

**PROPOSED OLYMPIA MUNICIPAL CODE (OMC) AMENDMENTS
FOR
STORMWATER LOW IMPACT DEVELOPMENT (LID) UPDATE**

PLANNING COMMISSION HEARING DRAFT ISSUED JANUARY 4, 2016

[Note: Consider using landscape format when printing this document with margin comments.]

*City staff proposes the following amendments to the sections of the Olympia Municipal Code as set forth below. Underlined text is new text to be added or inserted; struck-thru text is text proposed to be deleted. Note that some code sections do not include any proposed changes and have been included only for context. Notes in brackets [] and margin comments are for informational purposes and are **not** proposed to be adopted as part of code.*

OMC Chapter 13.16 Storm and Surface Water Utility

OMC 13.16.110 Definitions

The following words, when used herein, shall have the following meanings unless the context clearly indicates otherwise:

E. “Drainage Design and Erosion Control Manual,” or “the Manual” means the ~~2009~~ 2016 Edition of the Drainage Design and Erosion Control Manual for Olympia, as the same may be amended from time to time.

Comment [TS1]: Revisions consistent with adoption of updated drainage manual below.

I. “Impervious surface” means a non-vegetated surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.

Comment [TS2]: New definition consistent with new drainage manual and new definition in Title 18 of OMC.

[Note: all subsequent current definitions of this section are to be re-lettered accordingly.]

OMC 13.16.017 Drainage design and erosion control manual – Adopted

A certain document entitled Drainage Design and Erosion Control Manual for Olympia, ~~2009-2016~~ Edition (“the Manual”) is adopted by reference as though fully set forth herein. One copy of the Manual is to be placed and held in the office of the director of administrative services for the city and be available to the public.

OMC Chapter 16.04 Building Codes

OMC 16.04.040 Amendments to the Referenced Codes

A. International Building Code Amendments. The following sections of the International Building Code (IBC), as adopted by this Ordinance, are amended to read as follows:

Section J103.2 Exemptions.

A grading *permit* shall not be required for the following:

1. Grading in an isolated, self-contained area, provided there is no danger to the public, ~~and~~ that such grading will not adversely affect adjoining properties, and that such grading will not exceed ten (10) cubic yards nor disturb an area greater than 7,000 square feet.
2. Excavation for construction of a structure permitted under this code.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells, or trenches for utilities.
6. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.
7. Exploratory excavations performed under the direction of a registered design professional and not exceeding the limits above.

Comment [TS3]: Substantial narrowing of this permit exception to only small amounts of re-grading. For example, 10 cubic yards spread over about 3,000 square feet – an ordinary single-family yard – yields a depth of about one inch.

Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Comment [TS4]: Current unlimited ‘exploratory’ exemption can permit significant soils damage. New drainage manual is expected to result in substantial exploration prior to development so staff proposes limiting this permit exemption.

Section 105.2

Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the

provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

6. Sidewalks and driveways, and other impermeable surfaces such as patios, decks and sport courts, not more than 30 inches (~~762 mm~~) above adjacent grade, and not over any basement or story below and are not part of an accessible route provided the surface area does not exceed 200 square feet.

Comment [TS5]: Currently, unlimited paving without a permit allows for substantial areas of impervious surfaces not complying with standards. Proposed 200-square-foot limit is consistent with current permit threshold for most buildings. This change would substantially increase the number of projects for which a construction permit is required.

OMC Chapter 16.48 Grading and Clearing

OMC 16.48.050 Exemptions

The following shall be exempt from the provisions of this chapter:

A. Projects requiring approval of the Director under the zoning ordinance, and/or by the Hearing Examiner and City Council, provided that grading on such projects shall take place only after approval and shall be in accordance with such approval, and the criteria and information requirements of this chapter;

B. Clearing in emergency situations involving immediate danger to life or property or substantial fire hazards;

C. Clearing on a parcel or contiguous parcels in one ownership less than ~~20,000~~ 7,000 square feet in size for the purpose of exploration and investigation, construction, landscaping and/or associated improvements for a single-family or duplex residence. Such exemption shall not be applicable when the above-mentioned grading activity would directly involve or be within 300 feet of shoreline areas, critical areas such as wetlands and streams, creeks, and parcels where the predominant slope is in excess of 20 percent;

Comment [TS6]: This set of changes will result in substantially more projects for which a grading permit is required. The proposed three-hundred foot clause would extend permit requirement within critical areas to projects 'near' critical areas.

D. Clearing within a maximum of ~~30'~~ 10' (when required for construction and associated landscaping) of the perimeter of the building line, and any area ~~proposed~~ to be graded for driveway and septic purposes, of a single single-family or duplex dwelling ~~to be~~ constructed as

Comment [TS7]: This amendment would result in evaluating grading impacts in areas between 10 and 30 feet from a building project; it would also remove the parcel size limitation of this clause, i.e., any building permit would encompass regrading within 10 feet.

indicated on the plot plan submitted to the building official ~~within an application for a building permit on parcels consisting of 20,000 or more square feet;~~

E. The removal of dead trees or of diseased or damaged trees which constitute a hazard to life or property;

F. Clearing done under authority of an approval issued pursuant to RCW Chapter 76.09 when, in the opinion of the city building inspector, such work involves commercial Christmas tree harvesting pursuant to a continuing harvesting and reforestation program and the land shall not be converted to a use other than Christmas tree production;

G. Clearing practices associated with normal agricultural crop operations, excluding timber cutting not otherwise exempted;

H. Stockpiling and handling of earth material associated with commercial quarry operations licensed under the authority of the State Department of Natural Resources and the State Open Mining Act of 1970.

OMC 16.48.060 Permit application –Requirements –Processing – Conditions of issuance

A. An application for a clearing permit shall be submitted on a form provided by the city. Accompanying such form shall be a general plot plan which shall include the following information:

1. a. General vicinity map,
- b. Property boundaries indicating extent and location of proposed clearing activities, and major physical features of the property (i.e., streams, ravines, etc.),
- c. Location and dimensions of buffer areas to be maintained or established, and location and description of proposed erosion-control devices or structures,
- d. Identification and location of all trees that are to be removed, retained and protected;

2. As determined at the discretion of the building official, other information as deemed appropriate to this chapter may be required in instances related to geological hazard, shoreline protection, tree, vegetation and soils protection and replacement or project scope;

Comment [TS8]: A relatively minor change consistent with drainage manual to require more information as part of application.

3. An application fee as adopted in Title 4 of this code will be assessed at time of permit issuance.

B. The building official upon receipt of an application shall confer with the city environmental review officer and other city personnel as may be appropriate, and make a decision within 20 working days from the date of submission of a completed application, unless an extension is authorized by the applicant.

C. Any permit granted under this chapter shall expire one year from the date of issuance. Upon a showing of good cause, a permit may be extended by the building official for one 6 month period.

Approved plans shall not be amended without authorization of the building official. The permit may be suspended or revoked by the building official because of incorrect information supplied or any violation of the provisions of this chapter.

D. No work shall commence until permit notice is posted by the city on the subject site and 2 other locations for a period of 10 days prior to commencement of grading activities.

E. An application penalty fee triple that assessed by subsection (A)(3) of this section shall be assessed for any grading or clearing conducted prior to issuance of a permit required by this chapter. This application penalty fee shall be in addition to any penalty assessed under Section 16.48.120.

F. The building official may and is authorized to impose such permit conditions as deemed necessary and appropriate to ensure that any grading or clearing, or both, are consistent with policies of limiting hydrologic changes to a site and the vicinity. At minimum, except as necessary to achieve access compliant with City standards or to construct approved stormwater facilities, such conditions shall ensure that:

Comment [TS9]: Proposed new authority to limit 'mass-grading' of development sites. See each clause below for proposed limits. Proposals are drawn primarily from City of Corvallis. These are substantial new limitations; an alternatives would be to allow more changes in grade so long as steep slopes were not created, e.g., limiting created slopes to a horizontal to vertical ratio of 3:1 would not be exceeded.

1. Resulting changes in ground elevation within 100 feet of an adjoining parcel shall not exceed four (4) feet;
2. Resulting changes in ground elevation within 100 feet of protected areas such as critical area buffers, soil and vegetation protection areas, and bodies of water, shall not exceed four (4) feet;
3. Changes in ground elevation of no more than 50% of any development site's total area shall exceed four (4) feet; and
4. Impacts to neighboring properties, protected areas, and overall hydrology are minimized.

OMC Chapter 16.54 Tree Protection and Replacement for Green Cove Basin

proposed to be repealed in its entirety. [Note, the substantive provisions of OMC 16.54 are to be merged into OMC chapter 16.60 below]

OMC Chapter 16.60 TREE, SOIL, AND NATIVE VEGETATION PROTECTION AND REPLACEMENT

OMC 16.60.000 Chapter Contents - Sections:

- 16.60.010 Purpose.
- 16.60.020 Definitions.
- 16.60.030 Applicability.
- 16.60.040 Exemptions.
- 16.60.045 City tree account.
- 16.60.050 ~~Tree~~ Soil and vegetation plan required.
- 16.60.060 Tree ~~plan~~ removal permit review procedure.
- 16.60.070 ~~Tree~~ Soil and vegetation plan review standards.
- 16.60.080 Tree density.
- 16.60.090 Tree, soil, and native vegetation protection during construction.
- 16.60.100 Maintenance requirements.
- 16.60.110 Variance for hardship.
- 16.60.120 Appeal.
- 16.60.130 Enforcement - Penalties.

Comment [TS10]: The Green Cove basin 'tree code' was initially adopted as an 'interim regulation.' Except for the number of trees required, the version codified in 2001 was nearly identical to Chapter 16.60 applicable to the remainder of Olympia. The proposal below would retain the differences while deleting this redundant chapter of the code.

Comment [TS11]: As indicated by the proposed revised title, the focus of this chapter would expand from tree protection and planting to trees, soil and other vegetation. Many of the changes proposed below simply reflect this change of focus. Many others are non-substantive revisions of code sections that have not been updated for twenty-five years. Proposed substantive amendments are the subject of comments below regarding this chapter.

Comment [TS12]: Note that as proposed below, 'native vegetation' would be defined expansively to encompass non-native species well-adapted to the site conditions, i.e., not needing irrigation or other significant maintenance.

16.60.140 Liability on the city.

16.60.160 Authority.

16.60.170 Specimen tree evaluation - For public trees.

~~16.60.180 Tree pruning standards for public trees.~~

OMC 16.60.010 Purpose

Whereas ~~rapid~~ growth, the spread of development, and increasing demands upon natural resources have the effect of encroaching upon, ~~despoiling~~ impacting or eliminating many of the intact native soils and vegetation, trees and ~~other forms of vegetation and~~ natural resources and processes associated therewith which, if preserved and maintained in an undisturbed and natural condition, ~~constitute~~ provide important physical, aesthetic, recreation and economic assets to existing and future residents of the city; and whereas the city council finds (1) that trees, healthy soils, and ~~woodland~~ growth native vegetation protect public health through the capturing and filtering of stormwater runoff, absorption of air pollutants and contamination, through the reduction of excessive noise and mental and physical damage related to noise pollution, through their cooling effect in the summer months and insulating effects in winter, through their positive impact on global climate change; (2) that trees, healthy soils, and ~~woodlands~~ native vegetation provide for public safety through the prevention of soil erosion, siltation and flooding; (3) that trees, healthy soils, and ~~woodlands~~ native vegetation are essential to the general welfare of the city by maintaining the natural beauty and the irreplaceable heritage for existing and future city residents; and (4) that Olympia can promote urban forestry and land management practices which will preserve or enhance trees, healthy soils, and native vegetation on public and private lands as they transition from natural areas into an urban environment.

Therefore, the purposes of this chapter are:

A. To provide for the protection, preservation, replacement, proper maintenance and use of trees, soils, and native vegetation and ~~woodlands~~ located in this city in order to preserve and enhance the city's physical and aesthetic character by preventing untimely and indiscriminate removal or destruction of trees, healthy soils, and native vegetation;

B. To protect trees, healthy soils, and native vegetation and ~~woodlands of this~~ in the city for their economic support of local property values and to preserve and enhance ~~the Pacific Northwest's~~ this region's natural beauty;

- C. To minimize the adverse impacts of land disturbing activities on ~~surface~~ ~~drainage~~ stormwater infiltration, soil erosion, air quality, sedimentation and pollution of natural waterways, in order to minimize the public and private costs for stormwater control and treatment, utility maintenance and removal of pollution from our natural waterways;
- D. To promote site planning, construction practices and horticultural practices that are consistent with the reasonable use of property;
- E. To provide for the paramount public concern for these natural resources in the interest of a healthier and safer place in which to live and to promote the general welfare of the residents of this city;
- F. To implement the goals and objectives of the Washington State Environmental Policy Act; and
- G. To implement the goals and objectives of the ~~e~~City's ~~e~~Comprehensive ~~p~~Plan.

OMC 16.60.020 Definitions

All words in this chapter shall have their customary dictionary definition except as specifically defined herein. *[Note: the definitions subsections will be re-lettered and alphabetized consistent with the final approved list of definitions.]*

- B. "Buildable area" is that portion of a parcel of land wherein a building, parking and other improvements may be located and where construction activity may take place. Buildable areas shall not include streams, flood hazard areas, geologically hazard areas or wetlands as defined in ~~Section 18.76.030~~ Chapter 18.32 Critical Areas. For the purpose of calculating required minimum tree density, existing and newly dedicated city rights-of-way shall not be included.
- G. "Critical root zone" is the area where the tree's roots are located. This root zone is generally the area surrounding a tree at a distance which is equal to one foot for every ~~dbh~~ DBH (Diameter at breast height) inch of tree.
- ~~M~~I. "Development" is 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; and any use or extension of the use of the land.

I. "Diameter at breast height (~~dbh~~-DBH)" is a tree's diameter in inches at 4-1/2' feet above the ground. On multi-stemmed or trunked trees, the diameter shall be the diameter equivalent to the sum of trunk areas measured at 4-1/2' above the ground.

J. "Grading" is any excavation, filling of earth materials or any combination thereof.

K. "~~Ground cover~~-Understory" is ~~trees less than six inches dbh and other~~ the shrubs and plants growing beneath the main canopy of a forest, stand of trees, or individual tree; including low-growing vegetation that covers the ground.

L. "Hazard tree" is any tree with a combination of structural defect and/or, disease, ~~(which makes it subject to a high probability of failure), and a~~ is within close enough proximity to ~~where persons~~ persons or property ~~which makes it an imminent threat.~~ could be harmed or damaged if the tree were to fail.

M. "Healthy soil" is soil that is of good quality with the capacity to sustain plant, animal, and human life by providing nutrients, air and water space to infiltrate, pollutant absorption and filtering, and habitat.

N. "Invasive species" are non-native organisms that are capable of spreading so quickly they can cause economic or environmental harm.

~~NO~~. "Landmark tree" is a tree or group of trees designated as such by the eCity because of its exceptional value to the residents of the city (see Chapter 16.56 Landmark Tree Protection).

Q. "Mitigation" is the act of restoring, creating, enhancing, or preserving a naturally occurring ecosystem to generate an increase in environmental functions to compensate for losses due to development or willful or negligent destruction of that ecosystem.

R. "Native vegetation" is vegetation that encompasses both that occurring naturally and vegetation well adapted to current and anticipated environmental conditions in this region.

Comment [TS13]: This key definition is more encompassing than traditional 'native' plants.

Q. "Protected area" is all land where no construction activity, tree removal, vegetation removal, or soil compaction is allowed and includes the critical root zone of those trees to be preserved.

R. "Qualified professional forester" is a professional with academic and field experience that makes them an expert in urban forestry. This may include arborists certified by the International Society of Arboriculture, foresters with a degree in forestry from a Society of American Foresters (SAF) accredited forestry school, or urban foresters with a degree in urban forestry. A qualified professional forester must possess the ability to evaluate the health and hazard potential of existing trees in an urban environment, and the ability to prescribe appropriate measures necessary for the preservation of trees during land development and management of those trees thereafter.

S. "Remove or removal" is the act of removing a tree by digging up, cutting down or any act which causes a tree to die, ~~within a period of three years,~~ significantly impacts its natural growing condition and/or results in diminished environmental benefits or a hazard tree; including but not limited to, damage inflicted on the root system by machinery, storage of materials or soil compaction; changing the ground level in the area of the tree's root system; damage inflicted on the tree permitting infections or infestation; excessive pruning; paving with concrete, asphalt or other impervious material within the ~~drip line~~ critical root zone, or any other action which is deemed harmful to the tree.

Comment [TS14]: Because damage to trees sometimes causes a slow decline in health, the staff propose that the 3-year limit be removed.

W. "Tree unit" is a unit of measurement based upon the size of the tree as set forth in ~~Tables A and B, in Chapter 4 of~~ the Urban Forestry Manual.

Y. "Urban forestry" is the ~~art and science~~ professional practice of planning, managing and protecting natural and planted vegetation in developing urban areas.

AA. "Windfirm" is a tree which is capable of withstanding ~~windstorms~~ high winds, in particular when associated with inclement weather events.

Comment [TS15]: An editorial change to highlight the association between tree windfall and saturated soils.

CC. "Specimen tree" is a tree that has been given greater than standard tree density value through the evaluation process delineated in ~~Chapter 5 of~~ the Urban Forestry Manual.

EE. "Soil and Vegetation Tree Plan" is a plan that contains specific information pertaining to the protection of healthy soil, and the preservation, and planting of trees and native vegetation pursuant to OMC 16.60 and the City of Olympia's Urban Forestry Manual.

FF. "Significant (upland) Wildlife Habitat" is an area designated as such in the Olympia Comprehensive Plan, ~~are~~ or designated as state priority habitat, and which is utilized by state priority or local priority animal species with unusual frequency, density or diversity for critical ecological processes such as breeding, nesting, nursery, feeding, and resting.

GG. ~~Tree Tract~~ Soil and Vegetation Protection Area (SVPA) is a separate ~~deeded~~ tract of land, ~~which may or may not be deeded as such,~~ specifically set aside for the preservation of healthy soil and the preservation or planting of existing and/or native vegetation, including trees. Stormwater retention/detention facilities, critical area buffers and other common areas may be considered SVPA's if they currently or are improved to an extent where they can support healthy soils and the growth of native vegetation of trees. The purpose of these areas for preserving healthy soils and preserving and/or planting native vegetation and planting is stated on the face of the plat when applicable. ~~and other proposed uses for the property do not require the removal of the trees.~~

Comment [TS16]: 'Deeded' aspect of definition to be removed because outside of subdivisions protected trees are often not in separate parcels.

OMC 16.60.030 Applicability

A. No person or representative, directly or indirectly, shall remove, or destroy any tree, within the city, without first obtaining a tree removal permit as provided in this chapter, unless the activity is exempted in Section 16.60.040.

B. Unless otherwise exempted, any site to be developed, within the City of Olympia, shall be required to develop a ~~tree plan~~ Soil and Vegetation Plan (SVP) and shall be required to meet the minimum tree density herein created. ~~For the purposes of this chapter, development shall include conversions, structural alterations, and remodeling only if a permit is required and the footprint of the building is expanded.~~

Comment [TS17]: 'Development' is defined above.

OMC 16.60.040 Exemptions

The following activities are exempt from the ~~tree plan~~ Soil and Vegetation Plan and tree removal permit requirements. In all cases the minimum tree density herein established shall be maintained. In no case shall any landmark tree be removed without first obtaining a tree removal permit pursuant to Chapter 16.56.

A. Commercial Nurseries or Christmas Tree Farms. Removal of trees which are being grown to be sold as Christmas or landscape trees.

- B. Emergencies. Removal of trees necessary to protect public safety or private or public property from imminent danger as determined by the Urban Forester or in response to emergencies declared by the city, county, state or federal governments.
- C. Harvesting with a Forest Practices Permit. Removal of trees as allowed with a forest practices permit issued by the Washington State Department of Natural Resources.
- D. Hazard Trees. Removal of hazard trees as defined by this chapter.
- E. Developed Single-Family (under two acres). Removal of trees and other vegetation from developed single-family and multifamily (up to four units), less than two acres so long as the minimum required tree density is maintained.
- F. Developed Single-Family (two acres or more). On developed single-family and multifamily (up to 4 units), 2 or more acres, removal of trees and other vegetation within 125' of the residence or other buildings, unless required to be installed and properly maintained specifically to facilitate stormwater infiltration or dispersion. (That portion of the property further than 125' from the residence or other buildings shall be treated as undeveloped property for the purpose of this chapter).
- G. Subdivisions. Individual lots within a subdivision are exempt from meeting tree density requirements when the entire subdivision has complied with the tree density and soil and vegetation protection requirements of this chapter.
- H. Undeveloped property. Removal of up to 6 trees per acre, up to a total of 6 trees from an undeveloped parcel within any 12 consecutive month period.
- I. Street trees. Removal of street trees, when performed by or on behalf of the city, with approval of the Urban Forester.
- J. Small trees. Removal of trees with a diameter at breast height (dbh) of six inches or less.

Comment [TS18]: Consistent with the 'all vegetation' has value approach of LID, this amendment would result in all trees – not just the larger ones -- being subject to this chapter.

OMC 16.60.045 City tree account

- B. The city shall use the city tree account for the following purposes:

1. Acquiring, maintaining, and preserving ~~wooded~~ areas of healthy soil and native vegetation within the city;
2. Planting and maintaining trees within the city;
3. Identification and maintenance of landmark trees;
4. Propagation of seedling trees;
5. Urban forestry education;
6. Other purposes relating to trees as determined by the city council.

OMC 16.60.050 ~~Tree plan~~ Soil and Vegetation Plan required

A. Requirement Established. A ~~tree~~ soil and vegetation plan is required to obtain a tree removal permit and is also required for any land development on property having a tree density below the minimum required.

B. ~~Tree~~ Soil and Vegetation Plan Requirements. Specific ~~tree~~ soil and vegetation plan requirements are delineated in ~~Chapter (1)~~ of the Urban Forestry Manual. The scale of the project and the size and quantity of trees proposed for removal, preservation, and planting will determine which level of ~~tree~~ soil and vegetation plan is required. Table A lists activities or projects and the level of ~~tree~~ plan typically required.

TABLE A

PROJECTS OR ACTIVITIES FOR WHICH ~~TREE~~ SOIL AND VEGETATION PLANS ARE REQUIRED

ACTIVITY or PROJECT	LEVEL (see manual)
Residential subdivisions (1-4 units)	I
Residential subdivisions (more than 4 units)	IV, V
Commercial/Industrial/Multifamily (over 4 units)	IV, V

TABLE A

**PROJECTS OR ACTIVITIES FOR WHICH ~~TREE~~ SOIL AND VEGETATION
PLANS ARE REQUIRED**

ACTIVITY or PROJECT	LEVEL (see manual)
Developed Commercial/Industrial/Multifamily (over 4 units), proposing a building addition or other site disturbance	II
Multifamily (1-4 units)	I
Planned Residential Development	IV, V
Mobile Home Park	IV, V
Nuisance Tree removal permit	III
Conversion Option Harvest Permit	VI
Residential 1-4 unit, building permit	I

C. Conditions. The Urban Forester shall attach conditions on the project as necessary to ensure the long-term health and survival of trees, soils and understory vegetation to be retained and planted, pursuant to protection, planting, and maintenance standards established in the Urban Forestry Manual.

D. Application and Fee. The application for a tree removal permit and/or ~~tree-soil and vegetation plan~~ review shall be made on a form provided by the City, and shall be submitted at the same time as the ~~Tree soil and vegetation P~~plan. The applicant shall pay a non-refundable permit fee to the Department of Community Planning and Development. The plan review and tree removal permit fee is set forth in Chapter 4.36.010 ~~OMC~~ Building Code Review and Permit Fees.

E. Submittal of a ~~Tree Soil and Vegetation~~ Plan. The application for ~~tree soil and vegetation~~ plan review and/or a tree removal permit shall be submitted with associated development applications as applicable.

OMC 16.60.060 Tree ~~plan~~ removal permit review procedure

A. ~~Within (28) calendar days of the receipt of a Tree Plan, (~~The Urban Forester shall review the tree ~~plan removal request~~ to determine completeness, and take one of the following actions:

1. Approve the tree ~~plan removal~~, with or without conditions, and issue a tree removal permit;
2. Deny the permit, indicating the deficiencies to the applicant;
3. Notify the applicant of complete/incomplete application with a timeline for issuance of a permit;
4. Notify the applicant that the permit will be issued concurrently with other development permits.

Comment [TS19]: Proposed amendments in this section would narrow the permit requirement to tree removal; other aspects of tree planting and management are addressed elsewhere in the code and urban forestry manual. Application review periods would become the same as for other construction permits, such as those for clearing and grading.

~~B. Public Notice. Prior to tree removal, the Urban Forester shall notify the applicant of the decision and shall post the site for a period of (10) days. During the posting period no tree removal work shall be done. Residential projects (1-4 units), and nuisance tree removal permits, shall be exempt from this posting requirement.~~

Comment [TS20]: Posting requirement to be deleted; building codes and OMC 18.72.120 establishes public notice requirements for various types of permits.

~~C. B.~~ Permit Duration. A permit issued under this chapter shall be valid for 180 days or the duration of the associated development permit or approval. The Urban Forester may authorize ~~a one (180)-day~~ extension.

~~D. C.~~ Permit Amendments. The permittee may request a minor amendment to an approved permit. In addition, the Urban Forester may require minor project changes to protect drainageways, environmentally sensitive areas, and adjoining property and structures from damage or to alleviate hazardous conditions.

~~E. D.~~ Display of Permits. Permits issued in association with this chapter shall be posted on the worksite prior to work beginning and shall remain until the Urban Forester accepts the work as complete.

~~FE.~~ Integrated Applications and Decisions. When a tree ~~plan~~ removal permit is submitted in combination with another application for approval of an associated project or development, the urban forester shall notify the applicant that the permit will be issued concurrently with other project permits and shall designate and authorize such official or body to issue a decision regarding such ~~tree plan~~ removal permit as necessary to ensure an integrated decision. Any recommendation of the urban forester regarding such decision shall be given substantial weight by designee.

OMC 16.60.070 ~~Tree~~ Soil and vegetation plan review standards

...

D. For all development projects, the following ~~Urban Forestry~~ design standards and provisions shall apply.

1. Timing of tree removal. ~~A tree removal permit~~ Tree removal proposals will be ~~processed~~ reviewed and a decision issued concurrently with other development permits, as applicable.
2. When determining where to establish a required SVPA or retain trees when an SVPA is not required, Preservation and conservation of wooded areas locations with healthy soils, native understory vegetation, and mature trees in good condition shall have priority over development when there are feasible and prudent location alternatives on site for proposed building structures or other site improvements, ~~as identified by the Director, as applicable.~~ This may require site redesign including, but not limited to: redesign of streets, sidewalks, stormwater facilities, utilities; changing the shape and size of the parking lot; reducing or limiting proposed site grading; and changing the locations of buildings or building lots.
3. If existing trees and vegetation meet the requirements for the required landscaping, they shall have priority over and may substitute for the required landscaping pursuant to the guidelines established in Chapter 18.36 Landscaping and Screening, ~~the City of Olympia's Landscaping Ordinance, OMC 18.36.~~
4. For residential subdivisions (~~more than 4 units~~ of five (5) units or more) at least 75 percent of the required minimum tree density shall be located within separate

deeded ~~tree~~ Soil and Vegetation Protection Area(s) tract(s) held in common ownership by the homeowner's association, or comparable entity.

5. For multi-family developments of five (5) units or more a minimum of 50% of the required minimum tree density shall be met in Soil and Vegetation Protection Area(s). Soil and Vegetation Protection Areas may also meet requirements for stormwater management, and landscape buffering and screening when planting requirements and plant selection are appropriate for the site conditions.

Comment [TS21]: Proposed amendment would establish a requirement for protected areas within apartment projects. Since a homeowners association may not be created, unlike in subdivisions these may not be separate parcels.

5. Soil and Vegetation ~~Tree~~-preservation priority. In designing a development project and in meeting the required minimum tree density, the applicant shall preserve ~~the following Soil and Vegetation Protection Areas trees that include the following in the following~~ order of priority. ~~(In all situations, Trees to be preserved must be healthy, windfirm, and appropriate to the site at their mature size, as identified by a qualified professional forester).~~

a. Landmark Trees.

b. Specimen Trees.

c. Critical Areas and Buffers. Trees located within critical areas, critical area buffers or adjacent to ~~critical area~~ buffers. ~~(Those trees within the critical area buffers may account for up to 50 percent of the required tree density; except~~ within the Green Cove Basin those trees within critical areas and critical area buffers may account for up to 100 percent of the required tree density.)

Comment [TS22]: Addition to reflect current Green Cove basin code.

d. Significant Wildlife Habitat. Trees located within or buffering Significant Wildlife Habitat.

e. Healthy Soils and Native Vegetation. Native vegetation with associated healthy soils and understory.

Comment [TS23]: Proposed new tree-preservation priority factor consistent with stormwater management.

ef. Other individual trees or groves of trees.

6. On sites where there are currently inadequate numbers of existing trees, ~~or~~ where the trees are inappropriate for preservation, the soils are poor, or there are significant

invasive species, as determined by the Urban Forester, then replacement tree planting and soil and understory mitigation shall be required. In designing a development project and in meeting the required minimum tree density the following ~~trees areas shall be planted~~ undergo mitigation in the following order of priority:

- a. Critical Area Buffers, Significant Wildlife Habitat. ~~Trees planted w~~ Within or adjacent to Critical Areas and Significant Wildlife habitat areas.
- b. Soil and Vegetation Protection Areas. Within designated Soil and Vegetation Protection Areas'; may also include stormwater facility areas and areas of required landscaping.
- ~~bc.~~ Stormwater retention/detention ponds. ~~Trees planted a~~ Adjacent to ~~S~~ stormwater retention/detention ponds.
- ~~ed.~~ Landscaping. For residential subdivisions this may include entrance landscaping, traffic islands, separate deeded tree tracts, and other common areas.
- ~~de.~~ Individual residential building lots. ~~Trees planted on individual lots.~~

Comment [TS24]: This proposed added item would make 'SVPA' a higher priority for adding trees than ponds with trees and other items below.

E. Mitigation. Within Soil and Vegetation Protection Areas where there are poor soils, no native species, no understory vegetation, and invasive species, as determined by the Urban Forester, mitigation shall be required. Mitigation shall include the following activities:

Comment [TS25]: Proposed added requirements to provide for enhancing previously disturbed areas.

- a. Remediation of compacted soils. Applicable only to areas without existing native soils, ground cover vegetation, or trees and their associated critical root zones.
- b. Removal of invasive species.
- c. Understory vegetation. Planting of native understory vegetation appropriate to site conditions.
- d. Restoration of existing trees through removal and replacement or restorative pruning. Including removal of hazard trees.

e. Planting of trees. At least 60% of the resulting SVPA tree distribution shall be evergreen trees.

F. Mitigation Plan. When conditions warrant it, or as determined by the Urban Forester, a mitigation plan shall be submitted and approved as an element of the Soil and Vegetation Plan pursuant to standards in the Urban Forestry Manual.

Comment [TS26]: The Urban Forestry Manual is a set of administrative guidelines prepared by staff. An update is anticipated following adoption of this revised code chapter.

EG. For residential subdivisions, trees may be removed from individual building lots concurrent with the clearing of the proposed right-of-ways, and other frontage improvements, with the following provisions:

1. The Urban Forester has determined that the existing trees, on the proposed individual lots, are inappropriate for retention due to tree condition, soils, topographic constraints, proposed small lot size, and/or the size of the trees at maturity.
2. Clearing operations shall be conducted so as to expose the smallest practical area of soil to erosion for the least possible time. To control erosion, shrubs, ground cover and stumps shall be maintained on the individual lots, where feasible. Where infeasible appropriate erosion control practices shall be implemented pursuant to the Drainage Design and Erosion Control Manual for Olympia.

FH. Developed commercial, industrial, multifamily (more than four units) properties, nuisance tree removal. Proposals to remove a tree or trees on these properties shall comply with the following standards.

1. The tree must meet the following criteria:
 - a. Tree is causing obvious, physical damage to private or public property, including but not limited to: sidewalk, curb, road, parking lot, building foundation, roof, stormwater infiltration or treatment system; or
 - b. Tree has been damaged by past maintenance practices, that cannot be corrected with proper arboricultural practices;
2. The problems associated with the tree must be such that they cannot be corrected by any other reasonable practice. Including but not limited to the following:

- a. Pruning of the crown or roots of the tree and/or, structural changes to a building, parking lot, sidewalk or other site modifications to alleviate the problem.
- b. Pruning, bracing, cabling, to reconstruct a healthy crown.

HI. Undeveloped Properties, Conversion Option Harvest. For properties proposing a conversion option harvest, the following standards shall apply:

1. Trees to remain should be dominant or co-dominant in the stand, healthy, and windfirm.
2. Trees to remain should be located on the site in areas that would most likely facilitate their preservation through the build-out of the site.
3. Up to 30% of the number or volume of trees, by species, can be removed every 10 years.
4. No removal of trees from critical areas or buffers.
5. No removal of Landmark trees.
6. No removal of trees that would cause trees on adjacent properties to become hazardous.
7. Logging operations shall be conducted so as to expose the smallest practical area of soil to erosion for the least possible time. To control erosion, shrubs, ground cover and stumps shall be retained where feasible. Where infeasible appropriate erosion control practices shall be implemented pursuant to the Drainage Design and Erosion Control Manual for Olympia.
8. Slash Abatement practices shall be implemented pursuant to Olympia Fire Department Standards.

OMC 16.60.080 Tree density requirement

A. Minimum Tree Density Requirement Established. A minimum tree density of 30 tree units per acre is required on the buildable area of each site, except within the Green Cove Basin (see

~~16.60.080(5) provided, however, that within the Green Cove Basin and all Residential Low Impact (RLI) zoning districts of the City a minimum tree density of 220 tree units per acre shall be provided in accordance with OMC 16.54.~~ The tree density may consist of existing trees, replacement trees or a combination of existing and replacement trees, pursuant to the priority established in Section 16.60.070. For the purpose of calculating required minimum tree density, critical areas, critical area buffers, city rights-of-way and areas to be dedicated as city rights-of-way shall be excluded from the buildable area of the site.

Comment [TS27]: Editorial change only – this clause is moved to another part of the code below.

B. Tree Density Calculation. Specific Tree Density calculations and replacement tree standards are delineated in the City of Olympia’s Urban Forestry Manual. Table 16.60.080 A shows the required minimum tree density and replacement tree requirements for various activities.

1. Developing properties are required to meet a minimum tree density of 30 tree units per acre.
2. Developed Commercial/Industrial/Multifamily (~~more than 4 units~~ 5 units or more) properties, proposing an addition or other site disturbance are required to replace a minimum tree density of one tree unit for every 500 sq. ft. of site area to be disturbed and 3 tree units for every one tree unit proposed for removal, up to the minimum tree density of 30 tree units per acre for the entire site. For the purpose of determining required replacement trees, site area disturbed shall include: installation or expansion of a building or other structure; drilling; and site alterations such as those due to land surface mining, dredging, grading, construction of earthen berms, paving, improvements for use as parking or storage, excavation or clearing.
3. Developed Commercial/Industrial/Multifamily (~~more than 4 units~~ 5 units or more) properties, proposing tree removal are required to replace 3 tree units for every one tree unit proposed for removal, up to the minimum tree density of 30 tree units per acre for the site.
4. Undeveloped property proposing a conversion option harvest are required to meet a minimum tree density of 200 tree units per acre.

5. Green Cove Basin. Within the Green Cove Basin and all Residential Low Impact (RLI) zoning districts of the City a minimum tree density of 220 tree units per acre shall be provided.

C. Replacement Tree Location. The applicant's proposed location of transplanted or replacement trees shall be subject to city approval as part of the ~~tree~~ Soil and Vegetation plan. Replacement trees should be planted according to the following priority:

1. On-Site.
2. Off-site. When room is unavailable for planting the required trees on-site, then they may be planted at another approved location in the city.
3. City Tree Account. When on-site and off-site locations are unavailable, then the applicant shall pay an amount of money approximating the current market value of the replacement trees into the City's Tree Account.

D. Replacement Tree ~~Quality Standards~~. Replacement trees shall meet the quality and size ~~standards~~, and be planted pursuant to standards delineated in the Urban Forestry Manual.

E. Replacement Tree ~~Planting Standards Selection and Distribution~~. ~~Trees shall be planted pursuant to the planting standards delineated in the Urban Forestry Manual.~~ Replacement trees shall be native species and at least 60% evergreen trees, unless determined by the Urban Forester as not appropriate for site conditions.

Comment [TS28]: Amendment proposed because evergreen trees provide greater stormwater management benefits during winter periods.

OMC 16.60.080A TABLE: Required minimum tree density and replacement tree requirements per activity

TABLE 16.60.080A

Proposed Activity	Tree Replacement Requirements	Required Minimum Tree Density for the Parcel
New Development	30 tree units per acre	30 tree units per acre
Developing Single-family (multifamily up to 4 units)	30 tree units per acre	30 tree units per acre
Developed Properties	30 tree units per acre	30 tree units per acre
Developed Commercial/ Industrial/Multifamily (more than 4 units) proposing an addition or other site disturbance	1 tree unit for every 500 sq. ft. disturbed and 3 tree units for every one tree unit proposed for removal	30 tree units per acre
Developed Commercial/ Industrial/Multifamily (more than 4 units) proposing tree removal	3 tree unit for every 1 tree unit proposed for removal	30 tree units per acre
<u>Conversion Option Harvest</u>	Site must remain at a minimum tree density of 200 tree units per acre.	200 tree units per acre
<u>New Developments in Green Cove Basin or RLI land use zone, or both</u>	<u>220 tree units per acre</u>	<u>220 tree units per acre</u>

16.60.090 Tree protection during construction

Prior to initiating tree removal on the site, soils, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities pursuant to standards in the Urban Forestry Manual.

16.60.100 Maintenance requirements

The following maintenance requirements shall apply in perpetuity to all Soil and Vegetation Protection Areas, required landscaping, individually retained trees, and street trees.

Comment [TS29]: Amendments in this section are intended to ensure that stormwater benefits of protected areas are retained.

A. Maintenance Requirement. Soils and understory vegetation shall be maintained in a vigorous and healthy condition, free from diseases, pests and invasive plant species. Trees are to be maintained in a vigorous and healthy condition, free from diseases, pests and in accordance with the standards delineated in the Urban Forestry Manual. Trees and understory vegetation which become diseased, severely damaged or which die shall be removed by the owner as soon as possible but no later than 60 days after notification by the city. All trees and understory vegetation removed under this section shall be replaced with ~~a healthy tree-vegetation~~ of the same size ~~and-species,~~ and planting standards as required by the approved ~~Tree~~ Soil and Vegetation Protection plan for the property.

B. For ~~areas dedicated as tree tracts~~ Soil and Vegetation Protection Areas, required landscaping, and street trees, and a single family residential development that exceeds four units, the maintenance requirement of this section shall be in effect ~~for three years~~ from the date the final plat is approved or Certification of Occupancy issued ~~or the trees are planted.~~

The ~~tree plan~~ maintenance requirement shall be a condition of approval and identified on the face of the plat when applicable. The applicant shall also execute a covenant in a form agreeable to the city which shall require the applicant and ~~his~~ successors to comply with the maintenance requirement of this section. The covenant shall obligate both the property owner and ~~the~~ a homeowner's association, if applicable. The covenant shall be recorded ~~by~~ with the county auditor. The recording fee shall be paid by the applicant.

C. Multifamily Residential, Commercial, Industrial Developments. ~~For all trees covered by the tree plan, the maintenance requirement shall apply in perpetuity to developments that are multifamily residential developments in excess of four units, commercial and industrial.~~ The applicant shall execute a covenant in a form agreeable to the city which shall require that the

applicant and ~~his~~ successors comply with the maintenance requirement imposed by this section. The covenant shall be binding on successor property owners and owners' associations. The covenant shall be recorded ~~by~~ with the county auditor. The recording fee shall be paid by the applicant.

D. ~~Maintenance Agreement Specimen Trees.~~ Each development to which the maintenance requirement for this chapter applies and that contain a specimen tree(s) shall ~~also be subject to a maintenance agreement. The urban forester shall require the applicant to execute a maintenance agreement with the city, in a form acceptable to the city attorney, which shall~~ include ~~the provisions of~~ in the maintenance requirement ~~in this chapter,~~ to ensure the survival and proper care of any specimen trees identified in the ~~Tree Plan~~ Soil and Vegetation Plan.

E. Surety. For residential developments containing ~~more than four units~~ five units or more, commercial and industrial projects, the applicant will be required to post a surety. The surety shall be in the form approved by the city attorney. The surety document shall have a face amount equal to 125 percent of the estimated amount necessary to guarantee the maintenance and replacement of soils, understory vegetation, and trees in conformance with the maintenance requirement and ~~tree plan~~ Soil and Vegetation Plan for a period of three years from the date the certificate of occupancy is issued by the city or from the date of final plat approval.

F. Failure to maintain. Failure to regularly maintain the ~~trees~~ Soil and Vegetation Protection Areas, required landscaping, individually retained trees, and street trees as required in this section shall constitute a violation of this chapter and, if applicable, the plat covenant.

16.60.110 Variance for hardship

The administrative process for variances shall be governed by Chapter 18.66 ~~of the Unified Development Code~~ Variances and Unusual Uses.

16.60.120 Appeal

Appeals of administrative decisions shall be governed by Chapter 18.72 ~~of the Unified Development Code~~ Administration.

16.60.130 Enforcement –Penalties

A. Authority. It shall be the duty of the Urban Forester to administer the provisions of this chapter. The Urban Forester shall have authority to issue permits, impose conditions, enforce the provisions and requirements of this chapter and permits issued thereunder, and establish administrative procedures and guidelines, conduct inspections, and prepare the forms necessary to carry out the purposes of this chapter.

B. Authorized Actions. In addition to other remedies, the city may bring injunctive, declaratory or other actions to enforce this chapter.

C. Stop Work Orders/Permit Revocation.

1. The Urban Forester shall suspend work or revoke a permit, as appropriate, if the Urban Forester finds that:

- a. The work is not authorized by a valid permit;
- b. Inaccurate information was used to obtain the permit;
- c. The permittee is not complying with the terms of the permit or approved plans;
- d. The work is, in the Urban Forester's judgment, a hazard to property or public safety, is adversely affecting or about to adversely affect adjacent property or rights-of-way, a drainageway, watercourse, environmentally sensitive area, ~~or~~ stormwater facility, or Soil and Vegetation Protection Area, or is otherwise adversely affecting the public health, safety, or welfare;
- e. Adverse weather is causing significant problems on or off site; or
- f. The required project surety has been expended to the point that it no longer provides assurance of the completion of the project in compliance with the terms of the permit.

2. The Urban Forester shall issue the permittee/violator a written notice specifying the nature of the violation or problem which must be remedied prior to resuming other work on the project. If the permittee does not comply with the order within the time specified, the Urban Forester, as an alternative to other remedies, may enter the project site and

perform the required work. All costs incurred by the city in performing such work shall be drawn against the surety posted by the permittee to ensure the enforcement of the provisions of the tree plan or the tree removal permit. In the absence of sufficient surety, the city may place a lien against the property in the amount of the funds expended to perform the required work.

D. Restoration. Violators of this chapter or of a permit issued thereunder shall be responsible for restoring unlawfully damaged areas in conformance with a plan, approved by the Urban Forester, which provides for repair of any environmental and property damage, and restoration of the site; and which results in a site condition that, to the greatest extent practical, equals the site condition that would have existed in the absence of the violation(s).

E. Prohibition of Further Approvals. The city shall not accept, process, or approve any application for a subdivision or any other development permit or approval, or issue a certificate of occupancy for property on which a violation of this chapter has occurred until the violation is cured by restoration, a plan for mitigating the violation has been agreed upon, or other means accepted by the Urban Forester and by payment of any penalty imposed for the violation.

F. Criminal and Civil Penalty.

1. Any person, firm, or corporation who knowingly violates or fails to comply with any term or provision of this chapter shall be deemed to have committed a misdemeanor, and if found guilty, shall be subject to a fine not to exceed One Thousand Dollars (\$1,000), and/or to imprisonment not to exceed ninety (90) days or to both such fine and imprisonment. Each day shall be a separate offense. In the event of a continuing violation or failure to comply, the second and subsequent days shall constitute a gross misdemeanor punishable by a fine not to exceed Five Thousand Dollars (\$5,000) and/or imprisonment not to exceed three hundred and sixty-five (365) days or both such time and imprisonment. Continuing violation shall mean the same type of violation which is committed within a year of the initial violation.

2. As an additional concurrent penalty, it shall be a civil infraction for a person, firm, or corporation to violate or fail to comply with any term or provision of this chapter. Each day shall be a separate infraction. A person, firm, or corporation found to have committed a civil infraction shall be assessed a monetary penalty as follows:

3. Class 1 (\$250), not including statutory assessments.

G. Public Nuisance. Any violation of the provisions of this chapter or a violation of a permit issued hereunder is declared to be a public nuisance and may be abated through proceeding for injunctive or similar relief in Superior Court or other court of competent jurisdiction.

16.60.140 Liability on the city

16.60.160 Authority

A. Authority of the Urban Forester.

1. The Urban Forester shall manage the City's Urban Forestry Program, which includes, but is not limited to the administration of the ~~Tree Protection and Replacement Tree, Soil, and Native Vegetation Protection and Replacement~~ ordinance and the provisions of the Urban Forestry Manual.

2. The Urban Forester shall develop and periodically review and revise as necessary The Urban Forestry Manual ~~which shall contain at a minimum, standards for Tree Plan Development, Tree Planting, Tree Protection, and Specimen Tree Evaluation. The Urban Forestry Manual and all revisions and amendments to it shall be available for public inspection at the office of the City Clerk.~~

Comment [TS30]: Administrative change to reflect that although the Urban Forestry Manual is available at city hall – it is provided by Urban Forester, not City Clerk.

16.60.170 Specimen tree evaluation - For public trees

A. Specimen tree evaluation shall use a standardized and professionally accepted method. Standards for the specimen tree evaluation are delineated in the Urban Forestry Manual or by request from the Urban Forester.

Comment [TS31]: Proposed amendment would move the details of specimen tree identification from the code to the manual; a more flexible approach needed because the methodology changes periodically.

~~A. Size. Size shall be determined using the methodology developed by the American Forestry Association for measuring champion trees. This methodology, as adopted by the Washington Big Tree Program, is described in detail in the publication "Washington Big Tree Program 1994" by Robert Van Pelt, College of Forest Resources, University of Washington, AR-10 Seattle, Washington, 98195.~~

- ~~1. Circumference of the trunk. The circumference of the trunk in inches shall be measured at breast height (4.5 feet from the ground). If the circumference at 4.5 feet is~~

~~distorted by low branching, etc., the circumference shall be taken at the smallest reading obtainable below that point.~~

~~2. Height of the tree. The height in feet shall be measured using standard forestry mensuration equipment (clinometer, etc.).~~

~~3. Average crown spread. The average crown spread is measured in feet. This shall be the average of the spread of the crown at its widest and narrowest points.~~

~~One point shall be assigned for every inch in circumference, every one (1) foot in height and every four (4) foot spread.~~

~~The size value for specimen tree evaluation shall be the percentage obtained by dividing the point value of the subject tree by the value of the state champion of the species (listed in the most recent edition of the Washington Big Tree Program) multiplied by four (4), and then rounded to the nearest whole number.~~

~~e.g., Subject tree = 200 size points / State Champion (350 points)
= 57% 57% x 4 = 2.85 rounded to 3.~~

~~B. Location. There are five (5) possible location values. They are determined based on how visible they would be to the public at large. The five locations values are:~~

~~1. Arterial Street R O W = 4 points~~

~~2. Collector Street R O W = 3 points~~

~~3. Local Access Street R O W = 2 point~~

~~4. Unopened R O W, or City Property (visible from Street) = 1 points~~

~~5. Unopened R O W, or City Property (not visible from Street) = 0~~

~~C. Condition. There are four condition criteria. The condition class of a tree shall be determined using the methodology developed by the International Society of Arboriculture, specifically described in Table 6 2, Pages 40 41 of the 8th. Edition of International Society of Arboriculture's "Valuation of Landscape Trees, Shrubs, and Other Plants."~~

1. Excellent Condition = 3 points

2. Good Condition = 2 points

3. Fair Condition = 1 point

4. Poor Condition = 0

D. Trees determined to have significant public value may qualify for one additional point at the discretion of the Urban Forester.

E. Specimen Street Tree Value. The specimen tree value is determined by adding the size, location and condition values together.

e.g., Size value (75 % of state champion) = 3
+

Location (Local Access Street R O W) = 2

Condition (Good) = 2

Specimen Street Tree Value (3 + 2 + 2) = 7

e.g., Size value (25% of state champion) = 1
2

Location (Arterial Street R O W) = 4

Fair Condition = 1

Specimen Street Tree Value (1 + 4 + 1) = 6

16.60.180 ~~Tree Pruning Standards for Public Trees~~

A. All pruning shall comply with National Arborist Association pruning standards.

B. Crown reduction pruning shall only be allowed when the Urban Forester deems that such pruning is necessary to reduce a hazardous condition posed by the tree.

C. When clearance, skirting or window pruning is performed, no more than 30% of the live crown may be removed in any 3 year period of time.

Comment [TS32]: Proposed deletion of redundant section; tree pruning standards for public trees are also established in OMC chapter 16.58 – Public Trees.

~~D. All pruning shall be performed in such a manner that the trees are maintained in the optimum health at all times, as determined by the Urban Forester.~~

OMC Title 18 Unified Development Code

OMC 18.02.130 Vesting of applications

E. Exceptions. Where a necessary preliminary approval is a final subdivision plat, change in zoning, or comprehensive plan amendment, any previously submitted building permit application shall be considered under the laws, ordinances, standards and fees in effect on the date that such plat, zoning or plan amendment is final. Any environmental impact mitigation measures imposed under the authority of the State Environmental Policy Act shall be based upon policies, plans, rules or regulations in effect on the date that the applicable determination of nonsignificance, mitigated determinations of nonsignificance or draft environmental impact statement is issued. Any development application is also subject to any special vesting exceptions of the Western Washington Municipal Stormwater Permit. Any application for a change in zoning, comprehensive plan amendment, or adoption or amendment of development regulations shall be reviewed subject to the comprehensive plan and other laws and policies in effect on the date that a final decision is rendered by the Olympia City Council. Any application for utility service extension or connection to serve property outside the limits of the City of Olympia shall be reviewed and subject to regulations and standards as set forth in the applicable utility service or annexation agreement.

Comment [TS33]: This proposed sentence would provide notice that the stormwater release permit authorized by EPA and the Washington Department of Ecology can preempt local rules regarding changes in stormwater standards.

OMC 18.02.180 Definitions

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.

Comment [TS34]: New and revised definitions are shown and will be inserted alphabetically. Other definitions of this code section would not change.

Comment [TS35]: Editorial change to reflect provision in other parts of code.

Coverage, Impervious/~~Development~~. 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 ~~also~~ Net Site Area and Impervious Surface definitions.)

Comment [TS36]: For clarity, City staff propose that the term 'development coverage' be changed to 'impervious coverage' throughout the Development Code (Title 18); except for sections where substantive changes are proposed, those many editorial word changes are not illustrated in this draft of the proposed code amendments.

Development Coverage. See Coverage, Development. Except where the context indicates otherwise, "development coverage" has the same meaning as impervious coverage.

Comment [TS37]: Title 18 currently uses the terms 'development coverage' and 'impervious coverage' interchangeably. This has caused confusion. Although the proposed code amendments would converge onto the term 'impervious coverage' this definition would be retained to address any remnant, overlooked such provisions.

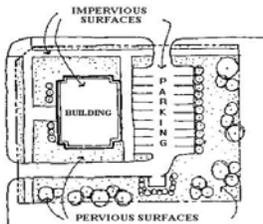
Hard Surface. An impervious surface, a permeable pavement, or a vegetated roof, in contrast with vegetated permeable soils.

Comment [TS38]: This new category is also used in the drainage manual and would be used to establish 'non-planted' limits in various land use zones.

~~Impervious Surface. Pavement, including but not limited to, asphalt, concrete, and compacted gravel, roofs, revetments, and any other man-made surfaces which substantially impede the infiltration of precipitation. Exceptional pavements and other materials may be exempted in whole or in part by the Director. A non-vegetated surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, gravel parking lots, gravel pathways, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.~~

Comment [TS39]: New definition comparable to updated stormwater drainage manual. Note that definition to be deleted did not anticipate permeable pavements; similarly out-dated illustration would also be deleted.

Comment [TS40]: Note that although vegetated roofs as defined below detain and evaporate some water, they do not provide infiltration into the ground and so are impervious surfaces.



~~FIGURE 2-4~~

Native vegetation. Vegetation that occurs naturally in this region and other vegetation well-adapted to current and anticipated environmental conditions of this region.

Comment [TS41]: This is same expansive definition as proposed in 'SVPA' chapter above.

Permeable pavement. Pervious concrete, porous asphalt, permeable pavers or other forms of pervious or porous paving material intended to allow passage of water through the pavement section. It often includes an aggregate base that provides structural support and acts as a stormwater reservoir.

Comment [TS42]: New definition consistent with new stormwater drainage manual.

Pervious Surface. A surface material that allows stormwater to infiltrate into the ground. Examples include lawn, landscape, pasture, native vegetation areas, and permeable pavements.

Comment [TS43]: New definition consistent with new stormwater drainage manual.

Soil and Vegetation Protection Area (SVPA). A separate tract of land, which may or may not be deeded as such, specifically set aside for the preservation of healthy soil and the preservation or planting of existing and/or native vegetation, including trees. Stormwater retention/detention facilities, critical area buffers and other common areas may be considered SVPA's if they currently, or are improved to an extent where they can, support healthy soils and the growth of native vegetation. The purpose of these areas for preserving healthy soils and preserving and/or planting native vegetation is stated on the face of the plat when applicable.

Comment [TS44]: New definition consistent with related new code sections and drainage manual.

Vegetated Roof. A roof designed and constructed to support, and that does support, living vegetation with at least three inches of engineered soil.

Comment [TS45]: New definition related to proposed impervious surface 'bonus' in some zones. Note that sources vary, but 3 inches of soil seems to be commonly accepted minimum for viable vegetated roof in western Washington.

OMC 18.04.060 Residential Districts' Use Standards

H. COTTAGE HOUSING.

Cottage housing developments shall comply with the following requirements:

1. Courtyard. The development shall contain a courtyard or usable landscaped area owned in common by the owners of the dwellings. (See Section 18.04.080(J), Development Standards.)
2. Site Design. Dwelling units shall be located on at least two (2) sides of the courtyard or common area. (See also Section 18.175.100 Site Design: Cottage Housing Section 18.04A.240, Residential Design Guidelines.)
3. Number of Units. The development shall include no less than four (4) and no more than twelve (12) dwelling units per courtyard.
4. Dwelling Size. Single The first story of dwellings in cottage developments, including any garage, shall not exceed eight hundred (800) square feet in size. Two (2) story structures shall not exceed one thousand ~~two~~ six hundred (~~1200~~ 1600) square feet in size.
5. Parking. At least 50% of on-site parking shall be accommodated in a shared parking lot. (See Chapter 18.38, Parking.)

Comment [TS46]: Cottage housing – small homes on small lots – is a form of development consistent with low impact stormwater practices. Although allowed in most residential zones, Olympia has only approved two cottage housing projects in twenty years – and only the Habitat for Humanity project on Fairview was built. The amendments proposed below are intended to make cottage housing a more viable and more often used alternative.

Comment [TS47]: This amendment would continue to limit the 'footprint' of each cottage to 800 square feet; but would allow a full second story.

Comment [TS48]: Cottage housing parking ranges from about 1 space per unit to 2 per unit. This amendment would allow some of this parking to be private (not shared) parking; if part of a home any garage space would be part of the maximum 800 square-foot first floor.

6. Covenants. Covenants shall be recorded which establish common areas and preclude their conversion to another use.

P. MANUFACTURED OR MOBILE HOME PARKS.

The following requirements apply to all manufactured/mobile home parks subject to conditional use approval.

8. Open Space. At least five hundred (500) square feet of ground area for each manufactured or mobile home space shall be made available in a centralized location or locations for recreational uses. (See Section 18.04.080(J).) At least fifty percent (50%) of such open space shall comply with soil and vegetation protection area standards.

Comment [TS49]: This amendment would require that half of the required 'common area' of manufactured home parks meet 'SVPA' standards. Similar amendments are proposed elsewhere for other types of multi-family developments.

[Table 4.04 below]

Comment [TS50]: The table below includes a variety of amendments intended to marginally reduce impervious surfaces in new residential developments. Among these are: (1) Allowing smaller single-family lots without requiring reductions in side yards from 5 to 3 feet; i.e., these small lots ('zero lots') are currently permitted but only if the subdivider agrees to allow 6-foot minimum separation between homes – a feature that has caused access problems; the result has been that such problematic minimal side yards are common; (note: a related proposed amendment would result in such 'zero lots' only being allowed with alleys); (2) other amendments would reduce some residential zone impervious maximums by 5 or 10%, but allow that area to be permeable "hard surface" pavement; in more dense zones all hard surfaces could be impervious; see the table for details; (3) deleting the 'maximum front yard' is an editorial correction of a remnant standard.

OMC 18.04.080 Residential Districts' Development Standards

TABLE 4.04
RESIDENTIAL DEVELOPMENT STANDARDS

R4	R-4CB	RL4I	R 4-8	R 6-12	MR 7-13	MR 10-18	RM-18	RM-24	RMH	RMU	MHP	UR	ADDITIONAL REGULATIONS
2,000 SF minimum 3,000 SF average = townhouse 5,000 SF = other	One acre; reduced to 12,000 SF if associated with a drainage dispersal tract of at least 65% in the same subdivision plat.	2,000 SF minimum 3,000 SF average = townhouse 4,000 SF = zero lot 5,000 SF = other 6,000 SF = duplex 7,200 SF = multi-family	2,500 SF = cottage 4,000 SF = zero lot 2,000 SF minimum, 3,000 SF average = townhouse 5,000 4,000 SF = other	2,000 SF = cottage 3,500 SF = zero lot 1,600 SF minimum, 2,400 SF average = townhouse 7,200 SF = duplex, triplex 9,600 SF = fourplex 5,000 3,500 SF = other	1,600 SF = cottage 3,000 SF = zero lot 1,600 SF minimum, 2,400 SF average = townhouse 6,000 SF = duplex 9,000 SF = multifamily 4,500 3,000 SF = other	1,600 SF = cottage 3,000 SF = zero lot 1,600 SF minimum, 2,400 SF average = townhouse 6,000 SF = duplex 7,200 SF = multifamily 4,000 3,000 SF = other	1,600 SF = cottage 3,000 SF = zero lot 1,600 SF minimum, 2,400 SF average = townhouse 6,000 SF = duplex 7,200 SF = multifamily 4,000 3,000 SF = other	1,600 SF minimum, 2,400 SF average = townhouse 2,500 SF = mobile home park	1,600 SF minimum, 2,000 SF average = townhouse 2,500 SF = mobile home park	1,600 SF minimum, 2,000 SF average = townhouse	2,000 SF = cottage 3,500 SF = zero lot 1,600 SF minimum 2,400 SF average = townhouse 7,200 SF = duplex 2,500 SF = mobile home park 5,000 3,500 SF = other	1,600 SF minimum, 2,000 SF average = townhouse 2,500 SF = mobile home park	18.04.080(C) 18.04.080(D) 18.04.080(E) 18.04.080(F) Chapter 18.64 (townhouses) 18.04.060(P) (mobile home parks)
50' except: 18' = townhouse	100'	30' except: 16' = townhouse; 60' =	50' 45' except: 35' = cottage 45' = zero lot	50' 40' except: 30' = cottage 40' = zero lot 16' = townhouse 80' = duplex, triplex,	50' 40' except: 30' = cottage 40' = zero lot	50' 40' except: 30' = cottage 40' = zero lot 16' = townhouse 70' = duplex 80'	30' = mobile home park	30' = mobile home park	---	---	50' 40' except: 30' = cottage 40' = zero lot 16' = townhouse 80' =	---	18.04.80(D)(1) 18.04.080(F) 18.04.080(G) 18.04.060(P)

**TABLE 4.04
RESIDENTIAL DEVELOPMENT STANDARDS**

	R4	R-4CB	RL4I	R 4-8	R 6-12	MR 7-13	MR 10-18	RM-18	RM-24	RMH	RMU	MHP	UR	ADDITIONAL REGULATIONS
			duplex 80' = multi-family	18' = townhouse	fourplex	16' = townhouse 70' = duplex 80' = multifamily	= multifamily					duplex 30' = mobile home park		(mobile home parks)
												25'		18.04.080(H)
t: al s n	25'	50'	10' except: 5' for agricultural buildings with farm animals.	20' except: 5' for agricultural buildings with farm animals; 10' for cottages, <u>and</u> wedge shaped lots, and zero lots	20' except: 5' for agricultural buildings with farm animals 10' for cottages, <u>and</u> wedge shaped lots, and zero lots	20' except: 15' for multifamily; 10' for cottages, <u>and</u> wedge shaped lots, and zero lots	15' except: 10' for cottages, <u>and</u> wedge shaped lots, and zero lots ; 20' with alley access	10' except: 15' for multifamily	10' except: 20' next to an R 4-8 or R-12 district	5' except: 20' for structures 35' or higher	5'	20' except: 5' for agricultural buildings with farm animals; 10' for cottages <u>and</u> zero lots	5' except: 10' for structures over 42'	18.04.080(D) 18.04.080(F) 18.04.080(H) 18.04.080(I)
ts D	35% 60% =	6%; increased	Refer to Maximum	45% = .25 acre or less 40% = .26 acres or	55% = .25 acre or less 40% = .26 acres	45%	50%	50%	55%	85%	85%	45% = .25 acres or less 30% =	85% except for	

**TABLE 4.04
RESIDENTIAL DEVELOPMENT STANDARDS**

R4	R-4CB	RL4I	R 4-8	R 6-12	MR 7-13	MR 10-18	RM-18	RM-24	RMH	RMU	MHP	UR	ADDITIONAL REGULATIONS
townhouses	to 18% if associated with drainage dispersal tract of at least 65% in the same subdivision plat.	Impervious Surface Coverage below	more 60% = townhouses	or more 70% <u>60%</u> = townhouses							.26 to 1 acre 25% = 1.01 to 3 acres 20% = 3.01 acres or more	stoops, porches or balconies	
45% 70% = Townhouses 35% 60% = Townhouses	6%; increased to 18% if associated with drainage dispersal tract of at least 65% in the same subdivision	2,500 SF provided that up to <u>6%</u> coverage may be granted by conditional use permit	55% <u>45%</u> = .25 acre or less 50% <u>40%</u> = .26 acre or more 70% <u>60%</u> = Townhouses	65% <u>55%</u> = .25 acre or less 50% <u>40%</u> = .26 acres or more 70% <u>60%</u> = Townhouses	70% <u>65%</u>	70% <u>65%</u>	70% <u>65%</u>	75%	85%	85%	65% = .25 acre or less 40% = .26 to 1 acre 35% = 1.01 to 3 acres 25% = 3.01 + acres 70% =	85% except for stoops, porches or balconies	

**TABLE 4.04
RESIDENTIAL DEVELOPMENT STANDARDS**

R4	R-4CB	RL4I	R 4-8	R 6-12	MR 7-13	MR 10-18	RM-18	RM-24	RMH	RMU	MHP	UR	ADDITIONAL REGULATIONS
	plat.										townhouses		
45% 70% = Townhouses	6%; increased to 18% if associated with drainage dispersal tract of at least 65% in the same subdivision plat.	2,500 SF provided that up to 6% coverage may be granted by conditional use permit	55% = .25 acre or less 50% = .26 acre or more 70% = Townhouses	65% = .25 acre or less 50% = .26 acres or more 70% = Townhouses	70%	70%	70%	75%	85%	85%	65% = .25 acre or less 40% = .26 to 1 acre 35% = 1.01 to 3 acres 25% = 3.01 + acres 70% = townhouses	85% except for stoops, porches or balconies	
	65% drainage dispersal area required; may		450 SF/unit for cottage developments	450 SF/unit for cottage developments	30% for multifamily 450 SF/unit for cottage developments	30% for multifamily 450 SF/unit for cottage developments	30% 500 SF/space for mobile home park	25% 500 SF/space for mobile home park	15%	15% 500 SF/space for mobile home park	450 SF/unit for cottage developments 500 SF/space for mobile home	15% may include stoops, porches or balcony areas	18.04.080(J)

**TABLE 4.04
RESIDENTIAL DEVELOPMENT STANDARDS**

R4	R-4CB	RL1	R 4-8	R 6-12	MR 7-13	MR 10-18	RM-18	RM-24	RMH	RMU	MHP	UR	ADDITIONAL REGULATIONS
	double as tree tract or critical areas buffer.										park		

LEGEND

SF = Square Feet

Zero Lot = A Lot with Only One Side Yard

--- = No Regulation

RL1 = Residential Low Impact

R 6-12 = Residential 6-12

R-4 = Residential - 4

R 4-8 = Residential 4-8

RM 18 = Residential Multifamily - 18

MR 7-13 = Mixed Residential 7-13

MR 10-18 = Mixed Residential 10-18

RMU = Residential Mixed Use

MR 7-13 = Mixed Residential 7-13

RMH = Residential Multifamily High Rise

UR - Urban Residential

OMC 18.04.080 (continued)**F. Clustered Housing.**

1. **Mandatory Clustering.** The Director or Hearing Examiner may require that the housing units allowed for a site be clustered on a portion of the site in order to protect ground water used as a public water source (e.g., wellhead protection areas), to enable retention of windfirm trees (which are appropriate to the site and designated for retention, consistent with Chapter 16.60, Tree Protection and Replacement, OMC), to accommodate urban trails identified on Map 7-1 of the Comprehensive Plan, to preserve scenic vistas pursuant to Sections 18.20.070, View Preservation and 18.50.100, Scenic Vistas, or to enable creation of buffers between incompatible uses (also see Chapter 18.36, Landscaping and Screening).

The Director or Hearing Examiner may allow up to a twenty (20) percent reduction in lot dimensions, sizes and setback requirements, consistent with the Uniform Building Code, to facilitate the clustering of the permitted number of dwelling units on the site. The required clustering shall not result in fewer lots than would otherwise be permitted on the site (at the minimum density specified in Table 4.04), without written authorization by the applicant.

2. **Optional Clustering.** Applicants for housing projects may request up to twenty (20) percent reduction in lot sizes, dimensions, and building setback requirements in order to cluster housing and retain land serving the purposes listed in a. above; or to avoid development on slopes steeper than twenty (20) percent; or to preserve natural site features such as rock outcrops; or otherwise enable land to be made available for public or private open space. Applicants proposing to place sixty-five (65) percent or more of a development site within a tree or vegetation protection or critical areas tract or tracts (see OMC chapter 16.60 and section 18.32.140) and not exceed 10% overall impervious coverage may request approval of housing forms not otherwise permitted in the zoning district so long as the number of resulting residential units does not exceed the standard maximum by more than twenty (20) percent. Such alternative housing forms may exceed height and story limits otherwise applicable in the district. For example, three-story multi-family housing may be approved in a two-story single-family housing district. The Director or Hearing Examiner,

Comment [TS51]: The Comprehensive Plan adopted in December of 2014 provides that, "Where environmental constraints are significant, to achieve minimum densities extraordinary clustering may be allowed when combined with environmental protection." The current code only includes a limited '20% smaller' clause. This proposed amendment would provide the option for developers to achieve the same density as the current 20% approach in an even more compact form if consistent with best stormwater management practices. In general the proposed "65/10" approach is based on the research that suggest this technique minimizes impacts.

as applicable, may grant such requests only if s/he determines that the development would not have a significant adverse impact on public facilities and surrounding land uses.

H. Setbacks

4. Side Yard Setbacks.

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

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

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

Comment [TS52]: Olympia currently allows new single-family lots in most zones with only 6 feet between homes instead of the customary 5-foot side yards. Most developers opt for the 3-foot side yard approach. These narrow areas have resulted in emergency access concerns, and practical problems such as locating and moving solid waste containers, moving yard equipment, and limitations on ladder placement. In conjunction with the proposal to reduce the size of standard single-family lots to the current size of these 'zero setback lots,' this proposed amendment would limit these side and rear yard reductions to single-family lots served by alleys.

Comment [TS53]: This clause is intended to clarify that previously approved 'reduced yard' lots are allowed and are not non-conforming.'

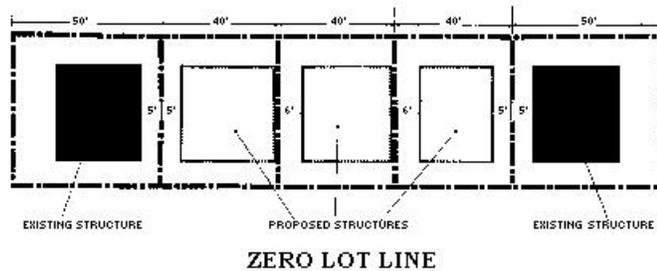


FIGURE 4.4

- b. The minimum side yard setback from bikepaths and walkways shall comply with the side yard setback from the lot line as specified for the district in Table 4.04.

J. Private and Common Open Space.

1. ~~Development of Open Space.~~ ~~Development of Open Space.~~ Open space (e.g., private yard areas and common open space) required by Table 4.04 shall be devoted to undisturbed native vegetation, landscaping (consistent with Chapter 18.36, Landscaping and Screening), and/or outdoor recreational facilities. Driveways, loading areas, maneuvering space and parking lots shall not be considered open space. Required open space shall not be covered with impervious surfaces, except for stoops, porches, or balconies, walkways, tennis courts, swimming pools, or similar uses which require an impervious surface. Up to a five (5) percent increase in impervious surface coverage may be allowed to accommodate such hard surfaced facilities. Also see Chapter 16.60 Tree, Soil and Native Vegetation Protection and Replacement.

2. Cottage Housing Developments. Cottage housing developments shall provide open space as follows:

- a. A minimum of two hundred (200) square feet of private, contiguous, usable, open space shall be provided adjacent to each dwelling unit. No dimension of this open space area shall be less than ten (10) feet.
- b. A minimum of fifteen hundred (1500) square feet or two hundred (200) square feet per unit, whichever is more, shall be provided in common open space

(e.g., available for the use of all residents of the development). This open space shall be contained in a contiguous area with no dimension less than thirty (30) feet. A substantial portion of sSuch open space shall be sufficiently level (e.g., less than five (5) percent slope) and well drained to enable active use in summer provided that at least fifty percent (50%) of such open space shall comply with soil and vegetation protection area standards.

Comment [TS54]: This amendment would mirror a provision in the proposed 'tree code' amendments to require that half of cottage open space be an 'SVPA.'

3. Mixed Density Districts. Parcels or sites accommodating multifamily housing (e.g., triplexes, fourplexes, and larger apartment buildings) in a MR 7-13 or MR 10-18 district shall contain at least thirty (30) percent open space. At least fifty (50) percent of such open space must be available for the common use of the residents of the multifamily housing. Such open space shall be developed consistent with Section 18.04.080(J)(1) above. This open space requirement shall be reduced to twenty (20) percent if the multifamily housing adjoins a park, school or open space site of at least ten thousand (10,000) square feet in size. Impervious surface coverage limits specified in Table 4.04 shall be adjusted accordingly.

4. Manufactured or Mobile Home Parks. At least five hundred (500) square feet of common open space shall be provided per dwelling unit (see Section 18.04.060(P)(8)). At least fifty percent (50%) of such open space shall comply with soil and vegetation protection area standards.

Comment [TS55]: Similar to other proposals, this amendment would require that half of manufactured housing park open space be in the form of an 'SVPA' .

5. Residential - 4 Chambers Basin District. Required open space for stormwater dispersion may be provided in a common area or within each individual private lot of a development. All required drainage dispersal areas shall be protected from filling and grading and all other activities which would decrease the ability of such areas to disperse and infiltrate stormwater. Side yard setback areas shall be designed to disperse roof runoff to the maximum extent practical. To qualify as a "drainage dispersal tract" (required to create lots of less than one acre) such area shall be held in common or deeded to homeowners association and otherwise conform with the requirements of stormwater tracts as set forth in the Olympia Stormwater Drainage Manual.

18.06.080 Commercial districts' development standards -- **Table 6.02**

Comment [TS56]: These select amendments of this table would establish the new 'hard surface' limits in all commercial zones. In all commercial zones the hard surface limits would match the current impervious surface limits. As shown in this table excerpt, staff proposes reductions in the impervious surface limits of these three 'medium density' residential zones that are often in the vicinity of lower density development. This change would likely lead to new development in these zones using some permeable pavement. (Note: The amendments in the last column are editorial corrections.)

STANDARD	NR	PO/RM	MS	ADDITIONAL REGULATIONS
MAXIMUM BUILDING COVERAGE	45%	70%, except 55% for residential only structures	50%	Must comply with site design standards, Chapter 18.06A.18 0.
MAXIMUM DEVELOPMENT IMPERVIOUS SURFACE COVERAGE	60% <u>50%</u>	85%, except 75% for residential only structures <u>70%</u>	65% <u>60%</u>	See OMC 18.06.100(D) Must comply with site design standards, Chapter 18.06A.18 0.
<u>MAXIMUM HARD SURFACE</u>	<u>60%</u>	<u>85%,</u> <u>except</u> <u>75% for</u> <u>residential only</u> <u>structures</u>	<u>65%</u>	See Chapter <u>18.06A.180.</u>

LEGEND

NR = Neighborhood Retail

PO/RM = Professional Office/Residential Multifamily

MS = Medical Services

[Note: A new “Maximum Hard Surface” row is proposed to be added to this table. Except as otherwise indicated in the excerpt above, the new ‘Maximum Hard Surface’ limitation of the commercial zoning districts would be equal to the current ‘Maximum Impervious Surface.’ I.e., the new row would clarify that any remaining surfaces must be landscaped with soils and plants, not just pervious.]

Comment [TS57]: Except for the changes proposed in the table excerpt above, the remainder of Table 6.02 would be revised to add a ‘maximum hard surface’ limit identical to the current maximum impervious surface limit of all other commercial land use zones in the table.

OMC 18.06.100 Commercial districts’ development standards – Specific**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.

Comment [TS58]: This proposed new ‘bonus’ is intended to reward developments that choose to use vegetated roofs in these three zones. This bonus is proposed for these zones because these are the three commercial zones where impervious surface reductions are proposed and in general vegetated roofs are generally only practical on commercial structures.

OMC Chapter 18.36 LANDSCAPING AND SCREENING**OMC 18.36.020 Purpose**

The purpose of this chapter is to establish standards for landscaping and screening; to maintain or replace existing vegetation, provide physical and visual buffers between differing land uses, provide opportunities for stormwater management, lessen and improve environmental and aesthetic impacts of development and to enhance the overall appearance of the City.

Notwithstanding any other provision of this chapter, trees and shrubs planted pursuant to the provisions of this chapter shall be of types and ultimate sizes at maturity that will not impair the

Comment [TS59]: In general amendments proposed in this chapter of the code are intended to increase flexibility to allow landscaping that uses the various low impact stormwater practices consistent with the concurrently proposed stormwater drainage manual.

scenic vistas protected within Chapter 18.50.100, Design Review, nor interfere with power lines, underground utilities or impervious surface.

OMC 18.36.040 Applicability

OMC 18.36.060 General requirements

A. Existing Trees, Soils, and Associated Vegetation.

1. The applicant will be required to retain existing trees, soils, and associated vegetation pursuant to the City's Tree ~~Protection and Replacement~~ Soil, and Native Vegetation Protection and Replacement ~~Chapter Ordinance~~, OMC 16.60. This may require site design modifications including, but not limited to: relocating buildings and other site improvements, additional perimeter setback, changes in the size and locations of parking lot islands, etc.
2. Where existing trees, healthy soils, and associated vegetation serve the same or similar function to the required landscaping, they shall have priority over and may substitute for the required landscaping, provided the following conditions are met:
 - a. The trees must be healthy and not constitute a hazard as determined by a qualified professional forester. ~~P~~pursuant to OMC 16.60. Trees must be appropriate for the site at mature size.
 - b. A ~~tree protection and replacement soil and vegetation~~ plan must be developed, by a qualified professional forester. ~~P~~pursuant to OMC 16.60.
 - c. The ~~tree protection and replacement soil and vegetation~~ plan must be approved by the City of Olympia's ~~Urban Forester~~.
 - d. Supplemental landscaping is provided within or adjacent to these areas, as necessary, to accomplish the specific intent and purpose of this chapter.
3. All portions of the site not proposed for building, other site improvements and required landscaping, shall be retained in a predeveloped, uncompacted, forested and vegetative condition and may be designated and noted on the final plat or approved site

plan as a Soil and Vegetation Protection Area. The approval authority may require ~~clearing and supplemental landscaping~~ mitigation in these areas to improve the existing soil and vegetation. (See 18.04A.070 and 18.06A.090, ~~Landscape Design~~).

B. Coverage. All planting areas shall have plant materials that provide seventy-five (75) percent coverage within three years.

C. Irrigation.

1. ~~Areas planted with grass or sod shall have a permanent irrigation system. If used elsewhere, irrigation, if used, shall be appropriate to the maintenance of plants temporary for the purposes of plant establishment. See Groundcover/Turf below.~~

Comment [TS60]: This amendment would change commercial irrigation systems from 'required' to 'optional and should only be needed temporarily.'

2. All irrigation systems shall be adequate to ensure survival of all retained and new plants and may be equipped with a controller capable of dual or multiple programming. Controllers must have multiple start capability and flexible calendar programming. They must also allow for at least seven day timing cycles. Timers should be set to ~~reduce evaporation (e.g., water during evening hours after sundown).~~

3. Irrigation systems shall be designed and operated to minimize runoff and overspray to non-irrigated areas.

4. The water schedule for each circuit identified on the approved landscape plan must be posted inside the corresponding controller.

D. Groundcover/Turf.

1. Ground cover shall be planted and spaced in a triangular pattern which will result in complete coverage in three (3) years. The mature size of shrubs and trees whose canopy is no more than two (2) feet above the ground may be included in total ground cover calculations.

2. Grass planted and to be maintained as lawn is prohibited in parking lots. Grass species, if used as groundcover, shall be appropriate for the location, use, and size of ~~lawn~~ area. (See Suitability below.)

Comment [TS61]: Proposed new prohibition on lawn grass within parking lots – to reduce need for irrigation, pesticides and fertilizers.

E. Suitability and Native Vegetation.

1. The vegetation selected for the landscape plan shall be suited to the climate, location, and physical conditions of the site so it can be reasonably expected to survive. Trees shall be selected and located to minimize the potential for interfering with or damaging power lines, underground utilities, or impervious surfaces. Trees shall be selected for their compatibility with the site design at their mature size. Trees shall be selected and located to minimize potential damage to structures and injuries to people.

2. All developments ~~are encouraged to~~ shall use native vegetation, or vegetation that is well-adapted and drought-tolerant plant materials where conditions and location support their survival; ~~and to reduce the amount of sod and lawn areas which are highly dependent on labor, water and chemicals.~~ A list of native and drought tolerant plant materials is available from the Department.

Comment [TS62]: Amendment to require use of vegetation requiring minimal irrigation, pesticides and fertilizers.

3. The Department will maintain a list of Prohibited Landscape Plants. Plants on this list will have characteristics that despite being well-adapted to site conditions, make them invasive, subject to disease, likely to damage infrastructure, or otherwise cause future management issues. This list will be periodically reviewed and updated by the Department.

Comment [TS63]: 'Well adapted' plants can also be unacceptably invasive, i.e., spread too readily to other areas, etc. To avoid inconsistent administration, this amendment would establish a list of unacceptable commercial plantings.

~~3. In order to reduce water use and improve survivability, design principles using xeriscape techniques are encouraged. In meeting water conservation goals, plantings that are not drought tolerant should be grouped together and separated from drought tolerant plantings. If installed, separate irrigation systems should be provided as necessary for each group. (See 18.36.060(3), Irrigation, for sprinkler requirements).~~

F. Mulch/Soil.

1. To reduce erosion, minimize evaporation, provide for weed control and to enhance ~~the~~ growing conditions, all areas to be planted ~~should~~ shall be mulched approximately four (4) inches deep with composted or other approved organic material. ~~If uncomposted mulch is used, it should be amended with a sufficient amount of fertilizer to compensate for typical nitrogen deficiencies caused by the uncomposted mulch.~~

Comment [TS64]: Consistent with the updated drainage manual, this amendment would require mulch with new plantings.

2. Existing soil types shall be identified on landscape plans and in the Soil and Vegetation Plan. Soils that are found to be inadequate to provide for the long-term health of proposed landscaping shall be amended up to twenty-four (24) inches deep with soil amendments such as bio-solids or other material as deemed necessary by the approval authority.

G. Trees.

1. ~~Deciduous~~ Trees. Trees size and quality shall comply with standards delineated in the Urban Forestry Manual. ~~Size—Shall have a caliper of at least two (2) inches, measured six (6) inches above the ground line. Quality—Shall be State Department of Agriculture Nursery Grade No. 1 or better.~~

Comment [TS65]: This amendment would place specific tree details in the Manual, and delete redundant aspects from this code.

~~2. Conifer Trees. Size—Shall be a minimum of six (6) feet in height, measured from ground line. Quality—Shall be State Department of Agriculture Nursery Grade No. 1 or better.~~

2. Tree Distribution. Trees in Soil and Vegetation Protection Areas shall be comprised of at least 60% evergreen species, unless site conditions are not suitable as determined by the Urban Forester.

Comment [TS66]: Staff proposal to require evergreens, which provide more stormwater management benefits in the winter.

3. Street Trees. Street trees will be required as part of frontage improvements pursuant to City of Olympia Engineering Design and Development Standards. ~~and subject to any applicable street tree plan adopted by the city. In the absence of an approved street tree plan—~~The species and spacing of required trees will be ~~determined~~ approved by the City of Olympia's Urban Forester, or designee, consistent with the provisions of this Chapter.

H. Clear Sight Triangle. Fences and landscape plants at maturity shall not exceed two and a half (2.5) feet in height within a clear sight triangle for traffic safety ~~as measured from the street centerline~~. (See 18.40.060(C) for triangle dimensions.)

Comment [TS67]: A correction – sight triangles are not based on centerline location.

I. Waste Containers, Mechanical Equipment and Open Storage.

1. Waste Containers and Mechanical Equipment: Solid waste containers (dumpsters, carts, drop boxes and compactors) and mechanical and electrical equipment in industrial, commercial, multi-family and mixed-use projects, which would otherwise be visible

from adjoining streets shall be screened from public view by a Type II Visual Screen unless such would interfere with access and service, in which case a Type III Visual Buffer shall be provided.

2. Open Storage: All outside storage areas shall be fully screened by a Type I Solid Screen a minimum of five (5) feet in width, unless the Department finds such storage material is not visually obtrusive.

J. Stormwater Pond and Swales.

1. Stormwater drainage ponds and swales and other stormwater facilities shall be located where they will not unreasonably impede pedestrian access to or between buildings. They shall be attractively landscaped with native, well-adapted and/or drought-tolerant plants and integrated into the site design.

2. Existing water bodies and wetlands should be incorporated into the site design as an amenity.

K. Pedestrian Facilities. Pedestrian facilities, transit stops, and barrier free access may be allowed in required landscape areas without requiring additional buffer area, provided the intent of this Chapter is met and that the function and safety of the pedestrian facility, transit stop or barrier free facility is not compromised. (See Sections 18.06A.180, 18.06A.190 and 18.06A.200, ~~Pedestrian Design Guidelines.~~)

Comment [TS68]: A correction – except for chapter 18.05A, all “A” code sections were deleted many years ago.

L. Types of Perimeter Landscape.

1. Solid Screen (Type I). Purpose: This type of landscaping is intended to provide a solid sight barrier between totally separate and incompatible land uses such as residential and industrial areas. It is also used around outdoor storage yards and service yards.

Materials: Landscaping shall consist of evergreen trees, tall shrubs and ground cover which will provide one hundred percent sight-obscuring screen; OR a combination of seventy-five (75) percent evergreen and twenty-five (25) percent deciduous trees with large shrubs and ground cover backed by a one hundred (100) percent sight-obscuring fence. Tree, shrub, and groundcover spacing shall be appropriate for the species type and consistent with the intent of this section.

2. Visual Screen (Type II). Purpose: This type of vegetation or landscape structure, or both, is intended to create a visual separation that may be less than one hundred (100) percent sight-obscuring. It is typically found between commercial and industrial zones; high density multifamily and single family zones; commercial/office and residential zones; and to screen commercial and industrial use waste containers, mechanical and electrical equipment from the street.

Materials: Vegetative landscaping shall consist of evergreen OR a combination of approximately sixty (60) percent evergreen and forty (40) percent deciduous trees, interspersed with large shrubs and ground cover. A sight-obscuring fence or other landscape structure can be used and may be required if necessary to reduce site specific adverse impacts to adjacent land uses. Tree, shrub, and groundcover spacing shall be appropriate for the species type and consistent with the intent of this section (See Section 18.170.050, Multifamily Residential, Fences and Walls).

3. Visual Buffer (Type III). Purpose: This type of landscaping is intended to provide partial visual separation of uses from streets and main arterials and between compatible uses in order to soften the appearance of parking areas and building elevations. Landscaping shall consist of no more than ~~fifty (50)~~ forty (40) percent deciduous species. Waste containers may be buffered from view using vegetation or a landscape structure or both.

Materials: Vegetative landscaping shall be a mixture of evergreen and deciduous trees interspersed with large shrubs and ground cover. Tree, shrub, and groundcover spacing shall be appropriate for the species type and consistent with the intent of this section.

18.36.080 Landscape and ~~tree~~ soil and vegetation plan requirements

A plan of proposed landscaping and screening shall be included with plans submitted for site plan review or Hearing Examiner review. The plans shall be drawn to scale and contain the following information:

A. ~~Tree Plan~~ Soil and Vegetation Plan. Unless otherwise exempt (see Chapter 16.60.040 Exemptions) a soil and vegetation plan is required to remove trees. Specific soil and vegetation plan requirements are delineated in the Urban Forestry Manual. The scale of the project and the

Comment [TS69]: General change in approach from 'trees' to 'soil and vegetation' management – consistent with chapter 16.60 above.

size and quantity of trees proposed for removal, preservation, and planting will determine which level of soil and vegetation plan is required (see Table A in Chapter 16.60.050 Soil and Vegetation Plan Required).

~~Tree Protection and Replacement Only. Tree protection and replacement only, not to include street trees.~~

~~1. The following is a summary of OMC 16.60 describing when a tree protection and replacement Soil and Vegetation plan is required.~~

~~a. Any construction and expansion of a building excluding interior remodel; or~~

~~b. Any engineering permit necessary to develop property; or~~

~~c. Any subdivision of property; or~~

~~d. For those activities not covered above and requiring a city permit, any development which alters the predeveloped or developed condition of a property.~~

~~2. Tree Plan Soil and Vegetation Plan Requirements. TreeThe Soil and Vegetation Protection Area Plan must be developed by a qualified professional forester as defined in the tree, soil, and native vegetation protection and replacement ordinance. Specific Plan requirements are outlined in the Tree Protection and Replacement Ordinance Urban Forestry Manual (OMC 16.60).~~

~~a. Tree, Soil and Vegetation inventory. General description of existing trees, soils and other vegetation including:~~

~~i. Species, sizes and locations of existing trees and associated other vegetation;~~

~~ii. Soils description and;~~

~~iii. health and condition of existing trees;~~

~~iiii. Species, locations, and extent coverage of invasive species;~~

~~v. Landmark/Specimen trees;~~

~~ivvi. Off-site trees adversely affected by proposal.~~

b. ~~Tree, Soil and Vegetation Protection Area plan (included on the grading plan):~~

~~i. Locations of trees, soils, and groundcover vegetation to be preserved;~~

~~ii. Description, and detail of how trees, soils and groundcover vegetation will be preserved;~~

~~iii. Limits of clearing and grading around protected trees, soils and groundcover vegetation;~~

~~iv. Timeline for clearing, grading and installation of tree protection measures.
(See the Urban Forestry Manual for specific protection standards.)~~

c. Landscaping plan. The landscape plan as required by this Chapter shall be included as one of the required sections of the ~~tree, soil and vegetation protection and replacement~~ plan.

d. ~~Street trees plan. The street tree plan for s~~Street trees required as part of ~~frontage improvements,~~ shall be included as ~~one of the required sections of in~~ the ~~tree soil and vegetation protection and replacement~~ plan. It should be drawn to scale on the site plan and should include the following information:

i. Location, size, and species of trees to be planted;

ii. Description and detail showing site preparation, installation and maintenance measures;

iii. Timeline for site preparation, installation and maintenance of street trees;

iv. Cost estimate for the purchase, installation and maintenance for a minimum of three years of street trees;

v. The description and location of any underground or overhead utilities within the rights-of-way or near proposed street trees;

vi. Additional information. The City's Urban Forester may require any additional information deemed necessary to ensure compliance with the provisions of this chapter;

vii. Information waiver. The City's Urban Forester may waive the requirements for a scaled drawing and other submission data if they find that the information presented is sufficient to determine the project's compliance with the provisions of this Chapter;

viii. Design guidelines: See ~~Sections~~ OMC Chapters 18.100 through 18.180 in general and section 18.170.010 in particular, ~~18.04A.070 and 18.06A.090~~.

B. Landscape Plan.

1. Plan Preparation.

a. Four (4) or Less Multifamily Units and Commercial Development having less than 20,000 square feet of gross floor area. Landscape plans required by this section shall be prepared by a person experienced in the selection and installation of plant materials and landscape design. Plans shall be drawn to scale and meet all plan submittal requirements of item 2 below.

b. Five (5) or More Multifamily Units; Commercial Development consisting of 20,000 square feet or more of gross floor area; and all development located on a High Density Corridor or Design Review Corridor. Landscape plans required by this section shall be prepared by a Registered Landscape Architect or Certified Washington State Landscaper or Nurseryman. Plans prepared by others shall have their design plans certified by one of the aforementioned groups, attesting that all requirements of this Chapter have been met or exceeded.

2. Plan Requirements. New landscape plans must identify location, species and diameter or size of plant materials using both botanical and common names. Drawings shall reflect the ultimate size of plant materials at maturity. All drawings shall depict:

a. Existing property lines and perimeter landscape areas;

- b. All public and private open space, including plazas, courts, etc.;
- c. Parking lot planting areas and vehicle use areas, driveways and walkways;
- d. Location of clear sight triangle, if applicable;
- e. Location of buildings or structures (existing and proposed);
- f. Location of aboveground stormwater drainage pond(s) and swales;
- g. Street tree location;
- h. Screening of mechanical equipment;
- i. Existing soil type and required amendments;
- j. Planting details describing method of installation;
- k. Location and description of existing trees or groves of trees to be retained;
- l. Location and description of existing soils and groundcover vegetation to be retained;
- m. Location and description of any invasive plants and timeline for removal;
- ln. Planting locations showing mature size of plants, size of planting stock, species of plant materials, and tree density calculations;
- no. Timeline for site preparation and installation of plant materials;
- np. Cost-estimate for the purchase, installation and three (3) years maintenance of landscaping.

18.36.100 Alternative landscape plans

A. The applicant may formally request in writing a modification from the landscaping requirements set forth in this Chapter; provided there is:

1. No reduction in critical area and buffer, unless permitted by the Chapter 18.32 Critical Areas Ordinance; ~~and~~
2. No reduction in required tree density; ~~and~~
3. No reduction in required Soil and Vegetation Protection Area.

B. The Department may administratively approve a modification of landscape requirements for reasons of increased safety, a design which clearly exceeds Chapter requirements or environmental protection, to achieve the goals and requirements of the low impact development aspects of the Drainage Manual, or when the application of this Chapter is infeasible within prior built environments. The applicant shall provide evidence that either strict application of this Chapter is infeasible and/or it is in the long-term best interest of the city to modify landscape requirements. Required landscape plans may be modified only under the following circumstances, as applicable.

1. The proposed landscaping clearly exceeds the requirements of this Chapter.
2. The proposed landscaping maintains or increases solar access for purposes of solar energy devices.
3. The proposed landscaping provides for the preservation of existing trees, soils, and associated vegetation, ~~that does not~~ Trees shall not constitute a hazard as determined by a qualified professional forester, pursuant to OMC 16.60, and/or provides for wildlife habitat as determined by environmental review.
4. Strict application of this Chapter violates special easement requirements.
5. A site that can not comply with landscape requirements because of prior development (after investigating alternatives to reduce required parking, etc.).
6. In those instances where above ground stormwater requirements serve the same or similar function as required landscaping. The proposed landscaping significantly improves stormwater treatment and aquifer recharge beyond what can be achieved by this Chapter.

Comment [TS70]: Arguably all trees provide some wildlife habitat; however this section has not been interpreted to prohibit removing any tree. Critical areas chapter 16.60 includes separate authority for wildlife habitat protection.

7. The preservation of Scenic Vistas.

18.36.120 Conflicting requirements

In the event of a conflict between the standards for individual uses and other general requirements of this chapter the more stringent shall apply. Determination of the appropriate standards shall be made by the Director of the Community Planning and Development Department.

18.36.140 Residential landscape requirements

A. Perimeter Landscape. Perimeter landscape strips may be averaged, provided the minimum width is not less than fifty (50) percent of the required width and the intent and purpose of screening is achieved.

1. Plant Coverage. Notwithstanding other regulations found in this chapter, perimeter areas not covered with buildings, driveways or walkways, and parking and loading areas shall be landscaped. The required width of perimeter areas to be landscaped shall be the depth of the required yard or setback area.

2. Native Vegetation. Required landscaping shall be comprised of a minimum of 60% native vegetation where site conditions are appropriate for establishment and long-term survival.

Comment [TS71]: Note that this proposed amendment and the one below would continue to allow some landscaping that is not well-adapted to site conditions.

23. Buffer Area Next to R-4 and R 4-8.

- a. Any land use of higher density, intensity or use that is directly adjacent to an R4 or R 4-8 zone district shall have a solid screen (Type I) or visual screen (Type II) along the abutting perimeter, depending on the intensity of use.
- b. Mixed use developments or in areas where combined commercial and residential pedestrian use is desired, a Type II or III screen should be used. Screening area and materials for commercial and residential developments may be combined to achieve the desired screening and pedestrian enhancement. See Section 18.36.060(L) for types of screening.

18.36.160 Commercial landscape requirements

A. Perimeter Landscape. Perimeter landscape strips may be averaged, provided the minimum width is not less than fifty (50) percent of the standard width requirement and the intent and purpose of screening is achieved.

1. Plant Coverage. Notwithstanding other regulations found in this chapter, perimeter areas not covered with buildings, driveways or walkways, and parking and loading areas shall be landscaped. The required width of perimeter areas to be landscaped shall be the depth of the required yard or setback area. Type II and III perimeter landscaping shall be used depending upon adjacent perimeter land uses. (See Types of Perimeter Landscape, Section 18.36.060(L).)

2. Native Vegetation. Required landscaping shall be comprised of a minimum of 60% native vegetation where site conditions are appropriate for establishment and long-term survival.

23. Buffer Area Next to Incompatible Uses.

a. Where a development subject to these standards is contiguous to a residential zoning district, areas of residential development or other incompatible use, then the required perimeter area shall be landscaped with solid screen (Type I) or visual screen (Type II) along the abutting perimeter, depending on the intensity of use.

b. Mixed use developments or in areas where combined commercial and residential pedestrian use is desired, a Type II or III screen should be used. Screening area and materials for commercial and residential developments may be combined to achieve the desired screening and pedestrian enhancement. See Section 18.36.060(L) for types of screening.

18.36.180 Parking lot landscape and screening

A. Applicability.

1. The standards of this section shall apply to both public and private parking lots; and
2. Any use within a residential district requiring more than ten (10) parking spaces; and

3. All commercial and industrial uses of land and development.

B. Perimeter Landscaping

In order to soften the appearance of parking lots, separate one parking area from another or from other uses, the following standards apply:

1. Screening strips – Perimeter landscaping strips shall be provided as follows:
 - a. Between parking lots and street rights-of-way, screening strips shall be a minimum of ten (10) feet in width; and
 - b. All other zone districts without setbacks shall install a perimeter screening strip at least five (5) feet wide, except as provided in (2) below; and
 - c. Exceptions to (a) and (b) above are allowed by administrative exception below:
2. Administrative Exception. The following landscape screen exceptions shall only apply to commercial and industrial districts:
 - a. Parking lot screening strips abutting a non-residential use or district may be reduced in width to the minimum needed to accommodate and maintain the screening materials, as determined by the Department; provided plant materials are placed an appropriate distance from sidewalks or other public facilities to prevent future damage or obstruction.
 - b. The Director may allow the alteration of screening strips as necessary to provide for direct pedestrian access between sidewalks and building entrances or between parking lots and building entrances, for 'low impact' stormwater management, or for trash receptacles, utility boxes, or driveways.
3. Perimeter Landscaping - Materials.
 - a. Native Vegetation. Required landscaping shall be comprised of a minimum of 60% native vegetation where site conditions are appropriate for establishment and

Comment [TS72]: As with above amendments, this set would generally prohibit lawns associated with parking lots, but allow some not-well-adapted plants on perimeters.

long-term survival. Grass lawn is prohibited unless as needed and approved for stormwater conveyance.

b. Deciduous trees shall have a minimum size of two (2) inches in caliper measured six (6) inches above the base. Evergreen trees shall be a minimum six (6) feet in height at planting.

c. Shrubs and ground cover. Ground cover shall be planted and spaced in a triangular pattern which will result in complete coverage in three (3) years. The mature size of shrubs and trees whose canopy is no more than two (2) feet above the ground may also be included in total ground cover calculations.

C. Interior Parking Lot Landscaping.

1. The following interior parking lot landscape area is required for all development covered by 18.36.180(A). Space requirements are considered minimums, additional landscape area may be necessary to meet design requirements below.

Required landscape area per parking stall.

Stall size	(1-20)	(21-30)	(31-40)	(41 +)
Standard	23 sq.ft. (8.25%)	27 sq.ft. (9.75%)	31 sq.ft. (11.25%)	35 sq.ft. (12.75%)
Compact <u>Small</u> Space	17 sq.ft. (8.3%)	20 sq.ft. (9.8%)	23 sq.ft. (11.3%)	26 sq.ft. (12.7%)

2. Landscape Islands - Design.

a. Landscape Islands should be a minimum of one forty-four (144) square feet and no more than five hundred (500) square feet in size. The minimum island size may be reduced if appropriate ‘structural soil’ is provided to ensure that trees can achieve maturity. Islands shall be designed so that trees will be planted a minimum of ~~six (6)~~ four (4) feet from any hard scape surface. The maximum allowable size of five hundred (500) square feet may be increased to allow for the preservation of

Comment [TS73]: Research has demonstrated that trees can mature in smaller islands if well-designed.

existing trees and associated vegetation pursuant to OMC 16.60 or to accommodate stormwater infiltration/treatment/conveyance practices.

b. Islands shall be provided in the following location:

i. Landscaping islands should be placed at the end of every parking row and with a ~~maximum~~ spacing of at least ~~about~~ one (1) island for every nine (9) parking spaces consistent with a goal of maximizing canopy tree coverage at maturity; and

Comment [TS74]: This amendment would provide more flexibility for parking lot designs consistent with current 'treed canopy' goal.

ii. Between loading doors/maneuvering areas and parking area; and

iii. Any remaining required landscaping shall be dispersed throughout the parking lot interior to reduce visual impact.

c. Permanent curbing shall be provided in all landscape areas within or abutting parking areas. Based on appropriate surface water considerations, other structural barriers such as concrete wheel stops may be substituted for curbing.

3. Landscape Islands - Materials.

a. One tree shall be planted for every two hundred (200) square feet of landscape island area; ~~provided that every landscape island. Each planting area~~ must contain at least one (1) tree. Planting areas shall be provided with the maximum number of trees possible given recommended spacing for species type, and the estimated mature size of the tree.

Comment [TS75]: Since the minimum island size is 144 square feet, this proposed amendment is more restrictive than current code; it is complementary to the more flexible approach regarding the number of islands to be provided, but could conflict with some stormwater management practices.

b. All landscape islands within parking areas shall ~~use drought tolerant trees, shrubs and ground covers. Lawn is not permitted within areas less than two hundred (200) square feet in size and shall only be used as an accessory plant material to~~ required trees, shrubs and ground cover or to accommodate stormwater treatment/conveyance practices. be comprised of a minimum of 60% native vegetation where site conditions are appropriate for establishment and long-term survival. Grass lawn is prohibited except as needed and approved for stormwater conveyance.

- c. No plant material greater than twelve inches in height shall be located within two (2) feet of a curb or other protective barrier in landscape areas adjacent to parking spaces and vehicle use areas.
- d. Deciduous and/or evergreen trees shall be used which form a canopy. Deciduous trees shall have a minimum size of two (2) inches in caliper measured six (6) inches above the base. Evergreen trees shall be a minimum six (6) feet in height at planting.
- e. Shrubs and ground cover. Ground cover shall be planted and spaced in a triangular pattern which will result in complete coverage in three (3) years. The mature size of shrubs and trees whose canopy is no more than two (2) feet above the ground may also be included in total ground cover calculations.
- f. Motor vehicle overhang. Parked motor vehicles may overhang landscaped areas up to two (2) feet when wheel stops or curbing are provided. Plants more than twelve (12) inches tall are not allowed within the overhang area.

OMC 18.36.190 Landscape Requirements for Antennas and Wireless Communications Facilities

OMC 18.36.200 Performance assurance

OMC 18.36.220 Maintenance

18.36.240 Preferred plantings

~~Recommended plantings and other information is available from the Department to help create a water smart landscape. Choosing the right plant in the right location, and using the proper soil are the first steps in creating a healthy and lush landscape.~~

Comment [TS76]: Although the City will continue to provide educational materials, the staff proposes that 'guarantees' of such be deleted from the regulatory code.

OMC Chapter 18.38 Parking and Loading

OMC 18.38.060 Parking and loading general regulations

H. Unlisted Uses. Any use clearly similar to any of the below-mentioned uses shall meet such use requirements. If a similarity of use is not apparent or no specific

Comment [TS77]: A clarification – in some cases a use is listed with regard to one type of vehicle, such as bicycles, but specify another such as motor vehicle parking.

requirement is listed below, the Director may require a parking demand study ~~or~~ and shall determine the standards that should be applied to the use in question.

~~J. Compact Parking. No more than thirty (30) percent of total required parking may be devoted to compact cars, provided design standards in Section 18.38.220 are met. [Note: Replaced by 'small spaces' provision below.]~~

Comment [TS78]: Although proposed to be deleted here, a 15% maximum 'small space' provision is retained in another section below. Note, The issue paper on this topic indicated that staff would propose requiring a minimum percentage of small parking spaces. However, nationwide research and local experience both indicate that small (under-sized) parking spaces lead to a variety of problems including 'double-space' parking, poor access to side doors, and additional collisions and other damage to vehicles and risk to pedestrians. Thus a small-space requirement is not proposed. Instead, staff proposes to retain a limited option for designers to use small spaces as they provide opportunities for more efficient designs with less pavement.

OMC 18.38.080 Administrative ~~variance~~ modifications

A. Project applicants may request an administrative modification to increase or decrease the number of parking spaces for motor vehicles, bicycles and loading otherwise required by this chapter. No modification is required to increase or decrease the number of required spaces by up to ten percent. Modifications greater than forty percent may only be granted by the Hearing Examiner and only pursuant to the criteria of OMC Chapter 18.66.

Comment [TS79]: This section is consistent with current code. More developers choose the parking reduction option than parking increase option. Thus this section has been substantially re-written consistent with Tumwater's format with the belief that a more readily understood modification option will lead more applicants to choose to build less than the standard number of parking spaces.

B. Administrative Modifications. A modification to increase or decrease the number of required parking spaces within the range of ten percent to forty percent shall be considered by the Director at the request of the project applicant. The project applicant shall present any modification request including application fee, and any evidence and reports, prior to any final discretionary approvals, such as land use approval, environmental review, or construction permits.

1. The general criteria for an administrative modification request are:

 - a. Modification requests may be granted based on the effectiveness of proposed transportation demand management strategies, significance and magnitude of the proposed modification, and compliance with this chapter.
 - c. Modification requests may be denied or altered if the Director has reason to believe based on experience and existing development practices that the proposed modification may lead to excessive or inadequate parking or may inhibit or prevent regular and intended functions of either the proposed or existing use, or adjacent uses.
2. Submittal Requirements. A report shall be submitted by the applicant providing the basis for more or less parking and must include the following:

 - a. For modification requests of up to twenty percent:

i. Describe site and use characteristics, specifically:

(A) Site accessibility and proximity to transit infrastructure and transit times;

(B) Site accessibility and proximity to bicycle and pedestrian infrastructure;

(C) Shared and combined parking opportunities; and

(D) Employee or customer density and transportation practices.

ii. Describe and demonstrate alternative transportation strategies such as carpooling, flexible work schedules, telecommuting, or parking fees, if used;

iii. Demonstrate compliance with commute trip reduction measures as required by state law, if applicable;

iv. Identify possible negative effects on adjacent uses and mitigation strategies, if applicable; and

b. For modification requests greater than twenty percent and up to forty percent:

i. Provide the contents of a twenty percent or less request;

ii. If increasing, provide a parking demand study prepared by a transportation engineer licensed in the state of Washington, which supports the need for more parking; or

iii. If decreasing, show that the site is or within six months of occupancy will be within a one-quarter-mile walk to transit service verified by Intercity Transit, and that the site is more than 300 feet from a single-family residential zone.

3. To mitigate the need for motor vehicle parking or to minimize hard surfaces, the Director may require measures, such as more efficient parking geometrics and enhanced bicycle parking and pedestrian amenities. As a condition of approval of any increase in motor vehicle parking, at minimum the Director shall require the compliance with the provisions below. Any exceptions shall be based on site and project constraints identified and described in the approval.

a. Double the amount of required interior landscaping for that area of additional parking. This additional area may be dispersed throughout the parking area. Fifty (50) percent of this requirement may be in the form of parking spaces surfaced with a drive-able planted pervious surface, such as 'grasscrete' or 'turfblock.'

e. Without unduly compromising other objectives of this Chapter, ninety (90) percent of the parking area shall be located behind a building. Any parking area along a flanking street shall have added landscaping and a superior design to strengthen pedestrian qualities, such as low walls, arcades, seating areas, and public art.

f. Any preferential parking shall be located near primary building entrances for employees who ride-share.

g. The applicant shall install a transit shelter meeting Intercity Transit standards if none is available within six hundred (600) feet of the middle of the property abutting the right-of-way. Alternative improvements may be accepted if supported by Intercity Transit's Director.

4. Public Notification and Appeals. Property owners within three hundred (300) feet of a site shall be notified by mail of modification within 14 days of receipt of any request to increase or decrease parking by twenty-one (21) to forty (40) percent. Written notice of the Director's decision shall be provided to the applicant and all interested parties of record. Administrative modification decisions may be appealed pursuant to OMC Chapter 18.75.

~~A. GENERAL.~~

1. ~~An administrative variance from required parking standards must be received prior to any issuance of building and engineering permits.~~

2. ~~Various methods to reduce or increase parking may not be combined to reduce or increase parking by more than forty percent. In addition, any stalls gained through sharing, combining or on site park and ride shall be counted toward total parking needs. For example:~~

~~Evidence is submitted to support one hundred (100) additional stalls to the five hundred (500) already require:-~~

~~Combined parking opportunity = twenty five (25) stalls;~~

~~Twenty (20) percent administrative variance option is used = one hundred (100); additional stalls based on five hundred (500) total, but twenty five (25) have already been found; so~~

~~The total number of stalls derived from administrative variance = seventy five (75) stalls.~~

3. ~~The project developer shall present all findings to the Director prior to any final, discretionary approvals; e.g., design review, site plan review, environmental review, or any planning, building or engineering permits. The Director shall authorize an increase in parking, based on compliance with the strategies in Section 18.38.080(C).~~

4. ~~Public Notification. Property owners within three hundred (300) feet of a site shall be notified by mail of all variance requests to increase or decrease parking by twenty-one (21) to forty (40) percent.~~

~~B. CRITERIA TO REDUCE AND INCREASE PARKING.~~

1. ~~Decrease in Required Parking. In addition to the following requirements, the Director may require that all or some administrative variance design requirements listed for increased parking be met (e.g., bike racks, landscaping, etc.), and require other measures to ensure all impacts associated with reduced parking are mitigated. Any motor~~

vehicle parking spillover which can not be mitigated to the satisfaction of the Director will serve as a basis for denial.

Decrease of 10% to 20%

The Director may allow a 10% to 20% decrease in required parking after:

1. Shared and combined parking opportunities are fully explored; and
2. On-site park and ride opportunities are fully explored; and
3. Compliance with commute trip reduction measures as required by state law, if applicable; and
4. The site is shown to be no closer than 300 feet from a single-family residential-zoned neighborhood; and
5. A report is submitted providing a basis for less parking and mitigation necessary to offset any negative effects.

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2.—Increased Parking. Required parking may be increased if the criteria listed below is met to the satisfaction of the Director.

Increase of 10% to 20%

The Director may allow a 10% to 20% increase above required parking after:

1. Shared and combined parking opportunities are fully explored; and

Decrease of 21% to 40%

The Director may allow a 21% to 40% decrease in required parking after:

1. Shared and combined parking opportunities are fully explored; and
2. On-site park and ride opportunities are fully explored; and
3. Compliance with commute trip reduction measures as required by state law, if applicable; and
4. The site is shown to be no closer than 300 feet from a single-family residential-zoned neighborhood; and
5. A report is submitted providing a basis for less parking and mitigation necessary to offset any negative effects; and
6. The site is served by transit or can be served within 6 months of occupancy (within 3 blocks or 600 feet, whichever is less).

Increase of 21% to 40%

The Director may allow a 21% to 40% increase above required parking after:

1. Shared and combined parking opportunities are fully explored; and

Increase of 10% to 20%

2. On-site park and ride opportunities are fully explored; and
3. Compliance with commute trip reduction measures as required by state law, if applicable; and
4. All design and facility requirements listed in step 5 below are met to the satisfaction of the Director; and
5. A report is submitted which supports the need for more parking.

Increase of 21% to 40%

2. On-site park and ride opportunities are fully explored; and
3. Compliance with commute trip reduction measures as required by state law, if applicable; and
4. All design and facility requirements listed in step 5 below are met to the satisfaction of the Director; and
5. A parking demand study is submitted, as determined by the Transportation Section, which supports the need for increased parking.

[NOTE: The total increase/decrease that is allowed is a percentage of total required parking and is only permitted after exploring other alternate means e.g., combined and shared parking, on-site park and ride lot, commute trip reduction, etc.]

C. PROCESS TO REDUCE AND INCREASE PARKING.

Requests to reduce parking need only follow steps 1 through 3.

1. First Step: Submit evidence that decreased/increased parking is necessary. This may take the form of a brief report for all decreases and ten (10) to twenty (20) percent increases. The Director may require additional studies to ensure negative impacts are properly mitigated. A more complete and detailed parking demand study is only required for increases of twenty one (21) percent or more.

2. Second Step: Describe site characteristics, specifically:

a. Site accessibility for transit; e.g., pullouts;

b. Site proximity to transit with fifteen (15) to thirty (30) minute headways (time between buses);

- e. ~~Shared use of on-site parking for park-and-ride;~~
- d. ~~Shared use of off-site and adjacent parking;~~
- e. ~~Shared use of new proposed parking by existing or future adjacent land uses;~~
- f. ~~Combined on-site parking; e.g., shopping centers;~~
- g. ~~Employee density (one hundred (100) or more must meet state commuter trip reduction requirements);~~
- h. ~~Adjacent land uses.~~

3. ~~Third Step: Determine if additional parking can be provided by shared and combined parking, on-site park-and-ride (install one (1) stall for two (2) stall credit), and by commute trip reduction measures.~~

4. ~~Fourth Step: If additional parking is still desired, the Director may require the applicant to complete a parking cost worksheet.~~

5. ~~Fifth Step: If additional parking is still desired an administrative variance is required. The site plan must meet design elements a – i below. To the extent practical, all requirements found below must be included in a project proposal to the satisfaction of the Director prior to approving any administrative variance to increase parking. In those instances where site constraints impede design requirements, written findings of fact shall be made identifying site and project constraints, and shall be identified in the final project approval letter. In its findings, the Director shall determine if a good faith effort has been made in building and site design in order to accomplish required design elements.~~

- a. ~~Design internal roadway, parking area, and pedestrian paths to assure access between public and private transportation facilities; access to adjacent land uses; and access within parking lots.~~
- b. ~~Install pedestrian amenities; e.g., walkways using textures and colors, lighting, arcades, etc.~~

- ~~e. Explore alternative parking lot designs in order to reduce impervious surface; e.g., one (1) way instead of two (2) way access aisles.~~
- ~~d. Double the amount of required interior landscape within that area of additional parking (fifty (50) percent of this requirement— if proven to be maintained— may be Grasscrete, Turfblock or other driveable planted pervious surface within areas receiving sporadic use: usually the farthest from the building entrance. This additional landscape area may be dispersed throughout the parking lot.~~
- ~~e. Ninety (90) percent of the parking lot area shall be located behind the building, without unduly compromising other objectives of this Chapter. Parking lot area along flanking streets shall have added landscape and a superior design to strengthen pedestrian qualities e.g. low walls, arcades, seating areas, public art, etc.~~
- ~~f. Preferential parking shall be located near primary building entrances for employees who ride share and for high occupancy vehicles (HOVs).~~
- ~~g. Purchase and install a transit shelter to meet Intercity Transit operational needs unless already available within six hundred (600) feet, as measured from the middle of the property abutting the rights of way. This distance may be increased by Intercity Transit if located in lower density zones.~~
- ~~h. Construct a transit pullout if requirement in letter g above is used and if Intercity Transit finds it practical. Credit may be given for other Intercity Transit demand management strategies if a transit shelter and pullout are infeasible.~~
- ~~i. Create a transit/ride share information center and place in a conspicuous location.~~
- ~~j. Use permeable pavement for all parking and associated drive areas exceeding required parking by 10%.~~

OMC 18.38.100 Vehicular and bicycle parking standards

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C. Residential Exceptions.

1. New residential land uses in the Downtown Exempt Parking Area do not require motor vehicle parking. See OMC 18.38.160.

Comment [TS80]: Clarifications of code to be consistent with exemptions in OMC 18.38.160 adopted a few years ago. .

2. Residential land uses in the DB, CSH, RMH, RMU, and UR Districts require only one (1) vehicle parking space per unit.

Comment [TS81]: Clarifications of code to be consistent with exemptions adopted a few years ago in OMC 18.38.160.

3. Table 18.01 notwithstanding, senior (age 55 or 62 and over) multi-family housing requires three (3) motor vehicle parking spaces per four (4) units. This exception is at the discretion of the applicant and only applicable if an appropriate age-restriction covenant is recorded.

Comment [TS82]: New reduction option proposed for senior housing. Staff reviewed recent parking studies and this was only land use category where Olympia requires substantially more parking than studies suggest is needed. (For some land uses, such as medical offices, studies suggest Olympia may be requiring less than needed. Since requiring more parking would be inconsistent with LID practices, those will be evaluated separately from this set of code amendments.)

OMC 18.38.220 Design standards-General

Off-street parking facilities shall be designed and maintained in accordance with the standards of the latest edition of the Transportation and Traffic Engineering Handbook and those hereunder, provided that up to 15% of parking stalls may be small spaces as described in section B. unless otherwise stated. In the alternative, an applicant may propose and, if providing equal or better function, the Director may approve alternative parking geometrics consistent with the most recent specific standards promulgated by the Institute of Transportation Engineers or the National Parking Association.

Comment [TS83]: Options are proposed in this code section to allow more flexibility in parking lot designs, which may result in less hard surface.

A. General Requirements. [NOTE: Also refer to see the specific zone district design standards in this Chapter under of OMC Section 18.38.240.]

Comment [TS84]: Proposed reduction in drive aisle widths are based on the National Parking Association's Guidelines for Parking Geometrics. In general parking spaces sizes remain unchanged in last twenty years because vehicle sizes in the United States have changed very little. Thus studies suggest if pavement is to be minimized it's best done by reducing drive aisle widths and the number of spaces, rather than the size of spaces.

1	2 SW	3 WP	4 VPW	5 VPi	6 AW	7 W2	8 W4
Parking Class	Basic Stall Width (ft)	Stall Width Parallel to Aisle (ft)	Stall Depth to Wall (ft)	Stall Depth to Interlock (ft)	Aisle Width (ft)	Modules Wall-to-Wall (ft)	Modules Interlock to Interlock (ft)
	A	2-Way Aisle-90° 9.00	9.00	17.5	17.5	26.0 24	61.0 59
A	2-Way Aisle-60° 9.00	10.4	18.0	16.5	26.0 24	62.0 60	59.0 57
A	1-Way	9.3	18.5	17.5	22.0	59.0	57.0

1	2 SW	3 WP	4 VPW	5 VPi	6 AW	7 W2	8 W4
Parking Class	Basic Stall Width (ft)	Stall Width Parallel to Aisle (ft)	Stall Depth to Wall (ft)	Stall Depth to Interlock (ft)	Aisle Width (ft)	Modules Wall-to-Wall (ft)	Modules Interlock to Interlock (ft)
	Aisle-75° 9.00				20	57	55
A	1-Way Aisle-60° 9.00	10.4	18.0	16.5	18.0 16	54.0 52	51.0 49
A	1-Way Aisle-45° 9.00	16.5	16.5	14.5	15.0 13	48.0 46	44.0 42

Source: Guidelines for Parking Facility Location and Design ITE Committee 5D-8, May 1990.

STANDARD PARKING DIMENSIONS

FIGURE 38-4

Figure 7-1. Dimensional elements of parking layouts.
 SOURCE: Adapted from R. A. Weant, "Parking Garage Planning and Operation," Fig. 20, Eno Foundation for Transportation, Inc., 1978.

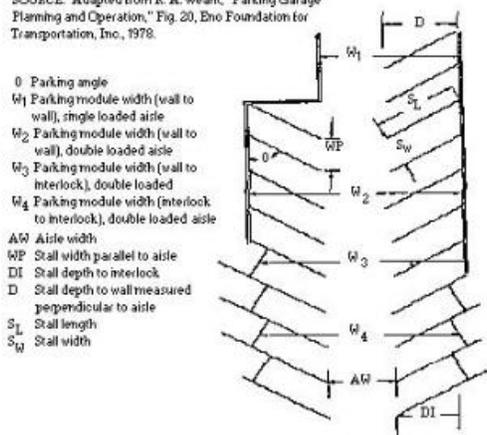


FIGURE 38-5

1. Driveways. Driveways and curb cuts within public rights-of-way shall be in accordance with the Olympia Engineering and Development Standards. ~~Chapter 12.40, Driveways, Curbs and Parking Strips, Sections 12.40.010 through 12.40.060 and 12.40.110 through 12.40.170 and plans for such shall be submitted to and approved by the Public Works Director.~~

Comment [TS85]: Clarifying amendment – the portion of a driveway within right-of-way (also known as an ‘approach’) is regulated by the ‘EDDS’ while the portion on private property is regulated by this chapter – which sometimes leads to confusion.

2. Ingress/Egress Requirements.

...

3. Maneuvering Areas.

a. All maneuvering areas, ramps, access drives, etc. shall be provided on the property on which the parking facility is located; however, if such facility adjoins an alley, such alley may be used as a maneuvering area. A garage or carport entered perpendicular to an alley must be located a minimum of ten (10) feet from the property line. A garage or carport entered parallel to an alley may be placed on the rear property line; provided sight distances are maintained. ~~[NOTE: See accessory dwelling unit and structure requirements.]~~

b. Maneuvering areas shall be provided so that no vehicle is obliged to back out of a parking stall onto the street, except ~~in~~ into neighborhood collector and local access streets within the R-1/5, RLI, R-4, R 4-8, and R 6-12 use districts, or where approved by the City Engineer. ~~[NOTE: See aisle width requirements.]~~

Comment [TS86]: A safety amendment to prohibit backing into major collector and arterial streets. Proposed concurrently with LID amendments because turn-around space may increase hard surface of some lots. This would be a significant change since many major collectors are within residential areas, e.g., 22nd Avenue and Boulevard Road SE. Alternatively, the prohibition could be limited to arterials, such as Henderson Boulevard and East Bay Drive.

4. Parking Surface. All parking lots must be paved and designed to meet drainage requirements. Pervious surfaces ~~(e.g., Turf Block) or~~ and other approved dust free surfaces may be used ~~for parking areas held in reserve for future use, overflow parking (parking area furthest from building entrance), or parking areas approved by the Site Plan Review Committee.~~ A maintenance agreement may be required to ensure such surface is properly maintained.

Comment [TS87]: Primary result of this amendment would be to authorize staff to approve “pervious surfaces” without Site Plan Review Committee evaluation – thus removing a procedural barrier to these preferred materials.

5. Landscaping. Parking areas shall be landscaped according to the requirements of Chapter 18.36.

6. Wheel Stop, Overhang. Appropriate wheel and bumper guards shall be provided to protect landscaped areas, to define parking spaces and to clearly separate the parking area from any abutting street rights-of-way and property lines. Vehicles may overhang landscaped areas up to two (2) feet when wheel stops or curbing is provided.

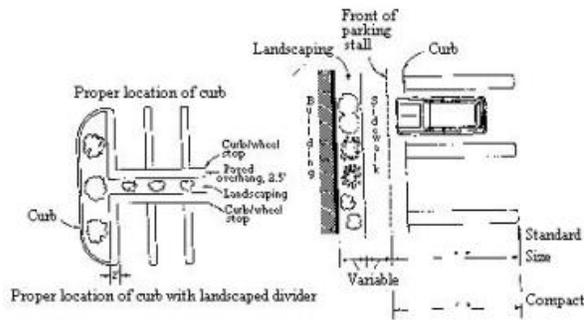


FIGURE 38-6

7. Contiguous parking lots shall not exceed one (1) acre in size. Parking lots exceeding one (1) acre in size shall be separated by a minimum ten (10) foot wide landscaped strip. This strip is in addition to interior and perimeter landscaping and may be used for stormwater management or pedestrian access shall be of a different elevation than the parking lot.

Comment [TS88]: Clarifying amendment regarding design of this landscaped strip.

8. Downtown Structured Parking Dimensions. Structured parking facilities may be designed to the general design standards found in Figures 38-4 and 38-5 above, Figure 38-7 below, or to the following structured parking design standard: Within parking structures small spaces shall not exceed 15% of spaces within each structure.

Comment [TS89]: A clarifying amendment that would extend standard structured parking dimensions to the whole city.

Comment [TS90]: Note that standard parking spaces within structures are shorter than surface lots – primarily because driver behaviors differ when indoors. Surface lot spaces are 17.5 feet deep.

	Compact Car <u>Small Space</u>	Standard Car <u>Dimensions</u>
	<u>Dimension</u>	
Standard Stall Width	8-foot	9-foot
Standard Stall Depth	16-foot	16-foot
Standard Aisle Width	24-foot	24-foot
Standard Wall-to-Wall	57-foot	57-foot

B. Compact Car Small Parking Space Dimensions, Layout and Circulation.

Comment [TS91]: Because small spaces are problematic, this amendment would limit their use while continuing to allow a few for design flexibility. See comment #78 above for more information.

1. Parking Dimensions. Small spaces may range from the minimum below to standard sizes and generally should be used to achieve efficient design of parking areas. No more than 15% of spaces shall be smaller than standard sizes. Where small spaces are grouped together, module dimensions should be adjusted accordingly.

-	<u>Compact Car Minimum Small Space Dimension</u>
<u>Stall Width</u>	<u>8-foot</u>
<u>Stall Depth</u>	<u>15-foot</u>

(See Compact Parking Dimensions Table below).

	1	2-SW	3-WP	4-VPW	5-VPi	6-AW	7-W2	8-W4
Parking Class	Basic Stall Width	Stall Width Parallel to Aisle (ft)	Stall Depth to Wall (ft)	Stall Depth to Interlock (ft)	Aisle Width (ft)	Modules Wall to Wall (ft)	Modules Interlock to Interlock (ft)	
2-Way Aisle 90° A	8.00	8.00	15.0	15.0	21.0	51.0	51.0	
2-Way Aisle 60° A	8.00	9.3	15.4	14.0	21.0	52.0	50.0	
1-Way Aisle 75° A	8.00	8.3	16.0	15.1	17.0	49.0	47.0	
1-Way Aisle 60° A	8.00	9.3	15.4	14.0	15.0	46.0	43.0	

1	2-SW	3-WP	4-VPW	5-VPi	6-AW	7-W2	8-W4
Parking Class	Basic Stall Width	Stall Width Parallel to Aisle (ft)	Stall Depth to Wall (ft)	Stall Depth to Interlock (ft)	Aisle Width (ft)	Modules Wall to Wall (ft)	Modules Interlock to Interlock (ft)
1-Way Aisle 45° A	8.00	11.3	14.2	12.3	13.0	42.0	38.0

Source: Guidelines for Parking Facility Location and Design ITE Committee 5D-8, May 1990.

FIGURE 38-7

OMC Chapter 18.64 Townhouses

OMC 18.64.080 Development standards

....

D. Building Impervious and Hard Surface Coverage. Outside of ‘village’ and ‘center’ districts subject to table 5.05, building and impervious surface Bbuilding coverage for an individual townhouse lot shall not exceed 60% or the underlying district limit, whichever is greater, and hard surface coverage shall not exceed 70% or the underlying district, whichever is greater. Provided further that total coverage for each townhouse building shall not exceed building, impervious surface and hard surface coverages of the underlying district. the following standards:

Comment [TS92]: Amendment to complement proposed changes in Table 4.04, Residential Development Standards, above.

1. ~~R4 and R 4-8 Districts: Sixty (60) percent building coverage;~~
2. ~~R 6-12 District: Seventy (70) percent building coverage;~~
3. ~~All other Districts: Same as the underlying district.~~

OMC Chapter 18.75 Appeals/Reconsideration

OMC 18.75.020 Specific appeal procedures

E. Takings and Substantive Due Process Review and Modifications.

1. The Hearing Examiner is hereby authorized to hear, by way of appeal or upon review of a project permit application, all assertions of project-specific taking of property for public use without just compensation and/or the denial of substantive due process of law, and all challenges to imposition of conditions on a project of a similar nature such as any assertion that an open space dedication is not reasonably necessary as a direct result of a proposed development whether based on constitutional, statutory or common law. Failure to raise a specific challenge to such condition or exaction shall constitute a waiver of such issue and a failure to exhaust an administrative remedy.

Comment [TS93]: An amendment responsive to Isla Verde decision of Washington Supreme Court requiring project-specific option for analyzing need for open space in residential projects.

2. In deciding and resolving any such issue, the Examiner may consider all law applicable to the City. Should the Examiner determine that, but for a taking without just compensation or a violation of substantive due process of law, imposition of any such condition would be required by standard, regulation, or ordinance the Examiner shall so state in the decision and so report to the Olympia City Council. In lieu of failing to impose such condition, the Examiner shall first provide the City with due opportunity to provide just compensation. The Examiner shall specify a time period in which the Council shall elect to or not to provide just compensation. Upon notice of the election of the City Council not to provide such compensation, the Examiner is authorized to and shall, within fourteen (14) days, issue a decision modifying to whatever degree necessary such condition to eliminate the taking or violation of substantive due process.