Example of building with 100' frontage, hence exempt from transparent glazing requirement.

FIGURE 6-7



Frontage limited by placing small shops on periphery of building, plan view.

FIGURE 6-8



Small shops on periphery of building, elevation view.

FIGURE 6-9



150-foot frontage with 60% of facade between 2' and 8' in transparent glazing.

FIGURE 6-10



25,000 square foot 1-story building with 150 feet of frontage

FIGURE 6-11



50,000 square foot building on 2 stories with 150 feet of frontage

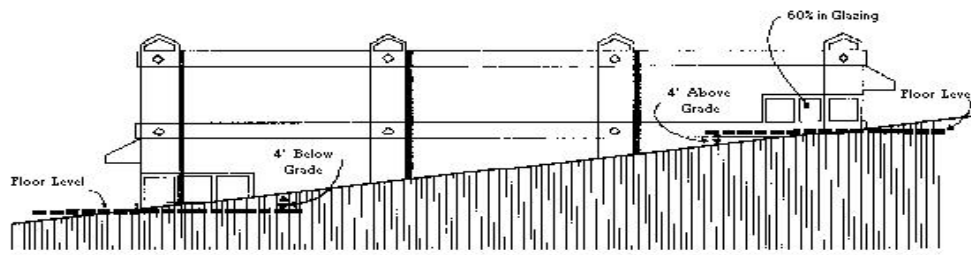


FIGURE 6-12

Transparency requirement does not apply to the portion of a facade with a floor level over 4’ above or below grade.

FIGURE 6-13

5. Very Large Scale Retail Facilities. Retail uses under common ownership or use, which exceed size thresholds set forth in subsection (a) below for the zone in which the retail uses are proposed, shall meet the additional development and design requirements specified in subsections (a)(ii)-(iv). Those which exceed size thresholds set forth in subsection (b) below for the zone in which the retail uses are proposed shall be subject to the requirements for Conditional Use approval provided in subsection (b)(ii).

a. Added development and design requirements for Very Large Scale Retail Facilities

i. Thresholds for requirements

District	Size (gross floor area)
GC	60,000 sq. ft.
HDC-2	40,000 sq. ft.
HDC-3	50,000 sq. ft.
HDC-4, except Capital Mall Area	60,000 sq. ft.
UW	40,000 sq. ft.
UW-H	25,000 sq. ft.
DB	25,000 sq. ft.
UC	50,000 sq. ft.

ii. Adaptability for Reuse/Compartmentalization. The building design shall include specific elements that facilitate the structure’s adaptation for multi-tenant reuse. Such elements may include but are not limited to compartmentalized construction, including plumbing, electrical service, heating, ventilation and air conditioning. The building design shall also allow for all of the following:

- (1) Subdivision of the interior of structure into separate tenancies. The design for interior subdivision shall accommodate multiple potential tenancies, each no larger than fifty percent (50%) of the size threshold for the district defined in subsection (i) above. Example A: An applicant designs a 120,000 sq. ft. Very Large Scale Retail Use in the GC district to accommodate reuse by four

potential tenancies of 30,000 sq. ft. each. Example B: An applicant designs the same building to accommodate two potential tenancies of 30,000 sq. ft., and four potential tenancies of 15,000 sq. ft.

- (2) Facades that readily adapt to multiple entrances without compromising the structural integrity of the building, and adapt to entrances on at least two sides of the building; or, if the building is designed to have only one front facade, all potential tenancies shall be designed for access from the front facade.
- (3) Parking lot designs that are shared by establishments or are linked by safe and functional pedestrian connections.
- (4) Landscaping schemes that complement the multiple entrance design.
- (5) Design and placement of loading docks/loading bays to accommodate multiple potential tenancies.
- (6) Other elements of design which facilitate the multi-tenant reuse of the building and site.

iii. Parking Design.

- (1) Parking lots with over one acre in paving shall be designed for on-site infiltration of the stormwater generated on site. This may be accommodated by underground infiltration vaults, porous paving, or other techniques permitted by the City of Olympia Stormwater Drainage Manual, and subject to the approval of the Department of Public Works.
- (2) Bicycle parking shall meet all requirements of the City’s bicycle parking regulations, in particular Sections [18.38.100](#) Vehicular and Bicycle Parking Standards, and 18.38.220 Design Standards - General.

iv. Site Design.

- (1) The site design shall include a plan for pedestrian circulation with logical connections between buildings, between buildings and adjacent streets, and from buildings to parking areas. (See also Sections [18.110.030](#), [18.120.110](#), and [18.150.030](#).)
- (2) Pedestrian walkways within the development shall be differentiated from driving surfaces through a change in materials, and shall be designed to accommodate persons with disabilities, such as wheelchair users.

b. Conditional Use Approval

i. Thresholds for Conditional Use Approval

District	Size (gross floor area)
GC	125,000 sq. ft.

District	Size (gross floor area)
HDC-2	60,000 sq. ft.
HDC-3	75,000 sq. ft.
HDC-4, except Capital Mall Area	125,000 sq. ft.
UW	60,000 sq. ft.
UW-H	40,000 sq. ft.
DB	40,000 sq. ft.
UC	100,000 sq. ft.

ii. Conditions for Approval. The following requirements apply to all Very Large Scale Retail Facilities subject to conditional use approval.

(1) The Hearing Examiner shall determine that the proposed facilities meet the development and design requirements of subsection (a) above, and all other requirements of this Title.

(2) The Hearing Examiner shall determine that the proposed facilities will not be detrimental to the health, safety, or welfare of the general public, nor injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

- (a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
- (b) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
- (c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor; and
- (d) The treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.
- (e) The impact upon public facilities or public services.

6. Additional Regulations. Refer to the following Chapters for additional related regulations:

- a. Chapter [18.36](#), Landscaping and Screening
- b. Chapter [18.38](#), Parking and Loading
- c. Chapter [18.48](#), Conditional Uses
- d. Chapter [18.100](#), Design Review

- e. Chapter [18.110](#), Basic Commercial Design
- f. Chapter [18.120](#), Commercial Design Criteria Downtown
- g. Chapter [18.130](#), Commercial Design Criteria High Density Corridor (HDC)
- h. Chapter [18.150](#), Port Peninsula

D. Impervious Surface Coverage

On development sites incorporating 'vegetated roofs,' the impervious surface coverage limits of Neighborhood Retail, Professional Office/Residential Multifamily and Medical Service districts shall be increased one square foot for each square foot of vegetated roof area up to 5% of the total site area if adequate assurance is provided that the proposed vegetated roof will provide substantial stormwater management benefits for a period of at least 30 years.

(Ord. 7094 §8, 2017; Ord. 7032 §6 (Exh. E), 2016; Ord. 7027 §27, 2016; Ord. 7015 §1, 2016; Ord. 6727 § 1, 2010; Ord. 6646 §1, 2009; Ord. 6595 §1, 2008; Ord. 6517 §45, 2007; Ord. 6490 §1, 2007; Ord. 6417 §1, 2006; 6408 §20, 2006; Ord. 6276 §6, 2003; Ord. 6195 §18, 2002; Ord. 6140 §29, 2001; Ord. 6073 §15, 2000; Ord. 5830 §11, 1998; Ord. 5661 §2, 1996; Ord. 5569 §3, 1995; Ord. 5517 §1, 1995).

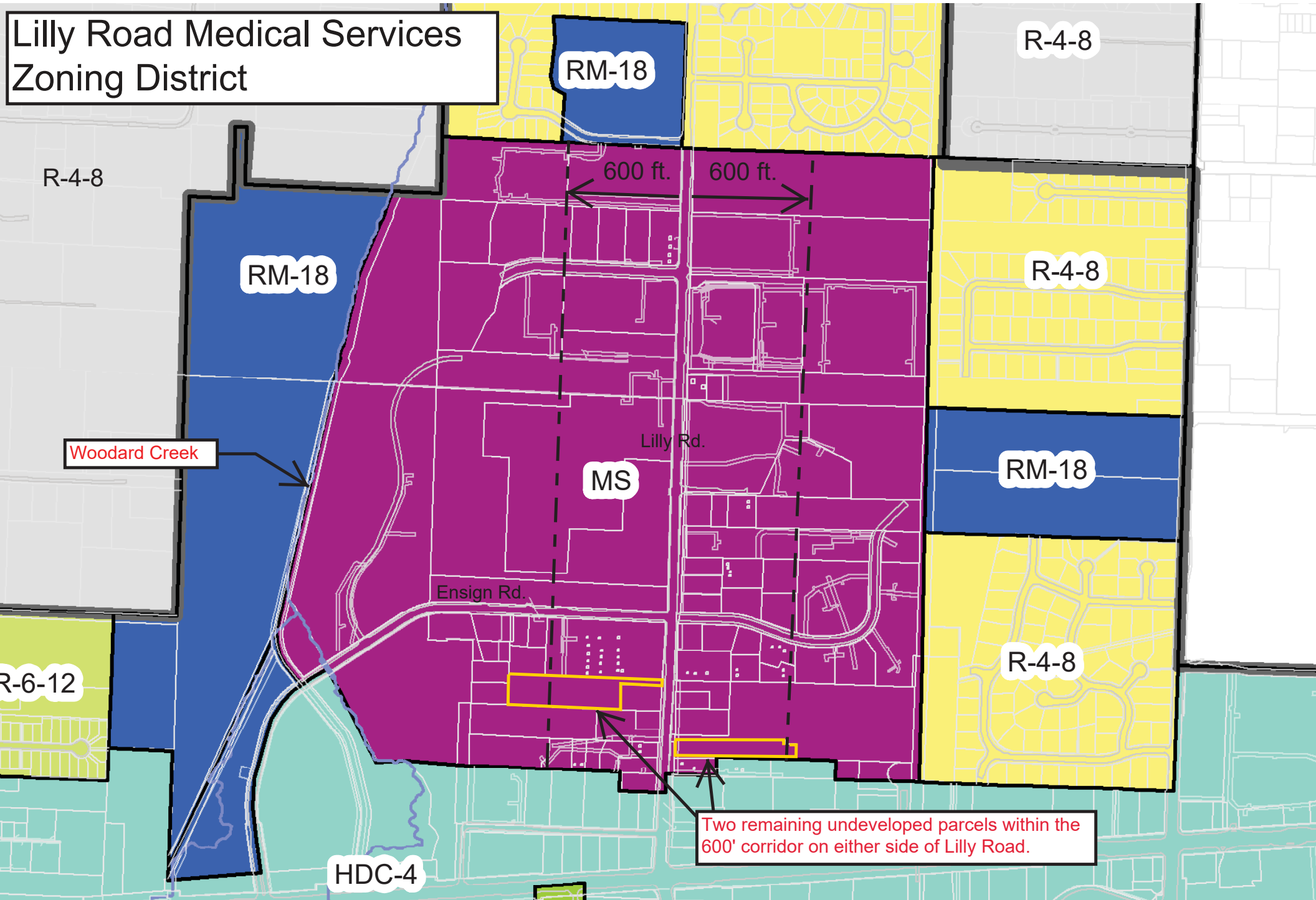
18.06.120 Additional regulations Revised 10/17 SHARE

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 18.42	Signs
Article III	Overlay Districts

(Ord. 7094 §9, 2017; Ord. 7032 §6 (Exh. E), 2016; Ord. 5517 §1, 1995).

Lilly Road Medical Services Zoning District



Two remaining undeveloped parcels within the 600' corridor on either side of Lilly Road.



Planning Commission

Deliberation on an Ordinance for Emergency (Homeless) Housing Facilities Hosted by Faith- Based Organizations, Not-for-Profit Organizations or Units of Government

Agenda Date: 11/19/2018
Agenda Item Number:
File Number: 18-1097

Type: recommendation **Version:** 1 **Status:** In Committee

Title

Deliberation on an Ordinance for Emergency (Homeless) Housing Facilities Hosted by Faith-Based Organizations, Not-for-Profit Organizations or Units of Government

Recommended Action

The Land Use and Environment Committee considered the proposed amendments to the City's Emergency (Homeless) Housing regulations on May 17, 2018 and unanimously recommended that City Council move forward with amendments as proposed by staff on an emergency basis. The City Council approved the attached ordinance as an emergency ordinance on June 5, 2018 and asked that the Planning Commission consider these revisions, hold a public hearing and provide recommendations to City Council for action by the end of 2018.

Report

Issue:

A briefing by staff, followed by deliberations on the Ordinance for Emergency Housing Facilities Hosted by Faith-Based Organizations, Not-for-Profit Organizations or Units of Government adopted on June 5, 2018 by City Council as an emergency ordinance.

Staff Contact:

Amy Buckler, Downtown Programs Manager, Community Planning & Development,
abuckler@ci.olympia.wa.us <<mailto:abuckler@ci.olympia.wa.us>>, 360.570.5847

Presenter(s):

Amy Buckler, Downtown Programs Manager

Background and Analysis:

On November 5, the Planning Commission began deliberations on changes to the Emergency Housing Ordinance. Notes on the deliberations to date are **attached**.

At the meeting, staff provided the Commission with some revised fire department revisions, **attached**. The Commission requested that more transparent information be provided to applicants

pertaining to the types of cooking and heating devices that would be approved. General guidance provided by the Fire Department is **attached**.

The Commission posed some further questions in regards to regulating firearms and notice of sex offender residency. Staff will provide an update at the meeting, and has **attached** two applicable state statutes to review.

On October 15, the Planning Commission held a public hearing on the ordinance. The written record was held open through October 19. Written public comments are **attached**.

ORDINANCE AMENDED ON OCTOBER 23

On October 23, the City Council amended the ordinance on an emergency basis.

On September 4, 2018, the 9th Circuit Court of Appeals issued a decision in *Martin vs. City of Boise*. Upon review of this decision staff recommended the City Council adopt immediate amendments to OMC Chapter 18.50 (the Amendments), as outlined below. Staff notified the Planning Commission at the public hearing that the City Council would be immediately considering these amendments, which were adopted on October 23.

Adding a Waiver for Public Health Emergency

The waiver (see 18.50.060.H) would provide authority to the Community Planning & Development Director to waive permit requirements in OMC Chapter 18.50 for faith-based, not-for-profit and government sites when there is a declared public health emergency. Waiving the requirements in certain circumstances may be necessary in order to provide enough shelter options for homeless individuals in light of recent case law.

The July 17, 2018, Declaration of Public Health Emergency Ordinance No. 7146, ostensibly provides this authority already. Adding the waiver to OMC Chapter 18.50 provides transparency and additional defense. It clarifies the waiver can be extended in six-month increments following a public hearing and determination by the City Council that the public health emergency is continuing.

Felony Warrant

Currently, the Emergency Housing Facilities Code requires host or sponsoring agencies to take all reasonable and legal steps to obtain verifiable identification of residents, and use ID received to obtain warrant checks from law enforcement. The amendment to OMC 18.50.060.F clarifies that the checks would be for *felony* warrants (e.g., robbery, assault, rape, murder) as opposed to misdemeanor warrants (e.g., shoplifting). Staff believes this limit is necessary, in light of current case law, to avoid establishing a qualifying barrier to shelter for homeless individuals.

Other Housekeeping

Upon further review of OMC Chapter 18.50, scrivener's error were found. The public notice requirement was intended to apply to property owners within 500 feet (not 300 feet), as was mistakenly left in one place. A couple other small spelling or grammatical errors were also corrected.

Effective Immediately

These Amendments were adopted on October 23 and went into effect immediately.

FAITH COMMUNITY & CITY TINY HOUSE PILOT PARTNERSHIP

On October 23, the City Council approved a pilot partnership whereby the City will provide up to \$100,000 and staff support for three emergency housing facilities on faith and non-profit community property during 2019. A description is **attached**.

ADDITIONAL BACKGROUND *(Previously provided)*

On June 5, the City Council adopted amendments to the City's Emergency Housing Ordinance to provide more flexibility for faith based organizations, not-for-profits and government entities to host emergency housing facilities on their sites. The Council adopted the amendments on an emergency (interim) basis, which meant the changes went into effect immediately. This also required the City Council to hold a public hearing within 60 days, which they did on July 24, 2018. The Council also asked that the Planning Commission hold a public hearing and make a recommendation regarding the changes. Council must consider and vote on the recommendation by the end of the year.

The City of Olympia adopted its first Emergency Housing Ordinance (formally known as the Temporary Encampment Ordinance) in 2008. These land use regulations were adopted largely as a response to Camp Quixote's occupation of City-owned property in downtown. The regulations were amended in 2011 to provide for a permanent encampment on County-owned property in Mottman Industrial Park known as Quixote Village. A single temporary encampment hosted by a faith-based organization was also allowed. However, no temporary encampments have been hosted by faith-based organizations since Quixote Village was established.

Emergency Housing Facilities in the form of tiny house villages are now a commonly accepted practice for responding to homelessness with emergency and transitional housing. Both the City of Seattle and the City of Eugene have seen multiple emergency housing facilities established in the past three years.

Prior to June 5, the City of Olympia's Temporary Homeless Encampment regulations were very limiting when it came to these types of facilities. Only one facility on County property plus one additional facility that could move from church site to church site in the entire City was allowed. Based on the number of unsheltered people living in and around Olympia there appears to be a need for multiple facilities.

Staff is actively working with religious institutions to create opportunities for siting emergency housing facilities on their property. Having regulations in place that allow for the creation of emergency housing facilities would help to facilitate these conversations.

Proposed Ordinance

The ordinance amended on an interim basis on June 5 and currently under consideration is **attached**. Amendments include:

- Changing the name of the regulations to Emergency Housing Facility Regulations
- Eliminating the differentiation between types of Emergency Housing Facilities
- Increasing the number of Emergency Housing Facilities allowed
- Allow facilities to be operated by or hosted on faith based, not-for-profit organizations and governmental entities
- Reducing barriers for clients

- Reducing barriers for host organizations

An additional amendment to the zoning code is also **attached**. This is a housekeeping amendment to clarify the difference between Emergency (Homeless) Housing and Emergency (Disaster) Housing regulations.

Public Outreach

Staff has been in discussion with faith community coalitions about this ordinance. Briefings were provided to the Coalition of Neighborhood Associations (10/8) and the PBIA Advisory Board (7/12); the ordinance update has also been mentioned at various other community meetings where the topic of homelessness has been discussed.

A public information meeting was held on October 11. Notice of the info meeting was provided to the media, neighborhood association contacts, advisory board members, the e-newsletter contact list, the Olympia Downtown Association, the Martin Way ad hoc neighborhood group, Just Housing and parties of record (*when contact info was provided*) from the June 24 City Council public hearing.

Next Steps

The Planning Commission is asked to make their recommendation in November, in order to have the City Council consider it and make a final decision in December.

Neighborhood/Community Interests (if known):

Homelessness is of significant public concern.

Options:

Following a briefing by staff, begin deliberations. Staff is available to answer questions.

1. Recommend the City Council make changes to the ordinance as determined through Planning Commission deliberations.
2. Recommend the City Council make no changes to the ordinance.

Financial Impact:

Process of exploring potential changes to the ordinance is included in CP&D's base budget. The City Council has approved up to \$100,000 for a pilot project to support three faith-based, non-profit sites in 2019.

Attachments:

Notes from Nov 5 Deliberations
Fire Department Revised Comments
Approved Cooking & Heating Guidance
State Statutes
Public Comments (*as of 10/28/18*)
Staff Comments
Current Ordinance (*Amended 10/23/18*)
Related Zoning Code Amendment
Pilot Partnership Description

Emergency Housing Ordinance Deliberation – November 5, 2018

Recommendations:

Fire Department Comments

1. Fire department provide more specificity about allowed/approved cooking fires and heating appliances; for example, guidelines for what would be automatically allowed, what may need review and approval, and what would not be allowed.
2. Recommend approval of all other fire department recommended revisions.

Revisiting the Ordinance

1. Recommend revisiting the ordinance approximately one year after the pilot projects go into effect. Approve the addition of evaluating the pilot projects and considering any potential revisions as a work item on the Planning Commission's 2019-2020 work plan. Specific items to revisit include facilities on private property, and screening requirements for facilities.

Parking

1. Include a parking plan for review by a planner as an element of the facility application; do not require minimum parking.
2. Provide flexibility in meeting parking needs.

Screening

1. Eliminate the minimum 6 ft. height requirement for screening the view of the facility from the public right-of-way.
2. Don't require screening for the restrooms.
3. Recommend placing restrooms to minimize odor impacts to adjacent properties.]

Code of Conduct

1. Recommend the host organization include a draft code of conduct in the application.

Security Tent

1. Remove all references to a security tent.

Permit Process

1. Remove Conditional Use Permit process, and replace with establishing that a temporary use permit may be granted for one year, which can be renewed on a yearly basis.

Crime Rate

1. Remove the crime rate language under "Timing" section.

Alcohol and Weapon Restrictions

1. *Revisit at the next meeting with more information.*

Sex Offender Status

1. *Revisit at the next meeting with more information.*

Emergency Housing Ordinance
Planning Commission Deliberations
November 5, 2018

Fire Department Comments (Revised)

1. Emergency Housing Facility. The Emergency Housing Facility shall conform to the following fire requirements

- a. There shall be no open fires. Cooking fires shall be pre-approved by the Olympia Fire Department;
- b. No heating appliances within the individual units are allowed without pre-approval by the Olympia Fire Department;
- c. No cooking appliances, other than microwave appliances, are allowed in individual units;
- d. An adequate number, with appropriate rating, of fire extinguishers shall be provided as approved by the Olympia Fire Department;
- e. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Olympia Fire Department;
- f. Adequate separation aisles of 6' shall be maintained for gurney and firefighter access and 6' separation shall be maintained from fences and property lines. Separation between individual units on the site shall be determined on a site specific visit by the Olympia Building and Fire Departments.
- g. Electrical service shall be in accordance with recognized and accepted practice and codes.
- h. There shall be an address associated to the site for emergency reporting and response. The address shall be posted and readily visible on approach.
- i. The site shall remain clear of physical, environmental, biological, or medical waste that could be a health hazard to tenants and emergency responders.
- j. There shall be no smoking inside of units.

Olympia Fire Department, Office of the Fire Marshal

Fire safety in sanctioned homeless camps. Items a – g, are from the Health and Safety section of the Emergency Housing Ordinance. Indented, italicized, comments are clarifications concerning safety from the Fire Marshal. Safety guidance is applicable in sanctioned and unsanctioned camps.

- a. There shall be no open fires for cooking without pre-approval by the Olympia Fire Department and no open fires for heating;

It is safer if camp occupants use legitimate single burner camping-type cook stoves (white gas or small propane cylinders). Single burner propane, white gas, propane, or charcoal bar-b-que are not considered open flame cooking applications.

OFD will not extinguish small, non-hazardous cooking fires.

Do not enter homeless encampments to extinguish cooking fires unless the fire seems threatening to structures, wildland, or people. Call law enforcement immediately if the situation seems threatening for Olympia Fire Department members.

Olympic Air Pollution Authority rules in the Urban Growth Area ban open wood fires in the City of Olympia. This includes campfires in pits or campground type burning enclosures. Other than fires for cooking, OFD could be called upon to extinguish fires in camps, especially if smoke is present in the surrounding area.

- b. No heating appliances within individual tents are allowed without pre-approval by the Olympia Fire Department;

To be determined on a site visit.

No cooking or heating devices using any flame, propane burner or bar-b-que should be used inside tents, due to the potential for carbon monoxide poisoning and/or potential fire spread.

- c. No cooking appliances, other than microwave appliances, are allowed in individual tents.

No cooking or heating devices using any flame propane burner or bar-b-que should be used inside, including inside tents, due to the potential for carbon monoxide poisoning and/or fire spread.

RCW 9.41.290**State preemption.**

The state of Washington hereby fully occupies and preempts the entire field of firearms regulation within the boundaries of the state, including the registration, licensing, possession, purchase, sale, acquisition, transfer, discharge, and transportation of firearms, or any other element relating to firearms or parts thereof, including ammunition and reloader components. Cities, towns, and counties or other municipalities may enact only those laws and ordinances relating to firearms that are specifically authorized by state law, as in RCW 9.41.300, and are consistent with this chapter. Such local ordinances shall have the same penalty as provided for by state law. Local laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of state law shall not be enacted and are preempted and repealed, regardless of the nature of the code, charter, or home rule status of such city, town, county, or municipality.

[1994 sp.s. c 7 § 428; 1985 c 428 § 1; 1983 c 232 § 12.]

NOTES:

Finding—Intent—Severability—1994 sp.s. c 7: See notes following RCW 43.70.540.

Effective date—1994 sp.s. c 7 §§ 401-410, 413-416, 418-437, and 439-460: See note following RCW 9.41.010.

Severability—1985 c 428: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1985 c 428 § 6.]

Application—1983 c 232 § 12: "Section 12 of this act shall not apply to any offense committed prior to July 24, 1983." [1983 c 232 § 13.]

Severability—1983 c 232: See note following RCW 9.41.010.

RCW 9.94A.8445**Community protection zones—Preemption of local regulations—Retrospective application.**

(1) Sections 1 through 3 and 5 of chapter 436, Laws of 2005, supersede and preempt all rules, regulations, codes, statutes, or ordinances of all cities, counties, municipalities, and local agencies regarding the same subject matter. The state preemption created in this section applies to all rules, regulations, codes, statutes, and ordinances pertaining to residency restrictions for persons convicted of any sex offense at any time.

(2) This section does not apply to rules, regulations, codes, statutes, or ordinances adopted by cities, counties, municipalities, or local agencies prior to March 1, 2006, except as required by an order issued by a court of competent jurisdiction pursuant to litigation regarding the rules, regulations, codes, statutes, or ordinances.

[2006 c 131 § 1.]

NOTES:

Contingent expiration date—2006 c 131 § 1: "(1) If the association of Washington cities submits consensus statewide standards to the governor and the legislature on or before December 31, 2007, section 1 of this act expires July 1, 2008, and may only be revived by an affirmative act of the legislature through duly enacted legislation.

(2) If the association of Washington cities does not submit consensus statewide standards to the governor and legislature on or before December 31, 2007, section 1 of this act does not expire." [2006 c 131 § 4.]

Reviser's note: No consensus statewide standards on sex offender residency restrictions were delivered to the governor on or before December 31, 2007.

Residency restrictions on sex offenders—Statewide standards—2006 c 131: "(1) The association of Washington cities, working with the cities and towns of Washington state, shall develop statewide standards for cities and towns to use when determining whether to impose residency restrictions on sex offenders within their jurisdiction.

(2) The association of Washington cities shall work in consultation with a representative from each of the following agencies and organizations:

- (a) The attorney general of Washington;
- (b) The Washington state association of counties;
- (c) The department of corrections;
- (d) The Washington state coalition of sexual assault programs;
- (e) The Washington association of sheriffs and police chiefs; and
- (f) Any other agencies and organizations as deemed appropriate by the association of Washington cities, such as the Washington association of prosecuting attorneys, the juvenile rehabilitation administration of the department of social and health services, the indeterminate sentence review board, the Washington association for the treatment of sexual abusers, and the *department of community, trade, and economic development.

(3) The statewide standards for whether to impose residency restrictions on sex offenders should consider the following elements:

(a) An identification of areas in which sex offenders should not reside due to concerns regarding public safety and welfare;

(b) An identification of areas in which sex offenders may reside, taking into consideration factors such as:

(i) How many housing units must reasonably be available in order to accommodate registered sex offenders in a city or town;

(ii) The average response time of emergency services to the areas;

(iii) The proximity of risk potential activities to the areas; and

(iv) The proximity of medical care, mental health care providers, and sex offender treatment providers to the areas;

(c) A prohibition against completely precluding sex offender residences within a city or town, implicating a sex offender's right to travel, or enacting a criminal regulatory measure;

(d) Appropriate civil remedies for violations of a local ordinance; and

(e) Unique local conditions that should be given due deference, such as proximity to state facilities that house or treat sex offenders.

(4) The association of Washington cities, on behalf of the cities and towns in Washington, shall present consensus statewide standards, along with any consensus recommendations and proposed legislation, to the governor and the legislature no later than December 31, 2007. The standards and any recommendations or proposed legislation must reflect a consensus among the association of Washington cities and the entities in subsection (2)(a) through (e) of this section. These entities must participate in good faith in activities carried out under this section with a goal of achieving consensus standards." [2006 c 131 § 3.]

***Reviser's note:** The "department of community, trade, and economic development" was renamed the "department of commerce" by 2009 c 565.

October 19, 2018

Dear Mayor Selby and City Council Members,

I attended both the Planning Commission Session on October 15 and the City Council Study session on October 16. I testified on Monday my grave concerns over the lack of safety focus on specifically the misalignment of the amendment to the City ordinance and the LIHI code of conduct. It is your duty to make sure that those documents match up. From what was proposed from one night to the next, they do not. Furthermore, there was a large contingent of St. Michael Parish School parents and community members in the gallery for the City Council meeting. As a public employee myself, I know that the goal of these types of meetings are educational and the need for construction feedback is essential. I do not appreciate Mr. Gilman, when you question the motives of this community. Sir, you need to check your assumptions and your condescension when it comes to community outreach and concern for those most vulnerable. St. Michaels is a pillar in this community when it comes to social service programs. On this topic in particular, the parish and greater community has decades of supportive programs like the Men's Shelter, the Shoulder to Shoulder financial assistance program and several more. I urge you and your cohort to check the St. Michael Parish website for the outreach already active. As a council person you are all tasked with representing all of your constituents, not just those that stroke your ego and personal bias. You did that quite well when you all fawned over the support measure of I-1691 at the City Council meeting.

Again, I am most interested in aligning the code of conduct of the management vendor, LIHI, with that of the City Council ordinance. The testimony by Amy Brechner sought to deflect the striking of weapons from the ordinance as a violation of constitutional rights. At the same time, she went on about how there is no verifiable way to ask for identification. Help me here. If a person doesn't have verifiable ID and they supposedly have a concealed pistol permit, you need verification of real ID to do that. I know, because I just applied for a permit on Wednesday. I am asking as a contributing citizen of this community for you to please be brave and ask some tougher questions and make some hard choices that long term will mitigate very real and present risks. I work in risk management, and the worst thing to ever happen is usually the first time it ever happens. You know why, because we don't take the time to vet and look at real risks and someone willing to stand up and speak for those most effected. In this case those, physically located near and around the risk. You have two elementary schools literally around the corner. You cannot tell me that isn't a risk or that you don't want to "go negative" Councilman Cooper. Would you rather see it "go negative" when someone's child is stuck by a drug needle thrown in the bushes when they are on recess? There is cause and proximate cause, this location is a proximate cause and contributing factor to the increase in risk to neighbors around this location. Another issue I see no information is on the liability of negligence. Does the Washington Cities Insurance Authority, your risk pool, aware of the liability risks associated with this? Are you as a member of said risk pool, transferring that to LIHI? What are LIHI's general liability limits? Bluntly, who gets sued? Because in my experience, its everyone, and that is almost always tax payers.

Furthermore, the Executive Director from LIHI did not answer adequately the questions posed by Mayor Pro Tem Jones. Specifically, the amount of time a resident is housed. If this is labeled as emergency and temporary housing, that definition emotes that a time limit is applied. It should not be hard to say what that time limit is and be transparent about the consequences of removing someone if they exceed

the mission of what this is based on in their code of conduct. If you are so supportive of self-governance for residents, that should not be a hard one to comply with. The very nature of this type of housing is meant to be transitional or is that just for publicity sake?

I kept hearing from people who spoke at the meeting that you have a tough job. You sought this job. No one is forcing you to be there on that council, you must listen to all sides. Please recognize the 40+ people that came to support each other at your meeting. You are tasked with providing guidance on making decisions on solutions. I understand you are responding to a need, rightfully so. The 40 people being housed here and all the other efforts the City is doing, it is not going to solve all 800+ homeless people. So pushing through this initiative so that you can say, "you did something" is not good enough. Not good enough for our city, our homeless, or yourselves. Do not misread this – DOING NOTHING IS NOT GOOD ENOUGH EITHER. But I will not support sacrificing safety for too much unmitigated risk while these simple policies don't match. You may see this as a legal loophole you're getting out of, I see it as a clear way you are offloading your duty of care. What am I asking you to do? Put the restrictions back in the city ordinance that restrict all alcohol, weapons and checks/monitoring on sex offenders. That is not too much to ask for people receiving shelter, amenities, and more than likely, their life back at no cost. We must help these people in particular with their dignity. It is dignity itself that asks us to hold ourselves accountable and put "skin in the game".

Sincerely,

A handwritten signature in cursive script that reads "Joanne Kerrigan". The signature is written in black ink and is positioned above the typed name and contact information.

Joanne Kerrigan

Joannej313@yahoo.com

Olympia, WA 98501

360-789-6116

Amy Buckler

From: Stacey Ray
Sent: Monday, October 29, 2018 8:35 AM
To: Amy Buckler
Subject: FW: Emergency Temporary Housing Facilities Ordinance OMC 18.50
Importance: High

Hi Amy,

Rad received this comment on the EHO—can we add it to the staff report today? The other options is to print and bring hard copies to the meeting on Monday.

Stacey Ray, Senior Planner
 City of Olympia | Community Planning and Development
 601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967
 360.753.8046 | olympiawa.gov

Note: Emails are public records, and are potentially eligible for release.

From: Rad Cunningham
Sent: Monday, October 29, 2018 6:17 AM
To: Stacey Ray <rray@ci.olympia.wa.us>
Subject: Fw: Emergency Temporary Housing Facilities Ordinance OMC 18.50

Hi Stacey,

Can you add this to the housing ordinance comments please?

Thanks,

-Rad

From: Erin Parsons <parsonserine@gmail.com>
Sent: Sunday, October 14, 2018 10:27 PM
To: Rad Cunningham
Subject: Emergency Temporary Housing Facilities Ordinance OMC 18.50

Dear Rad Cunningham,

This email is to support the current amendments to the Emergency Temporary Housing Facilities Ordinance (OMC 18.50), as proposed by Just Housing, and to encourage their becoming permanent.

I would like to enthusiastically applaud and support the following amendments to this ordinance:

- no cap on the number of temporary encampments permitted at any given time
- ability for faith communities, non-profits, and all units of gov't to host encampments
- allowance for encampments to remain in place for one year (with the option of extension)

Amy Buckler

From: Just Housing <contact@justhousingolympia.org>
Sent: Monday, October 15, 2018 11:22 AM
To: Rad Cunningham; Carole Richmond; Tammy Adams; Kento Azegami; Paula Ehlers; Travis Burns; Candi Millar; Joel Baxter
Cc: Steve Hall; Amy Buckler; Keith Stahley; Colin DeForrest
Subject: Just Housing feedback on OMC 18.50
Attachments: Updated Just Housing Feedback on OMC 18.50.doc; Updated Just Housing Feedback on OMC 18.50.pdf

Hello Chair, Vice Chair, and Commissioners,

In preparation for tonight's public hearing on OMC 18.50, we are sending you an updated version of Just Housing's feedback on the ordinance and the amendments currently under consideration. Please see the documents attached.

Much of our feedback and suggested additional changes are unchanged from the feedback we previously submitted to the City of Olympia in June 2018.

However, in light of the recent 9th Circuit Court decision related to the case of Martin vs. Boise, we do have some additional questions and suggestions about how the decision might impact the city's use of this ordinance. You will find these updated questions & suggestions on the first page of our feedback.

You will also find newer questions/suggestions on the last two pages.

Thank you for your work.

Just Housing

Just Housing Feedback on Amended Version of OMC 18.50 (Updated 10/12/2018)**Thoughts & questions related to the impact of the 9th Circuit Court decision on this ordinance**

In response to the 9th Circuit Court's decision, related to the case of Martin vs. Boise, the City of Olympia is considering designating multiple, "no-barrier" sites for camping. Based on beginning conversations about this concept, it seems clear that these sites would not be expected, nor be able, to meet the requirements of this ordinance.

- Considering the court's decision and the city's potential response to it, what does the city see the role of this ordinance being in our larger homeless response plan? Is it necessary for the city to rethink the purpose, regulations, and enforcement of this ordinance?
- Is the City of Olympia considering these potential "no-barrier" sites as Temporary Emergency Housing Facilities? Is the intention that this ordinance be used as a tool to regulate these sites? If so, will it be necessary to consider amending/removing more of the barriers/regulations in this ordinance so that it can be realistically used to regulate these sites?
- Is the purpose of this ordinance only to regulate sites like the Plum Street Village and not to serve as a regulatory tool for other responses, like "no-barrier" designated sites?
- The main determination of the court was that it is unconstitutional to criminalize people sleeping outdoors if there are no legal alternative locations for them to go to. So, as long as Olympia does not have an adequate number of legal options for people, is it constitutional to enforce this ordinance?
 - o Ex. If a non-profit were to overnight start allowing people to camp on their property, without going through the permitting process & without having enough money to create "adequate parking spaces" or to pay for fencing- would it be constitutional to close the camp for being in violation of this ordinance?

If the City of Olympia is considering these potential "no-barrier" sites as Temporary Emergency Housing Facilities, Just Housing encourages the city to rethink the purpose and regulations of this ordinance, so that it may better align with this new direction being explored. This might look like:

- Removing regulations that are unrealistic/unable to be enforced on "no-barrier" sites and/or that are not essential for ensuring the immediate health and safety of residents/neighbors (permit requirements, parking, fencing, ID/screening requirements, keeping a log of nightly residents/guests etc).
- Shifting the purpose of the ordinance away from focusing on screening, permitting, management, and rule requirements. Instead, focusing more on:
 - o Designating "appropriate" locations for sites
 - o Fire safety
 - o Detailing the roles of entities like city government, law enforcement, Code Enforcement, and Parks & Recreation, as they relate to all emergency facilities (low, high, and no-barrier).
 - o Describing policies for how to respond to challenges that arise with the emergency facilities (garbage, human waste, needles, safety concerns, behavioral challenges, criminal activity). For example, what might a communication/partnership plan look like with local service providers who can help with responding to these concerns?

- Detailing circumstances where a site must be closed/moved (ex. order from an outside entity like the Department of Ecology or an un-solvable safety concern like being too close to flammable gas/objects).
- Detailing how any necessary re-locations will be handled.

If the City of Olympia only intends to use this ordinance to regulate sites similar to the Plum Street Village, here is Just Housing’s feedback:

Firstly, we want to recognize and applaud the significant changes that are included in the proposed amended version of ordinance 18.50. If approved, we believe that most of the proposed amendments will improve our community’s ability to meet the need for more legal shelter. Specifically, we enthusiastically support the following proposed amendments:

- Removal of the cap on the number of encampments that can exist at one time.
- Extending the time an encampment can be permitted in one location to greater than one year.
- Removing the ban on creating a new encampment on the same property as a previous encampment for a period of 1 year after the creation of the previous encampment.
- Including language that encourages harm-reduction practices and self-governance.
- Enabling the creation of both low-barrier and high-barrier encampments by removing bans on alcohol & legal weapons, and by empowering hosts/sponsors to decide on rules for the encampment they are hosting.
- Permitting non-profits and units of government to host emergency housing facilities
- Amending the ban on “loud disturbances” to banning, “Noise or music in excess of the limits set forth in OMC 18.40.080”

While we support and commend these proposed changes, we also recognize the absence of other changes we proposed. We feel strongly that their absence will limit our ability to meet the needs of our community, despite the positive impacts of the previously mentioned amendments. Therefore, we believe that the following changes should be considered and discussed further, before omitting them from the proposed amended ordinance. We have also included our reasons for why we see these changes as being so important to the success of the amended ordinance and questions for further discussion and consideration.

1. **Allow for encampments to be permitted on private property.** The amended version of the ordinance still does not allow for private property owners to host emergency housing facilities.

Why we believe this change merits further consideration and discussion:

- Enabling private property owners to host facilities expands the types of solutions we can explore. We know that there is an interest among some private property owners (from residential home owners to large property owners) in hosting people surviving in tents. Numerous existing encampments, including some of our community’s largest, are currently located on private property with the knowledge and support of the property owners. Others exist with the knowledge and lack of support by the property owner, sometimes because the camp’s presence on their property presently constitutes a code violation. Finding ways to support and embrace community-based solutions like this, rather than banning them, has huge potential for opening doors to new, creative, and effective solutions. These camps on private property also perform a huge public service as they provide relatively safe locations for people to live in the absence of legal alternatives. If these camps were to be closed, many of these residents would end up downtown,

further exacerbating the challenges already posed by the large number of unsheltered people camping in the downtown core.

Question for consideration

- What are the specific liability risks/costs the city might incur if they were to allow for private property owners to host encampments? If such liability risks/costs were to arise, how could they be mitigated without simply dismissing the possibility of facilities hosted by private property owners? In other words, how do we find that one way to say “yes,” rather than the multiple ways to say “no”?

2. **Lower-barrier background checks/reporting requirements.** The amended version of ordinance 18.50 has the same background check/reporting requirements as the original. The requirements are high-barrier and limit the potential effectiveness of the ordinance. Again, we ask that the city seriously consider replacing the background check/reporting requirements with an agreement like the one the City of Olympia has with The Interfaith Works Emergency Overnight Shelter. The primary aspects of this agreement we support are:

- Only required to screen the guest through the sex offender registry. No requirement to do a background check that includes screening for warrants.
- Completing background checks based on name given, rather than requiring ID.

We also support enabling host/sponsor agencies to determine who can and cannot access their shelter/encampment. (Ex. Allowing the agencies to determine what levels of sex offenders-if any- they will accept and whether or not they will accept people with active warrants.)

Why we believe this change merits further consideration and discussion:

- The IFWEOS background check/reporting model has been successful enough to not require amendments since the shelter began.
- Background checks/reporting requirements are currently one of the most significant barriers keeping people from accessing shelter and services. Failing to adopt lower-barrier screening requirements will severely limit who the amended version of the ordinance will impact, as a sizeable number of people will still be unable to access safe and legal shelter.
- There are no laws that ban people with sex offenses (with the exception of sex offenses involving minors) from private, religious, or public property. Not enabling hosts to decide at their own discretion who they will allow at their encampment is creating an unnecessary barrier.
- Making it so that all sex offenders cannot access any sanctioned tent city makes our community more unsafe. It is statistically proven that the more unstable their living conditions are, the more likely it is that people with sex offenses will re-offend. This is why people’s sex offender level increases when they become homeless. Enabling hosts/sponsors to determine what levels- if any- of sex offenders they will accept increases the likelihood that even people with sex offenses will be able to access safe and legal shelter, improving the general safety of our community.
- A considerable number of people living on the streets do not have ID and are unable to obtain it for numerous reasons (inability to obtain other proof of identification, costs, no address, etc).
- Requiring ID conflicts with Olympia’s status as a Sanctuary City, as undocumented immigrants do not have and are unable to obtain legal ID.

In general, we would encourage the Planning Commission and The Olympia City Council to consider removing any requirement that is not absolutely essential for ensuring the immediate

health and safety of facility residents and neighbors. The lower the barriers, the more likely it is that more community groups will be able to step up to provide more facilities.

Additional questions about specific passages in the Amended Version of OMC 18.50

18.50.060 Emergency Housing Facility

A. Site Criteria

1. Emergency Housing Facility

e. No permanent structures will be constructed for the Emergency Housing Facility.

Q. What makes a structure considered “permanent”? Could makeshift shelters, other than tents, still fall within this guideline? What about tiny houses or similar structures that the city seems open to considering?

f. No more than forty (40) residents shall be allowed at any one encampment. The City may further limit the number of residents as site conditions dictate.

Q. Why is this not being left to the judgment/discretion of the facility host or sponsor?

g. Adequate on-site parking shall be provided for the Emergency Housing Facility. No off-site parking will be allowed. The number of vehicles used by the Emergency Housing Facility residents shall be provided in the permit application. If the Emergency Housing Facility is located on a site that has another preexisting use, it shall be shown that the Emergency Housing Facility parking will not create a shortage of on-site parking for the other use/s on the property.

Q. Why is this necessary? Is this a restriction that other downtown residential areas have to abide by? Couldn't a system for residents with vehicles and employees/volunteers be worked out to get monthly passes for their cars downtown, just as other downtown housed residents, employees, and volunteers do? A lot of potential sites, particularly on church property, have very limited parking, which is one reason why this regulation could present a significant barrier to creating emergency housing facilities.

i. The Emergency Housing Facility shall be adequately buffered and screened from adjacent right-of-way and residential properties. Screening shall be a minimum height of six (6) feet and may include, but is not limited to a combination of fencing, landscaping, or the placement of the Emergency Housing Facility behind buildings. The type of screening shall be approved by the City.

Q. Why is this necessary? Usually fencing is used for the security purposes of those within. The wording of this section seems to imply that the purpose would be to shield the emergency housing facility from the view of the general public. This could be problematic for two reasons: 1) It seems like it could present another significant obstacle to creating an adequate # of emergency housing facilities, both due to the cost & the possibility that a fence of this size/type would not be workable with the host property. 2) If the purpose is to “shield” the emergency housing facility from view, it increases harm by perpetuating divides between different members of our community and perpetuating the marginalization of houseless folks by continuing to try and render folks “invisible”

- j. All sanitary portable toilets shall be screened from adjacent properties and rights-of-way. The type of screening shall be approved by the City and may include, but is not limited to, a combination of fencing and/or landscaping.

Q. Why is this necessary? As it represents yet another cost to the host/sponsoring agency, it could be another barrier. Are all bathrooms and port-a-potties required to be screened in Olympia? Are screens required at construction sites?

B. Security

1. Emergency Housing Facility

- b. The Host Agency ... address the following issues:

iii. Any open flames are prohibited.

Q. Many facility residents depend on propane-fueled camp stoves and wood fires for warming, and especially for cooking. This complete prohibition is going to create a major hardship and barrier for viable facilities. What safety precautions, procedures, or permitting processes could make the risks of open flames acceptable, especially recognizing that there might be no practical alternatives? What alternatives does the City have in mind for facility residents to use for cooking or warming purposes? Could these be left to the judgment/discretion of the facility host or sponsor?

- h. The Host or Sponsoring Agency will appoint a designated representative ... will orient law enforcement how the security tent operates for the Emergency Housing Facility. The name of the on-duty designated representative will be posted daily in the security tent. The City shall provide contact numbers of non-emergency personnel, which shall be posted at the security tent.

Q. The requirement for a facility to have a security tent has already been removed from this amended version of the ordinance. Do these references to "security tent" still have relevance? Is there another way for the security concerns here to be met?

D. Health and Safety.

1. Emergency Housing Facility. The Emergency Housing Facility shall conform to the following fire requirements:

- a. There shall be no open fires for cooking without pre-approval by the Olympia Fire Department and no open fires for heating;
- b. No heating appliances within the individual tents are allowed without pre-approval by the Olympia Fire Department;

Q. See our Questions regarding open flames referenced in B. 1. b. iii. above. Furthermore, does the Olympia Fire Department have procedures in place for issuing such pre-approvals? If so, what are they and what impacts are they likely to have on facility residents trying to prepare meals or warm themselves? If not, is this something the Olympia Fire Department is prepared to develop, implement, and enforce; or is this

beyond their reasonable scope of engagement? As noted in B. 1. b. iii. above, what safety precautions, procedures, or permitting processes could make the risks of open fires acceptable, especially recognizing that there might be no practical alternatives? What alternatives does the City have in mind for facility residents to use for cooking or warming purposes? Could these be left to the judgment/discretion of the facility host or sponsor?

Amy Buckler

From: CityCouncil
Sent: Monday, October 22, 2018 8:16 AM
To: scottleb@hotmail.com
Cc: Amy Buckler; Colin DeForrest; Connie Cobb; Councilmembers; Jay Burney; Keith Stahley; Kellie Braseth; Steve Hall
Subject: FW: St. Michael's School - Concerned Parents
Attachments: City council letter.docx

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant
City of Olympia | P.O. Box 1967 | Olympia WA 98507
360-753-8244 sgrisham@ci.olympia.wa.us

Please note all correspondence is subject to public disclosure.

From: Scott LeBlanc <scottleb@hotmail.com>
Sent: Friday, October 19, 2018 10:13 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>
Cc: cgeraghty@stmikesolympia.org; Rachel <rachelduthie@yahoo.ca>
Subject: St. Michael's School - Concerned Parents

Good day,

As a parent of three children who are attending St. Michael's Catholic School, I wanted to share some of the concerns regarding the proposed homeless shelter plan in the vicinity of the school.

Regards.

Scott LeBlanc

18 October 2018

Olympia Town Council

SUBJECT: HOMELESS SHELTER PROPOSAL

To whom it may concern,

Discussion

1. As a parent of students attending St. Michael’s Catholic School, I have several concerns regarding the recent city council decision to build a “tiny house village” in vicinity of the school grounds. While most acknowledge that visible homelessness in Olympia is a problem that the city needs to address, it is the current proposed solution that is being scrutinized. It appears that the proposed plan does not fully address the safety and security hazards related to the school population at St. Michael’s. Additionally, it seems that the proposed solution to homelessness lacks a comprehensive approach in that it is focus on short-term rather than enduring effects.

Frame the environment

2. In developing feasible solutions to problem sets, it is important to first frame the environment that characterizes the problem in question. As we examine the system of homelessness in Olympia, there are several key variables to consider: the actors and their interests.

3. In the current environment, we have five key actors each of which possesses their respective interests. These actors include the homeless population, the school population, the Catholic School, the Catholic Church, and the city’s political body.

i. **Homeless population.** For the homeless population, the most obvious issue is the lack of shelter. While this is the most glaring issue, it is also a peripheral/symptomatic problem and does not constitute the core problem set. We must acknowledge that addictions, mental / emotional health issues, and employment/financial insecurity define the core problem set.

Interests: Within this population, there are those for which homelessness is a lifestyle choice. They gladly take advantage of the charity provided by individuals and the city. There are those who suffer from addictions and mental illness, which sometimes results in a variety of crimes ranging from theft and violence to sexual offenses. These pose a risk to the community at large, particularly to the most vulnerable. Lastly, there are those who have suffered financial misfortune. They likely possess the desire to reverse their situation and will make effective use of public assistance. Unfortunately, it is difficult to distinguish the homeless population according to these three categories. This is part of the inherent risk in building a shelter in relative close proximity to a school, particularly where the flow of the homeless population coincides with the school property.

ii. **School population.** The school population makes up the second group in the current environment. This population has subsets: the schoolchildren, the school staff, and the parents.

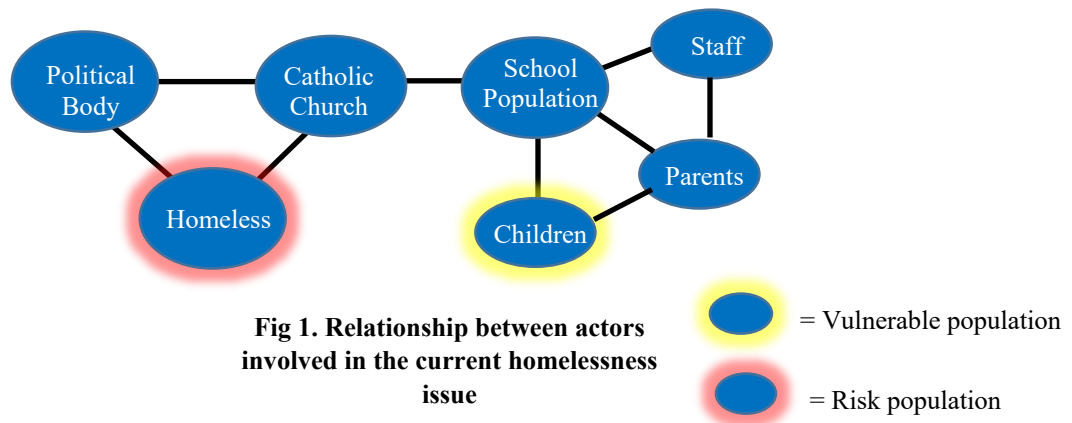
Interests: The school staff and parents have a shared moral and legal responsibility to provide for the safety and welfare of the children. The expectation is that the school environment in which the children are immersed will be safe and be conducive to their cognitive, emotional, and spiritual development. Due to their young age, the children attending St. Michael’s must be viewed as a vulnerable population, which school staff and parents have a mission and duty to protect. Moreover, staff and parents must also prevent and/or mitigate risk to this vulnerable population. To do otherwise is not an acceptable option.

iii. **Catholic Church.** The third group is the Catholic Church, which is co-located with the school.

Interests: The Catholic Church has an interest in providing spiritual oversight of St. Michael’s school. It also has an important interest and spiritual mandate in providing acts of charity to those in need from all segments of society. The Church, due to the services it provides on church grounds, attracts segments of the homeless population. While the Catholic Church willingly assumes some risk in its interactions with homeless individuals, this risk should not be imposed on the school’s vulnerable young student population.

iv. **Political body.** The fourth group is Olympia’s political body (elected officials, policy makers, police).

Interests: It has an ethical and legal responsibility to establish and execute policies that foster enduring conditions for a well-ordered and safe community. However, political expediency sometimes leads to the enactment of policies that seek short-term reactionary solutions rather than enduring comprehensive solutions.



4. In consideration of the various actors and interests involved, the desired end state in dealing with homelessness should be the provision of enduring and comprehensive solutions whereby the homeless are provided temporary shelter and, more importantly, are given the resources to transform their conditions. This should be achieved through a targeted and coordinated approach by the political body (elected officials, policy makers, and police) and the Catholic Church.

Frame the problem (problem statement)

5. In light of the complexities involved in homelessness, the challenge is as follows:

How does the city of Olympia, in coordination with St. Michael's Catholic Church and community stakeholders, develop an integrated plan to provide both shelter and assistance (counselling, mental health, education, and job training) to those individuals who show the desire and potential to fix the core causes of their homelessness in order to transform them into stable and contributing members of society while limiting the risk of harm to a vulnerable school population as well as to the community at large?

Recommendation / Observation

6. The intent of this letter is not to prescribe a detailed solution to what is a complex issue. However, in this brief attempt to layout the current system dynamics, it is apparent that risk and security are key themes that cannot be ignored. The city's proposed plan to focus on mere shelter seems to be a short term and non-enduring solution. As such, the city's plan for a homeless shelter (tiny village concept) is focused on providing immediate and tangible effects that create a false metric in regards to dealing with homelessness. Notwithstanding, the most vital narrative in this case should be the one of the school, the parents, and the Church. The young students of St. Michael's did not ask to be placed at heightened risk to harm whether it is overt or unanticipated. The adults and parents of the school, Church, and larger Olympia community should place their safety and security as a priority above all others. Therefore, any government policy should be worked around the security and safety of our children. To willingly compromise their safety is a breach of trust and is negligent particularly when motivated by political expediency.

Scott LeBlanc

Amy Buckler

From: Ashley Caines
Sent: Wednesday, October 17, 2018 7:59 AM
To: Amy Buckler; Colin DeForrest
Subject: FW: Plum Street Village

There will be a few more to follow this one here.

-Ash

-----Original Message-----

From: Todd Newlean <tnewlean@comcast.net>
Sent: Tuesday, October 16, 2018 6:31 PM
To: cpdinfo <cpdinfo@ci.olympia.wa.us>; CityCouncil <citycouncil@ci.olympia.wa.us>
Subject: Plum Street Village

As the parent of a 2nd-grader at St. Michael School, i would ask that you ensure the ongoing safety of our children and surrounding community and businesses by ensuring that the Plum Street Village is not a "low-barrier" housing village. If, as Colin DeForrest claims, this is truly a transitional living space setup to get vulnerable adults back on their feet, then I think it would serve everybody to ensure that rules are in place to prohibit all weapons, drugs (including marijuana), and alcohol from the premises. This would help provide a clean environment for those on the street who are looking to win their battle with addiction and would ensure drunk or high individuals are not wandering around within shouting distance of St. Mike's and Madison Elementary.

I see the homeless population growing week by week downtown, but please don't make the lack of planning by prior city councils a reason to short-change vulnerable children and adults by not having rules and regulations in place to promote a healthy, positive living space for those who truly need it.

Thank you for considering this,
Todd Newlean

Amy Buckler

From: Stacey Ray
Sent: Tuesday, October 23, 2018 10:04 AM
To: Amy Buckler; Colin DeForrest
Subject: FW: Homeless

Importance: High

Amy and Colin,

This came to me on Friday. Again, not sure if its intended for Planning Commission's record.

Stacey Ray, Senior Planner
City of Olympia | Community Planning and Development
601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967
360.753.8046 | olympiawa.gov

Note: Emails are public records, and are potentially eligible for release.

From: L Arwine <arwine@live.com>
Sent: Friday, October 19, 2018 12:36 PM
To: Stacey Ray <rray@ci.olympia.wa.us>
Subject: Homeless

Give the homeless some type of an incentive or credits somehow to keep their encampments clean. Just because you're homeless doesn't mean garbage has to be everywhere

Get [Outlook for Android](#)

Amy Buckler

From: Ashley Caines
Sent: Friday, October 19, 2018 8:34 AM
To: Colin DeForrest; Amy Buckler
Subject: FW: Ordinance for Emergency (Homeless) Housing Facilities Hosted by Faith-Based Organizations, Not-for-Profit Organizations or Units of Government

[Another one](#)

From: April Outlaw <aoutlaw13@gmail.com>
Sent: Thursday, October 18, 2018 8:51 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>; cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: Ordinance for Emergency (Homeless) Housing Facilities Hosted by Faith-Based Organizations, Not-for-Profit Organizations or Units of Government

As a concerned Saint Michael School parent, I urge you to reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block from my child's school. I urge you to protect all children in the vicinity by requiring:

- screening for and prohibiting sex offenders
- prohibiting weapons, drugs and alcohol
- prioritizing for the lowest risk applicants who are most likely to succeed
- requiring an on-duty manager be present at housing facility 24/7

I recognize there is a homeless crisis in Olympia and appreciate action is being taken to assist those in need. My concern is in attempting to quickly address this crisis the City will be creating a dangerous atmosphere in neglecting to protect children in the community.

Thank you for your time,

April Outlaw

Amy Buckler

From: CityCouncil
Sent: Friday, October 19, 2018 8:06 AM
To: April Outlaw
Cc: Amy Buckler; Colin DeForrest; Connie Cobb; Councilmembers; Jay Burney; Keith Stahley; Kellie Braseth; Steve Hall
Subject: RE: Ordinance for Emergency (Homeless) Housing Facilities Hosted by Faith-Based Organizations, Not-for-Profit Organizations or Units of Government

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

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Thank you for your time,

April Outlaw

Amy Buckler

From: Ashley Caines
Sent: Friday, October 19, 2018 1:27 PM
To: Colin DeForrest; Amy Buckler
Subject: FW: Attention: Planning Commission - In Support of Homeless Ordinance

Does this one go to you?

-Ash

From: Whitney Bowerman <whitneybowerman@gmail.com>
Sent: Friday, October 19, 2018 11:54 AM
To: cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: Attention: Planning Commission - In Support of Homeless Ordinance

Dear Members of the Olympia Planning Commission,

I wanted to drop you a quick note today in support of the current amendments to OMC 18.50. I would also like to see added an amendment permitting private property owners to host encampments. Having this flexibility in our code is critical given the housing crisis we are immersed in.

I volunteer regularly with local homeless services, including providing support to encampments. The conditions in which many of our unhoused neighbors are living are abhorrent. Just last week I met a young gentleman who had moved into a camp where I help provide laundry services. This gentleman has one arm, one leg, and is in a wheelchair, living in the woods in spite of tremendous mobility and medical issues. The least our community could do is provide him with a safe, legal place to sleep. With a little support, the camp conditions could be so much better!

I often feel like we get stuck doing nothing in our effort to not do something sub-par. While housing is the eventual goal, in the meantime we need to be doing better, even if it's not good enough. We need to take baby steps. These amendments will help with providing people safe, legal places to sleep as we work towards solving the broader issues.

Thanks so much for your time and effort on this!

Whitney Bowerman
1515 10th Ave SE
Olympia WA 98501
360-556-0337

Amy Buckler

From: Keith Stahley
Sent: Tuesday, October 16, 2018 10:44 AM
To: Amy Buckler
Subject: FW: Emergency Housing Ordinance

FYI:

-----Original Message-----

From: Ashley Caines
Sent: Tuesday, October 16, 2018 9:31 AM
To: Colin DeForrest <cdeforre@ci.olympia.wa.us>
Cc: Keith Stahley <kstahley@ci.olympia.wa.us>; Leonard Bauer <lbauer@ci.olympia.wa.us>
Subject: FW: Emergency Housing Ordinance

Please see below.

Thanks,
-Ash

-----Original Message-----

From: Matt DeBord <matt_debord@hotmail.com>
Sent: Monday, October 15, 2018 7:54 PM
To: cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: Emergency Housing Ordinance

City of Olympia Planning Commission,

Here are my requested changes to the ordinance:

Include a location restriction requiring the emergency housing facility to be at least 1,000 feet from a school or day care center.

Retain requirement for that alcohol is prohibited

Retain requirement that weapons are prohibited.

Retain requirement that sex offenders and those with outstanding warrants are rejected.

Thank you.

Matt DeBord
Olympia

Sent from my iPhone

Amy Buckler

From: Ashley Caines
Sent: Wednesday, October 17, 2018 8:00 AM
To: Colin DeForrest; Amy Buckler
Subject: FW: Emergency Housing Plan

Actually this is the last one for now

-Ash

From: Mayleen Panaligan <pinay15@hotmail.com>
Sent: Tuesday, October 16, 2018 5:04 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>; cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: Emergency Housing Plan

To whom it may concern,

As a concerned Saint Michael School parent, I urge you to reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block away from my child's school. I urge you to take additional steps to protect all children in the vicinity by requiring:

- screening for sex offenders
- prohibiting weapons, drugs and alcohol
- prioritizing for the lowest risk applicants
- requiring an on-duty manager be present at housing facility 24/7

I recognize there is a homeless crisis in Olympia and appreciate action is being taken to assist those in need. My concern is in attempting to quickly address this crisis the City will be creating a dangerous atmosphere in neglecting to protect children in the community.

Thank you for your time,
 Mayleen Balungaya

Amy Buckler

From: Ashley Caines
Sent: Wednesday, October 17, 2018 7:56 AM
To: Amy Buckler; Colin DeForrest
Subject: FW: Emergency housing project

Forwarding you guys this one from CP&D email.

-Ash

From: Jered Boyd <olyboyds@gmail.com>
Sent: Tuesday, October 16, 2018 10:28 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>; cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: Emergency housing project

Good morning Council and Planning Commission members. I was present at the August Council meeting and last Monday's planning commission meeting but wanted to send my comments via email also.

I am a parent of 5 children at St. Michael school, a teacher at the school, and a parishioner. As a Catholics, we believe that each person has value and dignity and these traits need to be honored and protected from conception to natural death. Which is why Catholics feed the hungry, clothe the naked, heal the sick, shelter the homeless and visit the imprisoned to name some popular activities. During the planning commission meeting, the phrase "most vulnerable in society" came up regularly.

As you continue to refine policies and ordinances for homeless housing (which currently means policy for the Plum Street site) please continue to consider the following:

- 1) Government's primary job is to protect the most vulnerable of society
- 2) It is immoral and unethical for a government agency to provide a service to one group of citizens while the same service decreases the level of safety of another.
- 3) If Plum St becomes a low barrier site then this will unnecessarily increase the risk of harm to students at St. Michael School and Madison Elementary.
- 4) If no I.D. is required then background checks and verification are meaningless or impossible and the safety of the clients at the shelter cannot be reasonably guaranteed. The shelter managers could unknowingly allow dangerous people into the shelter. This would make the shelter self-defeating because the most vulnerable would not be protected.
- 5) Another way the shelter would be self-defeating would if a site manager knowingly allows a sex offender or other risky client to reside on site. Now any homeless families with children in the shelter would be put at extreme risk and other families would need to be turned away. This would not be protecting the most vulnerable in society.
- 6) If one site cannot be within 1000 ft of another site, what does that say about the need to restrict proximity to schools, daycares, and parks. There is currently no restriction on proximity to these places. This lack of restriction fails to protect the most vulnerable of society.

I am listening to my wife talk about the study session.
 And a few questions:

How many people want to be homeless? This may sound cruel but the reality is that some people do not want to or cannot integrate back into society as productive citizens. They have dignity and need to be cared for but not in a way that puts the most vulnerable at risk.

Is the purpose of the site to help people "get back on there feet"?

Why couldn't the LIHI people answer many questions directly, with facts, or success stories? Shouldn't that be a concern?

I also would like to be on record as saying that I am in favor of housing for the homeless but just not so close to schools, etc. Thank you reading and listening to everyone's concerns.

- Jered Boyd

Amy Buckler

From: Stacey Ray
Sent: Tuesday, October 23, 2018 10:04 AM
To: Amy Buckler; Colin DeForrest
Subject: FW: Homeless

Importance: High

Amy and Colin,

This came to me on Friday. Again, not sure if its intended for Planning Commission's record.

Stacey Ray, Senior Planner
City of Olympia | Community Planning and Development
601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967
360.753.8046 | olympiawa.gov

Note: Emails are public records, and are potentially eligible for release.

From: L Arwine <arwine@live.com>
Sent: Friday, October 19, 2018 12:36 PM
To: Stacey Ray <rray@ci.olympia.wa.us>
Subject: Homeless

Give the homeless some type of an incentive or credits somehow to keep their encampments clean. Just because you're homeless doesn't mean garbage has to be everywhere

Get [Outlook for Android](#)

Amy Buckler

From: Ashley Caines
Sent: Wednesday, October 17, 2018 7:57 AM
To: Colin DeForrest; Amy Buckler
Subject: FW: Homeless camp

[Here is another one](#)

From: Cari Pearson <cougrn@gmail.com>
Sent: Tuesday, October 16, 2018 8:12 PM
To: cpdinfo <cpdinfo@ci.olympia.wa.us>
Cc: cityycouncil@ci.olympia.wa.us
Subject: Homeless camp

To whom it may concern,

As a concerned Saint Michael School parent, I urge you to reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block away from my children's school. I urge you to protect all children in the vicinity by requiring:

- screening for sex offenders
- prohibiting weapons, drugs and alcohol
- prioritizing for the lowest risk applicants
- requiring an on-duty manager be present at housing facility 24/7

I recognize there is a homeless crisis in Olympia and appreciate action is being taken to assist those in need. My concern is in attempting to quickly address this crisis the City will be creating a dangerous atmosphere in neglecting to protect children in the community.

Thank you for your time.

Sincerely,
 Cari Pearson
 St. Michael School Parent
 425-773-8849

--
 Cari Pearson
CougRN@gmail.com

Amy Buckler

From: Ashley Caines
Sent: Friday, October 19, 2018 2:27 PM
To: Colin DeForrest; Amy Buckler
Subject: FW: in support of amendments to OMC 18.50/Temporary Housing

-----Original Message-----

From: Sandia <sandia@fertileground.org>
Sent: Friday, October 19, 2018 2:00 PM
To: cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: in support of amendments to OMC 18.50/Temporary Housing

Dear Chair and Council members:

My name is Sandia Slaby and I live at 1827 Legion Way SE; Olympia 98501
Too many are house less in our community.
Some more shelters are needed
More of those need to be 'low barrier' to best serve the population that exists, to serve all our citizens most humanely & with less possibility of discriminating against human rights.
Not all houseless are criminals, which is important to remember.
Everyone deserves a safe place to find rest and be able to pursue happiness.
Thank you for you hard work on this subject. It isn't an easy issue, I know.

Amy Buckler

From: Ashley Caines
Sent: Tuesday, October 16, 2018 3:04 PM
To: Colin DeForrest; Amy Buckler
Subject: FW: Plum Street Tiny House Village

Hey, we received this email and I wanted to see if you guys wouldn't mind following up on it?

Thanks,

-Ash

From: Victoria Byrd <vubyrd@gmail.com>
Sent: Tuesday, October 16, 2018 2:28 PM
To: cpdinfo <cpdinfo@ci.olympia.wa.us>; CityCouncil <citycouncil@ci.olympia.wa.us>
Subject: RE: Plum Street Tiny House Village

To whom this may concern;

It has come to our attention as parents of St. Michael Parish School that a Tiny House Village has been approved to develop just down the street from our elementary school and Madison Elementary School. While I am vehemently opposed to the proposition that this site will be used to house homeless so close in proximity to these two schools, it seems the decision to go forward with this plan has already been made. So, instead of ranting about how enraged as a parent I am that this was snuck in under the radar in hopes no one would notice, I would like to ask that you please think carefully about the process in which you plan this community.

Tonight, you will be having a session to discuss changes to the housing ordinance that could drastically effect the campus of both these schools. I have a 7 and a 9 year old daughter I stay home with and will not be able to attend with other parents, so I would like to make my voice heard any way I can.

I am asking- near begging- not to allow drugs, alcohol, and registered sex offenders to live so near the schools of our children. The safety of those who do not have a voice in this matter must be protected. By allowing the changes to go through you are opening our children to risk that is unfathomable. If even one child is effected by this plan it is one too many. I as a parent could not live with myself if I knew what I had done or not done allowed a child to be harmed.

As a pharmacist, I have seen what drug addiction can do to a person- someone addicted to narcotics held up our pharmacy at gunpoint before I became staff there...to allow residents of this village to use substances is fostering addiction problems that will not help them find jobs and get off the streets...which is the intent of this village.

Having a set of standards that truly vets residents that wish to have this opportunity for temporary housing that will allow them an address to apply for jobs and end their homelessness should be part of the application process.

I understand there is an abundant population of homeless in Olympia and something needs to be done for the benefit of not only the tax paying citizens of the town, but also the homeless and vulnerable. I agree we should

be coming together to find solutions for the problem. I just don't feel this needs to be in such close proximity to our innocent children.

Thank you for taking the time to read this email and please think carefully about all the neighbors of this community when planning this ordinance.

Sincerely,
Victoria Byrd

Amy Buckler

From: CityCouncil
Sent: Wednesday, October 17, 2018 8:42 AM
To: Christina CahillHu
Cc: Amy Buckler; Colin DeForrest; Connie Cobb; Councilmembers; Jay Burney; Keith Stahley; Kellie Braseth; Steve Hall
Subject: RE: Proposed Homeless Shelter

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

Please note all correspondence is subject to public disclosure.

From: Christina CahillHu <ccahillhu@gmail.com>
Sent: Tuesday, October 16, 2018 5:19 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>
Subject: Fwd: Proposed Homeless Shelter

----- Forwarded message -----
From: "Christina CahillHu" <ccahillhu@gmail.com>
Date: Oct 16, 2018 5:11 PM
Subject: Proposed Homeless Shelter
To: <citycouncil@ci.wa.us>
Cc:

Good Evening,

I am a concerned parent with 3 young children at St. Michael School. I urge you to reject the current emergency housing plan that would allow sex offenders to legally live a block away from my children's school.

I realize there is a homeless issue in olympia but hope the city council can recognize the risks to children in the vicinity. Besides St.Michael School, Madison Elementary is right down the street and I often see teens walking to and from the Avanti High School. I also see teens waiting at the bus stop on Union.

Please take steps to protect the community around the area by not allowing sex offenders to reside there, prohibiting drugs, alcohol and weapons and providing an on duty manager to be present 24/7.

Thank you for taking the time to read my concerns.

Christina Cahill Hu

Amy Buckler

From: Stacey Ray
Sent: Tuesday, October 16, 2018 12:06 PM
To: Leonard Bauer; Amy Buckler
Subject: RE: Emergency Housing Ordinance

The written record was left open until Friday at 5:00 PM, so comments that come in before then can be added to the packet for Nov. 5. Zulaika forwarded one additional comment that came into cpdinfo on Sunday, while I'll forward to you, Amy.

Stacey Ray, Senior Planner
 City of Olympia | Community Planning and Development
 601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967
 360.753.8046 | olympiawa.gov

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-----Original Message-----

From: Leonard Bauer
 Sent: Tuesday, October 16, 2018 11:14 AM
 To: Stacey Ray <sray@ci.olympia.wa.us>; Amy Buckler <abuckler@ci.olympia.wa.us>
 Subject: FW: Emergency Housing Ordinance
 Importance: High

This came in yesterday via cpdinfo, but appears to be intended as public testimony on the Emergency Housing Ordinance currently before the OPC.

-----Original Message-----

From: Ashley Caines
 Sent: Tuesday, October 16, 2018 9:31 AM
 To: Colin DeForrest <cdeforre@ci.olympia.wa.us>
 Cc: Keith Stahley <kstahley@ci.olympia.wa.us>; Leonard Bauer <lbauer@ci.olympia.wa.us>
 Subject: FW: Emergency Housing Ordinance

Please see below.

Thanks,
 -Ash

-----Original Message-----

From: Matt DeBord <matt_debord@hotmail.com>
 Sent: Monday, October 15, 2018 7:54 PM
 To: cpdinfo <cpdinfo@ci.olympia.wa.us>
 Subject: Emergency Housing Ordinance

City of Olympia Planning Commission,

Here are my requested changes to the ordinance:

Include a location restriction requiring the emergency housing facility to be at least 1,000 feet from a school or day care center.

Retain requirement for that alcohol is prohibited

Retain requirement that weapons are prohibited.

Retain requirement that sex offenders and those with outstanding warrants are rejected.

Thank you.

Matt DeBord
Olympia

Sent from my iPhone

Amy Buckler

From: CityCouncil
Sent: Wednesday, October 17, 2018 8:43 AM
To: Jered Boyd
Cc: Amy Buckler; Colin DeForrest; Connie Cobb; Councilmembers; Jay Burney; Keith Stahley; Kellie Braseth; Steve Hall
Subject: RE: Emergency housing project

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

Please note all correspondence is subject to public disclosure.

From: Jered Boyd <olyboyds@gmail.com>
Sent: Tuesday, October 16, 2018 10:28 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>; cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: Emergency housing project

Good morning Council and Planning Commission members. I was present at the August Council meeting and last Monday's planning commission meeting but wanted to send my comments via email also.

I am a parent of 5 children at St. Michael school, a teacher at the school, and a parishioner. As a Catholics, we believe that each person has value and dignity and these traits need to be honored and protected from conception to natural death. Which is why Catholics feed the hungry, clothe the naked, heal the sick, shelter the homeless and visit the imprisoned to name some popular activities. During the planning commission meeting, the phrase "most vulnerable in society" came up regularly.

As you continue to refine policies and ordinances for homeless housing (which currently means policy for the Plum Street site) please continue to consider the following:

- 1) Government's primary job is to protect the most vulnerable of society
- 2) It is immoral and unethical for a government agency to provide a service to one group of citizens while the same service decreases the level of safety of another.
- 3) If Plum St becomes a low barrier site then this will unnecessarily increase the risk of harm to students at St. Michael School and Madison Elementary.
- 4) If no I.D. is required then background checks and verification are meaningless or impossible and the safety of the clients at the shelter cannot be reasonably guaranteed. The shelter managers could unknowingly allow dangerous people into the shelter. This would make the shelter self-defeating because the most vulnerable would not be protected.
- 5) Another way the shelter would be self-defeating would if a site manager knowingly allows a sex offender or other risky client to reside on site. Now any homeless families with children in the shelter would be put at

extreme risk and other families would need to be turned away. This would not be protecting the most vulnerable in society.

6) If one site cannot be within 1000 ft of another site, what does that say about the need to restrict proximity to schools, daycares, and parks. There is currently no restriction on proximity to these places. This lack of restriction fails to protect the most vulnerable of society.

I am listening to my wife talk about the study session.

And a few questions:

How many people want to be homeless? This may sound cruel but the reality is that some people do not want to or cannot integrate back into society as productive citizens. They have dignity and need to be cared for but not in a way that puts the most vulnerable at risk.

Is the purpose of the site to help people "get back on there feet"?

Why couldn't the LIHI people answer many questions directly, with facts, or success stories? Shouldn't that be a concern?

I also would like to be on record as saying that I am in favor of housing for the homeless but just not so close to schools, etc. Thank you reading and listening to everyone's concerns.

- Jered Boyd

Amy Buckler

From: CityCouncil
Sent: Wednesday, October 17, 2018 1:30 PM
To: colleenking47@gmail.com
Cc: Amy Buckler; Colin DeForrest; Connie Cobb; Councilmembers; Jay Burney; Keith Stahley; Kellie Braseth; Steve Hall
Subject: RE: Low barrier shelter near schools

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

Please note all correspondence is subject to public disclosure.

-----Original Message-----

From: colleenking47@gmail.com <colleenking47@gmail.com>
 Sent: Wednesday, October 17, 2018 12:54 PM
 To: CityCouncil <citycouncil@ci.olympia.wa.us>; cpdinfo <cpdinfo@ci.olympia.wa.us>
 Subject: Low barrier shelter near schools

To whom it may concern,

As a concerned Saint Michael School parent, I urge you to reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block away from my child's school. I urge you to protect all children in the vicinity by requiring:

- screening for sex offenders
- prohibiting weapons, drugs and alcohol
- prioritizing for the lowest risk applicants
- requiring an on-duty manager be present at housing facility 24/7

I recognize there is a homeless crisis in Olympia and appreciate action is being taken to assist those in need. My concern is in attempting to quickly address this crisis the City will be creating a dangerous atmosphere in neglecting to protect children in the community.

Thank you for your time,

Colleen King

Sent from my iPhone

Amy Buckler

From: CityCouncil
Sent: Thursday, October 18, 2018 1:45 PM
To: Lucy Rojas
Cc: Amy Buckler; Colin DeForrest; Connie Cobb; Councilmembers; Jay Burney; Keith Stahley; Kellie Braseth; Steve Hall
Subject: RE: New "Plum Street Tiny House Village" HUGE MISTAKE!!!!!!

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

Please note all correspondence is subject to public disclosure.

From: Lucy Rojas <lucy_rc@hotmail.com>
Sent: Thursday, October 18, 2018 1:33 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>; cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: New "Plum Street Tiny House Village" HUGE MISTAKE!!!!!!

To whom it may concern,

As a concerned Saint Michael School parent, and also as a WA State Board for Community and Technical Colleges' employee (yes, right across street from Saint Michael Parish and School):

I urge you to reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block away from my child's school.

I urge you to protect all children in the vicinity by requiring:

- screening for sex offenders
- prohibiting weapons, drugs and alcohol
- prioritizing for the lowest risk applicants
- requiring an on-duty manager be present at housing facility 24/7
- requiring police enforcement be present around the area 24/7

I recognize there is a homeless crisis in Olympia and appreciate action is being taken to assist those in need. My concern is in attempting to quickly address this crisis the City will be creating a dangerous atmosphere in neglecting to protect children in the community.

I truly believe that the location chosen for this shelter is a HUGE MISTAKE, I am VERY VERY CONCERN about what is going to happen when this shelter is open and this drug and alcohol addicts, armed people,

convicted felons and sex offenders arrive at the Plum's shelter location, each one of our kids at St Michael Parish School will become a target. I have a 5 year old little girl and it terrifies me just to think that she could be a potential victim because these people have nothing to lose and can lost control easily, it is horrible to think that these people can be stalking her (or others) and the nasty thoughts they are going to be thinking about her or others. Yes it is true that St Michael is doing their best effort to protect our children but what's going to happen when somebody makes a mistake?

Also, speaking as a WA state employee, me and many of my coworkers go out to walk and run during our breaks or lunch time, we are also going to be at risk once this people arrive at the area.

I hope you hear our voices and do the right thing, not just for the homeless but for the children, parish and state employees that share the area.

Thank you for your time,
Lucia Peterson

Amy Buckler

From: CityCouncil
Sent: Wednesday, October 17, 2018 12:52 PM
To: DENNIS TILSON
Cc: Amy Buckler; Colin DeForrest; Connie Cobb; Councilmembers; Jay Burney; Keith Stahley; Kellie Braseth; Steve Hall
Subject: RE: Please protect our children

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

Please note all correspondence is subject to public disclosure.

From: DENNIS TILSON <dmtilson@comcast.net>
Sent: Wednesday, October 17, 2018 10:47 AM
To: CityCouncil <citycouncil@ci.olympia.wa.us>
Subject: Please protect our children

Dear Mayor Selby and Olympia City Council,

Please reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block away from my grandchildren's school, St. Michaels, and nearby Madison Elementary and Avanti High School. I implore you to protect **all children** in the vicinity by requiring:

- screening for sex offenders
- prohibiting weapons, drugs and alcohol
- prioritizing for the lowest risk applicants
- requiring an on-duty manager be present at housing facility 24/7

We have already experienced an interaction where children were approached by a homeless man claiming to be an electrician and asking to be let into St.Michael's School during a community event Saturday evening, October 13.

I recognize there is a homeless crisis in Olympia and appreciate action is being taken to assist those in need. My concern is in attempting to quickly address this crisis the City will be creating a dangerous atmosphere in neglecting to protect children in the community.

Thank you for your time and your **commitment to a safe community for all**,

Dennis Tilson

Amy Buckler

From: CityCouncil
Sent: Wednesday, October 17, 2018 8:41 AM
To: Mayleen Panaligan
Cc: Amy Buckler; Colin DeForrest; Connie Cobb; Councilmembers; Jay Burney; Keith Stahley; Kellie Braseth; Steve Hall
Subject: RE: Emergency Housing Plan

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

Please note all correspondence is subject to public disclosure.

From: Mayleen Panaligan <pinay15@hotmail.com>
Sent: Tuesday, October 16, 2018 5:04 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>; cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: Emergency Housing Plan

To whom it may concern,

As a concerned Saint Michael School parent, I urge you to reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block away from my child's school. I urge you to take additional steps to protect all children in the vicinity by requiring:

- screening for sex offenders
- prohibiting weapons, drugs and alcohol
- prioritizing for the lowest risk applicants
- requiring an on-duty manager be present at housing facility 24/7

I recognize there is a homeless crisis in Olympia and appreciate action is being taken to assist those in need. My concern is in attempting to quickly address this crisis the City will be creating a dangerous atmosphere in neglecting to protect children in the community.

Thank you for your time,
 Mayleen Balungaya

Amy Buckler

From: Ashley Caines
Sent: Friday, October 19, 2018 3:09 PM
To: Colin DeForrest; Amy Buckler
Subject: FW: Please support amendments to OMC 18.50

From: Walt Jorgensen <waltjorgensen@comcast.net>
Sent: Friday, October 19, 2018 3:08 PM
To: cpdinfo <cpdinfo@ci.olympia.wa.us>
Cc: Growthtalk <growthtalk@yahoogroups.com>
Subject: Please support amendments to OMC 18.50

"Olympia Planning Commission" <cpdinfo@ci.olympia.wa.us>

Dear Chair, Vice Chair, and Commissioners,

I support the current amendments to OMC 18.50. I also encourage you to recommend to the City Council that they add an amendment that would permit private property owners to host encampments.

I believe that this addition, as well as the other amendments, will serve to open more doors for creative, impactful, and positive solutions to our housing and homelessness crisis.

Lowering barriers to shelter is a practice that has proved effective across the country. It enables our community to support the Best Practices of Housing First and Vulnerability Based placement for services. These models are considered Best Practices simply because studies have shown that people are better able to address challenges like substance use, mental health, and medical health when they have a stable place to live.

I want to encourage you to remember that lowering barriers in this ordinance does not mean that all sanctioned encampments will be low-barrier. The amended version of this ordinance still permits hosts and sponsors to add additional rules, regulations, and expectations. One of the greatest impacts of these amendments is that they support a variety of solutions, which is what we need to adequately address this crisis.

Furthermore, the 9th Circuit Court recently determined that government entities cannot use the law to remove houseless individuals from public property without providing them with an alternative legal location. Therefore, lowering barriers to creating legal shelter options for all will also improve our community's ability to effectively address issues related to homelessness while avoiding violating people's constitutional rights.

It's important for our community to hold on to the truth that people who are poor and/or houseless are not inherently more dangerous or inclined to criminal behavior than people with more resources. We have a responsibility as a community to promote laws and practices that do not support harmful stereotypes and generalizations and that do not indirectly or directly promote different treatment of people based on their identified demographics.

Our housing crisis has left hundreds of our community members surviving outdoors with no legal, sanctioned shelter. As we all see and hear about every day, the suffering of our unhoused community members is also impacting the well-being of the rest of our community. We know that if we don't change our response, and change it soon, that things will only worsen- and winter is quickly approaching.

Making these temporary amendments permanent would be a strong and impactful first step, that would align with the Olympia City Council's resolution in May, which committed the city to pursuing responses to this crisis that are centered in harm reduction, trauma informed care, and anti-oppression.

Everyone needs and deserves a safe place to sleep.

Thank you for considering these amendments.

Current amendments:

- Removes the cap on the number of encampments that can exist at one time.
- Extends the time an encampment can be permitted in one location to greater than one year.
- Removes the ban on creating a new encampment on the same property as a previous encampment for a period of 1 year after the creation of the previous encampment.
- Includes language that encourages harm-reduction practices and self-governance.

- Enables the creation of both low-barrier and high-barrier encampments by removing bans on alcohol & legal weapons, and by empowering hosts/sponsors to decide on rules for the encampment they are hosting.
- Permits non-profits and units of government to host emergency housing facilities
- Amends the ban on “loud disturbances” to banning, “Noise or music in excess of the limits set forth in OMC 18.40.080”

Walter R. Jorgensen
823 North St SE
Tumwater, WA 98501-3526
waltjorgensen@comcast.net
360-489-0764 (home)
360-819-0678 (cell)

Amy Buckler

From: Ashley Caines
Sent: Friday, October 19, 2018 3:09 PM
To: Colin DeForrest; Amy Buckler
Subject: FW: Please support amendments to OMC 18.50

From: Walt Jorgensen <waltjorgensen@comcast.net>
Sent: Friday, October 19, 2018 3:08 PM
To: cpdinfo <cpdinfo@ci.olympia.wa.us>
Cc: Growthtalk <growthtalk@yahoogroups.com>
Subject: Please support amendments to OMC 18.50

"Olympia Planning Commission" <cpdinfo@ci.olympia.wa.us>

Dear Chair, Vice Chair, and Commissioners,

I support the current amendments to OMC 18.50. I also encourage you to recommend to the City Council that they add an amendment that would permit private property owners to host encampments.

I believe that this addition, as well as the other amendments, will serve to open more doors for creative, impactful, and positive solutions to our housing and homelessness crisis.

Lowering barriers to shelter is a practice that has proved effective across the country. It enables our community to support the Best Practices of Housing First and Vulnerability Based placement for services. These models are considered Best Practices simply because studies have shown that people are better able to address challenges like substance use, mental health, and medical health when they have a stable place to live.

I want to encourage you to remember that lowering barriers in this ordinance does not mean that all sanctioned encampments will be low-barrier. The amended version of this ordinance still permits hosts and sponsors to add additional rules, regulations, and expectations. One of the greatest impacts of these amendments is that they support a variety of solutions, which is what we need to adequately address this crisis.

Furthermore, the 9th Circuit Court recently determined that government entities cannot use the law to remove houseless individuals from public property without providing them with an alternative legal location. Therefore, lowering barriers to creating legal shelter options for all will also improve our community's ability to effectively address issues related to homelessness while avoiding violating people's constitutional rights.

It's important for our community to hold on to the truth that people who are poor and/or houseless are not inherently more dangerous or inclined to criminal behavior than people with more resources. We have a responsibility as a community to promote laws and practices that do not support harmful stereotypes and generalizations and that do not indirectly or directly promote different treatment of people based on their identified demographics.

Our housing crisis has left hundreds of our community members surviving outdoors with no legal, sanctioned shelter. As we all see and hear about every day, the suffering of our unhoused community members is also impacting the well-being of the rest of our community. We know that if we don't change our response, and change it soon, that things will only worsen- and winter is quickly approaching.

Making these temporary amendments permanent would be a strong and impactful first step, that would align with the Olympia City Council's resolution in May, which committed the city to pursuing responses to this crisis that are centered in harm reduction, trauma informed care, and anti-oppression.

Everyone needs and deserves a safe place to sleep.

Thank you for considering these amendments.

Current amendments:

- Removes the cap on the number of encampments that can exist at one time.
- Extends the time an encampment can be permitted in one location to greater than one year.
- Removes the ban on creating a new encampment on the same property as a previous encampment for a period of 1 year after the creation of the previous encampment.
- Includes language that encourages harm-reduction practices and self-governance.

- Enables the creation of both low-barrier and high-barrier encampments by removing bans on alcohol & legal weapons, and by empowering hosts/sponsors to decide on rules for the encampment they are hosting.
- Permits non-profits and units of government to host emergency housing facilities
- Amends the ban on “loud disturbances” to banning, “Noise or music in excess of the limits set forth in OMC 18.40.080”

Walter R. Jorgensen
823 North St SE
Tumwater, WA 98501-3526
waltjorgensen@comcast.net
360-489-0764 (home)
360-819-0678 (cell)

Amy Buckler

From: Ashley Caines
Sent: Friday, October 19, 2018 2:45 PM
To: Colin DeForrest; Amy Buckler
Subject: FW: Please support amendments to OMC 18.50

From: James Reitz <jreitz17@gmail.com>
Sent: Friday, October 19, 2018 2:33 PM
To: cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: Please support amendments to OMC 18.50

Dear Chair, Vice Chair, and Commissioners,

My name is James Reitz and I live at 2233 Rimrock Ct SW.

I support the current amendments to OMC 18.50. I also encourage you to recommend to the City Council that they add an amendment that would permit private property owners to host encampments.

I believe that this addition, as well as the other amendments, will serve to open more doors for creative, impactful, and positive solutions to our housing and homelessness crisis.

Lowering barriers to shelter is a practice that has proved effective across the country. It enables our community to support the Best Practices of Housing First and Vulnerability Based placement for services. These models are considered Best Practices simply because studies have shown that people are better able to address challenges like substance use, mental health, and medical health when they have a stable place to live.

I want to encourage you to remember that lowering barriers in this ordinance does not mean that all sanctioned encampments will be low-barrier. The amended version of this ordinance still permits hosts and sponsors to add additional rules, regulations, and expectations. One of the greatest impacts of these amendments is that they support a variety of solutions, which is what we need to adequately address this crisis.

Furthermore, the 9th Circuit Court recently determined that government entities cannot use the law to remove houseless individuals from public property without providing them with an alternative legal location. Therefore, lowering barriers to creating legal shelter options for all will also improve our community's ability to effectively address issues related to homelessness while avoiding violating people's constitutional rights.

It's important for our community to hold on to the truth that people who are poor and/or houseless are not inherently more dangerous or inclined to criminal behavior than people with more resources. We have a responsibility as a community to promote equitable laws and practices that do not support harmful stereotypes and generalizations and that do not indirectly or directly promote different treatment of people based on their identified demographics.

Our housing crisis has left hundreds of our community members surviving outdoors with no legal, sanctioned shelter. As we all see and hear about every day, the suffering of our unhoused community members is also impacting the well-being of the rest of our community. We know that if we don't change our response, and change it soon, that things will only worsen- and winter is quickly approaching.

Making these temporary amendments permanent would be a strong and impactful first step, that would align with the Olympia City Council's resolution in May, which committed the city to pursuing responses to this crisis that are centered in harm reduction, trauma informed care, and anti-oppression.

Everyone needs and deserves a safe place to sleep.

Thank you for your consideration.

Amy Buckler

From: Ashley Caines
Sent: Thursday, October 18, 2018 1:52 PM
To: Colin DeForrest; Amy Buckler
Subject: FW: New "Plum Street Tiny House Village" HUGE MISTAKE!!!!!!

Here is another one, same stuff different person. Thanks guys, I will continue to forward as they roll in.

-Ash

From: Lucy Rojas <lucy_rc@hotmail.com>
Sent: Thursday, October 18, 2018 1:33 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>; cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: New "Plum Street Tiny House Village" HUGE MISTAKE!!!!!!

To whom it may concern,

As a concerned Saint Michael School parent, and also as a WA State Board for Community and Technical Colleges' employee (yes, right across street from Saint Michael Parish and School):

I urge you to reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block away from my child's school.

I urge you to protect all children in the vicinity by requiring:

- screening for sex offenders
- prohibiting weapons, drugs and alcohol
- prioritizing for the lowest risk applicants
- requiring an on-duty manager be present at housing facility 24/7
- requiring police enforcement be present around the area 24/7

I recognize there is a homeless crisis in Olympia and appreciate action is being taken to assist those in need. My concern is in attempting to quickly address this crisis the City will be creating a dangerous atmosphere in neglecting to protect children in the community.

I truly believe that the location chosen for this shelter is a HUGE MISTAKE, I am VERY VERY CONCERN about what is going to happen when this shelter is open and this drug and alcohol addicts, armed people, convicted felons and sex offenders arrive at the Plum's shelter location, each one of our kids at St Michael Parish School will become a target. I have a 5 year old little girl and it terrifies me just to think that she could be a potential victim because these people have nothing to lose and can lost control easily, it is horrible to think that these people can be stalking her (or others) and the nasty thoughts they are going to be thinking about her or others. Yes it is true that St Michael is doing their best effort to protect our children but what's going to happen when somebody makes a mistake?

Also, speaking as a WA state employee, me and many of my coworkers go out to walk and run during our breaks or lunch time, we are also going to be at risk once this people arrive at the area.

I hope you hear our voices and do the right thing, not just for the homeless but for the children, parish and state employees that share the area.

Thank you for your time,
Lucia Peterson

Amy Buckler

From: CityCouncil
Sent: Thursday, October 18, 2018 1:45 PM
To: Lucy Rojas
Cc: Amy Buckler; Colin DeForrest; Connie Cobb; Councilmembers; Jay Burney; Keith Stahley; Kellie Braseth; Steve Hall
Subject: RE: New "Plum Street Tiny House Village" HUGE MISTAKE!!!!!!

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

Please note all correspondence is subject to public disclosure.

From: Lucy Rojas <lucy_rc@hotmail.com>
Sent: Thursday, October 18, 2018 1:33 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>; cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: New "Plum Street Tiny House Village" HUGE MISTAKE!!!!!!

To whom it may concern,

As a concerned Saint Michael School parent, and also as a WA State Board for Community and Technical Colleges' employee (yes, right across street from Saint Michael Parish and School):

I urge you to reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block away from my child's school.

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convicted felons and sex offenders arrive at the Plum's shelter location, each one of our kids at St Michael Parish School will become a target. I have a 5 year old little girl and it terrifies me just to think that she could be a potential victim because these people have nothing to lose and can lost control easily, it is horrible to think that these people can be stalking her (or others) and the nasty thoughts they are going to be thinking about her or others. Yes it is true that St Michael is doing their best effort to protect our children but what's going to happen when somebody makes a mistake?

Also, speaking as a WA state employee, me and many of my coworkers go out to walk and run during our breaks or lunch time, we are also going to be at risk once this people arrive at the area.

I hope you hear our voices and do the right thing, not just for the homeless but for the children, parish and state employees that share the area.

Thank you for your time,
Lucia Peterson

Amy Buckler

From: Ashley Caines
Sent: Wednesday, October 17, 2018 1:54 PM
To: Colin DeForrest; Amy Buckler
Subject: FW: Low barrier shelter near schools

-----Original Message-----

From: colleenking47@gmail.com <colleenking47@gmail.com>
Sent: Wednesday, October 17, 2018 12:54 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>; cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: Low barrier shelter near schools

To whom it may concern,

As a concerned Saint Michael School parent, I urge you to reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block away from my child's school. I urge you to protect all children in the vicinity by requiring:

- screening for sex offenders
- prohibiting weapons, drugs and alcohol
- prioritizing for the lowest risk applicants
- requiring an on-duty manager be present at housing facility 24/7

I recognize there is a homeless crisis in Olympia and appreciate action is being taken to assist those in need. My concern is in attempting to quickly address this crisis the City will be creating a dangerous atmosphere in neglecting to protect children in the community.

Thank you for your time,

Colleen King

Sent from my iPhone

Amy Buckler

From: CityCouncil
Sent: Wednesday, October 17, 2018 12:52 PM
To: PAMELA TILSON
Cc: Amy Buckler; Colin DeForrest; Connie Cobb; Councilmembers; Jay Burney; Keith Stahley; Kellie Braseth; Steve Hall
Subject: RE: Please protect our children

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

Please note all correspondence is subject to public disclosure.

From: PAMELA TILSON <ptilson2@comcast.net>
Sent: Wednesday, October 17, 2018 10:45 AM
To: CityCouncil <citycouncil@ci.olympia.wa.us>
Cc: fwilson@osd.wednet.edu; dsknoll@osd.wednet.edu; mvelasquez@osd.wednet.edu; ALYSHA MYERS <alysamyers@outlook.com>; cgeraghty@stmikesolympia.org; Den <dmtilson@comcast.net>
Subject: Please protect our children

Dear Mayor Selby and Olympia City Council,

Please reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block away from my grandchildren's school, St. Michaels, and nearby Madison Elementary and Avanti High School. I implore you to protect **all children** in the vicinity by requiring:

- screening for sex offenders
- prohibiting weapons, drugs and alcohol
- prioritizing for the lowest risk applicants
- requiring an on-duty manager be present at housing facility 24/7

We have already experienced an interaction where children were approached by a homeless man claiming to be an electrician and asking to be let into St. Michael's School during a community event Saturday evening, October 13.

I recognize there is a homeless crisis in Olympia and appreciate action is being taken to assist those in need. My concern is in attempting to quickly address this crisis the City will be creating a dangerous atmosphere in neglecting to protect children in the community.

Thank you for your time and your **commitment to a safe community for all**,

Pamela Tilson

Amy Buckler

From: Leonard Bauer
Sent: Tuesday, October 16, 2018 11:14 AM
To: Stacey Ray; Amy Buckler
Subject: FW: Emergency Housing Ordinance

Importance: High

This came in yesterday via cpdinfo, but appears to be intended as public testimony on the Emergency Housing Ordinance currently before the OPC.

-----Original Message-----

From: Ashley Caines
 Sent: Tuesday, October 16, 2018 9:31 AM
 To: Colin DeForrest <cdeforre@ci.olympia.wa.us>
 Cc: Keith Stahley <kstahley@ci.olympia.wa.us>; Leonard Bauer <lbauer@ci.olympia.wa.us>
 Subject: FW: Emergency Housing Ordinance

Please see below.

Thanks,
 -Ash

-----Original Message-----

From: Matt DeBord <matt_debord@hotmail.com>
 Sent: Monday, October 15, 2018 7:54 PM
 To: cpdinfo <cpdinfo@ci.olympia.wa.us>
 Subject: Emergency Housing Ordinance

City of Olympia Planning Commission,

Here are my requested changes to the ordinance:

Include a location restriction requiring the emergency housing facility to be at least 1,000 feet from a school or day care center.

Retain requirement for that alcohol is prohibited

Retain requirement that weapons are prohibited.

Retain requirement that sex offenders and those with outstanding warrants are rejected.

Thank you.

Matt DeBord
 Olympia

Sent from my iPhone

Amy Buckler

From: CityCouncil
Sent: Wednesday, October 17, 2018 8:43 AM
To: Cari Pearson
Cc: Amy Buckler; Colin DeForrest; Connie Cobb; Councilmembers; Jay Burney; Keith Stahley; Kellie Braseth; Steve Hall
Subject: RE: Homeless camp

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

Please note all correspondence is subject to public disclosure.

From: Cari Pearson <cougrn@gmail.com>
Sent: Tuesday, October 16, 2018 8:18 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>
Subject: Re: Homeless camp

To whom it may concern,

As a concerned Saint Michael School parent, I urge you to reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block away from my children's school. I urge you to protect all children in the vicinity by requiring:

- screening for sex offenders
- prohibiting weapons, drugs and alcohol
- prioritizing for the lowest risk applicants
- requiring an on-duty manager be present at housing facility 24/7

I recognize there is a homeless crisis in Olympia and appreciate action is being taken to assist those in need. My concern is in attempting to quickly address this crisis the City will be creating a dangerous atmosphere in neglecting to protect children in the community.

Thank you for your time.

Sincerely,
 Cari Pearson
 St. Michael School Parent
 425-773-8849

--
 Cari Pearson
CougRN@gmail.com

--
Cari Pearson
CougRN@gmail.com

Amy Buckler

From: Ashley Caines
Sent: Friday, October 19, 2018 2:31 PM
To: Colin DeForrest; Amy Buckler
Subject: FW: Plum Street Tiny House Village

[This one requests follow up](#)

-Ash

From: PABLO MATUTE <PFMZ@msn.com>
Sent: Friday, October 19, 2018 2:26 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>; cpdinfo <cpdinfo@ci.olympia.wa.us>; news@theolympian.com
Cc: PABLO MATUTE <PFMZ@MSN.COM>; Maria E Espinoza <meef68@hotmail.com>; cgeraghty@stmikesolympia.org
Subject: Plum Street Tiny House Village

Olympia October 19th 2018

Dear Olympia Mayor, City Council and The Olympian Newspaper,

CC: Connor Geraghty St Michael's Parish School

As a concerned Saint Michael School parent I have been to city hall meetings this week Monday and Tuesday to learn more about the proposed Plum Street Village, and also to the meeting that a city representative had a couple of weeks ago at St Michael Parish School.

I urge you to reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block away from my child's school, the so called "Low entry barrier shelter", the way it was explained in Monday's meeting was:

1. No ID requirement
2. No warrant database search requirement
3. No sex offender verification requirement
4. **Yes to alcohol, drugs, guns, weapons - this sound like bring your own alcohol, drug, weapons and guns**

I believe it is a disgrace to mix drugs, alcohol, guns and sex offenders, it is a disaster waiting to happen. I hope that city liability insurance is in place.

I am also aware that we have a homeless crisis and we want to be part of the solution and not become another problem, but in order to keep safe a vulnerable population in this case homeless, you are putting the kids population at our school at risk.

At this week's meeting the LIHI coordinator could not answer simple questions from a council member about how effective these tiny villages are, but I have read the reports in the Seattle Times that at least one tiny village site that accepted drugs, alcohol and guns is shutting down for good, we do not want this to happen here in Olympia, Also we heard from LIHI that homeless that misbehave were punished "with hotel rooms accommodations", in my opinion that is not punishment that is rewarding bad behavior

I believe that working together we can accomplish ways to make sure the homeless population at risk are treated with respect, creating a risk score similar to the one that sidewalk does for the men's shelter for St. Michael Parish. I am part of the men's shelter for the last 12 years, and a rigorous screening is a must in this case.

I urge you to protect all children in the vicinity by requiring:

- screening for sex offenders
- prohibiting weapons, drugs and alcohol
- prioritizing for the lowest risk applicants
- requiring an on-duty manager be present at housing facility 24/7
- Putting a citizen committee to work with City representatives

Please reach out to me at let me know how could I help, because I am ready to be part of the solution and not the problem

Pablo Fernando Matute
206.349.9293
pfmz@msn.com

Amy Buckler

From: Stacey Ray
Sent: Tuesday, October 16, 2018 12:06 PM
To: Leonard Bauer; Amy Buckler
Subject: RE: Emergency Housing Ordinance

The written record was left open until Friday at 5:00 PM, so comments that come in before then can be added to the packet for Nov. 5. Zulaika forwarded one additional comment that came into cpdinfo on Sunday, while I'll forward to you, Amy.

Stacey Ray, Senior Planner
 City of Olympia | Community Planning and Development
 601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967
 360.753.8046 | olympiawa.gov

Note: Emails are public records, and are potentially eligible for release.

-----Original Message-----

From: Leonard Bauer
 Sent: Tuesday, October 16, 2018 11:14 AM
 To: Stacey Ray <sray@ci.olympia.wa.us>; Amy Buckler <abuckler@ci.olympia.wa.us>
 Subject: FW: Emergency Housing Ordinance
 Importance: High

This came in yesterday via cpdinfo, but appears to be intended as public testimony on the Emergency Housing Ordinance currently before the OPC.

-----Original Message-----

From: Ashley Caines
 Sent: Tuesday, October 16, 2018 9:31 AM
 To: Colin DeForrest <cdeforre@ci.olympia.wa.us>
 Cc: Keith Stahley <kstahley@ci.olympia.wa.us>; Leonard Bauer <lbauer@ci.olympia.wa.us>
 Subject: FW: Emergency Housing Ordinance

Please see below.

Thanks,
 -Ash

-----Original Message-----

From: Matt DeBord <matt_debord@hotmail.com>
 Sent: Monday, October 15, 2018 7:54 PM
 To: cpdinfo <cpdinfo@ci.olympia.wa.us>
 Subject: Emergency Housing Ordinance

City of Olympia Planning Commission,

Here are my requested changes to the ordinance:

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Retain requirement for that alcohol is prohibited

Retain requirement that weapons are prohibited.

Retain requirement that sex offenders and those with outstanding warrants are rejected.

Thank you.

Matt DeBord
Olympia

Sent from my iPhone

Amy Buckler

From: CityCouncil
Sent: Monday, October 22, 2018 8:17 AM
To: PABLO MATUTE
Cc: Amy Buckler; Colin DeForrest; Connie Cobb; Councilmembers; Jay Burney; Keith Stahley; Kellie Braseth; Steve Hall
Subject: RE: Plum Street Tiny House Village

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

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From: PABLO MATUTE <PFMZ@msn.com>
Sent: Friday, October 19, 2018 2:26 PM
To: CityCouncil <citycouncil@ci.olympia.wa.us>; cpdinfo <cpdinfo@ci.olympia.wa.us>; news@theolympian.com
Cc: PABLO MATUTE <PFMZ@MSN.COM>; Maria E Espinoza <meef68@hotmail.com>; cgeraghty@stmikesolympia.org
Subject: Plum Street Tiny House Village

Olympia October 19th 2018

Dear Olympia Mayor, City Council and The Olympian Newspaper,

CC: Connor Geraghty St Michael's Parish School

As a concerned Saint Michael School parent I have been to city hall meetings this week Monday and Tuesday to learn more about the proposed Plum Street Village, and also to the meeting that a city representative had a couple of weeks ago at St Michael Parish School.

I urge you to reject the current amendment to the Emergency Housing Plan that would allow sex offenders to legally reside less than a block away from my child's school, the so called "Low entry barrier shelter", the way it was explained in Monday's meeting was:

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I am also aware that we have a homeless crisis and we want to be part of the solution and not become another problem, but in order to keep safe a vulnerable population in this case homeless, you are putting the kids population at our school at risk.

At this week's meeting the LIHI coordinator could not answer simple questions from a council member about how effective these tiny villages are, but I have read the reports in the Seattle Times that at least one tiny village site that accepted drugs, alcohol and guns is shutting down for good, we do not want this to happens here in Olympia, Also we heard from LIHI that homeless that misbehave were punished "with hotel rooms accommodations", in my opinion that is not punishment that is rewarding bad behavior

I believe that working together we can accomplish ways to make sure the homeless population at risk are treated with respect, creating a risk score similar to the one that sidewalk does for the men's shelter for St. Michael Parish. I am part of the men's shelter for the last 12 years, and a rigorous screening is a must in this case.

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- prioritizing for the lowest risk applicants
- requiring an on-duty manager be present at housing facility 24/7
- Putting a citizen committee to work with City representatives

Please reach out to me at let me know how could I help, because I am ready to be part of the solution and not the problem

Pablo Fernando Matute

206.349.9293

pfmz@msn.com

Amy Buckler

From: Ashley Caines
Sent: Friday, October 19, 2018 3:39 PM
To: Colin DeForrest; Amy Buckler
Subject: FW: Please Support Amendments to OMC 18.50

From: Dwight Max DeNise <dwright.max.denise@gmail.com>
Sent: Friday, October 19, 2018 3:36 PM
To: cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: Please Support Amendments to OMC 18.50

Dear Chair, Vice Chair, and Commissioners,

My name is Max DeNise. I live in Tumwater, but much of my personal activity is in Olympia.

I support the current amendments to OMC 18.50. I also encourage you to recommend to the City Council that they add an amendment that would permit private property owners to host encampments.

I believe that this addition, as well as the other amendments, will serve to *open more doors for creative, impactful, and positive solutions* to our housing and homelessness crisis.

Lowering barriers to shelter is a practice that has proved effective across the country. It *enables our community to support the Best Practices* of Housing First and Vulnerability Based placement for services. These models are considered Best Practices simply because studies have shown that people are better able to address challenges like substance use, mental health, and medical health when they have a stable place to live.

I want to encourage you to remember that lowering barriers in this ordinance does not mean that all sanctioned encampments will be low-barrier. The amended version of this ordinance still permits hosts and sponsors to add additional rules, regulations, and expectations. One of the greatest impacts of these amendments is that they *support a variety of solutions*, which is what we need to adequately address this crisis.

Furthermore, the 9th Circuit Court recently determined that government entities cannot use the law to remove houseless individuals from public property without providing them with an alternative legal location. Therefore, lowering barriers to creating legal shelter options for all will also improve our community's ability to effectively address issues related to homelessness while avoiding violating people's constitutional rights.

It's important for our community to hold on to the truth that people who are poor and/or houseless are not inherently more dangerous or inclined to criminal behavior than people with more resources. We have a responsibility as a community to promote equitable laws and practices that do not support harmful stereotypes and generalizations and that do not indirectly or directly promote different treatment of people based on their identified demographics.

Our housing crisis has left hundreds of our community members surviving outdoors with no legal, sanctioned shelter. As we all see and hear about every day, the suffering of our unhoused community members is also impacting the well-being of the rest of our community. We know that if we don't change our response, and change it soon, that things will only worsen- and winter is quickly approaching.

Making these temporary amendments permanent would be a strong and impactful first step, that would align with the Olympia City Council's resolution in May, which committed the city to pursuing responses to this crisis that are centered in *harm reduction, trauma informed care, and anti-oppression*.

Everyone needs and deserves a safe place to sleep.

Thank you for considering these amendments.C 18.50.

Sincerely,
Max DeNise
Tumwater, WA

Amy Buckler

From: Stacey Ray
Sent: Tuesday, October 23, 2018 10:03 AM
To: Colin DeForrest; Amy Buckler
Subject: RE: Homeless In Downtown

Importance: High

Hi Amy,

This came to me and Colin on Friday--I'm not clear on if it's intended for the Planning Commission's record, but may be since it came to me (?).

Stacey Ray, Senior Planner
 City of Olympia | Community Planning and Development
 601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967
 360.753.8046 | olympiawa.gov

Note: Emails are public records, and are potentially eligible for release.

-----Original Message-----

From: Kammy Minor <kminor@rightsys.com>
 Sent: Friday, October 19, 2018 12:52 PM
 To: Stacey Ray <sray@ci.olympia.wa.us>; Colin DeForrest <cdeforre@ci.olympia.wa.us>
 Subject: Homeless In Downtown

Let me preface this by saying that I firmly believe "homeless" is a misnomer for what is happening downtown. I do not believe this is a homelessness issue - I believe it is a mental illness/drug-alcohol addiction issue. Constantly referring to it as "homeless" is an incorrect focus. In the vast majority of the cases, what is taking over our downtown streets are not people who are "down on their luck", unemployed or temporarily homeless - they are individuals who are mentally ill and/or addicted to drugs alcohol. This makes the downtown population much more aggressive/potentially violent than the word "homeless" implies.

I have 3 daughters, in the relatively short time since my oldest two left for college, downtown has changed for the worse. My older two shopped downtown, went to dinner downtown - even would meet friends for late night snacks at the Reef. My 17 year old does not go downtown at night. She even has changed her driving patterns to avoid both 4th and State after dark.

I love to shop local, love to eat out and would relish being able to enjoy a vibrant downtown. But Olympia no longer feels safe. Neither does it feel like "my" community - instead it is beginning to feel like it "belongs" to those who live on the streets and use those streets in, quite frankly, disgusting ways.

Please please make a change - something significant that sends a clear message to our downtown business owners and their patrons, that Olympia will once again become a place where a parents and young people can feel safe & welcome!

Kammy Minor

Sent from my iPhone

Amy Buckler

From: CityCouncil
Sent: Monday, October 22, 2018 8:16 AM
To: Pat Rasmussen
Cc: Amy Buckler; Colin DeForrest; Connie Cobb; Councilmembers; Jay Burney; Keith Stahley; Kellie Braseth; Steve Hall
Subject: RE: Host a homeless person in your RV?

Thank you for your comments. I will forward them on to all Councilmembers and appropriate staff.

Susan Grisham, Executive Assistant
 City of Olympia | P.O. Box 1967 | Olympia WA 98507
 360-753-8244 sgrisham@ci.olympia.wa.us

Please note all correspondence is subject to public disclosure.

From: Pat Rasmussen <patr@crcwnet.com>
Sent: Sunday, October 21, 2018 11:39 AM
To: CityCouncil <citycouncil@ci.olympia.wa.us>
Subject: Host a homeless person in your RV?

There are many RVs in driveways and in front of homes in Olympia that could house homeless people.

RVs have heat, lighting, gas stoves, refrigerators, toilets, showers, beds. They are safe. They are easy to hook up to electrical outlets and sewage can be pumped out periodically.

Wouldn't it be better to have women with children, seniors, students, the disabled, others, sleeping in RVs rather than on the streets downtown?

In Portland and Multnomah County they are putting tiny homes in the backyards of homeowners who volunteer to house the homeless for at least five years. We can do that too. But right now we could allow the homeless to live in RVs.

The City makes it illegal to stay in RVs for more than 14 days or whatever. Maybe in the past that was okay.

But we live in different times - times of increasing homelessness, rising rents, lack of affordable housing for seniors, students, mothers with children and others.

The City could change that, allow people to live in RVS to get them off the streets or just to have affordable housing as we work on our crisis. It could be specifically for homeless people or those on the verge of homelessness such as vulnerable seniors, families, kids. Olympians with RVs could volunteer to participate.

RVs are warm. Winter is arriving.

Let's get creative and make this happen.

Thanks,

Pat Rasmussen

--

Pat Rasmussen
World Temperate Rainforest Network
PO Box 13273
Olympia, WA 98508
Phone: 509-669-1549
Website: www.temperaterainforests.org

Amy Buckler

From: Ashley Caines
Sent: Friday, October 19, 2018 1:28 PM
To: Colin DeForrest; Amy Buckler
Subject: FW: Please support the amendments to the Temporary Emergency Housing Facilities ordinance (OMC 18.50)

If so, here is another one similar.

From: Lisa Ornstein <lisa.ornstein@hotmail.com>
Sent: Friday, October 19, 2018 12:10 PM
To: cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: Please support the amendments to the Temporary Emergency Housing Facilities ordinance (OMC 18.50)

Dear Chair, Vice-Chair, and Commissioners,

My name is Lisa Ornstein and I live in Olympia.

I am writing to add my voice in support of the current amendments to OMC 18.50. I hope that the Olympia Planning Commission will support these amendments and also recommend to the City Council that they add an amendment that would permit private property owners to host encampments.

This additional amendment, as well as the other amendments, will serve to open more doors for creative, impactful, and positive solutions to our housing and homelessness crisis. I believe that adopting common-sense best practices which lead to increased stable shelter for our homeless community will result in a better outcome for all of us: study after study on lowering barriers to shelters has demonstrated this; the simple fact is that people are better able to address challenges like substance use, mental health, and medical health when they have a stable place to live.

I also am aware that the proposed ordinance does NOT result in across-the-board low barrier encampments in Olympia, but instead allows a greater range of possible rules, regulations, and expectations by the hosts and sponsors of these camps. A wider variety of solutions will help us to more nimbly and adequately address this crisis.

Lowering barriers to shelter is a practice that has proved effective across the country. It enables our community to support the Best Practices of Housing First and Vulnerability Based placement for services. These models are considered Best Practices simply because studies have shown that people are better able to address challenges like substance use, mental health, and medical health when they have a stable place to live.

It's important for our community to hold on to the truth that people who are poor and/or houseless are not inherently more dangerous or inclined to criminal behavior than people with more resources. They are however more vulnerable and at risk because their

situation is so dire. I have been friends with a local homeless family this past year who have worked with extraordinary determination to find stable housing. Their barrier was not a criminal background nor the inability to pay rent (although their means are extremely limited) , but rather a poor credit history and no rental history. In spite of repeated failures, they persevered and this week learned that they have been approved as tenants for Title 8 housing. They did their very best to keep their encampment clean and free from violence through the fear of having their encampment "swept" was a constant source of stress and fear.

All the best,

Lisa Ornstein

3010 28th Ave. S.E.

Olympia, WA 98501

From: [Leonard Bauer](#)
To: [Stacey Ray](#)
Cc: [Amy Buckler](#)
Subject: FW: Change in housing ordinance
Date: Wednesday, October 3, 2018 11:05:36 AM

I believe this is intended as public comment on the housing ordinance being considered by OPC. Please include in their next packet as they deliberate. Thanks

-----Original Message-----

From: cpdinfo
Sent: Wednesday, October 3, 2018 10:33 AM
To: Leonard Bauer <lbauer@ci.olympia.wa.us>
Subject: FW: Change in housing ordinance

-----Original Message-----

From: DENISE L Halloran <hallorandl@msn.com>
Sent: Wednesday, October 03, 2018 10:30 AM
To: cpdinfo <cpdinfo@ci.olympia.wa.us>
Subject: Change in housing ordinance

I strongly oppose the suggested change. I am a home owner AND TAX PAYER. A primary consideration when I bought my home was the protections offered by the City ordinances. I did not need to be concerned that a homeless encampment would be established in my neighborhood. I trusted that the city would continue those protections.

To pass the proposed ordinance is a betrayal of the citizens who have invested in the City by purchasing and maintaining their homes.

To allow sex offenders near a school and child care facility is egregious.

Do not move forward with this plan.

Sent from my iPad

From: [Keith Stahley](#)
To: [Amy Buckler](#)
Cc: [Anna Schlecht](#)
Subject: FW: Emergency Housing Facilities
Date: Tuesday, September 11, 2018 8:18:12 AM
Attachments: [0918 Draft Overnight Sleeping Ordinance.rtf](#)
[0918 Draft Amendments to OMC.docx](#)
[Model Homeless Camp Site Ord CM.docx](#)

FYI:

From: Subir Mukerjee <subirmukerj@gmail.com>
Sent: Sunday, September 09, 2018 3:03 PM
To: Keith Stahley <kstahley@ci.olympia.wa.us>
Subject: Re: Emergency Housing Facilities

Hi Keith:
Thanks for your email.

My main concern about Olympia's ordinance is that it does not allow for a separate and less onerous process for small sites with 6 or less vehicles, tents or huts on church properties. I know that staff has taken a position that they are allowed based on the definition of "family". However, my concern is that this interpretation by staff, while its welcome, is a stretch and could be potentially overturned on appeal from neighboring residents.

So I have drafted an ordinance which is an addition to Olympia's code OMC 18.50.070, which if adopted would provide for permitted overnight sleeping on property owned by either a place of worship, business or public entity. This would also achieve dispersal of these smaller sites throughout the city, which would also reduce any impacts to the surrounding neighborhoods. In my discussions with Eugene staff, these smaller sites do not require a permit from the city. The property owner must comply with the performance standards listed in 18.50.070 D, and enforcement is initiated only if there is noncompliance.

The draft ordinance is crafted based on Eugene's code, which also allows for 1 vehicle, tent or hut on single-family lots (see Section 18.50.070 B). Olympia may not want to go this far, but I have put it into the draft ordinance for consideration, just in case.

The Emergency Housing Facilities ordinance adopted by Olympia is a good first step. By major concern is Section 18.50.050 C, Timing, which limits the initial time to 180 days, with a possible extension of another 185 days, and then possibility of further time extensions based on a conditional use permit. These time limits will give pause to any entity which could consider this level of investments with no surety of them being able to operate it after these limits. Eugene's approach is that the operator has to enter into an annual operational agreement with the city, agree to the performance standards and requirements, which can be terminated by the City Manager or designee for non-compliance if they are not met. I think this approach provides the needed assurances to the city, as well as the operator, and removes the onerous, expensive and sometimes contentious CUP process.

I have attached a draft ordinance which incorporates permitted overnight sleeping into the OMC. Also attached are a draft OMC code with the draft ordinance incorporated in it, and the model code that we discussed earlier. At this point, it may be simpler just to adopt the

permitted overnight sleeping ordinance into the OMC, especially in light of the 9th Circuit Court decision. By the way, KUOW had a good discussion on the ruling last Friday, at noon.

I would be happy to provide some written comments to the Planning Commission if they are accepting public comments, and if you think that they might be helpful. By the way, the City of Lacey has formed a Faith Leaders Steering Committee on Homelessness, and I did a similar presentation to them a couple of weeks ago.

Please feel free to call on me if you have any questions or need further information.
Subir

Subir Mukerjee
Board Member, Community Supported Shelters
subirmukerj@gmail.com
360-259-9857

On Sep 9, 2018, at 9:38 AM, Keith Stahley <kstahley@ci.olympia.wa.us> wrote:

Hi Subir,

Anna mentioned that you expressed some concerns about the City's Emergency Housing Facility regulations.

The ordinance as it is written is very permissive, so I'd be interested in hearing more about what gives you pause.

We've got a planning commission meeting on the 17th to start the discussion about a permanent ordinance. I'd welcome your input and perspective in that process. We plan to have permanent regulations in place by the end of the year.

I also can't find the a copy of the model ordinance that you sent. If you could resend it I'd appreciate it. Even more helpful would be an assessment between the model and the City's Emergency Housing Facility Regulations that I've attached.

These facilities are going to become even more important with recent 9th Circuit decision (see attached decision).

Cheers,

Keith Stahley, Director
Community Planning and Development Department

Kstahley@ci.olympia.wa.us
360.753.8227

<Homeless emergency housing regulations ordinance.pdf><Homeless Boise
Case.pdf>

Emergency Housing Ordinance
Planning Commission Deliberations
November 5, 2018

City Staff Comments

Emergency Housing Facilities approved under OMC 18.50 require a temporary use permit to be administratively (staff) approved. The City's permit staff reviewed the current ordinance and provides the following recommended changes and comments:

Parking (18.50.060.A.1.g)

Although no parking minimums are set, the requirement that no shortage of required on-site parking be created may be a barrier. Most church sites have exactly the amount of parking required. Recommend a statement that if determined not to cause an undue burden on the surrounding neighborhood, some flexibility may be provided.

Screening (18.50.060.A.1.i)

A minimum of 6' screening from the public right of way is required. This will prove difficult if the need is to screen from the front yard, where the maximum allowed fencing within the setback is 4'. Consider easing this requirement, by either allowing 6' fencing in front yards as a temporary measure so long as the permit is in place, or establishing a threshold for when the screening is required, such as for facilities with more than 6 people.

Portable toilets (18.50.060.A.1.j)

Consider a requirement that toilets must be locating to minimize odor impacts to adjacent properties

Code of Conduct

Consider modifying this statement to reflect that a draft code of conduct must be submitted with the application, in recognition that a completed code of conduct would be developed with input from residents.

Security Tent (18.50.060.B.1.h)

A security tent is mentioned throughout the ordinance. It is not clear that this is a required feature. This is likely a carry-over from the prior ordinance for a site manager was required to be onsite 24/7. Currently, the ordinance only requires that a site manager be "on-duty" (available, but not necessarily on site) 24/7. A security tent seems like an onerous requirement for small sites, in particular. Does the Planning Commission think a security tent should be required? If so, consider only requiring this only for sites with more than 6 people.

Timing (18.50.060.C)

The ordinance provides for a temporary use permit for 180 days, with option to extend an additional 185 days if applicant can demonstrate that criminal violations onsite were not greater than the crime rate of the surrounding neighborhood. The site may be approved for a duration longer than a year upon submittal of a conditional use permit (CUP) application approved by the Olympia Hearings Examiner following a public hearing.

Emergency Housing Ordinance
 Planning Commission Deliberations
 November 5, 2018

The CUP permit process may be too onerous, and it could effectively change the nature of the permit from temporary to permanent (no time limits are provided.) Recommend removing the CUP provision, and establishing that a temporary use permit may be granted for one year, which can be renewed on a yearly basis.

Recommend removing the provision regarding demonstration that crime rate at the facility did not exceed that of surrounding neighborhood. It's not clear how this would be demonstrated. The ordinance already provides that the City may terminate or revoke the permit due to acts of violence or violation of terms (18.50.060.F and G).

Health and Safety (18.50.060.D)

1. Emergency Housing Facility. The Emergency Housing Facility shall conform to the following fire requirements

- a. There shall be no open fires. ~~Cooking fires shall be of a form approved by the Olympia Fire Department for cooking without pre-approval by the Olympia Fire Department and no open fires for heating;~~
- b. No heating appliances within the individual ~~tents-units~~ are allowed without pre-approval by the Olympia Fire Department;
- c. No cooking appliances, other than microwave appliances, are allowed in individual ~~tentsunits~~;
- d. An adequate number, with appropriate rating, of fire extinguishers shall be provided as approved by the Olympia Fire Department;
- e. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Olympia Fire Department;
- f. Adequate separation between tents and other structures shall be maintained as determined by the Olympia ~~Building and~~ Fire Departments; and
- g. Electrical service shall be in accordance with recognized and accepted practice and codes. ~~Electrical cords shall not be strung together. Any electrical cords used must be approved for outdoor exterior use.~~

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING THE EMERGENCY HOUSING FACILITIES CODE, OMC CHAPTER 18.50, TO CORRECT SCRIVENER ERRORS, TO CORRECT THE DISTANCE NOTIFICATION TO BE GIVEN TO PROPERTY OWNERS, SPECIFYING THAT CHECKS SHALL BE FOR FELONY WARRANTS, ADDING A WAIVER FOR PUBLIC HEALTH EMERGENCY, AND DECLARING AN EMERGENCY SO THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION.

WHEREAS, the City of Olympia recognizes the unique role and rights of faith-based organizations under the United States Constitution; and

WHEREAS, Olympia Municipal Code (OMC) Chapter 18.50 allows for temporary Emergency Housing Facilities hosted by a faith-based organization which provides temporary housing to homeless persons, subject to certain criteria and requirements; and

WHEREAS, OMC 18.50.020 defines a "Host Agency" for an Emergency Housing Facility as a faith-based organization which owns or has an ownership interest in the property that is the subject of an application for an Emergency Housing Facility Permit for providing basic services and support to temporary Emergency Housing Facility residents, such as hot meals and coordination of other needed donations and services; and

WHEREAS, a Host Agency may request a permit for an encampment of up to forty (40) residents; and

WHEREAS, the existing provisions in OMC 18.50 provide more freedom to the Host Agency to draft safety plans according to its interests, plans, and needs; and

WHEREAS, this Ordinance allows both high barrier and low barrier camps; and

WHEREAS, this Ordinance allows a Host Agency to provide camps for families, adults, and people transitioning out of facilities; and

WHEREAS, this Ordinance may reduce harm to homeless persons and provide services to assist residents with clean and sober living; and

WHEREAS, Emergency Housing Facilities permitted under OMC Chapter 18.50 ideally should be located in areas where there is easy access to services and affordable food, either by walking or by using public transit; and

WHEREAS, the City encourages self-management of Emergency Housing Facilities and other efforts to create community among their residents; and

WHEREAS, this Ordinance removes certain restrictions on Emergency Housing Facilities, although the Host Agency is still allowed to place restrictions of their choice on the encampment; and

WHEREAS, the City Council determines it to be in the best interest of the City of Olympia to amend OMC Chapter 18.50 to more easily facilitate the establishment and self-management of Emergency Housing Facilities by faith-based organizations, not-for-profit organizations, and units of government, and to comply with RCW 35A.21.360; and

WHEREAS, the City Council also determines that this Ordinance is to immediately address a public emergency due to growing homelessness in the City of Olympia, and also finds said Ordinance is necessary for the immediate protection and preservation of public health, public safety, public property or public peace, and that this Ordinance should be made effective upon adoption; and

WHEREAS, the interim zoning regulations, as previously amended herein, have been referred to the Olympia Planning Commission for review and recommendation, as have these additional amendments. The Olympia City Council shall hold a public hearing on these amendments to OMC Chapter 18.50 within sixty (60) days of the adoption of this Ordinance;

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

Section 1. Amendment of OMC Chapter 18.50. Olympia Municipal Code Chapter 18.50 is hereby further amended to read as follows:

Chapter 18.50 EMERGENCY HOUSING FACILITIES

18.50.000 Chapter Contents

Sections:

- 18.50.010 Emergency Housing Facility
- 18.50.020 Host Agency
- 18.50.030 Sponsoring Agency
- 18.50.040 Who May Apply
- 18.50.050 Applicable Procedures
- 18.50.060 Emergency Housing Facility - Criteria/Requirements for Approval

18.50.010 Emergency Housing Facility

"Emergency Housing Facility" means temporary emergency housing that may include tents and small structures organized and managed as temporary accommodations for homeless people, and may be hosted by a faith-based organization, not-for-profit organization, or a unit of government.

For purposes of this section, a "not-for-profit" shall mean an organization duly incorporated in the State of Washington and recognized by the Internal Revenue Service as an IRC 501 (c)(3) charitable organization.

18.50.020 Host Agency

Emergency Housing Facilities. "Host Agency" means a faith-based organization, or a not-for-profit organization, or a unit of government which owns or controls the property or has an ownership interest in the property that is the subject of an application for an Emergency Housing Facility Permit for providing basic services and support to temporary Emergency Housing Facility residents, such as hot meals and coordination of other needed donations and services.

Ownership interest shall include an interest by recorded title or by fully executed lease of the subject property.

18.50.030 Sponsoring Agency

"Sponsoring Agency" means the Host Agency or another agency that assists the Host Agency and that joins in an application with a Host Agency for an Emergency Housing Facility Permit and assumes responsibility for providing basic services and support to Emergency Housing Facility residents, such as hot meals, social services, sanitation, hygiene, storage of belongings, trash and refuse collection, and coordination of other needed donations and services.

18.50.040 Who May Apply

Emergency Housing Facility. Emergency Housing Facilities shall be permitted as an accommodation of faith-based exercise by a Host Agency and Sponsoring Agency, or by a unit of government, or by a not-for-profit organization. Each Host Agency and Sponsoring Agency shall jointly apply for a permit under this Section and shall jointly certify compliance with all applicable requirements for approval and conditions of this Chapter and the application.

18.50.050 Applicable Procedures

A. Emergency Housing Facility. A Permit for an Emergency Housing Facility is an administrative decision. In addition to the requirements for administrative decisions found elsewhere in the Olympia Municipal Code, the following procedures apply:

1. Advance Notice Required. The Host Agency and Sponsoring Agency shall notify the City of the proposed Emergency Housing Facility a minimum of thirty (30) days in advance of the proposed date of establishment for the Emergency Housing Facility. The advance notification shall be in the form of an application for a Permit for an Emergency Housing Facility and shall contain the following information:
 - a. The date the Emergency Housing Facility will commence;
 - b. The length of time the encampment will continue;
 - c. The maximum number of residents proposed for the encampment;

- d. The host location;
- e. The names of the Host and Sponsoring Agencies; and
- f. The manner in which the Emergency Housing Facility will comply with the requirements of this Chapter.

2. **Informational Meeting Required.** The Host Agency and/or Sponsoring Agency shall conduct at least one (1) informational meeting within, or as close to, the location where the proposed Emergency Housing Facility will be located, a minimum of two (2) weeks prior to the issuance of the temporary use permit. The time and location of the meeting shall be agreed upon between the City and the Host Agency and/or Sponsoring Agency. All property owners within ~~five~~three hundred (350) feet of the proposed Emergency Housing Facility shall be notified by mail ten (10) days in advance of the meeting by the Host Agency and/or Sponsoring Agency. In lieu of notice by mail, an alternative means of notice may be provided that is reasonably calculated to notify the neighboring property owners within five hundred (500) feet of the proposed encampment.

3. **Signs Required.** The applicant shall also provide notice of the application within the same timeframe identified above by posting two signs or placards on the site or in a location immediately adjacent to the site that provides visibility of the signs to motorists using adjacent streets. The Director of Community Planning and Development or his or her designee shall establish standards for size, color, layout, design, working, placement, and timing of installation and removal of the signs or placards.

18.50.060 Emergency Housing Facility - Criteria/Requirements for Approval

The Director of the Community Planning and Development Department ("Director") or his or her designee may issue a temporary and revocable permit for an Emergency Housing Facility subject to the following criteria and requirements.

A. Site Criteria.

- 1. **Emergency Housing Facility.**
 - a. If the Sponsoring Agency is not the Host Agency of the site, the Sponsoring Agency shall submit a written agreement from the Host Agency allowing the Emergency Housing Facility, or from the owner of the property, and clarifying the obligations of the Sponsoring Agency.
 - b. The property must be sufficient in size to accommodate the tents and necessary on-site facilities, including, but not limited to the following:

- i. Sanitary portable toilets in the number required to meet capacity guidelines for the population of the encampment;
 - ii. Hand washing stations by the toilets and by the food areas;
 - iii. Refuse receptacles for trash, recycling and garbage; and
 - iv. Storage of personal belongings.
- c. The Host and Sponsoring Agencies shall provide an adequate potable water source to the Emergency Housing Facility, as approved by the City.
- d. No Emergency Housing Facility shall be located within a Sensitive/Critical Area or its buffer as defined under OMC Chapter 18.32 except on existing paved or gravel sites
- e. No permanent structures will be constructed for the Emergency Housing Facility.
- f. No more than forty (40) residents shall be allowed at any one encampment. The City may further limit the number of residents as site conditions dictate.
- g. Adequate on-site parking shall be provided for the Emergency Housing Facility. No off-site parking will be allowed. The number of vehicles used by the Emergency Housing Facility residents shall be provided in the permit application. If the Emergency Housing Facility is located on a site that has another preexisting use, it shall be shown that the Emergency Housing Facility parking will not create a shortage of on-site parking for the other use/s on the property.
- h. The Emergency Housing Facility shall be located within a quarter (1/4) mile of a bus stop with seven (7) days per week service, whenever possible. If not located within a quarter (1/4) mile of a bus stop, the Host or Sponsoring Agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).
- i. The Emergency Housing Facility shall be adequately buffered and screened from adjacent right-of-way and residential properties. Screening shall be a minimum height of six (6) feet and may include, but is not limited to a combination of fencing, landscaping, or the placement of the Emergency Housing Facility behind buildings. The type of screening shall be approved by the City.
- j. All sanitary portable toilets shall be screened from adjacent properties and rights-of-way. The type of screening shall be approved by the City and may include, but is not limited to, a combination of fencing and/or landscaping.

k. At the time of the City's approval, there shall be no other approved Emergency Housing Facilities located within one thousand (1,000) feet of the approved encampment. Approved Emergency Housing Facilities must be separated by a buffer of at least one thousand (1,000) feet under this Chapter.

B. Security.

1. Emergency Housing Facility.

a. An operations and security plan for the Emergency Housing Facility shall be submitted to the City at the time of application. The security plan shall address potential security and neighborhood impacts within five hundred (500) feet of the encampment site.

b. The Host Agency shall provide to all residents of the Emergency Housing Facility a Code of Conduct for living at the Emergency Housing Facility. A copy of the Code of Conduct shall be submitted to the City at the time of application and shall be in substantially the following form or address the following issues:

- i. Possession or use of illegal drugs is prohibited.
- ii. Violence against staff or residents of the encampment is prohibited.
- iii. Any open flames are prohibited.
- iv. Trespassing on private property in the surrounding neighborhood is prohibited.
- v. Littering on the Emergency Housing Facility site or in the surrounding neighborhood is prohibited.
- vi. Noise or music in excess of the limits set forth in OMC 18.40.080 is prohibited.

Nothing in this Section shall prohibit the Host Agency, Sponsoring Agency or an Emergency Housing Facility Manager from imposing and enforcing additional Code of Conduct conditions not otherwise inconsistent with this Section.

c. All Emergency Housing Facility residents must sign an agreement to abide by the Code of Conduct and failure to do so may result in the noncompliant resident's immediate expulsion from the property.

- d. The Host or Sponsoring Agency shall keep a log of all people who stay overnight in the encampment, including names, dates of birth, and dates of stay in the encampment. Logs shall be kept and retained for a minimum of six (6) months.
- e. The Host or Sponsoring Agency shall take all reasonable and legal steps to obtain verifiable identification such as a driver's license, government-issued identification card, military identification, passport, or other reasonable forms of identification from prospective and existing encampment residents.
- f. The Host or Sponsoring Agency will use identification received from prospective and existing encampment residents to obtain sex offender and felony warrant checks from the Washington State Patrol, the Thurston County Sheriff's Office or ~~local~~ the Olympia Police Department.
- i. If the felony warrant and sex offender checks reveal either (1) an existing or outstanding felony warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the County Sheriff or their county of residence pursuant to RCW 9A.44.130, then the Host or Sponsoring Agency may reject the subject of the check for residency in the Emergency Housing Facility or may eject the subject of the check if that person is already an Emergency Housing Facility resident.
- ii. The Host or Sponsoring Agency shall immediately contact the Olympia Police Department if the reason for rejection or ejection of an individual from the Emergency Housing Facility is an active felony warrant. In other cases of rejection or ejection, the designated representative of the Host or Sponsoring Agency may immediately contact the Olympia Police Department, ~~and the Thurston County Sheriff's Office,~~ or the Washington State Patrol.
- g. The Host or Sponsoring Agency shall self-manage its residents and prohibit illegal drugs, violence, and abuse of any kind, littering, or noise disturbances of other residents or adjacent neighbors while located on the Emergency Housing Facility property.
- h. The Host or Sponsoring Agency will appoint a designated representative to serve "on-duty" as an Encampment Manager at all times as a point of contact for the Olympia Police Department and will orient law enforcement how the security tent operates for the Emergency Housing Facility. The name of the on-duty designated representative will be posted daily in the security tent. The City shall provide contact numbers of non-emergency personnel, which shall be posted at the security tent.

C. Timing.

Emergency Housing Facility.

The duration of an Emergency Housing Facility shall be for one hundred eighty (180) days, and may be extended for an additional one hundred eighty-five (185) days upon submittal of an application and proof that the site did not have on-site criminal violations greater than the crime rate of the surrounding neighborhood. The site may be approved for a duration longer than one year upon submittal of a conditional use permit to be reviewed and approved by the Olympia Hearing Examiner pursuant to OMC Chapter 18.48. The conditional use permit shall demonstrate consistency with this Chapter and the rest of OMC Title 18. In addition, the applicant must demonstrate that criminal violations onsite were not greater than the crime rate of the surrounding neighborhood. The approval of a conditional use permit may be for a time less than one hundred eighty (180) days, subject to review of demonstrated impacts upon the surrounding neighborhoods.

D. Health and Safety.

1. Emergency Housing Facility. The Emergency Housing Facility shall conform to the following fire requirements:
 - a. There shall be no open fires for cooking without pre-approval by the Olympia Fire Department and no open fires for heating;
 - b. No heating appliances within the individual tents are allowed without pre-approval by the Olympia Fire Department;
 - c. No cooking appliances, other than microwave appliances, are allowed in individual tents;
 - d. An adequate number, with appropriate rating, of fire extinguishers shall be provided as approved by the Olympia Fire Department;
 - e. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Olympia Fire Department;
 - f. Adequate separation between tents and other structures shall be maintained as determined by the Olympia Fire Department; and
 - g. Electrical service shall be in accordance with recognized and accepted practice and codes. Electrical cords shall not be strung together. Any electrical cords used must be approved for outdoor exterior use.

2. The Host Agency and Sponsoring Agency shall permit inspections by City staff and the Thurston County Health Department at reasonable times without prior notice of compliance with the conditions of the Emergency Housing Facility Permit.

E. Director's Decision.

1. Emergency Housing Facility.

a. Purpose. The Director shall review the proposal to ensure compliance with the provisions of this Chapter and all other applicable laws to ensure that the health, safety and welfare of the citizens of the City is preserved, and to provide an expedient and reasonable land use review process for decisions and interpretations of this Chapter.

b. Director Authority. The Director may modify the submittal requirements as deemed appropriate.

c. Notice of Decision. The Director shall notify the Sponsoring and Host Agencies of his or her decision to approve, modify or deny the application within a timely manner, but not prior to fourteen (14) days after the neighborhood informational meeting. The Director's decision is a final decision of the City. Appeals of decisions to approve or deny an Emergency Housing Facility Permit shall be to Thurston County Superior Court.

F. Emergency Housing Facility Permit Termination. If the Host Agency or Sponsoring Agency fails to take action against a resident who violates the terms and conditions of its permit, it may result in immediate termination of the permit issued to the Host Agency or Sponsoring Agency. If the City learns of acts of violence by residents of the encampment and the Host Agency or Sponsoring Agency has not adequately addressed the situation to protect residents, the temporary use permit may be immediately terminated.

G. Emergency Housing Facility Permit Revocation. Upon determination that there has been a violation of any approval criteria or condition of application, the Director of Community Planning and Development or his or her designee, may give written notice to the permit holder describing the alleged violation. Within fourteen (14) days of the mailing of notice of violation, the permit holder shall show cause why the permit should not be revoked. At the end of the fourteen (14) day period, the Director of Community Planning and Development or his or her designee, shall sustain or revoke the permit. When an Emergency Housing Facility Permit is revoked, the Director of Community Planning and Development or his or her designee shall notify the permit holder by first class and certified mail of the revocation and the findings upon which revocation is based. Appeals from the Director's decision to revoke a temporary Emergency Housing Facility permit shall be to Thurston County Superior Court.

H. Public Health Emergency Waiver. Upon adoption of an ordinance by the Olympia City Council declaring a public health emergency, the requirements of this Chapter may be waived by the Director or his or her designee for faith-based organizations, not-for-profit organizations and units of government. Any waiver of the requirements of this Chapter shall be for a period not to exceed six (6) months, except when the Council finds a public health emergency continues to exist after holding a public hearing, then the requirements of this Chapter may be waived for an additional six (6) month period. Further waivers of this Chapter's requirements shall only occur after Council holds a public hearing and finds that the public health emergency is continuing.

Section 2. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. 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 4. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 5. Effective Date. This Ordinance is for the immediate preservation of public peace, health, safety, and welfare of the public, and shall take effect upon adoption, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

18.02.180 Definitions Revised 7/18

A. DEFINITIONS - SPECIFIC.

Abandon. To cease or suspend from developing or maintaining a building or use for a definite period of time.

Abandoned Activity. A business or activity with no reported sales or activity for a period of twelve (12) months, except temporary closures for repairs, alterations, or other similar situations. Land and/or buildings not in use for such period are considered vacant and unoccupied and may be subject to review including land use approval prior to renewal of use.

Abutting. Two or more parcels or buildings sharing a common boundary of at least one point.

Access. Safe, adequate, and usable ingress/egress (entrance/exit) to a property or use.

Accessory Dwelling Unit. See Dwelling, Conventional.

Accessory Structure. A structure detached from the principal building located on the same lot and customarily incidental and subordinate to the principal building. Any part of the main building which shares a common wall and roof is considered a part of that building. A building or portion thereof is not considered attached if the attachment is by a covered breezeway. (See also Subordinate.)

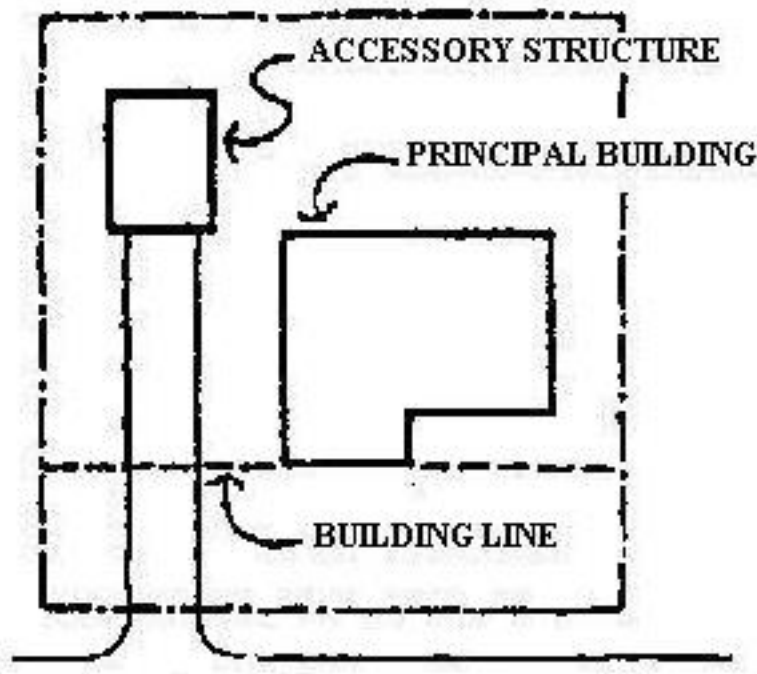


FIGURE 2-1

Accessory Use. A use of land or a portion thereof customarily incidental and subordinate to the principal use of the land and located on the same lot with the principal use, such as: garage sales; merchandise displays outside of a business; community oriented outdoor activity associated with schools, churches, and other non-profit organizations; and temporary contractor offices on a construction site.

Action. A decision made by the review authority(s) on a land use application, including any findings, environmental determination and conditions of approval.

Adult Day Care Home. See Dwelling, Assisted Living.

Adult Entertainment.

a. Any exhibition, performance, or dance of any type conducted in a premises where such exhibition, performance, or dance involves a person who is unclothed or in such costume, attire, or clothing as to expose any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals, or human male genitals in a discernibly turgid state, or wearing any device or covering exposed to view which simulates the appearance of any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals, or human male genitals in a discernibly turgid state, even if completely opaquely covered; or

b. Any exhibition, performance, or dance of any type conducted in a premises where such exhibition, performance, or dance is distinguished or characterized by a predominant emphasis on the depiction, description, simulation of, or relation to, the following specified sexual activities:

- i. Human genitals in a state of sexual stimulation or arousal;
- ii. Acts of human masturbation, sexual intercourse, or sodomy; or
- iii. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast; provided, adult entertainment and specifically the "depiction, description, simulation of, or relation to" sexual activities described above, shall not be construed to include any form of actual sexual conduct as defined in this section.

c. Any exhibition, performance, or dance intended to sexually stimulate any patron and conducted in a premises where such exhibition, performance, or dance is performed for, arranged with, or engaged in with fewer than all patrons on the premises at that time, with separate consideration paid, either directly or indirectly, for such performance exhibition or dance. For purposes of example and not limitation, such exhibitions, performances, or dances are commonly referred to as table dancing, couch dancing, taxi dancing, lap dancing, private dancing, or straddle dancing.

Adult-Oriented Business. Shall mean the following businesses:

- a. Adult arcade. An establishment containing any individual viewing areas or booths, where, for any form of consideration, including a membership fee, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines are used to show films, motion pictures, video cassettes, slides, or other photographic reproduction of sexual conduct, or adult entertainment.
- b. Adult cabaret. A night club, bar, restaurant, theater, or auditorium, or similar commercial establishment, whether or not alcoholic beverages are served, which presents adult entertainment.
- c. Adult motel. A hotel, motel, or similar commercial establishment which:
- i. Offers sleeping accommodation to the public for any form of consideration and, as a significant purpose of its business, provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction of or description of sexual conduct or adult entertainment and are not rated G, PG, PG-13, NC-13, NC-17, or R by the Motion Picture Association of America; or
 - ii. Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
 - iii. Allows a tenant or occupant of a sleeping room to sub rent the room for a period time that is less than ten (10) hours.
- d. Adult motion picture theater. A commercial establishment or drive-in theater where a significant portion of the films, motion pictures, video cassettes, slides, or similar photographic reproductions are characterized by the depiction or description of adult entertainment or sexual conduct and are not rated G, PG, PG-13, NC-13, NC-17, or R by the Motion Picture Association of America and are shown for any form of consideration.
- e. Adult book store. A business having as a significant portion of its volume of trade the display, barter, rental and/or sale of books, printed matter, video tapes, discs or cassettes, films, pictures or other material or paraphernalia distinguished or characterized by an emphasis on matters depicting, describing or relating to sexual conduct or adult entertainment, as defined herein. For purposes of this ordinance, "portion of its volume or trade" means that portion of the store's display space devoted to such material, or that portion of its gross receipts received from the sale of such material, whichever is greater.
- f. Other adult entertainment facility. Any commercial establishment to which any patron is invited or admitted and where adult entertainment is presented as a substantial part of the premises' activity, including but not limited to escort agencies, seminude or nude modeling studios, or similar establishments.

Affected Party. Any individual, partnership, corporation, association, or public or private organization of any character, significantly affected by or interested in an action before the Review Authority, including any party in a contested case.

Affordable Housing. Housing affordable to households with an income not greater than 80 percent of the median income for Thurston County as determined by the U.S. Department of Housing and Urban Development. Affordable housing should cost no more than 30 percent of gross household income (including utilities).

Agriculture. The use of land for farming, dairying, pasturing and grazing, horticulture, floriculture, viticulture, apiaries, animal and poultry husbandry, and accessory activities, including, but not limited to, storage, harvesting, feeding or maintenance of equipment and onsite sales of agricultural products, but excluding stockyards, slaughtering or commercial food processing.

Airport or Heliport. Any area of land or structure designated and set aside for the landing and taking off of any aircraft regulated by the Federal Aviation Administration.

Alley. A public or private way, at the rear or side of property, permanently reserved as a means of vehicular or pedestrian access to a property.

Alteration. Any change, addition or modification in construction or occupancy.

Alteration, Critical Area. Any change to, addition to, or modification of an existing use, including any human activity that results or is likely to result in an adverse impact on the existing condition of a critical area or its buffer. "Alteration" does not include passive recreation such as walking, fishing or similar low impact activities.

Amendment. The action whereby the content of this title is revised, including additions, deletions, or clarification of language, maps, or diagrams.

Amusement Activity. An indoor, covered or outdoor facility or building that contains various devices for entertainment, including coin or token-operated machines, rides, booths to conduct games or the sale of souvenir items.

Ancillary Structure, WCF. Any form of development associated with a wireless communications facility, including but not limited to: foundations, concrete slabs on grade, guy anchors, generators, and transmission cable supports; however, specifically excluding equipment cabinets.

Animals. Any living organism except a plant, fungus, virus, or bacterium. (See also Pet, Traditional.)

Animal Hospital. A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment, including the accessory use of the premises as a kennel or a place where animals or pets are boarded for compensation.

Animal Kennel. See Kennel.

Animal Unit. One thousand pounds of live weight of any given livestock species or any combination of livestock species. For additional information, see the U.S. Department of Agriculture Natural Resource Conservation Service Animal Waste Field Handbook.

Antenna. Any apparatus designed for the transmitting and/or receiving of electromagnetic waves, including but not limited to: telephonic, radio or television communications. Types of elements include, but are not limited to: omni-directional (whip) antennas, sectionalized (panel) antennas, multi or single bay (FM and TV), yagi, or parabolic (dish) antennas.

Antenna Array. A single or group of antenna elements and associated mounting hardware, transmission lines, or other appurtenances which share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

Antenna Element. Any antenna or antenna array.

Antenna Support Structure. A vertical projection composed of metal or other material with or without a foundation that is designed for the express purpose of accommodating antennas at a desired height. Antenna support structures do not include any device used to attach antennas to an existing building. Types of support structures include the following:

Guyed Structure. A style of antenna support structure consisting of a single truss assembly composed of sections with bracing incorporated. The sections are attached to each other, and the assembly is attached to a foundation and supported by a series of wires that are connected to anchors placed in the ground or on a building.

Lattice Structure. A tapered style of antenna support structure that consists of vertical and horizontal supports with multiple legs and cross bracing, and metal crossed strips or bars to support antennas.

Monopole Structure. A style of freestanding antenna support structure consisting of a single shaft usually composed of two or more hollow sections that are in turn attached to a foundation. This type of antenna support structure is designed to support itself without the use of guy wires or other stabilization devices. These facilities are mounted to a foundation that rests on or in the ground or on a building's roof.

Anti-Climbing Device. A piece or pieces of equipment, which are either attached to an antenna support structure, or which are freestanding and are designed to prevent people from climbing the structure. These devices may include but are not limited to fine mesh wrap around structure legs, "squirrel-cones," or other approved devices, but excluding the use of barbed or razor wire.

Apartment. See Dwelling, Conventional.

Apparel and Accessory Stores. Stores primarily engaged in selling new or used clothing, shoes, jewelry, and related articles for personal wear and adornment and stores which rent clothing such as costumes or formal wear.

Applicant. Owner(s) or lessee(s) of property, including their agent(s) who submit an application for development, including person(s) who have contracted to purchase property.

Arcade. A covered walk with shops along one side and a line of arches or columns on the other side.

Archaeological Sites. Any site or location of prehistoric or historic significance including, but not limited to, burial sites, camp sites, rock shelters, caves and their artifacts, implements and remains of preexisting native Americans.

Architectural Elements. Components that are part of a building, such as windows, doors, materials, details, and structural membrane.

Articulation. The giving of emphasis to architectural elements of a building (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces.

Ash, Incinerator. Particulate or solid residues resulting from the operation of incinerator or energy recovery facilities managing municipal solid waste, including solid waste from residential, commercial and industrial establishments, if the ash residues:

- a. Would otherwise be regulated as hazardous wastes under RCW [70.105](#); and
- b. Are not regulated as a hazardous waste under the Federal Resource Conservation and Recovery Act (RCRA), 42, U.S.C. Section 6910, et seq.

ASR. The Antenna Structure Registration Number as required by the FAA and FCC.

Attached Structure. Any structure that has an enclosed interior wall(s) and covered roof in common with another structure sufficient to constitute an occupiable room (i.e., seven feet wide or more). A structure connected to another structure only by a covered passageway is not considered attached. (See Detached Structure; note that structures conforming with neither definition must conform with requirements of this title for both types of structures.)

Auction. See Swap Meet.

Auditor. The Auditor of Thurston County, Washington.

Automobile Rental Agencies. This includes businesses primarily engaged in short-term rental or extended-term leasing of passenger cars, hearses, limousines, and the like, without drivers. Finance (equity or full-payout) leasing of automobiles is classified with Motor Vehicle Sales.

Automobile Wrecking. The wrecking, dismantling, or salvage of motor vehicles or trailers, or the storage of, sale of or recycling or disposal of dismantled, partly dismantled, or wrecked motor vehicles or their parts. (See also Junk or Salvage Facility.)

Awning. A structure affixed to a building which extends over windows, sidewalks or doors, principally as protection from sun and rain.

B. DEFINITIONS - SPECIFIC.

Bank. See Office, Bank.

Bankfull Width (of Streams). Per WAC [222-16-010](#), the measurement of the lateral extent of the water surface elevation perpendicular to the channel at bankfull depth. In cases where multiple channels exist, bankfull width is the sum of the individual channel widths along the cross section. Field determination of the bankfull channel edge generally relies on changes in topography, vegetation, and sediment texture. Bankfull width is used to assess stream types per the Department of Natural Resources Stream Typing Classification System as required under OMC [18.32.435\(C\)](#).

Base Station. The electronic equipment utilized by the wireless providers for the transmission and reception of radio signals.

Bed and Breakfast House. See Dwelling, Transient Housing.

Berm. A mound or embankment of earth.

Bicycle, In Building Parking. A secure bicycle storage area located within a building where access is restricted to users only.

Bicycle Check-in Systems. A bicycle storage area providing long and short-term storage and which is managed by an attendant.

Bicycle Lockers. A box, cabinet or other storage device which individually protects a bicycle and its components, and which contains a see-thru window or view holes. Such lockers are typically coin operated, rented on a monthly basis or managed to ensure their proper use.

Bicycle, Limited Access Fenced in Areas. A restricted bicycle storage area that is protected from the weather and where access is supervised or limited to individual users.

Binding Site Plan. A drawing made and approved in accordance with the provisions of Title [17](#), Subdivision, and which contains inscriptions and attachments setting forth such appropriate limitations and conditions for the use of the land established by the city, and which contains provisions requiring any development to be in conformance with the site plan.

Bioengineering. The use of plant materials to stabilize and/or revegetate eroding stream channels and banks.

Blank Wall. Walls that meet the following criteria: A ground floor street wall or building wall or segment of a wall which is within 50 feet of the public rights-of-way and which is longer than 15 horizontal feet without having a ground level window door, or building facade modulation at least one foot in depth, or other architectural feature lying wholly or in part within that 15 feet length.

Block. Parcel(s) of land surrounded by public streets, highways, freeways, railroad rights-of-way, flood control channels, creeks, washes, rivers or unplatted acreage or any combination thereof.

Block Face. One complete side of a block, usually facing a public street.

Boarding Home. See Dwelling, Conventional.

Boat Sales and Rentals. A business primarily engaged in sales and/or rental of new and used motorboats, sailboats, and other watercraft. Businesses primarily engaged in the sale of supplies for recreational boating, such as sails, outboard motors, and marine hardware, are classified as Specialty Stores.

Boat Storage Facility. A facility meant to provide long-term shelter for watercraft and their accessories, e.g., canoes, sail boats, power boats, etc.; not including service, repair or sales.

Breakpoint Technology. The engineering design of a monopole wherein a specified point on the monopole is designed to have stresses concentrated so that the point is at least five percent more susceptible to failure than any other point along the monopole so that in the event of a structural failure of the monopole, the failure will occur at the breakpoint rather than at the base plate, anchor bolts, or any other point on the monopole.

Buffer. An area or distance from the critical area which is required for the continued maintenance, functioning, and/or structural stability of a critical area; or is necessary to minimize risk to the public.

Buildable Lot. A lot meeting all minimum requirements of size, shape, frontage, and sanitation contained in this Title and other ordinances of the city.

Building. A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, or property of any kind.

Building Area. The net portion of the lot remaining after deducting all required setbacks, public rights-of-way, critical area buffers and other required open space from the gross area of the lot.

Building Coverage. See Coverage, Building.

Building Line. A line parallel with the structural foundation located on the inside border of the required yard.

Building, Main. The principal building on a lot or building site designed or used to accommodate the primary use to which the premises is devoted. When more than one building on the premise is designed or used for the primary use, each such building is considered a main building.

Building Materials, Garden and Farm Supplies Store. This includes businesses primarily engaged in selling products such as lumber and other building materials; paint; glass; wallpaper; hardware; nursery stock; lawn and garden supplies including mowers and garden tractors; and farm supplies such as seeds, feeds, fertilizer, and farm tools. It includes such firms if they sell to the general public, even if they also sell to contractors; if they do not sell to the general public at all, they are classified as Wholesale Trade. Firms primarily selling plumbing, heating and air conditioning equipment, or electrical supplies are also classified as Wholesale Trade. Florists and other stores selling cut flowers and potted plants not grown on the premises are classified as Specialty Stores. (See also Greenhouse and Nursery.)

Building Site. A parcel of land occupied or intended to be occupied by a main building and its accessory buildings, together with all the open space and yards required by this Development Code.

C. DEFINITIONS - SPECIFIC.

Caliper. The American Association of Nurserymen standard trunk measurement of nursery stock. Caliper of the trunk shall be the trunk diameter measured six inches above the ground for up to and including four inch caliper size, and twelve inches above the ground for larger sizes.

Canopy. A permanent flat roof-like structure attached to and supported by a building, used principally as protection from sun and rain. The structure may or may not incorporate a sign.

Carport. A roofed structure providing space for the parking of motor vehicles, boats, recreational vehicles or other equipment, and enclosed on no more than three sides.

Cemetery. Property used for the interment of the dead.

Certificate of Appropriateness. A letter or other document stating that proposed changes will not adversely affect the historic characteristics of the property that contribute to its designation.

Certificate of Occupancy. A permit issued by the Community Planning and Development Department prior to occupancy of a structure when the structure is ready for occupancy.

Change of Occupancy. A change in the existing occupancy classification of a building, structure, or land, or portion thereof, as established and defined by the Uniform Building Code then in effect. Land use approval by appropriate authority and a certificate of occupancy issued by the building official may be required for any such change

Change of Use. Any use that substantially differs from the previous use of a building or land. If a particular land use is undefined by this Development Code, the most similar use listed in the Standard Industrial Classification (SIC) Manual shall be used. A change of ownership shall not be considered a change of use. (See also Thurston County Assessor SIC land use classifications.)

Child Day Care. The provision of supplemental parental care and supervision:

- a. For an unrelated child or children,
- b. On a regular basis,
- c. For less than 24 hours a day, and
- d. Under license by the Washington State Department of Social and Health Services.

As used in this Development Code, the term is not intended to include babysitting services of a casual, non-recurring nature or in the child's own home. Likewise, the term is not intended to include cooperative, reciprocal child care by a group of parents in their respective domiciles.

Child Care Home, Family. A facility in the residence of the licensee providing regular scheduled care for twelve or fewer children, within a birth through eleven-years-of-age range exclusively, for periods of less than 24 hours.

Child Day Care Center. A facility providing regularly scheduled care for a group of children one month of age through 12 years of age for periods less than 24 hours.

Church. A building or structure, or groups of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses, not to include bingo or games of chance, nor schools which exceed normal religious service hours.

City. The City of Olympia.

City Council. The duly elected Mayor and Council Members of the City of Olympia.

Clear Sight Triangle. A triangular-shaped portion of land at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the vision of vehicle operators entering or exiting the intersection. (See also Chapter [18.40](#).)

Clearing. The destruction or removal of vegetation from a site by physical, mechanical, chemical, or other means, not including landscape maintenance or pruning consistent with accepted horticultural practices which does not impair the health or survival of trees and vegetation.

Clinic. A place for outpatient medical services to human patients.

Closed Record Appeal. An administrative appeal following an open record hearing on a project permit application when the appeal is on the record with no new evidence or information allowed to be submitted and only appeal argument allowed. [See RCW [36.70B.020\(1\)](#)].

Club. An association of persons (whether or not incorporated) organized for some common purpose, not including a group organized primarily to render a service customarily carried on as a business. Retail warehouse buying clubs are not included in this definition. (See also Health Club and Country Club.)

Clustered Subdivision. A subdivision development in which building lots are sized to conform to the "footprint" of the structures and placed closer together than conventional development (usually in groups or clusters). The remaining undeveloped land is generally preserved as open space and/or recreation land. Private development easements around the structures are permitted for private landscaping, pools, spas, yards, and similar uses.

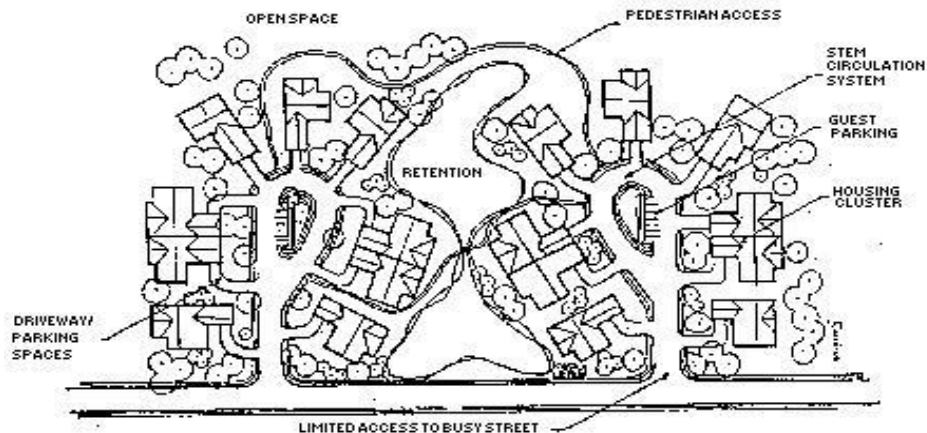


FIGURE 2-2

Cocktail Lounge. See Drinking Establishments.

Co-Housing. See Dwelling, Conventional.

Collocation. The practice of installing and operating multiple wireless carriers, service providers, and/or radio common carrier licensees on the same antenna support structure or attached wireless communication facility using different and separate antenna, feed lines and radio frequency generating equipment.

Combined Antenna. An antenna or an antenna array designed and utilized to provide services for more than one wireless provider for the same or similar type of services.

Commercial Vehicle. A vehicle customarily used as part of a business for the transportation of goods or people.

Commission. The Planning Commission of the City of Olympia.

Common Structure. A commonly owned structure intended for the common use of all residents of the development which meets the requirements of Section [18.04.060\(F\)\(1\)](#).

Community Clubhouse. A privately owned structure in which inhabitants of a neighborhood or subdivision, or members of a neighborhood association gather for meetings and other activities.

Community Park. An area intended for use by the community for active and/or passive recreation activities. Such parks may contain large areas such as lake fronts, parkways, forest areas, picnic areas, arts facilities and regulation size athletic fields designed for organized competitive sports such as softball, baseball or soccer.

Compensation. Types of compensation include, but are not limited to the following:

In-Kind. Replacement of a habitat type with substitute habitat whose characteristics closely approximate those destroyed or degraded by an allowable use or activity.

Off-Site. Replacement of a specific habitat type away from the site on which a habitat type has been impacted by an allowable use or activity.

On-Site. Replacement of a habitat type at or within 500 feet of the site on which the habitat type has been impacted by an allowable use or activity.

Out-of-Kind. Replacement of a habitat type with a substitute habitat type whose characteristics do not closely approximate those destroyed or degraded by an allowable use or activity.

Compensation Project. Actions necessary to replace project-induced losses to the functional values of a critical area, including land acquisition, planning, construction plans, monitoring and contingency actions.

Complete Application. A written application for a project permit which meets the procedural submission requirements of the City and is sufficient for continued processing even though additional information may be required or project modifications may subsequently occur. To be complete, an application must include all required information, elements, attachments and supplemental studies or reports as set forth in the applicable

section of the Olympia Municipal Code and as described on the approved application form, including any environmental checklist required by OMC Chapter [14.04](#); all insufficient detail for the reviewing authority to determine whether or not such application conforms with applicable regulations and standards. An application including such information which does not conform or is inconsistent with such regulations and standards shall nonetheless be deemed complete. See RCW [36.70A.440](#).

Complete Application, Date of. The date upon which the City has received all necessary information, forms, and fees required for the City to issue a determination of completeness. The date of complete application may precede the date upon which such determination is issued.

Comprehensive Plan. The plan adopted by the City Council to guide the physical growth and improvement of the city, including any future amendments and revisions.

Conditional Use Permit. A discretionary permit granted under the provisions of this Development Code and which, when granted, authorizes a specific use to be made of a specific property, subject to compliance with all terms and conditions imposed on the permit.

Condominium. See Dwelling, Conventional.

Conference Center. A facility used for seminars, conventions, symposiums and similar uses, with meeting rooms and possibly food preparation and eating facilities.

Confidential Shelter. See Dwelling, Assisted Living.

Conforming Use. A land use consistent with the list of permitted uses for the district in which it is located, or otherwise designated as a conforming use in that district.

Congregate Care Senior Housing. See Dwelling, Assisted Living.

Consistency with Comprehensive Plan. Performance in accordance with and complying and conforming with state law and the Olympia Comprehensive Plan as determined by consideration of the type of land use, the level of development, infrastructure, and the character of the development. [See RCW [36.70B.040](#)].

Construction Permit. A building permit or engineering permit issued by the City of Olympia or other public agency authorizing specific physical alteration of land or alteration, installation, placement or creation of structures attached to land, including land covered by water.

Construction Permit, SEPA-exempt. A construction permit or license exempt from the threshold determination and environmental impact statement requirements of the State Environmental Policy Act, such as an electrical, mechanical, plumbing or single-family building permit, and installation permits for lateral utility lines.

Contiguous Land. Parcels adjoining and touching other land and having the same owner regardless of whether or not portions of the parcels have separate tax lot numbers, were purchased at different times, lie in different sections, are different government lots or are separated from each other by private roads or private rights-of-way.

Contributing Historic Property. A property within a designated historic district listed as having enough historic significance to have been listed as a "contributing" property during the historic district approval process.

Convalescent Home. See Dwelling, Assisted Living.

Cornice. Any ornamental molding which protrudes along the top of a building.

Cottage Housing. See Dwelling, Conventional.

Country Club. A private or public membership facility designed for tennis, swim and other recreational activities except riding stables. Such uses and activities may be grouped around a clubhouse containing a restaurant, banquet and meeting room facilities. (See also Golf Course.)

County. Thurston County.

Courtyard. An open, unoccupied space, other than a yard, on the same lot with a building and bounded on two or more sides by the walls of a building.

Covenant. See Restrictive Covenant.

Coverage, Building. The portion of a lot covered by the principal and accessory building floor area including all areas covered by a weather-tight roof, excluding two feet of eaves.

Coverage, Impervious. The area which is occupied or covered by all impervious surfaces including the total horizontal surface of all buildings, except two feet of eaves. (See Net Site Area and Impervious Surface definitions.)

Crematorium. A facility that uses heat or fire to reduce human or animal remains to ashes.

Creek. See Stream.

Crisis Intervention Service. A mental health agency that offers 24 hour counseling, instruction and referral to persons in critical situations. This service is provided by telephone only and not in-person. Crisis intervention services are defined and regulated in Chapter [275-56-350](#) of the Washington Administrative Code. Such facilities may be characterized by a need for location confidentiality. This is not defined as a Business Office nor a Government Office.

Critical Area. Any of the following areas and ecosystems:

- a. Wellhead Protection Areas,
- b. Important Habitats and Species,
- c. Streams and Priority Riparian Areas,
- d. Wetlands, and
- e. Geological Hazard Areas.

Critical Area Tract. An area containing a critical area and/or buffer and that is subject to a recorded critical area protection restriction. (See Tract)

Culvert. A conveyance device (e.g., concrete box, pipe) which conveys water under (usually across) a roadway or embankment.

D. DEFINITIONS - SPECIFIC.

Dangerous Waste. Any discarded, useless, unwanted or abandoned substances, including but not limited to certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

- a. Have short-lived, toxic properties that may cause death, injury or illness or have mutagenic, teratogenic or carcinogenic properties; or
- b. Are corrosive, explosive, flammable or may generate pressure through decomposition or other means. (See also Hazardous Waste, Extremely.)

Date of Filing. The date that a complete and accurate application is submitted and appropriate fees paid.

Days. Consecutive calendar days unless otherwise stated.

Decorative Grille Work. Grille work which through the use of material, geometric pattern, configuration, embellishment, or workmanship exceeds the normal functional requirements. Parallel vertical bars - resembling a jail cell pattern - are not considered decorative grille work.

Dedication. The deliberate appropriation of land by an owner(s) for any general and public uses, reserving to themselves no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property is to be devoted. The intent to dedicate shall be evidenced by the owner by the

presentment for filing of a final plat, short plat or binding site plan which shows the dedication thereon. Acceptance by the public shall be evidenced by written approval issued by the city of such document for filing with the County Auditor.

Deficiency, Application. The lack of an element or information which results in an application being deemed not complete, or which otherwise prevents meaningful review and rendering of a decision regarding the application. A deficiency includes an element or information which is absent, is inaccurate or in some other aspect does not conform with applicable regulations and standards, and supplemental information or studies required to review an application. Erroneous or misleading information intentionally included in an application shall constitute a deficiency.

Department. The City of Olympia Community Planning and Development Department.

Design. The planning and engineering of street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignment and grades thereof; location and size of all required easements and rights-of-way; fire roads and fire breaks; lot size and configuration; vehicle access; grading; land to be dedicated for park or recreational purposes; building and other accessory physical requirements.

Design Review. The evaluation of a site, building, landscape design plan or sign program submitted to the Design Review Board or staff, which may approve or deny the plan in part, or make further design recommendations based upon adopted guidelines.

Design Review Board. A committee with a balance of design professionals (architecture, planning, engineering, landscape architecture) and citizens who are appointed by the City Council.

Detached. Any building or structure that does not have a wall and roof in common with any other building or structure and where exterior walls are separated by six feet or more. (See Attached Structures; note that structures conforming with neither definition must conform with the requirements of this title for both types of structures).

Determination of Completeness. A written determination by the director or fire chief or their respective designees that all required elements of an application have been received by the City. This determination initiates the statutory review period for the application, if any, and subject to certain exceptions, entitles the applicant to have the application considered and reviewed pursuant to the laws, regulations and standards in effect on the date the application was complete.

Development. The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, clearing or land disturbance; or any change of use or extension of the use of land. (See also Improvement.)

Development Area, WCF. The area occupied by a wireless communications facility including areas inside or under the following: an antenna support structure's framework, equipment cabinets, ancillary structures and access ways.

Development Code. A text incorporating areas of regulation more typically presented in separate zoning and subdivision ordinances and related chapters of the Municipal Code.

Development Coverage. Except where the context indicates otherwise, "development coverage" has the same meaning as impervious coverage.

Development Permit. Any land use permit which must be approved prior to the improvement and development of land or structures.

Director. The Director of the City of Olympia Community Planning and Development Department, and the Director's designees.

District or Zone. A specific area designated on the official zoning map of the city as one of the use districts as provided for in this title; such area is subject to all the requirements and regulations applicable to such district.

Dormitory. A residential structure intended principally for sleeping accommodations, where no individual kitchen facilities are provided, and which is related to an educational or public institution or is maintained and operated by a non-profit welfare organization.

Drinking Establishment. A business primarily engaged in the retail sale of alcoholic beverages for consumption on the premises, including night clubs, bars, and taverns. A lounge operated as part of a restaurant is considered to be accessory to the restaurant.

Drinking Water Protection Area. See OMC [18.32.205](#).

Drip Line. An imaginary ground line around a tree or building that defines the outermost limits of the tree canopy or building roof eave.

Drive-in Theater. An open lot devoted primarily to the showing of motion pictures.

Drive-Through Restaurant. See Restaurant, Drive-Through.

Dwelling Unit. See definition for single-family. Various types of housing or human shelter, which are listed below and categorized by use.

- a. Dwelling, Conventional.

- i. Accessory Dwelling Unit. A dwelling unit that has been added onto, created within, or separated from a single-family detached dwelling for use as a complete independent living unit with provisions for cooking, sanitation and sleeping.
- ii. Apartment. A dwelling within a structure designed and used for occupancy by three or more individual persons or families living independently of each other. These structures include triplexes, fourplexes, and other multi-unit configurations.
- iii. Boarding Home. Any home or institution, however named, which is advertised, announced or maintained for the express or implied purpose of providing board and domiciliary care to three or more aged persons not related by blood or marriage to the operator, under the provisions of Chapter [18.20](#) RCW. It shall not include any home, institution or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution or section thereof. (See also Dwelling, Assisted Living.)
- iv. Co-Housing. Co-housing developments consist of two or more dwelling units, one or more shared community structures (e.g., containing a meeting hall, dining hall/kitchen, community center, or day care) and perhaps a community garden, recreation area, or similar community oriented use.
- v. Condominium. A development consisting of an undivided interest in common for a portion of a parcel coupled with a separate interest in space in a residential or commercial building on the parcel.
- vi. Cottage Housing Development. Four or more small, detached dwelling units sharing a commonly owned courtyard/common area and parking area.
- vii. Duplex. One building containing two single-family dwelling units totally separated from each other by a one-hour fire wall or floor.
- viii. Guest House. Living quarters without kitchen facilities located on the same lot with a principal building and occupied for the sole use of members of the family, temporary guests, or persons permanently employed on the premises. (See also Accessory Dwelling Unit.)
- ix. Manufactured Home. A single-family residence constructed after June 15, 1976, and installed in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing and bearing the appropriate insignia indicating such compliance.
- x. Manufactured Home, Designated. A manufactured home constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, and which meets the requirements of OMC [18.04.060.O](#).

- xi. **Manufactured Home, New.** Any manufactured home required to be titled under Title [46](#) RCW, which has not been previously titled to a retail purchaser, and is not a "used mobile home" as defined in RCW [82.45.032\(2\)](#).
 - xii. **Mobile Home.** A single-family residence transportable in one or more sections, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976.
 - xiii. **Modular Home.** A structure constructed in a factory and installed in accordance with the applicable Building Code and bearing the appropriate insignia indicating such compliance. This definition includes "pre-fabricated," "panelized" and "factory built" units.
 - xiv. **Single-Family Dwelling.** A single unit providing complete, independent living facilities for a family, including permanent provisions for living, sleeping, cooking and sanitation.
 - xv. **Single-Room Occupancy.** A housing type consisting of one room with cooking facilities and with shared bathroom facilities. (See also Boarding Home, Lodging House and Bed and Breakfast.)
 - xvi. **Townhouse.** A single-family dwelling unit which is part of a group of two or more such units separated by a completely independent structural wall (including utilities in separate walls), extending from the ground to the roof in accordance with the applicable Building Code and which has no doors, windows or other provisions for human passage or visibility through the wall. In certain zoning districts, such dwelling units are platted with common side and/or rear property lines between the structural walls. See Chapter [18.64](#).
- b. **Dwelling, Transient.**
- i. **Bed and Breakfast.** A dwelling for the purpose of providing lodging for travelers and guests for a period of less than two weeks for compensation and having at least one kitchen used to provide breakfast but no other meals. Such dwelling shall have no more than five such guest rooms for persons other than the immediate family of the operator occupying such dwelling. Any such dwelling having over five such guest rooms is a hotel.
 - ii. **Hotel.** Any building containing six or more guest rooms where lodging, with or without meals, is provided for compensation, and where no provisions are made for cooking in any individual room or suite.
 - iii. **Lodging House.** A dwelling having only one kitchen and used for the purpose of providing lodging, or lodging and meals, for compensation for no more than five persons other than the members of the immediate family of the operator occupying such dwelling. Any such dwelling having over five such guests is considered a hotel. (See also Boarding Home.) [NOTE: A lodging house allows for an unlimited stay, unlike a Bed and Breakfast which is limited to two weeks.]

- iv. Motel. Guest rooms or suites occupied on a transient basis often with most rooms gaining access from an exterior walkway. (See also Recreational Vehicle.)
 - v. Trailer House. See Recreational Vehicle.
- c. Dwelling, Assisted Living.
- i. Adult Day Care Home. A residence in which adults (at least 18 years in age) and who are not related to the caregiver stay for no more than 12 hours per day. Emergency medical care may be provided in such facilities, but not convalescent care. (See also Convalescent Home and Elder Care Home.)
 - ii. Convalescent Home. Any home, place, institution or facility which provides convalescent or chronic care, or both, for a period in excess of 24 consecutive hours for three or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity, are unable properly to care for themselves. Such establishment shall be duly licensed by the State of Washington as a "nursing home" in accordance with the provisions of Chapter [18.51](#) RCW.
 - iii. Congregate Care Facilities. A building or complex of dwellings specifically designed for occupancy by senior citizens which provides for shared use of facilities, such as kitchens, dining areas, and recreation areas. Such complexes may also provide kitchens and dining space in individual dwelling units. Practical nursing care may be provided, but not nursing care as described in Section [18.04.060](#)(S).
 - iv. Elder Care Home. An elder care home or adult family home in the primary residence of a person licensed pursuant to Chapter [70.128](#) RCW to provide personal care, room, and board for one to five adults (at least 18 years of age) who are not related to the caregiver. Home health care and limited nursing care (dispensing of medicine and emergency medical aid) may be provided, but not convalescent care. (See also Convalescent Home, and Boarding Home.)
 - v. Group Homes. A place of residence for the handicapped, physically or mentally disabled, developmentally disabled, homeless, or otherwise dependent persons. Group Homes are intended to provide residential facilities in a home-like environment. Such homes range from licensed establishments operated with 24 hour supervision to non-licensed facilities offering only shelter. They shall not include correctional facilities (except as authorized by Chapter [137-56](#) and [137-57](#) WAC for work/training release programs), nursing homes, Type III group care facilities, foster family homes, or adult family homes as defined by the Washington State Department of Social and Health Services or its successor agency. Group homes include, but are not limited to the following:
 - (a) Confidential Shelters. Shelters for victims of domestic violence as defined and regulated in Chapter [70.123](#) RCW and Chapter [388-61A](#) WAC. Such facilities are characterized by a need for confidentiality.

(b) Home for the Disabled. A home or other facility which provides board and domiciliary care to individuals who, by reason of infirmity, require such care. An infirmity may be based on conditions including, but not limited to, physical handicap, mental illness, and other developmental disabilities. These group homes are a type of boarding home, as defined and regulated in Chapter [18.20](#) RCW. However, boarding homes serving the aged infirm are not included in this definition.

(c) Homeless Shelter. A facility offering lodging and/or emergency shelter to homeless individuals for an indefinite period of time and meeting the standards of Chapter [248-144](#) WAC.

(d) Group Home for Youth. Any home maintained and operated for the care of children on a 24 hour basis as defined and regulated in Chapter [388-73](#) WAC and Chapter [74.15](#) RCW.

(e) Group Home for Offenders. A home or other facility operated for housing and supervision of work/training release residents during their stay in a work/training release program as defined and regulated in Chapters [137-56](#) and [137-57](#) WAC.

vi. Hospice Care Center. Facilities licensed under Chapter [70.41](#) RCW which provide for the emotional and physical care of terminally ill patients. Such centers provide food, lodging, and palliative care on a full-time (24 hour) basis for two or more people, unrelated to the Center's operator, who are in the latter stages of a disease expected to cause death.

vii. Nursing Homes. See Convalescent Home.

viii. Rest Home. See Congregate Care.

E. DEFINITIONS - SPECIFIC.

Easement. A right of one owner of land to make lawful and beneficial use of the land of another, created by an express or implied agreement.

Easement, Conservation. The grant of a property right stipulating that the described land will remain in its current state, precluding future or additional development.

Easement, Scenic. An easement the purpose of which is to limit development in order to preserve or enhance a view or scenic area.

Elder Care. See Dwelling, Assisted Living.

Electric Vehicle Infrastructure. Structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

- a. "Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.
- b. "Battery exchange station" means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process.
- c. "Charging levels" means the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. The terms 1, 2, and 3 are the most common electric vehicle charging levels, and include the following specifications:
- i. Level 1 is considered slow charging. Level 1 is present in homes and businesses and typically operates on a 15- or 20-amp breaker on a 120-volt Alternating Current (AC) circuit and standard outlet.
 - ii. Level 2 is considered medium charging. Typically, Level 2 is for home and public charging and operates on a 40-amp to 100-amp breaker on a 208 or 240-volt AC circuit.
 - iii. Level 3 is considered fast or rapid charging. Level 3 is primarily for commercial and public applications (e.g., taxi fleets and charging along freeways) and typically operates on a 60-amp or higher dedicated breaker on a 480-volt or higher three-phase circuit with special grounding equipment.
- d. "Electric vehicle" means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. "Electric vehicle" includes any one of the following: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.

Emergency. An imminent threat to health, safety, or welfare, or an imminent risk of substantial damage to public or private property.

Emergency (Homeless) Housing. A temporary housing facility that may include tents and small structures organized and managed as temporary accommodations for homeless people, and hosted by entities described in OMC 18.50.

Emergency Housing. A temporary shelter usually in the form of a mobile home which is occupied only during the period of reconstruction of a dwelling following damage sustained by fire, explosion, act of nature or act of public enemy.

Emergency Repair. Work necessary to prevent destruction or dilapidation of real or personal property or structures immediately threatened or damaged by fire, flood, earthquake or other disaster.

Entertainment Event. Includes any festival, sporting event, celebration, circus, carnival, fair, or other similar event open to the public.

Chapter 18.04 RESIDENTIAL DISTRICTS Revised 10/17

18.04.000 Chapter Contents

Sections:

- [18.04.020](#) Purposes.
- [18.04.040](#) Permitted, conditional, and prohibited uses.
- [18.04.060](#) Residential districts' use standards. Revised 10/17
- [18.04.080](#) Residential districts' development standards. Revised 10/17
- [18.04.090](#) Additional regulations.

18.04.020 Purposes

- A. The general purposes of the residential districts contained in this chapter are as follows:
1. To provide a sustainable residential development pattern for future generations.
 2. To encourage development of attractive residential areas that provide a sense of community and contain a variety of housing types to accommodate different lifestyles and household sizes.
 3. To maintain or improve the character, appearance, and livability of established neighborhoods by protecting them from incompatible uses, excessive noise, illumination, glare, odor, and similar significant nuisances.
 4. To establish a compact growth pattern to efficiently use the remaining developable land; enable cost effective extension and maintenance of utilities, streets and mass transit; and enable development of affordable housing.
 5. To enable community residents to reside and work within walking or bicycling distance of mass transit, employment centers, and businesses offering needed goods and services in order to reduce traffic congestion, energy consumption, and air pollution.
 6. To provide for development of neighborhoods with attractive, well connected streets, sidewalks, and trails that enable convenient, direct access to neighborhood centers, parks, and transit stops.
 7. To ensure adequate light, air, and readily accessible open space for each dwelling unit in order to maintain public health, safety, and welfare.

8. To ensure the compatibility of dissimilar adjoining land uses.
9. To protect or enhance the character of historic structures and areas.
10. To provide residential areas of sufficient size and density to accommodate the city's projected population growth, consistent with Section [36.70A.110](#), RCW.
11. To preserve or enhance environmental quality and protect ground water used as a public water source from contamination.
12. To minimize the potential for significant flooding and allow recharge of ground water.
13. To allow innovative approaches for providing housing, consistent with the policies of the Comprehensive Plan.
14. To ensure that development without municipal utilities is at a density and in a configuration that enables cost effective urban density development when municipal utilities become available.

B. The additional purposes of each individual residential district are as follows:

1. Residential - 1 Unit Per 5 Acres. This designation provides for low-density residential development in designated sensitive drainage basins in a manner that protects aquatic habitat from degradation.
2. Residential Low Impact (RLI). To accommodate some residential development within sensitive drainage basis at densities averaging from two (2) to four (4) units per acre, provided that the development configuration avoids stormwater and aquatic habitat impacts.
3. Residential - 4 Units per Acre (R-4 and R-4CB). To accommodate residential development in areas sensitive to stormwater runoff in a manner and at a density (up to four (4) units per acre) that avoids stormwater related problems (e.g., flooding and degradation of environmentally Critical Areas).
4. Residential 4-8 Units per Acre (R 4-8). To accommodate single-family houses and townhouses at densities ranging from a minimum of four (4) units per acre to a maximum of eight (8) units per acre; to allow sufficient residential density to facilitate effective mass transit service; and to help maintain the character of established neighborhoods.
5. Residential 6-12 Units per Acre (R 6-12). To accommodate single-family houses, duplexes and townhouses, at densities between six (6) and twelve (12) units per acre, in locations with frequent mass transit service (existing or planned). This includes areas along or near (e.g., within one-fourth

(¼) mile) arterial and major collector streets. Parcels located in the High Density Corridor Transition Area are allowed triplex and fourplex housing types (18.04.060(FF)).

6. Mixed Residential 7-13 Units per Acre (MR 7-13). To accommodate a compatible mixture of houses, duplexes, townhouses, and apartments in integrated developments with densities averaging between seven (7) and thirteen (13) units per acre; to provide a broad range of housing opportunities; to provide a variety of housing types and styles; and to provide for development with a density and configuration that facilitates effective and efficient mass transit service. This district generally consists of parcels along arterial or collector streets of sufficient size to enable development of a variety of housing types.

7. Mixed Residential 10-18 Units per Acre (MR 10-18). To accommodate a compatible mixture of single-family and multifamily dwellings in integrated developments close to major shopping and/or employment areas (at densities averaging between ten (10) and eighteen (18) units per acre); to provide a variety of housing types and styles; to provide for development with a density and configuration that facilitates effective and efficient mass transit service; to provide opportunities for people to live close to work and shopping in order to reduce the number and length of automobile trips; and to enable provision of affordable housing.

8. Residential Multifamily - 18 Units per Acre (RM-18). To accommodate predominantly multifamily housing, at an average maximum density of eighteen (18) units per acre, along or near (e.g., one-fourth (¼) mile) arterial or major collector streets where such development can be arranged and designed to be compatible with adjoining uses; to provide for development with a density and configuration that facilitates effective and efficient mass transit service; and to enable provision of affordable housing.

9. Residential Multifamily - 24 Units per Acre (RM-24). To accommodate predominantly multifamily housing, at an average maximum density of twenty-four (24) units per acre, in locations close (e.g., one-fourth (¼) mile) to major employment and/or shopping areas; to provide for development with a density and configuration that facilitates effective and efficient mass transit service; and to enable provision of affordable housing.

10. Residential Multifamily - High Rise (RMH). To accommodate multifamily housing in multistory structures near the State Capitol Campus; to provide opportunities for people to live close to work, shopping, services and a major mass transit hub; to create a desirable living environment for residents of the district; and to ensure that new high rise buildings incorporate features which reduce their perceived scale and allow sunlight to reach street level.

11. Residential Mixed Use (RMU). To accommodate attractive, high-density housing, pedestrian oriented commercial and mixed-use development which reinforces downtown's historic character; to provide for coordinated pedestrian amenities; to preserve viable downtown housing; to enable

businesses to locate within walking distance of residences and offices; to provide a transition between commercial and residential districts; and to require new high rise buildings to incorporate features which reduce their perceived scale and allow sunlight to reach street level.

12. Urban Residential (UR). To accommodate multifamily housing in multistory structures in or near the State Capitol Campus; downtown, High Density Corridor, or other activity center areas; to provide opportunities for people to live close to work, shopping, and services; to help achieve City density goals, to create or maintain a desirable urban living environment for residents of the district; and to ensure that new urban residential buildings incorporate features which encourage walking and add interest to the urban environment.

13. Manufactured Housing Park (MHP). To accommodate mobile homes and manufactured housing in mobile/manufactured housing parks; to accommodate manufactured housing on individual lots; to accommodate single-family houses, duplexes and townhouses, at densities between five (5) and twelve (12) units per acre, in locations with frequent mass transit service (existing or planned). This includes areas along or near (e.g., within one-fourth (1/4) mile) arterial and major collector streets.

(Ord. 6594 §4, 2008; Ord. 6517 §7, 2007; Ord. 6404 §1, 2006; Ord. 6323 §2, 2004; Ord. 6140 §16, 2001; Ord. 5661 §6, 1996; Ord. 5517 §1, 1995).

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)	
1. SINGLE-FAMILY HOUSING															
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)

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
Townhouses	P	P		P	P	P	P	P	P	P	P	P	P	P	18.04.060(FF) 18.64
2. MULTIFAMILY HOUSING															
Apartments				P			P	P	P	P	P	P		P	18.04.060(N) 18.04.060(FF)
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)

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
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	
3. COMMERCIAL															
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)
Hardware Stores												P			
Home Occupations (including Adult Day	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(L)

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
Care, Elder Care Homes, Family Child Care Homes, and Bed & Breakfast Houses)															
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			

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
Veterinary Clinics - Existing	P	P		P	P	P							P		18.04.060(J)
Veterinary Clinics	P														
4. ACCESSORY USES															
Accessory Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(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
5. RECREATIONAL 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
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)
6. AGRICULTURAL USES															
Agricultural Uses	P	P	P	P	P	P	P	P	P				P		
Greenhouses, Bulb Farms	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(G)

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
7. TEMPORARY USES															
<u>Emergency (Homeless) Housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>18.50</u>
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
8. OTHER															
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	

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
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)
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(DD)
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

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
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

(Ord. 6759 §2, 2011; Ord. 6594 §5, 2008; Ord. 6592 §2, 2008; Ord. 6517 §8, 2007; Ord. 6404 §2, 2006).

Chapter 18.06 COMMERCIAL DISTRICTS Revised 10/17

18.06.000 Chapter Contents

Sections:

- [18.06.020](#) Purposes.
- [18.06.040](#) Permitted, conditional, and prohibited uses.
- [18.06.060](#) Commercial districts' use standards.
- [18.06.080](#) Commercial districts' development standards (General).
- [18.06.100](#) Commercial districts' development standards (Specific). Revised 10/17
- [18.06.120](#) Additional regulations. Revised 10/17

18.06.020 Purposes

A. The general purposes of this Chapter are as follows:

1. To provide appropriate commercial areas for retail and service establishments, neighborhood convenience and office uses required by residents of the City in a manner consistent with the Comprehensive Plan.
2. To provide employment opportunities for existing and future residents of the City and those of adjacent communities.
3. To provide for land uses which meet the needs of and attract regional populations, in addition to local residents.
4. To provide adequate space to meet the needs of commercial development, including off-street parking and loading.
5. To protect commercial and adjacent areas from excessive noise, illumination, unsightliness, odor, smoke, and other objectionable influences.
6. To provide for an intensity of development and activity within commercial areas which will increase their vitality, facilitate mass transit, and make better use of available infrastructure.
7. To accommodate a balanced mix of commercial, residential, and recreational uses in commercial areas which will enable people to live, shop, work, and play within walking distance; thereby reducing dependence on motor vehicles and potentially reducing traffic congestion, energy consumption, and air pollution.

8. To establish standards for the development of commercial areas which will make them easily accessible and inviting for pedestrians, bicyclists, and transit riders, as well as motorists.

9. To establish guidelines for the design of commercial areas which will improve their appearance, function, and appeal.

B. The purpose of each commercial district is as follows:

1. Community Retail District (CMR).

This district is intended to:

- a. Permit businesses which offer the most frequently needed consumer goods and services, in districts of sufficient size to provide a relatively wide range of such goods and services.
- b. Provide for site development standards which will achieve the clustering of buildings and/or business establishments in such fashion as to create a safe, convenient and attractive pedestrian environment, including access for transit riders and bicyclists, as well as safe and convenient parking and access.
- c. Allow for clustering of commercial services along urban arterials adjacent to residential neighborhoods, in order to reduce the amount of vehicular travel required of the consumer to acquire such goods and services.
- d. Allow for residential and mixed-use projects to increase the opportunities for people to live, work, shop, and recreate within walking distance.
- e. Not locate new community retail districts closer than three-fourths of a vehicular mile from one another, or from any other district providing similar services or facilities.

2. Commercial Services - High Density District (CS-H).

This district is intended to:

- a. Allow limited commercial services that supplement or enhance activities on the capitol campus, not large-scale retail sales for regional markets.
- b. Allow high-density multifamily residences near the chief employment centers such as the Downtown Business District, the Capitol Campus, and the central waterfront.
- c. Be located where high land values and public necessity warrant this type of development.

3. Auto Services (AS) District.

This district is intended to:

- a. Encourage development of a regional center for auto sales and services and related uses.
- b. Discourage development incompatible with auto sales and services.

4. Urban Waterfront (UW) District.

This district is intended to:

- a. Integrate multiple land uses in the waterfront area of downtown and the West Bay in a way that improves the City's appeal and identity as the Capital City on Budd Inlet.
- b. Encourage high-amenity recreation, tourist-oriented, and commercial development which will enhance public access and use of the shoreline.
- c. Encourage development that protects views of Budd Inlet, the Olympics, Mt. Rainier, and the Capitol, and preserves a sense of openness on the waterfront.
- d. Encourage water-dependent and water-related development (as defined in the Shoreline Master Program for the Thurston Region) on shoreline properties and permit light manufacturing uses which support nearby industrial and marine related uses.
- e. Provide shoreline public access to significant numbers of the population, which is a major goal of the Shoreline Master Program for the Thurston Region. It is also the intent of this district to integrate the policies of the Shoreline Master Program for the Thurston Region into zoning designations applicable to waterfront properties. It is not the intent of this district, however, to make the restrictions of the Shoreline Master Program legally applicable outside the shoreline management zone.

5. Downtown Business District (DB).

This district is intended to:

- a. Encourage a wide range of activities which make downtown Olympia the cultural, civic, commercial, and employment heart of the community.
- b. Retain existing downtown housing and encourage additional development of a dense mix of urban housing which is located near jobs, shopping, and transit.

- c. Provide a full range of urban services, tourism, recreation, and entertainment activities to support downtown workers, residents, and visitors.
- d. Encourage pedestrian-oriented land uses and design, in order to link downtown activity to the Capitol Campus and the waterfront, and to the gateways to the City.
- e. Permit development of a scale, height, and bulk which reinforces downtown Olympia's historic character, buildings, places, and street layout. Modern architecture is appropriate if it is consistent with the City's urban design vision.

6. General Commercial District (GC).

This district is intended to:

- a. Provide for those commercial uses and activities which are heavily dependent on convenient vehicular access.
- b. Encourage the location of such uses on sites having safe and efficient access to major transportation routes.
- c. Discourage extension of "strip" development by filling in available space in areas where substantial auto-oriented commercial development already exists.
- d. Provide development standards which enhance efficient operation of these districts, and lead to more pedestrian-oriented development.
- e. Achieve minimum adverse impact on the community, especially on adjacent properties having more restrictive development characteristics.

7. Medical Service District (MS).

This district is intended to:

- a. Allow the development of major and full-service health care facilities to serve a regional population.
- b. Permit the clustering of interrelated and complementary health care facilities.
- c. Permit limited types of nonmedical uses which provide convenience services primarily to medical facility users and employees.

- d. Allow relatively high density housing near medical facilities to help meet the needs of the large number of people employed there.
- e. Allow developments which will provide maximum convenience to medical facility users and employees, and an environment conducive to the healing arts. Incompatible land uses and traffic generated by uses other than those providing medical and related services are to be avoided.

8. Neighborhood Retail District (NR).

This district is intended to:

- a. Permit small retail establishments which offer a limited range of goods within a residential neighborhood.
- b. Protect existing neighborhood retail districts and permit new establishments where local economic demand and appropriate design can assure compatibility with the neighborhood.
- c. Be located not less than one-half (1/2) mile from another neighborhood retail district or any other commercial district providing similar services or facilities.
- d. Have a maximum size for a Neighborhood Retail district of not more than one (1) acre.
- e. Limit the size, scale and expansion of such establishments in order to minimize traffic volumes and congestion, and other adverse impacts on the neighborhoods in which said establishments are located.
- f. Ensure that development in this district is characterized by small buildings, low traffic generation, considerable walk-in trade, quiet operations and little or no night activity.

9. Professional Office/residential Multifamily District (PO/RM).

This district is intended to:

- a. Provide a transitional area, buffering residential areas from more intensive commercial uses. Development within this district should be compatible with residential uses and generate low vehicular traffic characteristic of less intrusive uses.
- b. Provide for a compatible mix of office, moderate- to high-density residential, and small-scale commercial uses, in order to provide opportunities for people to live, work, and recreate in a pedestrian-oriented area.

10. High Density Corridor-1 (HDC-1).

This district is intended to:

- a. Provide for a compatible mix of office, moderate to high-density multifamily residential, and small-scale commercial uses.
- b. Ensure that residential and mixed-use projects are built within walking distance to transit.
- c. Establish a street edge that is as continuous as possible with buildings which are close to the street and which have multiple floors, distinctive windows facing the street, and entrances that are visible from the street.
- d. Ensure that projects are designed, using a neighborhood area design theme in order to blend with the historic buildings in the corridor and the adjacent neighborhoods.
- e. Create a safe, convenient, and attractive environment for pedestrians, transit riders and bicyclists, and which includes parking and convenient access for vehicles.

11. High Density Corridor-2 (HDC-2).

This district is intended to:

- a. Provide for a compatible mix of office, medium intensity commercial and moderate to high-density multifamily residential uses.
- b. Ensure that residential and mixed-use projects are built within walking distance to transit.
- c. Establish a street edge that is as continuous as possible with buildings which are close to the street and which have multiple floors, distinctive windows facing the street, and entrances that are visible from the street.
- d. Ensure that projects (buildings) are designed, using a neighborhood area design theme in order to blend with the historic buildings in the corridor and the adjacent neighborhoods.
- e. Create a safe, convenient, and attractive environment for pedestrians, transit riders, and bicyclists, and which includes parking and convenient access for vehicles.

12. High Density Corridor-3 (HDC-3).

This district is intended to:

- a. Provide for a compatible mix of medium to high-intensity commercial, offices, and moderate to high-density multifamily residential uses.
- b. Ensure that access to transit is a part of all new projects.
- c. Establish a street edge that is as continuous as possible with buildings which are close to the street and which have multiple floors, distinctive windows facing the street, and entrances that are visible from the street.
- d. Create a safe, convenient, and attractive environment for pedestrians, transit riders, and bicyclists, and which includes parking and access for vehicles.

13. High Density Corridor-4 (HDC-4).

This district is intended to:

- a. Provide for a compatible mix of high-intensity commercial, offices, and high-density multifamily residential uses.
- b. Transform these areas to commercial and residential activity centers, over time.
- c. Ensure that access to transit is a part of new projects.
- d. Establish a street edge that is as continuous as possible with buildings which are close to the street and which have multiple floors, distinctive windows facing the street, and entrances that are visible from the street.
- e. Create a safe, convenient, and attractive environment for pedestrians, transit riders, and bicyclists, and which includes parking and access for vehicles.

14. Urban Waterfront - Housing District.

This district is intended to:

- a. Provide for a neighborhood of residential housing with the option of limited retail/commercial/office or other uses able to locate in a street edge storefront configuration.
- b. Help meet downtown housing and sustainability density goals, through the use of land for housing in a location, and at a density, that makes the use of a car a choice and not a necessity.
- c. Contribute to downtown vitality.

- d. Result in well designed buildings on continuous urban street edges.
- e. Increase resident surveillance and all day use of public spaces to increase safety and decrease vandalism or other security problems.
- f. Help the City achieve land use, transportation, environment, and housing goals.

(Ord. 7032 §6 (Exh. E), 2016; Ord. 6195 §16, 2002; Ord. 6073 §13, 2000; Ord. 5830 §2, 1998; Ord. 5569 §3, 1995; Ord. 5517 §1, 1995).

18.06.040 TABLES: Permitted and Conditional Uses

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							18.130.020
1. EATING & DRINKING ESTABLISHMENTS														
Drinking Establishments			P		P	P	P		C 18.06.060(P)		P	P	P	
Drinking Establishments - Existing		P 18.06.060(GG)				P								
Restaurants, with drive-in or drive-through			P 18.06.060(F)(3)										P 18.06.060(F)(3)	
Restaurants, with drive-in or drive-through, existing			P				P 18.06.060(U)					C	P	
Restaurants, without drive-in or drive-through	P 18.06.060(U)(3)	C	P	P 18.06.060(U)(2)	P	P	P 18.06.060(U)(1)	P	P	P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
2. INDUSTRIAL USES														
Industry, Heavy														
Industry, Light			C		P/C 18.06.060(N)									

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
On-Site Treatment & Storage Facilities for Hazardous Waste					P 18.06.060(Q)									
Piers, Wharves, Landings					P									
Printing, Industrial			C		P/C 18.06.060(N)									
Publishing		C	C		P		P		C	C				
Warehousing			P		P/C 18.06.060(AA)		P							
Welding & Fabrication			C		P/C 18.06.060(N)		P							
Wholesale Sales		C 18.06.060(BB)(3)	P		P/C	18.06.060(BB)		P		P	18.06.060(BB)(2)			
Wholesale Products Incidental to Retail Business			P		P	P						P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
3. OFFICE USES (See also SERVICES, HEALTH)														
Banks		P	P		P/C 18.06.060(D)(2)	P 18.06.060(D)(2)	P/C 18.06.060(D)(2)	P	P	P	P	P	P	P 18.06.060(D)(1) 18.06.060(F)(3)
Business Offices		P	P		P	P	P	P	P	P	P	P	P	P
Government Offices		P	P		P	P	P	P	P	P	P	P	P	P
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
4. RECREATION AND CULTURE														
Art Galleries	P	P	P		P	P	P		P	P	P	P	P	
Auditoriums and Places of Assembly			P		P	P	P					P	P	
Boat Clubs					P	P								
Boating Storage Facilities					P			P						
Commercial Recreation		C	P		P	P	P	P		C	C	P	P	
Health Fitness Centers and Dance Studios	P	P 18.06.060(L)	P	P	P	P	P	P	P	P 18.06.060(L)	P 18.06.060(L)	P	P	
Libraries	C	C	C	C	P	P	P		P	C	P	P	P	18.04.060(V)
Marinas/Boat Launching Facilities					P	P								
					18.06.060(CC)									
Museums		C	P		P	P	P		P	C	C	P	P	18.04.060(V)
Parks, Neighborhood	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)
Parks & Playgrounds, Other	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)
Theaters (Drive-in)			C											
Theaters (No drive-ins)			P		P	P	P				C	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
5. RESIDENTIAL														
Apartments		P	P	P 18.06.060(T)	P	P	P		P	P	P	P	P	
Apartments above ground floor in mixed use development	P	P	P	P 18.06.060(T)	P	P	P		P	P	P	P	P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Boarding Houses		P	P	P 18.06.060(T)	P	P	P		P	P	P	P	P	
Co-Housing		P	P			P	P			P	P		P	
Duplexes	P	P	P	P 18.06.060(T)			P		P	P	P		P	
Fraternities, Dormitories		C	P	P 18.06.060(T)	P	P	P		P	C	P	P	P	
Group Homes (6 or less)	P	P	P 18.06.060(K)	P 18.06.060(T)	P	P	P 18.06.060(K)		P	P	P	P 18.06.060(K)	P	18.04.060(K) 18.06.060(K)
Group Homes (7 or more)	C	C	C 18.06.060(K)	C 18.06.060(T)	C	C	C 18.06.060(K)		C	C	C	C 18.06.060(K)	P	18.04.060(K) 18.06.060(K)
Mobile or Manufactured Homes Park - Existing		C	C	C 18.06.060(T)						C			C	18.04.060(P)
Quarters for Night Watch person/Caretaker					P	P								
Retirement Homes		P	P	P 18.06.060(T)	P	P	P		P	P	P	P	P	
Single-Family Residences	P	P	P	P 18.06.060(T)			P		P	P	P	P	P	
Single Room Occupancy Units			C		P	P	P		P				C	
Townhouses	P	P	P	P 18.06.060(T)		P	P		P	P	P	P	P	
Triplexes, Four-plexes, and Cottage Housing		P											P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							

6. RETAIL SALES

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Apparel and Accessory Stores			P		P	P	P					P	P	
Boat Sales and Rentals			P		P	P	P	P					P	
Building Materials, Garden and Farm Supplies	P		P		P	P	P					P	P	
Commercial Greenhouses, Nurseries, Bulb Farms	C	C 18.04.060(G)	C	C					C		P	P		18.04.060(G)
Electric Vehicle Infrastructure	P	P	P	P	P 18.06.060(W)	P 18.06.060(W)	P 18.06.060(W)	P	P	P	P	P	P	
Food Stores	P	P 18.06.060(H)	P		P	P	P		P	P 18.08.060(H)	P	P	P	
Furniture, Home Furnishings, and Appliances			P		P	P	P				P	P	P	
Gasoline Dispensing Facilities accessory to a permitted use	P	18.06.060(W)(4)	P		P 18.06.060(W)		P	P				P 18.06.060(W)	P	18.06.060(W)
Gasoline Dispensing Facility accessory to a permitted use - Existing	P 18.06.060(W)		P		P 18.06.060(W)		P 18.06.060(W)				P	P 18.06.060(W)	P	
General Merchandise Stores	P	P 18.06.060(J)	P		P	P	P			P 18.06.060(J)	P	P	P	
Mobile, Manufactured, and Modular Housing Sales			P											
Motor Vehicle Sales			P				P	P					P	

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Motor Vehicle Supply Stores			P		P	P	P	P			P	P	P	
Office Supplies and Equipment		P 18.06.060(DD)	P		P	P	P		P	P 18.06.060(DD)	P	P	P	18.06.060(CC)
Pharmacies and Medical Supply Stores	P	P 18.06.060(EE)	P	P	P	P	P		P	P 18.06.060(EE)	P	P	P	18.06.060(DD)
Specialty Stores	P 18.06.060(Y)(3)	P 18.06.060(Y)(4)	P	C 18.06.060(Y)(2)	P	P	P			P 18.06.060(Y)(4)	P	P	P	18.06.060(Y)(1)
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
7. SERVICES, HEALTH														
Hospitals				P			P		P					
Nursing, Congregate Care, and Convalescence Homes	C	P	C	P			C		C	C	C	P	P	18.04.060(S)
Offices, Medical		P	P	P	P	P	P	P	P	P	P	P	P	
Veterinary Offices/Clinics		P	P	P			P			P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
8. SERVICES, LODGING														
Bed & Breakfast Houses (1 guest room)	P	P 18.06.060(E)	P 18.06.060(E)	P 18.06.060(E)	P	P	P			P	P	P	P	18.04.060(L)(3)(c)
Bed & Breakfast Houses (2 to 5 guest rooms)	C	P 18.06.060(E)	P 18.06.060(E)	P 18.06.060(E)	P	P	P		C	P	P	P	P	18.04.060(L)(3)(c)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Hotels/Motels			P	C	P		P		P				P	
Lodging Houses		P	P	P	P		P		P	P	P	P	P	
Recreational Vehicle Parks			P										P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
9. SERVICES, PERSONAL														
Adult Day Care Home	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)(3)(b)
Child Day Care Centers	C	P	P	P	P	P	P		P	P	C	P	P	18.04.060(D)
Crisis Intervention	C	P	C	P			P		C	P	C	C	C	18.04.060(I)
Family Child Care Homes	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)
Funeral Parlors and Mortuaries		C	P				P			C		P	P	
Laundries and Laundry Pick-up Agencies	P	P	P	P	P	P	P			P	P	P 18.06.060(O)	P	
Personal Services	P	P	P	P	P	P	P	P	P	P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
10. SERVICES, MISCELLANEOUS														
Auto Rental Agencies			P		P	P	P	P			C	P	P	
Equipment Rental Services, Commercial			P		P		P				P	P	P	
Equipment Rental Services, Commercial - Existing		P 18.06.060(FF)												

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Ministorage			P				P							
Printing, Commercial	P	P	P		P	P	P		P	P	P	P	P	
Public Facilities (see also Public Facilities, Essential on next page)	C	C	C	C	P	C	P	P	P	C	C	C	C	18.04.060(V)
Radio/T.V. Studios		P	P		P	P	P		P	P	P	P	P	
Recycling Facilities	P	P	P	P	P		P		P	P	P	P	P	18.06.060(V)
School - Colleges and Business, Vocational or Trade Schools		C	P		P	P	P		P	C	C	C	P	18.06.060(X)
Service and Repair Shops			P				P	P				P	P	
Service Stations/Car Washes			P				P 18.06.060(W)	P				P 18.06.060(W)	P	18.06.060(W)
Service Stations/Car Washes - Existing			P		P 18.06.060(W)		P 18.06.060(W)				P	P 18.06.060(W)	P	18.06.060(W)
Servicing of Personal Apparel and Equipment	P	P	P		P	P	P			P	P	P	P	
Truck, Trailer, and Recreational Vehicle Rentals			P					P						
Workshops for Disabled People	C	C	C	C	P	C	P		C	C	C	C	C	18.04.060(R)
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
11. PUBLIC FACILITIES, ESSENTIAL														
Airports			C										C	18.06.060(G)
Inpatient Facilities		C	C	C 18.06.060(T)	C		C		C	C	C	P	P	18.06.060(G) 18.04.060(K)
Jails			C		C		C		C				C	18.06.060(G)
Mental Health Facilities			C	C 18.06.060(T)	C		C						C	18.06.060(G) 18.04.060(K)
Other Correctional Facilities		C	C	C 18.06.060(T)	C	C	C		C	C	C	C	C	18.06.060(G)
Other facilities as designated by the Washington State Office of Financial Management, except prisons and solid waste handling facilities		C	C		C		C			C	C	C	C	18.06.060(G)
Radio/TV and Other Communication Towers and Antennas	C	C	C	C	C	C	C	C	C	C	C	C	C	18.06.060(G) 18.44.100
Sewage Treatment Facilities	C	C	C	C	P		P		C	C	C	C	C	18.06.060(G) 18.04.060(X)
State Education Facilities		C	C		C		C		C	C	C	C	C	18.06.060(G) 18.06.060(X)
State or Regional Transportation Facilities	C	C	C	C	C	C	C		C	C	C	C	C	18.06.060(G)

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
12. TEMPORARY USES														
Entertainment Events			P		P	P	P						P	
Off Site Contractor Offices	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(DD)
<u>Emergency (Homeless) Housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>18.50</u>
Emergency Housing	P	P	P	P	P			P	P	P	P	P	P	18.04.060(DD)
Fireworks, as determined by Fire Dept.			P		P	P	P				P	P	P	9.48.160
Mobile Sidewalk Vendors		P	P	P	P	P	P			P	P	P	P	
Parking Lot Sales			P		P	P	P	P			P	P	P	
Residences Rented for Social Event (6 or less in 1 year)	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(DD)
Residences Rented for Social Event (7 or more in 1 year)	C	C	C	C	C	C	C		C	C	C	C	C	
Temporary Surface Parking Lot		P	P		P	P	P		P					
District-Wide Regulations	18.06.060(R)				18.06.060(F)(2)	18.06.060(HH)	18.06.060(F)(2)							
13. OTHER USES														

TABLE 6.01

PERMITTED AND CONDITIONAL USES

COMMERCIAL DISTRICT	NR	PO/RM	GC	MS	UW	UW-H	DB	AS	CSH	HDC-1	HDC-2	HDC-3	HDC-4	APPLICABLE REGULATIONS
Accessory Structures/Uses														
Adult Oriented Businesses			P										P	18.06.060(B)
Agriculture	P	P	P	P					P	P	P	P	P	
Animals	P	P	P	P	P	P	P		P	P	P	P	P	18.06.060(C)
Cemeteries	C	C	C	C					C	C	C		C	
Conference Center			P		P	P	P						P	
Fraternal Organizations		P	P		P	P	P		P/C 18.06.060(I)	P	P	P	P	
Gambling Establishments			C											
Garage/Yard/Rummage and Other Outdoor Sales	P	P	P	P	P	P	P		P	P	P	P	P	5.24
Home Occupations	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)
Parking Facility, Commercial		P	P		P	P	P 18.06.060(S)			P	P	P 18.06.060(S)		18.04.060(V)
Places of Worship	C	C	P	C	P	P	P		C	C	C	P	P	18.04.060(U)
Racing Pigeons	C	C	C	C					C	C	C	C	C	18.04.060(Y)
Satellite Earth Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	18.44.100
Schools	C	C	P	C	C	C	C		C	C	C	P	P	18.04.060(DD)
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	18.04.060(X)
Wireless Communications 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	18.44

LEGEND

P = Permitted Use	PO/RM = Professional Office/Residential Multifamily	GC = General Commercial	HDC-1=High Density Corridor-1
MS = Medical Services		UW = Urban Waterfront	HDC-2=High Density Corridor-2
DB = Downtown Business	AS=Auto Services	UW-H = Urban Waterfront-Housing	HDC-3=High Density Corridor-3
C = Conditional Use	NR = Neighborhood Retail	CSH = Commercial Services-High Density	HDC-4=High Density Corridor-4

(Ord. 7032 §6 (Exh. E), 2016; Ord. 6975 §3, 2015; Ord. 6759 §5, 2011; Ord. 6592 §5, 2008)

Faith Community & City Tiny House Pilot Partnership

Purpose: To provide support services to enable faith communities and non-profits to establish and manage tiny house and transitional shelter facilities on public or private properties to house homeless people.

Description: The City of Olympia will provide funding and support for a one-year pilot program (2019) for one mid-size and two small sites. The non-profit and faith communities will host and manage these tiny house/shelter villages on their property with City-contracted support, as well as build and supply the tiny houses. The faith community may also contribute to group facilities for homeless people on public land managed by the City.

Steps:

1. Form a Working Group with City staff, representatives of faith communities and individuals with expertise in establishing tiny house communities.
2. Identify faith community sites/hosts
3. Design a program for the City to contract with a non-profit organization to provide services for faith communities including:
 - a. Screening of potential candidates for tiny houses (*the City prefers Coordinated Entry be used; hosts may establish overlay criteria to fit their needs*)
 - b. Provision of portable sanitary facilities
 - c. Provisions for water and sewer services
 - d. Provision for removal of trash
 - e. Linkage to social service providers for aiding residents to deal with mental issues, find jobs and transition to better housing
 - f. Develop a sample contract format for residents to sign with the managing non-profit and the faith community (*the NGO must be willing to sign a non-discrimination agreement*)
4. With support of City resources, use best practices to engage with surrounding neighborhoods.

Three Types of Partnerships

Small Size Sites

- Small number (1-6) of houses/huts on church properties
- City will provide support for two small sites*
- To incentivize this, faith partners are asking the City to modify its emergency (homeless) housing ordinance to simplify the permitting process or make no permit required for 6 or fewer units

Mid-Size Sites

- Approximately 10-20 houses/huts on non-profit or faith community properties
- City will provide support for one mid-size site*
- Some communal facilities (showers, cooking and sanitation - maybe others)
- Association of faith communities to manage and support
- To incentivize this, faith partners are asking the City to modify its emergency (homeless) housing ordinance to simplify its permitting process

Faith community contribution of Tiny Houses to Government Sites

- Faith community contracts with a governmental entity to operate tiny houses/huts on government owned properties
- Faith communities contribute or fund tiny houses/huts to supplement facilities on government sites
- Government host has some communal facilities on site and services such as showers, laundry, cooking, meeting place for clinic and wrap-around services, trash removal

* The City has committed funding in 2019 for portable toilets, hand washing stations, water and sewer services, trash removal, fencing to meet screening requirements if needed, and a contract for services with a non-profit to help manage all three sites.

Estimated Costs for Pilot Project

* For budgeting purposes only. Line items subject to change. The City has pledged up to \$100,000 in 2019 to support the Pilot Project.

City & Faith Community Pilot Project Partnership for Emergency Housing Facilities Estimated Cost - 2019			
City Contribution	Monthly Cost	Annual Cost	Note
Small Site #1 (Up to 6 units)			
Portable Toilets	\$200	\$2,400	<i>1 ADA stall, maintenance 1/wk</i>
Portable Handwashing Stations	\$150	\$1,800	<i>1 station</i>
Water Service	\$35	\$420	<i>Difficult to separate billing from primary use</i>
Sewer Service	\$22	\$264	<i>Difficult to separate billing from primary use</i>
Trash Service	\$61	\$732	<i>95 gallon 1/wk</i>
Fencing		\$7,500	<i>May be needed as screening required</i>
Small Site #2 (up to 6 units)			
Portable Toilets	\$200	\$2,400	<i>1 ADA stall, maintenance 1/wk</i>
Portable Handwashing Stations	\$150	\$1,800	<i>1 station</i>
Water Service	\$35	\$420	<i>Difficult to separate billing from primary use</i>
Sewer Service	\$22	\$264	<i>Difficult to separate billing from primary use</i>
Trash Service	\$61	\$732	<i>95 gallon 1/wk</i>
Fencing		\$7,500	<i>May be needed as screening required</i>
Mid-Size Site (10-20 units)			
Portable Toilets	\$320	\$3,840	<i>1 ADA + 1 standard stall, maintenance 1/wk</i>
Portable Handwashing Stations	\$300	\$3,600	<i>2 stations</i>
Water Service	\$35	\$420	<i>Difficult to separate billing from primary use</i>
Sewer Service	\$22	\$264	<i>Difficult to separate billing from primary use</i>
Trash & Recycling Service	\$157	\$1,884	<i>1.5 yard dumpster picked up 1/wk</i>
Fencing		\$12,000	<i>May be needed as screening required</i>
Contract with NGO		\$25,000	<i>Based on Eugene cost. Screening of potential candidates, link to service providers, assist with management</i>
Contingency		\$25,000	
TOTAL ESTIMATED ANNUAL COST		\$98,240	



Planning Commission

Sign Code Update - Deliberations

Agenda Date: 11/19/2018
Agenda Item Number:
File Number: 18-1096

Type: decision **Version:** 1 **Status:** In Committee

Title

Sign Code Update - Deliberations

Recommended Action

Move to recommend approval of the draft sign code, including repealing the existing sign code and amendments to definitions and design review chapters of the Olympia Municipal Code.

Report

Issue:

Discussion on the draft Sign Code Update.

Staff Contact:

Joyce Phillips, Senior Planner, Community Planning and Development, 360.570.3722

Presenter(s):

Joyce Phillips, Senior Planner, Community Planning and Development

Background and Analysis:

Work to update the sign code began in late 2016, primarily in response to the US Supreme Court case known as Reed v. Town of Gilbert, AZ, which addressed sign content and standards for temporary signs. The City also wanted to update the sign code in order to increase clarity, provide more consistency across standards and zoning districts, and to streamline and simplify the code.

An advisory committee was used to consider policy changes to how the city addresses signs, changes in the sign industry and new sign types, and options to provide more clarity in the code. The committee was made up of businesses, neighborhood representatives, the sign industry, and community members. The committee met seven times with its final meeting devoted to review of a draft sign code. Comments on that draft led to the first public draft, which was issued in July of 2018.

The City held an Open House on the draft sign code in August of 2018. Additionally, newsletters and email announcements were sent to subscribers, committee members, and interested parties. Comments received since the issuance of the first draft were considered and revisions were made. The second public draft was issued and posted to the Sign Code Update webpage on Friday, September 21, 2018.

A third and final draft was released on October 25, 2018, in response to comments and questions received on the second draft. This third draft is the public hearing draft.

Neighborhood/Community Interests (if known):

At the Public Hearing conducted on November 5, 2018 public comment was provided. One of the issues raised concerned safety and the frequency with which an electronic message on a sign can change. The Planning Commission asked staff to provide traffic accident data that was related to the existing signs that contain an electronic message and to request similar information from the City of Lacey, if possible.

Both Olympia and Lacey can provide accident data. However, neither jurisdiction had a way of tracking whether or not a nearby sign was a factor in the accident.

Options:

1. Recommend approval of the proposed revisions to amend Chapter 18.02, repeal Chapter 18.42, adopt 18.43, amend Chapters 18.120, 18.145, and 18.150.
2. Recommend approval of the proposed revisions to amend Chapter 18.02, repeal Chapter 18.42, adopt 18.43, amend Chapters 18.120, 18.145, and 18.150, with amendments proposed by the Planning Commission.
3. Do not recommend approval of the proposed revisions to amend Chapter 18.02, repeal Chapter 18.42, adopt 18.43, amend Chapters 18.120, 18.145, and 18.150.

Financial Impact:

None.

Attachments:

Electronic message sign webpage

Comparison of other cities

Message Change Information

Sign Code Draft
Frequency of Message Changes Information

Studies:

1. Statistical Analysis of the Relationship between On-Premise Digital Signage and Traffic Safety (by Texas A & M University and Texas A & M Transportation Institute, sponsored by Signage Foundation and Texas Engineering Extension Service)

Date: December 17, 2012

Available online at: <http://www.signresearch.org/wp-content/uploads/Digital-Signage-Traffic-Safety-A-Statistical-Analysis.pdf>

In this study, researchers collected large amounts of sign and crash data in order to conduct a robust statistical analysis of the safety impacts of on-premise digital signs. The statistical tools used the latest safety analysis theory developed for analyzing the impacts of highway safety improvements. The research team acquired the crash data from the Highway Safety Information System, which is a comprehensive database of crash records from several states. One of the advantages of these data is that they also include information about roadway characteristics, such as the number of lanes, speed limit, and other factors. The research team then acquired information about the location of on-premise digital signs from two sign manufacturing companies. Through significant effort by the researchers, these two datasets were merged into a single dataset that represented potential study locations in California, North Carolina, Ohio, and Washington. Of the initial set of over 3,000 possible sites, the research team was able to identify 135 sign locations that could be used for the safety analysis. Potential sites were eliminated from consideration due to any of the following factors:

- *The sign location was not on a roadway that was included in the crash dataset; only major roads were represented in the crash data.*
- *The sign location provided by a sign manufacturing company could not be verified through online digital images of the location.*
- *Only signs installed in calendar years 2006 or 2007 could be included in order to have adequate amounts of crash data before and after the sign was installed.*

Summary of study results

The results of this study provide scientifically based data that indicate that the installation of digital on-premise signs does not lead to a statistically significant increase in crashes on major roads.

2. Compendium of Recent Research Studies on Distraction from Commercial Electronic Variable Message Signs (CEVMS) (Prepared by The Veridian Group)

Date: February 2018

Available online at:

<http://www.scenic.org/storage/PDFs/billboard%20safety%20study%20compendium%20updated%20february%202018.pdf>

A review of 22 studies. Includes a summary of the findings of each of the studies reviewed. Studies reviewed included below. Where available, a copy of the study is included below, as a PDF.

- Empirical Evaluation on a Driving Simulator of the Effects of Distractions Inside and Outside the Vehicle on Driver's Behavior (United States, 2008)
- Conflicts of Interest: The Implications of Roadside Advertising for Drive Attention (United Kingdom, 2009)
- Relative Crash Involvement Risk Associated with Different Sources of Driver Distraction (Norway, 2009)



Relative crash
involvement risk Bac

- Investigating Driver Distraction: The Effects of Video and Static Advertising (United Kingdom, 2009)



Investigating driver
distraction-the effec

- Driver Distraction from Roadside Advertising: The Clash of Road Safety Evidence, Highway Authority Guidelines, and Commercial Advertising Pressure (Australia, 2009)



DRIVER
DISTRACTION FROM

- Influence of Billboards on Driving Behavior and Road Safety (Israel, 2010)
- The Role of Roadside Advertising Signs in Distracting Drivers (Saudi Arabia, 2010)

- External Driver Distractions: The Effects of Video Billboards and Wind Farms on Driver Performance (Canada, 2011)
Did not seek a copy – we do not allow video signs

- Advertising Billboards Impair Change Direction in Road Scenes (Australia, 2011)



Advertising
billboards impair ch

- Effects of Electronic Billboards on Driver Distraction (Sweden 2012)

- Driver Visual Behavior in the Presence of Commercial Electronic Variable Message Signs (CEVMS) (United States, 2012)



cevmsfinal.pdf

- Effects of External Distractions (United States, 2013)

- Impact of Roadside Advertising on Road Safety (Australia, 2013)



Impact of Roadside
Advertising on Roac

- Roadside Advertising Affects Driver Attention and Road Safety (Denmark, 2013)



Roadside
Advertising Affects I

- Statistical Analysis of the Traffic Safety Impacts of On-Premise Digital Signs (United States, 2014)

Online PDF is dated August 2013, so may not be final copy



Statistical Analysis
of the Traffic Safety

- Evaluation of the Visual Demands of Digital Billboards Using a Hybrid Driving Simulator (United States, 2014)

- Accidents on Ayalon Highway – Three Periods of Comparison: Billboards Present, Removed, and Returned (Israel, 2014)

- Investigation of Potential Relationship between Crash Occurrences and the Presence of Digital Billboards in Alabama and Florida (United States, 2015)
- Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines (Canada, 2015)
- Digital Billboards ‘Down Under’: Are they Distracting to Drivers and can Industry and Regulators Work Together for a Successful Road Safety Outcome? (Australia, 2015)



Digital billboards
down under.pdf

- A Field Study on the Effects of Digital Billboards on Glance Behavior During Highway Driving (United States, 2016)
- Influence of an Illuminated Digital Billboard on Driving Behavior with a Focus on Variable Display Time and Distance from a Pedestrian Crossing (Belgium, 2018)

3. Federal Highways Administration (FHWA) Memorandum



FHWA Memo Off
Premise Changeable

Excerpt:

Based upon contacts with all Divisions, we have identified certain ranges of acceptability that have been adopted in those States that do allow CEVMS that will be useful in reviewing State proposals on this topic. Available information indicates that State regulations, policy and procedures that have been approved by the Divisions to date, contain some or all of the following standards:

- Duration of Message: Duration of each display is generally between 4 and 10 seconds - 8 seconds is recommended.
- Transition Time: Transition between messages is generally between 1 and 4 seconds - 1-2 seconds is recommended.
- Brightness: Adjust brightness in response to changes in light levels so that the signs are not unreasonably bright for the safety of the motoring public.

- Spacing: Spacing between such signs not less than minimum spacing requirements for signs under the FSA, or greater if determined appropriate to ensure the safety of the motoring public.
- Locations: Locations where allowed for signs under the FSA except such locations where determined inappropriate to ensure safety of the motoring public.

Other standards that the States have found helpful to ensure driver safety include a default designed to freeze a display in one still position if a malfunction occurs; a process for modifying displays and lighting levels where directed by the State DOT to assure safety of the motoring public; and requirements that a display contain static messages without movement such as animation, flashing, scrolling, intermittent or full-motion video.

Sign Code Draft
Frequency of Message Changes Information

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Date: February 2018

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Olympia Sign Code Update – Commercial Electronic Variable Message Signs

- External Driver Distractions: The Effects of Video Billboards and Wind Farms on Driver Performance (Canada, 2011)
Did not seek a copy – we do not allow video signs

- Advertising Billboards Impair Change Direction in Road Scenes (Australia, 2011)



Advertising
billboards impair ch

- Effects of Electronic Billboards on Driver Distraction (Sweden 2012)
- Driver Visual Behavior in the Presence of Commercial Electronic Variable Message Signs (CEVMS) (United States, 2012)



cevmsfinal.pdf

- Effects of External Distractions (United States, 2013)
- Impact of Roadside Advertising on Road Safety (Australia, 2013)



Impact of Roadside
Advertising on Roac

- Roadside Advertising Affects Driver Attention and Road Safety (Denmark, 2013)



Roadside
Advertising Affects I

- Statistical Analysis of the Traffic Safety Impacts of On-Premise Digital Signs (United States, 2014)

Online PDF is dated August 2013, so may not be final copy



Statistical Analysis
of the Traffic Safety

- Evaluation of the Visual Demands of Digital Billboards Using a Hybrid Driving Simulator (United States, 2014)

- Accidents on Ayalon Highway – Three Periods of Comparison: Billboards Present, Removed, and Returned (Israel, 2014)
- Investigation of Potential Relationship between Crash Occurrences and the Presence of Digital Billboards in Alabama and Florida (United States, 2015)
- Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines (Canada, 2015)
- Digital Billboards ‘Down Under’: Are they Distracting to Drivers and can Industry and Regulators Work Together for a Successful Road Safety Outcome? (Australia, 2015)



Digital billboards
down under.pdf

- A Field Study on the Effects of Digital Billboards on Glance Behavior During Highway Driving (United States, 2016)
- Influence of an Illuminated Digital Billboard on Driving Behavior with a Focus on Variable Display Time and Distance from a Pedestrian Crossing (Belgium, 2018)

3. Federal Highways Administration (FHWA) Memorandum



FHWA Memo Off
Premise Changeable

Excerpt:

Based upon contacts with all Divisions, we have identified certain ranges of acceptability that have been adopted in those States that do allow CEVMS that will be useful in reviewing State proposals on this topic. Available information indicates that State regulations, policy and procedures that have been approved by the Divisions to date, contain some or all of the following standards:

- Duration of Message: Duration of each display is generally between 4 and 10 seconds - 8 seconds is recommended.
- Transition Time: Transition between messages is generally between 1 and 4 seconds - 1-2 seconds is recommended.

- Brightness: Adjust brightness in response to changes in light levels so that the signs are not unreasonably bright for the safety of the motoring public.
- Spacing: Spacing between such signs not less than minimum spacing requirements for signs under the FSA, or greater if determined appropriate to ensure the safety of the motoring public.
- Locations: Locations where allowed for signs under the FSA except such locations where determined inappropriate to ensure safety of the motoring public.

Other standards that the States have found helpful to ensure driver safety include a default designed to freeze a display in one still position if a malfunction occurs; a process for modifying displays and lighting levels where directed by the State DOT to assure safety of the motoring public; and requirements that a display contain static messages without movement such as animation, flashing, scrolling, intermittent or full-motion video.