City of Olympia
Proposed Code Amendments for 2026

March 2026

The City of Olympia is proposing amendments to the Olympia Municipal Code (OMC). These amendments are relatively minor in scope and are proposed to help clean up the code or add clarification. The proposal includes changes to Title 10 - Vehicles and Traffic; Title 16 – Buildings and Construction; Title 17 - Subdivisions; and Title 18 - Unified Development Code.

Each Title has Chapters, each Chapter has sections, and most sections have subsections. Headers have been used to help identify which Title and Chapter is proposed for revision. Each proposal is separately numbered and identified. Proposed amendments are shown at the subsection level of each section of the chapter.

The existing code can be viewed online at: https://www.codepublishing.com/WA/Olympia/?OlympiaNT.html. Click on the + sign to open up Titles, Chapters, and Sections.

Existing and unchanged code language is shown in regular text (with hyperlinks in the existing code usually shown in blue underlined text). Proposed new text is shown as red and underlined text. Text that is proposed to be deleted is shown in ~~red and strikethrough text~~.

TITLE 10 – VEHICLES AND TRAFFIC

Proposal 1: Chapter 10.18 – Truck & Trailer Parking in Residential Areas

Section 10.18.010 - Definitions

For purposes of this chapter, the following terms shall be defined as follows, unless a different meaning is expressly provided:

A. "Commercial vehicle" includes any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals or passengers for hire.

B. "Residential area" means those areas of the city zoned ~~R1, R2, or RMH~~ primarily for residential uses pursuant to Title 18 of this code.

C. "Trailer" includes every vehicle without motor power designed for being drawn by or used in conjunction with a motor vehicle, constructed so that no appreciable part of its weight rests upon or is carried by such motor vehicle; provided that the term shall not include recreational vehicles such as travel trailers.

D. "Truck" includes any motor vehicle designed primarily for the transportation of property.

TITLE 16 – BUILDINGS AND CONSTRUCTION

Proposal 2: Chapter 16.32 – Fire Code

Section 16.32.020 – Definitions

For the purposes of this chapter:

A. Corporation Counsel. Whenever "corporation counsel" is used in the International Fire Code, it means the city attorney of the city of Olympia.

B. Jurisdiction. Whenever "jurisdiction" is used in the International Fire Code, it means the city of Olympia.

~~C. For the purpose of this chapter, whenever the term "bulk storage" is used in the International Fire Code, it means a single or multiple container exceeding 124 gallons (472.3L) water capacity.~~

Proposal 3: Chapter 16.32 – Fire Code

Section 16.32.050 – Access roadways for fire apparatus
Subsection A

A. Every building hereafter constructed shall be accessible to fire department apparatus by way of access roadways constructed to the standards contained in the Development Guidelines and Public Works Standards adopted by reference in this code, and capable of supporting the imposed loads of fire apparatus and having a minimum of 13' 6" of vertical clearance. All required roadways in excess of 150' that dead end shall have a turnaround area with a minimum inside radius of 30' with a minimum of 20' unobstructed roadway measured from any point on the perimeter. In addition, all required access roadway grades shall conform to the following:

1. Positive transition grades shall be no greater than ten percent in 20' measured at any point. Steeper grades in 20' behind the sidewalk may be allowed if profiles are submitted to the engineering and fire departments for approval, including a design grade that will allow clearance for fire apparatus.

2. Negative transition grades shall be no greater than eight percent for a distance of 12'. Steeper grades in 12' behind the sidewalk may be allowed if profiles are submitted to the engineering and fire departments for approval, indicating a clearance for fire apparatus.

3. Roadway and driveway surfaces shall be all weather (one layer of asphalt over approved base per City of Olympia Engineering Design Standards) prior to the commencement of vertical combustible construction.

~~Exception: When there are not more than two group R, Division 3 or M occupancies, as defined in the building code, the requirement of this section may be modified when, in the opinion of the chief, firefighting or rescue operations would not be impaired.~~

Proposal 4: Chapter 16.32 – Fire Code

Section 16.32.053 – Chapter 9, ~~Section 904 Amended~~Commercial Type Hoods

Proposal 5: Chapter 16.32 – Fire Code

Section 16.32.090 – Deletions

The following sections of the current adopted International Fire Code shall not be considered part of the Olympia fire code: ~~are deleted from the International Fire Code, 2016 Edition, and shall not be considered part of the Olympia fire code:~~ Appendix A; Appendix C; ~~Appendix D907.3;~~ Appendix J.

Proposal 6: Chapter 16.44 – Alarm Code

Section 16.44.060 (B) – General Regulations

B. Plans. All digital fire alarm system plans shall be submitted to the city for review and shall be approved prior to a permit being issued. Digital plans showing the location of all alarm equipment and detailed specifications on each type of device in the system shall be included and consist of the following:

1. Floor layout showing all rooms and spaces including accurate measurements.
2. Identification of each room or space, i.e., office, lobby, attic, etc.
3. Details of ceiling height and construction type.
4. Location of each system component using the appropriate symbol.
5. Explanatory notes and legend to lend clarity to the plan and identify the manufacturer and model number of each alarm component used.
6. A wiring schematic clarifying type and size of wiring, which must comply with NFPA 70, and a point to point wiring diagram.
7. A copy of the technical specifications, to include battery calculations, for each component used in the makeup of the automatic fire alarm system. If the components are not all from the same manufacturer, UL cross listing compatibility cards are required.

8. Battery and voltage drop calculations.

9. Plans shall be submitted to the City of Olympia for review and approval prior to commencement of work.

10. Submit digital plans and component specifications. Plans must show locations and type of each device in the system. Said plans shall include accurate measurements.
11. A plan check fee calculated under OMC Section 4.36.010 shall be paid to the City of Olympia at time of submittal of plans.

12. When a system is installed with automatic detection, such detection shall be provided in all rooms and areas including concealed spaces and attics. Attic spaces, above ceiling spaces, and outside storage units on apartment buildings shall have fixed temperature detection. Automatic detection shall include the attic space of NFPA 13R sprinkled structures. Exception: Buildings protected by an approved NFPA 13 fire sprinkler system, automatic detection is not required in attic space.

13. All components shall be low voltage direct current and compatible with the remainder of the system.

14. All components and wiring shall be supervised for defective devices, grounds, or breaks including annunciator, Emergency Responder Radio Coverage systems and Smoke Control systems if provided.

15. All components shall be listed by a national testing agency for the use intended.

16. All systems shall be provided with battery backup and battery charger.

17. All systems shall have a monitoring, maintenance, and testing contract, to become effective on the date of final acceptance. No final approvals will be scheduled until such contracts are received by the Olympia Fire Department.

18. All systems shall have the fire alarm control panel be readily visible for arriving personnel or be provided with a remote annunciator. Such equipment shall be located so as to be protected from exposure to the elements.

19. All systems which are required to be extended to an alarm receiving agency shall transmit system trouble signals of any kind as well as alarms, including but not limited to: phone line supervision, battery trouble and line supervision. They shall transmit fire condition over trouble if the trouble is of such nature that it does not disable the entire system. The alarm receiving agency shall be U.L., F.M., or NFPA listed for commercial fire.

20. All systems shall have local audible trouble and audio/visual alarm signal devices. Audio/visual devices shall be sufficient in number and type to provide a minimum of 60 db in the most remote area. In commercial structures, audibility shall be a minimum of 15 db over the ambient noise level of the area served. When the control

panel is located remote to occupied areas, it shall, in addition to the panel trouble device, be provided with a remote trouble audible device in an area which is normally occupied. This device shall be labeled "Fire Alarm System Trouble."

21. ~~Manual fire alarm stations shall be located within 5 feet of all required exits on each floor level and from the structure.~~ Manual fire alarm stations in sprinklered buildings may be reduced to one in the sprinkler riser room and one in a constantly monitored location.

22. All alarm systems installed in a sprinklered structure shall include a zone for master water flow and shall supervise all sprinkler controlling valves. When a structure is provided with a zoned sprinkler system, the alarm shall be zoned in accordance with the sprinkler coverage zones.

23. All systems shall be inspected and tested thoroughly by the installer who shall submit a record of completion. Failure of a system to meet NFPA72 performance standards and standards found in this Chapter shall be a basis for additional inspection fees after the second final inspection.

24. All systems final acceptance is subject to wiring inspection (by electrical inspector), supervisory tests and proper functioning of all components. No Certificate of Occupancy shall be granted for the structure until satisfactory acceptance tests are accomplished.

25. Apartment buildings and townhomes shall have a single station smoke/carbon monoxide alarm in every unit and strobe centrally located in accessible units. There shall be a low frequency sounder in every sleep room with exception of studio apartment units.

26. ~~Smoke detectors shall be placed in all corridors and rooms which are intervening exit pathways.~~Corridor smoke detection is not required in Group R occupancies protected throughout with an NFPA 13 automatic sprinkler system equipped with quick-response heads. Sprinkler waterflow shall serve as the required initiating device. Smoke detection shall be provided only where required for specific system functions such as elevator recall, fire alarm control equipment rooms, mechanical rooms, and other hazard rooms. The Fire Chief or Fire Code Official is authorized to require corridor smoke detection where unique hazards, building configuration, or operational considerations create a demonstrated need for additional early warning not otherwise provided by the automatic sprinkler system.

27. A smoke detector shall be provided within six feet of fire alarm panel and other fire alarm control equipment which are in unattended locations.

TITLE 17 – SUBDIVISIONS

Proposal 7: Chapter 17.31 – Lot Splitting

Chapter Contents
17.31.010 Application Type and Process
17.31.020 Lot Splitting Definitions
17.31.030 Requirements

Section 17.31.010 – Application Type and Process

A. A lot split is a type of short subdivision under OMC 17.32 and is considered a Type II application under OMC 18.70. A lot split application may be reviewed concurrently with the review of a residential building permit to create new middle housing or single-family housing.

B. The application process for a residential lot to be split requires only an administrative decision, through which the application is reviewed, approved, or denied by the Director or Director's designee based on applicable clear and objective development standards, with no public hearings, nor any design review, if applicable, other than administrative design review.

Section 17.31.020 – Lot Splitting Definitions

For the purposes of this section, the following definitions apply unless the context clearly requires otherwise:

A. "Lot split" means the administrative process of dividing an existing lot into two lots for the purpose of sale, lease, or transfer of ownership.

B. "Lot split survey" means the final survey prepared for filing for record with the county auditor and containing all elements and requirements for a lot split under state law and any local regulations.

C. "Newly created lot" means a lot that was created by a lot split under this section.

D. "Parent lot" means a lot that is subjected to a lot split under this section.

Section 17.31.030 – Requirements

A. A new buildable residential lot and residential building permit or permits must be administratively approved and are not subject to administrative appeal if they comply with applicable development standards and the following conditions are met:

1. No more than one newly created lot is created through the administrative lot split;

2. Both the parent lot and the newly created lot meet the minimum lot size allowed under Title 18 OMC;

3. The parent lot was not created through the splitting of a residential lot authorized by this section;

4. The parent lot is located in a residential zone and not in an exclusively nonresidential zone including, but not limited to, zones that are exclusively commercial, retail, agricultural, or industrial;

5. If the lot split would require demolition or alteration of any existing housing that would displace a renter, the applicant must recommend a displacement mitigation strategy that may include, but is not limited to, relocation assistance;

6. The City or other applicable sewer and water purveyors have issued certificates of availability to serve the newly created lot and dwelling units;

7. Access and utility rights are granted or conveyed as necessary on or before recording of the lot split survey to provide access for the maximum number of dwelling units that could be developed on the newly created lot, provided such access rights may be reduced consistent with a city's adopted codes, regulations, or design standards as applicable through review of a subsequent application for a building permit, short subdivision, unit lot subdivision, subdivision application, or short subdivision if less than the maximum number of dwelling units are built on the newly created lot;

8. The Director determines that the application follows all applicable development regulations; and

9. The lot split survey has been approved by the Director and includes a condition on the face of the survey that further lot splits of the parent lot and newly created lot are not authorized by this section.

B. A proposed lot split may be conditioned upon dedication of right-of-way on the parent lot to the extent such dedication is required under applicable codes, regulations, and design standards for the development, short plat, or subdivision of the parent lot absent an administrative lot split.

C. Development of dwelling units on the newly created lot may be conditioned upon construction of frontage improvements to a right-of-way adjacent to either the parent lot or the newly created lot to the extent required under applicable codes, regulations, and design standards.

D. Any construction on the newly created lot is subject to all existing state and local laws including those specified in this section. Nothing in this section modifies the requirements for approval of residential building permits in chapter **19.27** RCW.

E. The City of Olympia may not impose a limit on the total number of dwelling units allowed on the parent lot or newly created lot that is less than the number of dwelling units allowed by the underlying zoning of the parent lot prior to the administrative lot split.

F. Notwithstanding the provisions of this section, lots that are not buildable according to locally adopted development regulations including, but not limited to, critical areas, shorelines, stormwater, setbacks, impervious surface areas, and building coverage standards, are not eligible for a lot split under this section.

G. If a lot split results in a lot of a size that would allow for further land division, the lot is not eligible for a lot split but may be divided under other applicable land subdivision processes.

H. The newly created lot must meet any locally adopted minimum density requirements.

I. The City of Olympia is immune from any liability, loss, or other damage suffered by another that is related to the city's approval of a lot split under RCW 58.17, including if the lot split creates a lot that is later determined to not be buildable.

J. Parent lots and newly created lots approved under this section must have a lot split survey recorded with the county auditor with a notation that future lot splits are not allowed on the lot.

K. An application process or a residential lot to be split under this section is subject to the maximum time period for actions as set forth in OMC 18.70, unless extended pursuant to project-specific mutual agreement as permitted by RCW 36.70B.080.

TITLE 18 – UNIFIED DEVELOPMENT CODE

Proposal 8: Chapter 18.02 – Basic Provisions

Section 18.02.040 – Purpose

It is the purpose of this Development Code to promote the health, safety and general welfare by guiding the development of the city consistent with the comprehensive plan which is, in part, carried out by the provisions of this title. It is further intended to provide regulations and standards which will reduce greenhouse gas emissions, promote renewable energy systems, lessen congestion on the streets, encourage high standards of development, prevent the overcrowding of land, provide adequate light and air, avoid excessive concentration of population and facilitate adequate provisions for transportation, utilities, schools, parks and other public needs.

Proposal 9: Chapter 18.02 – Basic Provisions

Section 18.02.170- Interpretation of terms

C. For the purposes of this title, unless it is plainly evident from the context that a different meaning is intended, certain words and terms are herein defined as follows:

1. The word "shall" or "must" is always mandatory, while the word "should" is not mandatory, and "may" is permissive.

2. Words in the present tense include the future, the singular includes the plural and the plural includes the singular.

3. The word "and" indicates that all connected items or provisions apply.

4. The word "or" indicates that the connected items or provisions may apply singularly or in any combination.

5. The term "either/or" indicates that the connected items or provisions shall apply singularly but not in combination.

6. Where terms are not specifically defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, ~~Copyright 1986,~~ shall be considered in determining ordinarily accepted meanings.

Proposal 10: Chapter 18.02 – Basic Provisions

Section 18.02.160 – Establishment of Zoning Districts

C. Use District Boundaries.

1. Land use district boundaries, unless otherwise indicated by natural land forms, are intended to follow lot lines or the centerline of streets and alleys as shown on the zoning map. Where the lot line location or street layout on the ground varies from that shown on the zoning map the designations shown on the map shall be applied to carry out the intent and purpose of this title.

2. Land use district boundary lines shall extend parallel from their landward location to a point of intersection at the center of all bodies of water. Bodies of water include the Puget Sound and all rivers, streams, and lakes.

3. If the use district boundary line clearly divides a parcel of land having a single ownership of record ~~at the time this title became effective~~, all such property shall apply all regulations from one of the applicable zones affecting the site. ~~take the least restrictive classification within its general land use classification (residential, commercial, industrial), provided t~~The property ~~is~~ must be developed with a consolidated site plan unless all proposed development is clearly and wholly located on the portion of the lot in

one and only one zoning district. ~~as one unit, and provided that a nonresidential use shall be permitted to extend into a residential use district only if that portion of the property lying within such district has an area less than 4,500 square feet or is of such shape that it cannot be occupied by a residence.~~

4. Except, if the use district boundary line divides a parcel zoned High Density Corridor-4 (HDC-4) which is located between Phoenix Street and Lilly Road, if the parcel of land is under a single ownership of record at the time this title became effective, and if the parcel is deeper than 400 feet as measured from Martin Way or Pacific Avenue, then that portion of the property beyond 400 feet shall have the use and development standards of the General Commercial (GC) zoning district.

Proposal 11: Chapter 18.02 – Basic Provisions

Section 18.02.180- Definitions

Note: Only proposed or revised definitions are included below.

Adjacent. Next to or adjoining something else. Adjacent properties may not share a common boundary if divided by a road or other natural feature. See abutting.

Current Definition of Floor Area Ratio (FAR). The ratio of floor area permitted on a zoning lot to the size of the lot. 1:1 means a one story building can cover the entire buildable area of the lot, except in the Urban Waterfront Housing District, 1 FAR of commercial is allowed, while the remainder of the building (up to the allowed zoning height) must be residential.

State Definition of Floor Area Ratio (FAR). "Floor area ratio" means a measure of development intensity equal to building square footage divided by the developable property square footage. Developable property excludes public facilities and portions of lots with critical areas and critical area buffers as designated in RCW 36.70A.060, except for critical aquifer recharge areas where a single-family detached house is an allowed use provided that any requirements to maintain aquifer recharge are met.

Solar energy system: A device, array of devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection, storage, and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating.

Solar photovoltaic system: A solar energy system that converts solar energy directly into electricity, the primary components of which are solar panels, mounting devices, inverters, and wiring.

Grid-connected solar energy system: A solar photovoltaic system that is connected to an electric circuit served by an electric utility company.

Roof-mounted solar energy system: A solar photovoltaic system mounted on a rack that is ballasted on, or is attached to, the roof of a building or structure. Roof-mount systems are accessory to the primary use.

Ground-mounted solar energy system (Accessory Use): A solar photovoltaic system mounted on a rack or pole that is ballasted on, or is attached to, the ground and the system is accessory to the primary use.

Ground-mounted solar energy system (Primary Use): A solar photovoltaic system mounted on a rack or pole that is ballasted on, or is attached to, the ground and is the primary land use for the parcel(s) on which it is located. Primary use systems are permitted through a discretionary approval process.

Community-scale solar energy system: A solar photovoltaic system that qualifies for the Washington Community Solar Incentives under RCW 82.16.170.

Property Line. Any line bounding the ownership of a parcel of land.

a. Front property line. Any property line separating any parcel of land from the street rights-of- way. In case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line, provided such choice, in the opinion of the ~~Building Official~~Director, will not be detrimental to the existing or future development of adjacent properties. In case of a through lot, both property lines abutting on a street are front property lines. In the case of a lot not abutting a street, the front property line is that line nearest to and roughly parallel with a street, provided that the ~~Building Official~~Director may approve an alternative front line if it will not be detrimental to existing and future development. However, for historic properties or in historic districts, for properties with more than one street frontage the front property line is the one the front door of the house is historically oriented toward, unless otherwise approved by the Director.

b. Rear property line. Any property line that does not qualify as a front or side property line.

c. Side property line. Any property lines that intersect the front property line. These lines may intersect at any angle and be of any length. (See also Yards.)

Proposal 12: Chapter 18.04 – Residential Districts

Section 18.04.040 – TABLES: Permitted and Conditional Uses

TABLE 4.01
Permitted and Conditional Uses

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
District-Wide Regulations							18.04.060 (N,Q)	18.04.060 (N,Q)	18.04.060 (N)	18.04.060 (N)	18.04.060 (N)	18.04.060 (N,BB)		18.04.060 (N)	18.04
RESIDENTIAL/HOUSING (Conventional Housing Types) Includes single-family, accessory dwelling units, middle housing, large multifamily, permanent supportive housing, and transitional housing															
Conventional Dwelling Types as defined in OMC 18.02.180 unless listed separately below.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Table 4.04. 18.04.060; 18.04.080. See 18.04.080 (A) for provisions allowing up to 6 units per lot in some cases.
Large Multifamily dwelling (7 units or more)							P	P	P	P	P	P	P	P	
Manufactured or Mobile Home Parks								C	C	C			P		18.04.060(P)
RESIDENTIAL/HOUSING (Transient Housing Types) Note: Hotels and Motels are allowed in Commercial Zones, see OMC 18.06 for details.															
Bed and Breakfast (as a Home Occupation)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(L)

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Short Term Rentals	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(L) 18.04.060(JJ)
Dorms / Collegiate Greek System Residences	P			P				P	P	P					
RESIDENTIAL/HOUSING (Assisted Living Dwellings)															
Adult Family Home/ Elder Care Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Group Homes with 6 or Fewer (or up to 8 with DSHS approval) Clients and Confidential Shelters	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(K)
Group Homes with 7 or More Clients	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(K)
Nursing/ Convalescent Homes	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(S)
COMMERCIAL															
Child Day Care Centers	P	~~C~~P	~~C~~P	~~C~~P	~~C~~P	~~C~~P	~~C~~P	P	P	P	P	P	~~C~~P	P	18.04.060(D) 18.04.060(AA)
Commercial Printing												P			
Drive-In and Drive-Through Businesses -- Existing												P			18.04.060(J)
Food Stores											P	P		P	18.04.060(AA)
Hardware Stores												P			
Home Occupations (including Adult Day	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(L)

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

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

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Greenhouses, Bulb Farms	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(G)
TEMPORARY USES															
Emergency Housing	P	P	P	P	P	P	P	P	P	P			P		18.04.060(DD)
Emergency Housing Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.50
Model Homes	P	P	P	P	P	P	P	P	P	P	P		P	P	18.04.060(DD)
Residence Rented for Social Event, 6 times or fewer in 1 year	P	P	P	P	P	P	P	P	P	P	P		P	P	18.04.060(DD)
OTHER															
Animals	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(C)
Cemeteries		C	C		C	C	C	C	C	C			C		18.04.060(E)
Community Clubhouses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Crisis Intervention	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(I)
Historic House Museum		C	C	C	C	C	C	C	C	C	C	C	C	C	
Parking Lots and Structures				C							P	P			18.38.220 and .240
Places of Worship	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(U)
Public Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(V)
Public Facilities - Essential	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(W)

DISTRICT	R1/5	R-4	R-4CB	RLI	R 4-8	R 6-12	MR 7-13	MR 10-18	RM 18	RM 24	RMH	RMU	MHP	UR	APPLICABLE REGULATIONS
Radio, Television and Other Communication Towers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.44.100
Schools	C			C	C	C	C	C	C	C	C		C	C	18.04.060(CC)
Social Organizations											P	P		C	
Mineral Extraction - Existing					C		C								18.04.060(J)
Utility Facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(X)
Wireless Communication Facilities	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.44 & 18.44.090 Table 44.01
Workshops for Disabled People	C			C	C	C	C	C	C	C	C	C	C	C	18.04.060(R)

LEGEND			
P = Permitted Use	C = Conditional Use		
R1/5 = Residential-1 Unit Per 5 Acres	R-4 = Residential - 4	R-4CB = Residential - 4 Units per Acre	RLI = Residential Low Impact
R 4-8 = Residential 4-8	R 6-12 = Residential 6-12	MR 7-13 = Mixed Residential 7-13	MR 10-18 = Mixed Residential 10-18
RM 18 = Residential Multifamily - 18	RM 24 = Residential Multifamily - 24	RMH =Residential Multifamily High Rise	RMU = Residential Mixed Use
MHP = Manufactured Housing Park	UR = Urban Residential		

Proposal 13: Chapter 18.04 – Residential Districts

Section 18.04.060(M) – Residential districts' use standards

M. Hospice Care Center

~~1. Size. No more than five (5) patients may be cared for in hospice care centers located in a Mixed Residential 7-13 or Mixed Residential 10-18 district.~~

~~2.~~ The applicant shall submit proof of compliance with applicable state requirements (e.g., a license) as a condition of approval.

Proposal 14: Chapter 18.04 – Residential Districts and Chapter 18.06 – Commercial Districts

Section 18.04.060.KK – New Housing in Existing Buildings
Section 18.06.060.JJ – New Housing in Existing Buildings

New housing units are permitted in existing buildings, subject to the following (see RCW 35A.21.440):

A. There is no restriction on housing unit density that prevents the addition of housing units at a density up to 50 percent more than what is allowed in the underlying zone if constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing, provided that generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building; and

B. There are no new parking requirements on the addition of dwelling units or living units added within an existing building, however, the City may require the retention of existing parking that is required to satisfy existing local residential parking requirements and for any nonresidential uses that remain after the new units are added; and

C. With the exception of emergency housing and transitional housing uses, the City will not impose permitting requirements on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone, including requiring a change of use permit;

D. The City will not impose design standard requirements, including setbacks, lot coverage, and floor area ratio requirements, on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone, except as provided in RCW 36.70A.810 and 36.70A.812;

E. The City will not impose exterior design or architectural requirements on the residential use of an existing building beyond those necessary for health and safety of the use of the interior of the building or to preserve character-defining streetscapes, unless the building is a designated landmark or is within a historic district; and

F. The City will not prohibit the addition of housing units in any specific part of a building except ground floor commercial or retail that is along a pedestrian street as defined in Title 18 OMC, unless the addition of the units would violate applicable building codes or health and safety standards;

G. The City will not require unchanged portions of an existing building that have been used for residential or previously permit-approved conditioned space purposes to meet the current energy code solely because of the addition of new dwelling units within the building. When any other existing building is converted to new dwelling units, changed portions of each of those new units must meet the requirements of the current energy code, except if:

(i) The square footage of new dwelling units does not exceed 2,500 square feet or 50 percent of the total building square footage, whichever is greater;

(ii) The building owner submits documentation, in a form acceptable to the code city, showing the building's residential units' projected energy use intensity is less than or equal to the energy use intensity target in accordance with the clean buildings performance standard in RCW 19.27A.210; or

(iii) In all areas zoned for residential housing, an additional housing unit is created within an existing home;

H. The City will not deny a building permit application for the addition of housing units within an existing building due to nonconformity regarding parking, height, setbacks, elevator size for gurney transport, or modulation, unless the code city official with decision-making authority makes written findings that the nonconformity is causing a significant detriment to the surrounding area; or

I. The City will not require a transportation concurrency study under RCW 36.70A.070 or an environmental study under chapter 43.21C RCW based on the addition of residential units within an existing building.

Proposal 15: Chapter 18.06 – Commercial Districts

Section 18.06.060 - Commercial districts' use standards

Z. Temporary Uses.

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

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

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

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

i. Ensure compliance with this chapter;

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

iii. Ensure compliance with the Building Code.

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

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

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

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

g. Nothing in this section shall exempt the applicant from obtaining all necessary applicable permits from all other agencies having jurisdiction.

h. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 7:00 a.m. to 10:00 p.m. unless otherwise specified in writing by the Planning Director or the Director's designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties.

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

a. Entertainment Events to include: circuses, carnivals and similar transient amusement enterprises, limited to operation of not more than twice each year,

and not more than ten (10) consecutive days per event per site in any one (1) calendar year.

b. Off-site contractor's Offices (including trailers and mobile homes) and storage yards associated with an active construction project, not to exceed one (1) year in duration.

c. Mobile Vendors.

i. Temporary use permits for mobile vendors are valid for one (1) year from the date of issuance.

ii. Approval from the property owner, or underlying property owner if located in a right-of-way, is required.

iii. Mobile vendors located within the sidewalk right-of-way must comply with the following rules:

(a). Only one mobile sidewalk vendor shall be permitted per block face.

(b). Public sidewalks used by mobile vendors shall have a minimum width of eight (8) feet.

(c). In no instance shall the clear walking area around a sidewalk vendor be less than forty-eight (48) inches. The clear walking area around a sidewalk vendor must be at least six (6) feet if within the downtown "Pedestrian Walking Lane" area delineated in OMC 9.16.180(B), Figure 1.

(d). The maximum length of space occupied by a mobile sidewalk vendor and equipment is eight (8) feet.

(e). Mobile sidewalk vendor stands must be readily movable at all times.

(f). Mobile sidewalk vendors shall locate their stands at the back of the sidewalk away from curb.

(g). All locations shall be approved on a first-come, first-serve basis.

(h). Mobile sidewalk vendors shall sign a Hold Harmless Agreement with the City of Olympia.

d. Parking lot and other outdoor sales of merchandise and/or services unrelated to the primary use of the property must comply with the following:

i. Merchandise displays may only occupy parking stalls which are in excess of city parking requirements.

ii. There shall be no obstruction of emergency exits, Fire Lanes or other Emergency apparatus.

iii. Sales areas shall be maintained in an attractive and trash-free manner.

iv. Sales areas shall not substantially alter the existing circulation pattern of the site.

e. Temporary, commercial wireless communications facilities, for the purposes of providing coverage of a special event such as news coverage or sporting event. Such facilities must comply with all federal and state requirements. Temporary wireless communications facilities may be exempt from the provisions of Chapter 18.44 up to one week after the duration of the special event.

f. Temporary surface parking lots are only permitted on previously approved and developed portions of property, ~~are allowed~~ subject to approval by the Director, and are limited to a one time permit valid for two years. A one year extension may be granted by the Director if a complete Land Use Application has been submitted for review. All applications must provide a complete Site Plan and comply with the following:

i. A twenty by twenty (20'x20') foot paved surface at all approved points of ingress/egress.

ii. A dust-free surface.

iii. An erosion control and stormwater containment plan.

iv. Clear designation of parking spaces and drive aisles consistent with OMC 18.38.220 with striping and/or parking blocks. To prevent obstruction of public rights-of-way wheel blocks must be provided at the perimeter of the site.

v. No new or additional points of access.

vi. Provision for an enforceable compliance and closure agreement.

vii. May not be established on Pedestrian "A" streets per OMC 18.16.080(H).

4. Violations. At any time a temporary use is operated in violation of required conditions of this section or of the permit (Subsection 18.06.060(Z)(2)(b)) or otherwise found to constitute a nuisance, the City may take appropriate enforcement action including the process set forth at OMC 18.73.010.

Proposal 16: 18.04.080

Section 18.04.080 – Residential districts development standards

K. Surface Coverage Limits:

1. Increased Impervious Coverage: Projects may be eligible for up to a 20% increase in impervious (above what is listed in table 4.04) surface coverage provided that the following are met:

    a. Eligibility: The increase must be for one, or more, of the following:

        i. A non-residential use such as a school, park, place of worship, etc. that is permitted within the residential zone.

        ii. Developments that include middle housing units (including ADU's and Townhomes) which exceeds minimum density on the underlying lot.

        iii. Land divisions that achieve the maximum allowed density within the zone in which they are located.

        iv. Ineligible projects include:

            1. A stand-alone single family unit on a lot.

            2. Projects in the Residential Low Impact Zone.

    b. An engineered drainage design must be submitted that includes the following:

        i. The area in exceedance of Table 4.04 must meet the Drainage Design and Erosion Control Manual (DDECM) core requirement #5 (or as amended) for onsite stormwater treatment, and core requirement #7 for flow control, regardless of minimum area thresholds. Plans must address the following:

            1. Projects that would otherwise be exempt from DDCEM requirements for flow control must demonstrate compliance, regardless of the exemption, in order to obtain the bonus.

            2. Flood control systems to be included might include pervious pavement, pervious geogrid, bioretention, infiltration, green roofs, or micro-detention systems. If compliance cannot be provided, the bonus will be denied.

            3. Permeable pavement and geogrid on Type D soils are ineligible.

        ii. Maintenance agreements will be required prior to permit issuance for said, flood control system.

2. Hard Surface Coverage Bonus: The coverage identified in table 4.04 indicates the allowed maximum increase in hard surfaces. To gain approval for these increases all of the following must be met:

   a. All criteria outlined in OMC 18.04.080.k.1.b are applicable.

   b. ~~In addition to the ineligible projects in K.1.a.IV, p~~Projects on type D soils are ~~also~~ ineligible.

   c. The total hard surface coverage cannot exceed the site area minus the minimum open space requirement.

3. Existing Surfaces: An existing lot, which was legally built under regulations applicable at the time of its building, but which exceeds current impervious or hard surface coverage limits, may be replaced within the existing lot footprint, but cannot be expanded in a way that would increase the nonconformity. Replacement of such surfaces must comply with the Drainage Design and Erosion Control Manual, including, providing stormwater control measures.

4. Calculation Exclusions: The following are excluded from the impervious and hard surface coverage limit calculations. Note: these exclusions do not apply to calculations or requirements related to the Drainage Design and Erosion Control Manual.

   a) Ingress/egress easements serving a neighboring property;

   b) Areas excluded from the minimum lot area calculations (OMC 18.04.080(c)(4)), such as the panhandle of a flag lot;

   c) Portions of the driveway that extend beyond the required setback area when the additional length is caused by compliance with municipal code requirements, such as critical area and buffer protections.

   d) Areas partially or wholly covered by water (seasonally or year-round) are to be excluded from the total site area before calculating the coverage percentage. This does not include human-made stormwater retention ponds.

PROPOSAL 17: 18.06 Commercial Districts

18.06.080 TABLES: Commercial Districts' Development Standards

TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

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

TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

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

TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
			+ 5' for each bldg. floor above 2 stories.	minimum + 5' for each bldg. floor above 2 stories.	minimum + 5' for each bldg. floor above 2 stories.	bldg. floor above 2 stories.	+ 5' for each bldg. floor above 2 stories.	
SIDE YARD SETBACK	15' minimum.	No minimum on interior, 10' minimum on flanking street; Except: 1. Next to R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR 7-13, MR 10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures: 5' except 6' on	No Minimum; Except: 1. Next to R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR 7-13, MR 10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures: 5' except 6' on one side of zero lot.	No minimum on interior, 10' minimum on flanking street; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures: 5' except 6' on	No minimum on interior, 10' minimum on flanking street; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures: 5'	No Minimum; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures; 5' except 6' on one side of zero lot.	No Minimum; Except: 1. Next to RLI, R4, R4-8, or R6-12 district = 15' minimum + 5' for each building floor above 2 stories. 2. Next to MR7-13, MR10-18, RM-18, RM-24 or RMH district = 10' minimum + 5' for each bldg. floor above 2 stories. 3. Residential excluding mixed use structures; 5' except 6' on one size of zero lot.	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section 18.40.060(C). 3. Residential side yards can be reduced consistent with 18.04.080(H)(5). 4. Must comply with site design standards, Chapter 18.100.

TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
		one side of zero lot.		one side of zero lot.	except 6' on one side of zero lot.			
MAXIMUM BUILDING HEIGHT	35'	Up to 35', if any portion of the building is within 100' of R 4, R 4-8, or R 6-12 district; Up to 60' otherwise.	Up to 35', if any portion of the building is within 100' of R 4, R 4-8, or R 6-12 district; Up to 60' otherwise; or up to 70', if at least 50% of the required parking is under the building; or up to 75', if at least one story is residential.	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise. Provided that one additional story may be	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise. Provided that one additional story may be	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise; or up to 70', if at least 50% of the required	The portion of a building within 100' of land zoned for maximum density of less than 14 units per acre is limited to 35'. The portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more is limited to the lesser of 60' or the height allowed in the abutting district. Up to 60' otherwise; or up to 70', if at least 50% of the required	1. Not to exceed height limit set by State Capitol Group Height District, 18.10.060, for properties near the State Capitol Campus. 2. Must comply with site design standards, Chapter 18.100. 3. HDC-1 and HDC-2 additional story must comply with OMC 18.06.100.A.6. 4. In a Downtown Design Sub-District, see 18.120.220 and 18.120.440 for upper story step back requirements.

TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
				built for residential development only.	built for residential development only.	parking is under the building; or up to 75', if at least one story is residential. Up to 75' for HDC-3 zoned properties located within the Capital Mall Triangle Subarea.	parking is under the building; or up to 75', if at least one story is residential. ~~Up to 75' for HDC-4 zoned properties where the proposed project provides for the development of replacement dwelling units in a development agreement and the project site is all or part of an area of 40 acres or more that was in contiguous common ownership in 2009.~~ Up to 105' for HDC-4 zoned properties	5. If located within the Capital Mall Triangle Subarea see OMC 18.06.100.A.7.

TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
							located within the Capital Mall Triangle Subarea. Up to 130' for HDC-4 zoned properties located within the Capital Mall Triangle Subarea and within the Affordable Housing Height Bonus Overlay (see OMC 18.06.100.A.7.)	
~~MAXIMUM BUILDING COVERAGE~~	~~45%~~	~~70%, except 55% for residential only structures~~	~~70%; or 85% if at least 50% of the required parking is under the building.~~	~~70% for all structures~~	~~70% for all structures~~	~~70% for all structures, 85% if at least 50% of the required parking is under the building.~~	~~70% for all structures. 85% of the site if at least 50% of the required parking is under the building. On redeveloped sites, 85% if at least 50% of new required parking is~~	~~For projects in the GC and HDC-4 zones west of Yauger Way, limitations of building size per 18.06.100(C) and 18.130.020 apply.~~

TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

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

TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
MAXIMUM HARD SURFACE BONUS (not guaranteed, performance based)	70%	85%	100%	100%	100%	100%	100%	Hard surfaces are treated as impervious unless shown workable through an approved design. See OMC 18.06.100(D) for criteria. ~~Hard Surfaces are treated as impervious, unless shown workable through an approved design (complies with DDECM), which requires adequate underlying soils.~~
ADDITIONAL DISTRICT-WIDE DEVELOPMENT STANDARDS	Maximum building size (gross sq. ft.): 3,000 for single use; 6,000 for mixed use.	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B) and Figure 6-3).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)). In a Downtown Design Sub-	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building Floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)). If located within the	For properties in the vicinity of Kaiser Road and Harrison Ave NE, also see Pedestrian Streets Overlay District, Chapter 18.16. For retail uses over 25,000 square feet in

TABLE 6.02
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS

STANDARD	NR	PO/RM	GC	HDC-1	HDC-2	HDC-3	HDC-4 and HDC-4 Capital Mall	ADDITIONAL REGULATIONS
		In a Downtown Design Sub-District, see Chapter 18.120 for upper story stepbacks.	District, see Chapter 18.120 for upper story stepbacks.				HDC-4 zone district and within the Capital Mall Triangle Subarea: Building floors above 6 stories which abut a street or residential district must be stepped back a minimum of 8 feet. A step back is not required below 6 stories. Mass timber/cross laminated timber constructed buildings are not required to have a step back.	gross floor area, see Section 18.06.100(G) Large Scale Retail Uses. EXCEPTION: Section 18.06.100(G) shall not apply to motor vehicle sales. In a Downtown Design Sub-District, see Chapter 18.120. If located within the Capital Mall Triangle Subarea see OMC Section 18.06.100.B.3.

LEGEND

NR = Neighborhood Retail GC = General Commercial	PO/RM = Professional Office/Residential Multifamily	HDC-1=High Density Corridor-1 HDC-2=High Density Corridor-2 HDC-3=High Density Corridor-3 HDC-4=High Density Corridor-4

TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
MINIMUM LOT AREA	7,200 Sq. Ft.	No minimum.	No minimum.	No minimum.	7,200 Sq. Ft. if bldg. height is 35' or less. 12,500 Sq. Ft. if bldg. height is over 35'.	No minimum.	
FRONT YARD SETBACK	10' maximum.	No minimum; however, see Chapter 18.100 for design guidelines for pedestrian access and view corridors. In a Downtown Design Sub-District: 12' from the curb on Type A and B Streets, 10' from curb for Type C Streets.	No minimum. In a Downtown Design Sub-District: 12' from the curb on Type A and B Streets, 10' from curb for Type C Streets.	No minimum. In a Downtown Design Sub-District: 12' from the curb on Type A and B Streets, 10' from curb for Type C Streets.	No minimum.	30' minimum for buildings; 15' for other structures except signs	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section 18.40.060(C). 3. See Design Guidelines, Chapter 18.100.
REAR YARD SETBACK	15' minimum; If next to a residential zone, 15' minimum plus 5' for every story over 3 stories.	No minimum; however, see Chapter 18.100 for design guidelines for pedestrian access and view corridors.	No minimum.	No minimum.	5' minimum if building has 1 or 2 stories. 10' minimum if building has 3 or more stories.	15' minimum.	50' minimum from property line for agriculture buildings (or structures) which house animals other than pets.

TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
SIDE YARD SETBACK	10' minimum; 15' minimum plus 5' for every story over 3 stories if next to a residential zone.	No minimum; however, see Chapter 18.100 for design guidelines for pedestrian access and view corridors.	No minimum.	No minimum.	5' minimum if building has 1 or 2 stories. 10' minimum if building has 3 or more stories; AND the sum of the 2 side yards shall be no less than 1/2 the building height.	5' minimum 30' minimum for buildings and 15' minimum for other structures from flanking streets.	1. 50' minimum from property line for agriculture buildings (or structures) which house animals other than pets. 2. Must comply with clear sight triangle requirements, Section 18.40.060(C). 3. See Design Guidelines, Chapter 18.100.
MAXIMUM BUILDING HEIGHT	75'; except hospitals, which may exceed that height.	See 18.06.100(A)(2) and Figure 6-2, Urban Waterfront District Height Limits Exceptions: 1) In the portion of the area Downtown with a height limit of 65', two additional residential stories may be built. See 18.06.100. 2) In the portion of the area on West Bay Drive with a	Refer to Figure 6-2 and 6-2B for specific height and building configurations required on specific blocks. In a Downtown Design Sub-District, see view protection measures in 18.06.100 and Chapter 18.120.	75'; PROVIDED, however, that two additional stories may be built, if they are residential. For details, see 18.06.100(A)(4), Downtown Business District. There are restrictions around Sylvester Park	75' Exception: Up to 100' may be allowed with conditional approval by the City Council, upon recommendation of the Hearing Examiner. For details, see 18.06.100(C)(5), Height, Commercial Services-High Density. In a Downtown Design	40' accessory building limited to 20'.	Not to exceed height limit set by State Capitol Group Height District, 18.10.060, for properties near the State Capitol Campus. See OMC 18.06.100(E)

TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
		height limit of 42' to 65', the taller height limit is conditioned upon the provision of certain waterfront amenities. See 18.06.100(A)(2)(c).		(see 18.100.080.)	Sub-District, see view protection measures in 18.06.100 and Chapter 18.120.		
~~MAXIMUM BUILDING COVERAGE~~	~~50%~~	~~60% for properties between the shoreline and the nearest upland street. 100% for properties not between the shoreline and the nearest upland street. See also Chapter 18.100 for design guidelines for pedestrian access and view corridors.~~	~~100%~~	~~No requirement.~~	~~No requirement.~~	~~85%~~	-
MAXIMUM IMPERVIOUS SURFACE COVERAGE	60%	100%	100%	100%	100%	85%	See OMC 18.06.100(D).
MAXIMUM HARD SURFACE BONUS (not guaranteed,	80%	100%	100%	100%	100%	100%	Hard surfaces are treated as impervious unless shown workable through an

TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
performance based)							approved design. See OMC 18.06.100(D) for criteria.~~Hard Surfaces are treated as impervious, unless shown workable through an approved design (complies with DDECM), which requires adequate underlying soils.~~
ADDITIONAL DISTRICT-WIDE DEVELOPMENT STANDARDS	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(F)). Residential uses (Section 5 of Table 6.01) may not be constructed	Street ends abutting the water shall be preserved to provide views of and public access to the water, pursuant to Section 12.16.050(D) OMC. Section 18.06.100(A)(2)(c) for West Bay Drive building height and view blockage limits; and Chapter 18.100 for West Bay Drive view corridors. See also	Street ends abutting the water shall be preserved to provide views of and public access to the water, pursuant to OMC Section 12.16.050(D).		Residential uses must comply with High Rise Multi-family (RM-H) development standards.	6' of sight-screening buffer shall be provided along north, east, and west district boundaries. See Olympia Park Replat covenants for access, and other standards applicable to replat lots.	For properties in the vicinity of the Downtown, also see the Downtown Design Guidelines in 18.120. For retail uses over 25,000 square feet in gross floor area, see Section 18.06.100 (C) Large Scale Retail Uses.

TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
	within 600 feet of Lilly Road except in upper stories of mixed use building; all other development standards are the same as for commercial uses.	Chapter 18.100 for Downtown design guidelines for Pedestrian Access and View Corridors and Waterfront Public Access; Chapter 18.100 for Port Peninsula design guidelines for Pedestrian Connections and View Corridors; Section 18.06.100(A)(2)(c) for West Bay Drive building height and view blockage limits; and Chapter 18.100 for West Bay Drive view corridors.					EXCEPTION: Section 18.06.100 (C) shall not apply to motor vehicle sales.

LEGEND		
MS = Medical Services DB = Downtown Business	CS-H = Commercial Services - High Density	UW = Urban Waterfront UW-H = Urban Waterfront-Housing AS=Auto Services

Proposal 18: Chapter 18.06 – Commercial Districts

Section 18.06.100 - Commercial districts' development standards—Specific Subsections A and B

A. Height.

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

   a. Any structure may exceed the maximum building height by up to 48 inches to accommodate a roof-mounted solar energy panel.

   b. Provided, further, that no roof structure or architectural feature shall be erected more than eighteen (18) feet above the height limit of the district, whether such structure is attached to it or free-standing.

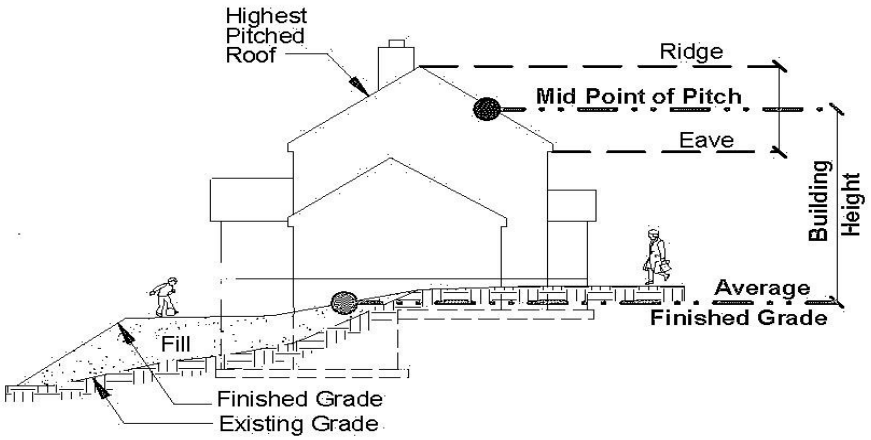


FIGURE 6-1A

2. Urban Waterfront (UW) District.

   a. Allowed building heights in the Urban Waterfront (UW) District are specified in Figure 6-2.

b. Bonus for residential development.

i. In the area labeled sixty-five (65) feet on Figure 6-2, up to two additional stories may be built (except as limited in subsection d below), if the project is located in the downtown, and if the added stories are stepped back from the street wall at least eight (8) feet, and if an equivalent floor area (equal to the amount from the added stories) is provided for residences, as follows:

(a) In the same building--i.e., it is a residential or a mixed use building; or

(b) With commercial and residential uses in separate buildings on the same site; or

(c) With commercial and residential uses on separate sites within the Urban Waterfront (UW) district.

ii. Occupancy. Housing provided under this bonus provision as part of a mixed use project must receive an occupancy permit at the same time as, or in advance of, issuance of an occupancy permit for non-residential portions of the project.

iii. Conversion. Housing provided under this bonus provision shall not be converted to commercial use.

iv. Source of housing units. Housing provided under this bonus provision may be:

(a) New construction,

(b) Adaptive reuse of a formerly non-residential structure, or

(c) Rehabilitation of existing housing.

c. West Bay Drive building height and view blockage limits.

i. In order to retain public and private view access to Budd Inlet from hillside sites above West Bay Drive, the maximum building height in the West Bay Drive portion of the Urban Waterfront (UW) District labeled " 42’-65’ " on Figure 6-2 shall be up to a maximum of 42 feet, except as provided in subsections (iii) and (iv) below.

ii. In order to retain public view access of Budd Inlet from street level in the West Bay Drive portion of the Urban Waterfront (UW) District labeled " 42’-65’ " on Figure 6-2, view blockage shall be limited as follows:

(a) Views of the water will be defined as area without obstruction by buildings or major structures measured between 45 and 90 degrees to West Bay Drive, as illustrated in Figure 6-2A.

(b) Said view blockage shall be limited to 45 percent of the views of the water from West Bay Drive by buildings or major structures located between West Bay Drive and the mean high water line.

(c) Exceptions are provided in subsections (iii) and (iv) below.

iii. Development shall be subject to the alternate standards for building height and view blockage, if alternate waterfront view access is provided through public amenities as follows:

Amenity Provided	**Limits on Horizontal View Blockage and Height**
Waterfront Trail	70% up to 42 ft., OR 45% up to 65 ft.
Expanded Waterfront Trail Corridor Facility (or small waterfront park area).	50% up to 42 ft., OR 45% up to 50 ft.
Both	70% up to 65 ft.
Any development over 42 feet shall be required to include a minimum of 20% of the usable building area for residential purposes.	

iv. Criteria for approval of alternate waterfront view access.

(a) Waterfront Trail.

(1) Trail right-of-way consistent with City trail standards shall be dedicated to the City.

(2) The trail shall be designed consistent with City standards and requirements, or as otherwise approved by the Olympia Parks, Arts and Recreation Department. Because the trail passes by different land uses, it may take a different character in different locations, for reasons of safety, privacy, or environmental protection.

(3) The developer shall design, build, and dedicate the facility to the City.

(4) An analysis of recreation needs shall be provided by the Olympia Parks, Arts and Recreation Department. An analysis of environmental impacts, hazardous waste risks, and engineering issues sufficient to determine the design and

location for the trail facility shall be approved by the Olympia Parks, Arts and Recreation Department but provided by the developer. All analysis shall be complete prior to approval.

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

(1) The developer shall build and dedicate the facility and its site to the City.

(2) The expanded waterfront trail corridor facility or small park area shall be designed consistent with City and other applicable government standards and requirements, or as otherwise approved by the Olympia Parks, Arts and Recreation Department. The expanded waterfront trail corridor facility or small park may vary in size from City park standards and could include additional right-of-way for the expanded trail, landscaping, habitat enhancement, benches, lighting, parking, restrooms, garbage receptacles, telephones, interpretive signs and other park facilities.

(3) An analysis of environmental impacts, hazardous waste risks, trail improvements, and engineering issues sufficient to design the expanded waterfront trail corridor facility or small park area shall be approved by Olympia Parks, Arts and Recreation Department but provided by the developer. All analysis shall be complete prior to approval.

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

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

d. Landmark Views: In order to protect designated landmark views from public observation points, the height bonus allowed in subsection b, above, is limited as follows:

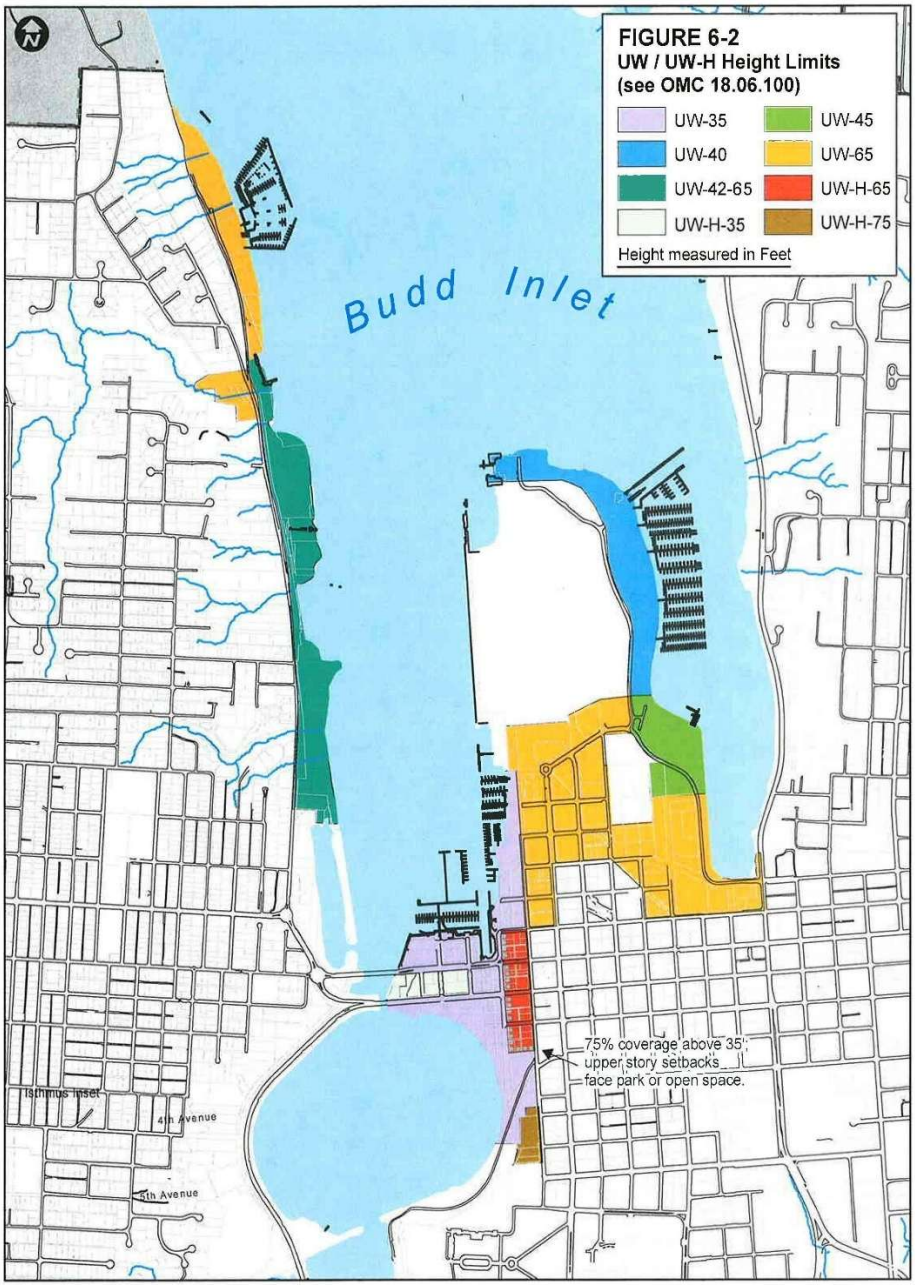
ii. Block 14 Height Bonus: A view analysis of the proposed development shall be submitted that demonstrates the view of the Capitol Drum and Dome will remain visible from the East Bay Lookout after the development occurs. This may prohibit use of the height bonus, or restrict which portions of the block are eligible to use the bonus. Block 14

is bounded by Olympia Avenue, Adams Street, Thurston Avenue, and Jefferson Street.

iii. Block 122: Height bonus is limited to one additional story, up to a maximum height of 75 feet. Block 122 is bounded by Olympia Ave, Jefferson Street, and Marine Drive.

iv. Block 123: The bonus height provision is not applicable in this location. Block 123 is bounded by Corky Avenue and Market Street to south and industrial uses to the north.

Figure 6-2 Urban Waterfront and Urban Waterfront Height Limits*



* See 18.06.100(A)(2) for height limitations that apply to Blocks 14, 122, and 123 in order to protect adopted landmark views from specific observation points.

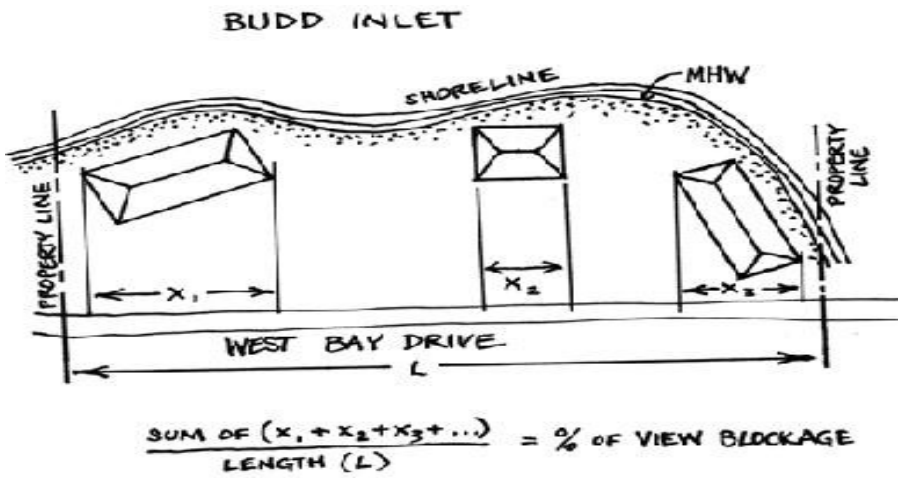


FIGURE 6-2A
Calculating View Blockage in a portion of the Urban Waterfront District along West Bay Drive.

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

    a. The building design shall be compatible with or enhance the physical characteristics of the site, the appearance of buildings adjacent to the site and the character of the district.

    b. The site plan shall facilitate efficient and convenient circulation, shall include landscaping that creates a pleasing appearance from both within and off the site and shall be an asset to the community at large.

    c. Enhancement of public view access or direct public access to usable open space areas shall offset any potential upland view loss which may occur as a result of the proposal.

4. Downtown Business District.

    a. Building height allowed outright in the DB zone is seventy-five (75) feet.

    b. Bonus for residential development.

    c. Enhancement of public view access or direct public access to usable open space areas shall offset any potential upland view loss which may occur as a result of the proposal.

i. Buildings may exceed the height allowed outright (75 feet) by up to two (2) stories, if the added stories are stepped back from the street wall at least eight (8) feet, and if floor area equal to the amount from the added stories is provided for residences:

(a) In the same building--i.e., it is a residential or a mixed use building; or

(b) With commercial and residential uses in separate buildings on the same site; or

(c) With commercial and residential uses on separate sites within the Downtown Business (DB) zone.

ii. Occupancy. Housing provided under this bonus provision as part of a mixed use project must receive an occupancy permit at the same time as, or in advance of, issuance of an occupancy permit for non-residential portions of the project.

iii. Conversion. Housing provided under this bonus provision shall not be converted to commercial use.

iv. Source of housing units. Housing provided under this bonus provision may be:

(a) New construction,

(b) Adaptive reuse of a formerly non-residential structure, or

(c) Rehabilitation of existing housing.

5. Urban Waterfront - Housing.

a. Allowed building heights in the Urban Waterfront-Housing District are specified in Figure 6-2.

b. Required step backs and placement of step backs over 35 feet on specific blocks are specified in Figure 6-2.

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

a. Building height allowed outright in the HDC-1 and HDC-2 zones as outlined in OMC 18.06.080, Table 6.02.

b. Additional story for residential development.

i. Additional story can only be allowed for those development that do not provide a mechanical "penthouse" room as allowed under the provisions

of OMC 18.06.100.A. However, the additional story can be occupied with both residential development and mechanical equipment.

ii. Buildings may exceed the height allowed outright in OMC 18.06.080, Table 6.02, by one (1) story. The additional story cannot exceed fourteen (14) feet above the maximum allowable height requirement as specified in OMC 18.06.080, Table 6.02.

iii. The additional story must be stepped back at least eight (8) feet from any abutting street or any abutting residential zoning district. See OMC 18.06.100.B.2.

iv. Housing provided under this additional story as part of a mixed use project must receive an occupancy permit at the same time as, or in advance of, issuance of an occupancy permit for non-residential portions of the project.

v. Housing provided under this additional story provision shall not be converted to commercial use. Except that the residential units may conduct business activities under the provision for home occupations. See OMC 18.04.060.I.

vi. Housing provided under this bonus provision may be:

(a) New construction;

(b) Adaptive reuse of a formerly non-residential structure, or

(c) Rehabilitation of existing housing.

vii. This additional story is not available and will not be approved within 100 feet of a designated historic district.

7. High Density Corridor (HDC - 3 and HDC - 4) within the Capital Mall Triangle Subarea.

a. For properties located within the HDC-3 zone and within the Capital Mall Triangle Subarea the maximum building height is 75 feet.

b. For properties located within the HDC-4 zone and within the Capital Mall Triangle Subarea the maximum building height is 105 feet.

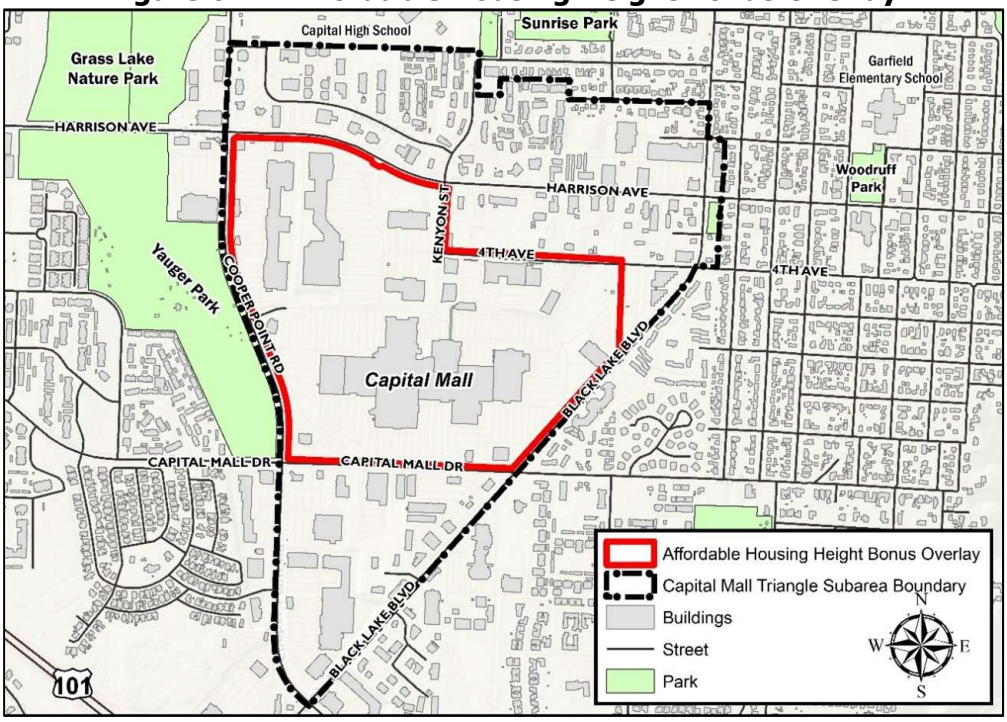
c. Maximum building height is 130 feet for development that meet all of the following requirements:

i. Located within the Capital Mall Triangle Subarea; and

ii. Located within the Affordable Housing Height Bonus Overlay as shown in Figure 6-2B; and

iii. At least 30 percent of the dwelling units are affordable for at least 50 years for those whose income is 80 percent or less of the area median income.

Figure 6-2B Affordable Housing Height Bonus Overlay



B. Upper Story StepBacks.

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

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

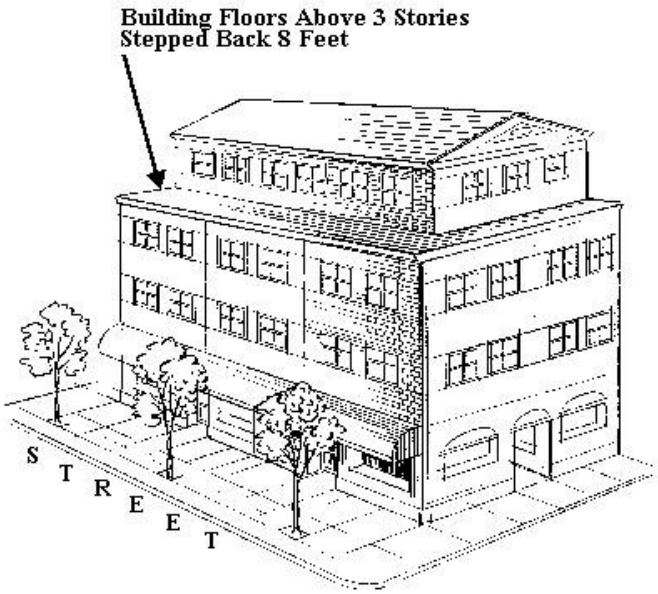


FIGURE 6-3

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

3. If located within the HDC-4 zone district and within the Capital Mall Triangle Subarea, building floors above six stories which abut a street or residential district must be stepped back a minimum of eight feet. A step back is not required below the sixth floor.

   a. Mass timber/cross laminated timber constructed buildings are not required to have a step back.

4. The upper story step-back is not required when entire structure is setback from the property line the distance required by the stepback, or farther.

5. Façade modulation and upper-story step-backs are not required for the following types of residential projects:

   a. Affordable housing;

   b. New construction meeting passive house requirements;

   c. The retrofit of existing buildings meeting passive house requirements. "Passive house requirements" means the criteria for certification as a passive house by Phius or the international passive house institute.

d. The conversion of existing buildings to housing or mixed-use development that includes housing;

e. Modular construction. "Modular construction" means a multistory residential or commercial building constructed of standardized components produced off-site, which are transported and assembled at a final location.

f. Mass timber construction. "Mass timber construction" means a building with structural components primarily made of mass timber products as defined in RCW 19.27.570.

Proposal 19: Chapter 18.06 – Commercial Districts

Section 18.06.100 - Commercial districts' development standards—Specific Subsection D

D. Impervious Surface Coverage

2. On development sites incorporating 'vegetated roofs,' the impervious surface coverage limits ~~of Neighborhood Retail, Professional Office/Residential Multifamily and Medical Service districts shall~~may 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.

3. Calculation exclusions: The following are excluded from the impervious and hard surface coverage limit calculations. Note: These exclusions do not apply to calculations or requirements related to the Drainage Design and Erosion Control Manual.

a. Ingress/egress easements serving a neighboring property.

b. Areas excluded from the minimum lot area calculations (see OMC 18.04.080(c)(4)), such as the panhandle of a flag lot;

c. Portions of the driveway that extend beyond the required setback area when the additional length is caused by compliance with the municipal code requirements, such as critical area and buffer protections;

d. Areas partially or wholly covered by water (seasonally or year-round) are to be excluded from the total site area before calculating the coverage percentage. This does not include human-made stormwater retention ponds.

4. To obtain approval of a hard surface bonus, an engineered drainage design must be submitted that includes the following:

a. The area in excess of that allowed by Table 4.04 must meet the Drainage Design and Erosion Control Manual (DDECM) core requirement #5 (or as amended) for onsite stormwater treatment, and core requirement #7 for flow control, regardless of minimum area thresholds. Plans must address the following:

i. Projects that would otherwise be exempt from DDCEM requirements for flow control must demonstrate compliance, regardless of the exemption, in order to obtain the bonus.

ii. Flood control systems to be included might include pervious pavement, pervious geogrid, bioretention, infiltration, green roofs, or micro-detention systems. If compliance cannot be provided, the bonus will be denied.

iii. Permeable pavement and geogrid on Type D soils are ineligible.

b. Maintenance agreements are required prior to permit issuance for the flood control system.

Proposal 20: Chapter 18.06 – Commercial Districts

Section 18.06.100 - Commercial districts' development standards—Specific Subsection E (NEW)

E. In HDC zones, maximum setbacks established in Table 6.02 only apply to properties abutting design review corridors designated in Chapter 18.100 OMC and streets classified as arterials.

Proposal 21: Chapter 18.12 – Historic Preservation

Section 18.12.020 – General Purpose and Intent

The purpose and intent of this chapter is to provide for the identification, enhancement, perpetuation and use of historic resources within the City in order to:

A. Safeguard the heritage of the City as represented by those sites, buildings, districts, structures and objects which reflect significant elements of the City's history as told from all perspectives.

B. Strengthen the economic vitality of the City by ~~promoting the stabilization and improvement of property values in historic areas, and by~~ encouraging new buildings and developments that will be harmonious with existing historic buildings, districts, and sites ~~and areas~~.

C. Foster civic and neighborhood pride in the beauty and accomplishments of the past while recognizing the various perspectives and untold stories that have led to the City's history and sense of identity.~~, and a sense of identity based on the City's history.~~

D. ~~Protect and enhance~~Support the City's ~~ability~~ economic development initiatives by~~to~~ attracting tourists and visitors, thereby stimulating the local economy.

E. Assist, encourage and provide incentives to private owners for preservation, restoration, ~~redevelopment and use~~and adaptive re-use of outstanding historic buildings, districts, neighborhoods, streets, structures, objects and sites.

F. Promote and facilitate the early identification and resolution of conflicts between the preservation of historic resources and alternative land uses.

G. Conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.

Proposal 22: Chapter 18.12 – Historic Preservation

Section 18.12.040 - Heritage Commission Creation and Size

The Olympia Heritage Commission consists of up to ~~eleven~~ nine (9~~11~~) members. Members of the Heritage Commission shall be appointed by the City Council.

Proposal 23: Chapter 18.12 – Historic Preservation

Section 18.12.045(B) - Heritage Commission Composition

B. The Heritage Commission shall always include at least two~~four~~ (2~~4~~) professionals who have experience in identifying, evaluating and protecting historic resources and are selected from among the disciplines of history, architecture, architectural history, historic preservation, planning, cultural anthropology, archeology, cultural geography, folklore, curation, conservation, landscape architecture, real estate, law, or related disciplines. ~~American studies, law, and real estate.~~

1. Heritage Commission action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the professional positions, unless the Heritage Commission action is related to meeting Certified Local Government (CLG) responsibilities cited in the Certification Agreement between the City of Olympia and the State Department of Archaeology and Historic Preservation, in which case Heritage Commission action may only be taken if in compliance with said agreements.

2. Exception to the residency requirement of Heritage Commission members may be granted by the City Council in order to obtain representatives from these disciplines.

Proposal 24: Chapter 18.12 – Historic Preservation

Section 18.12.050 - Heritage Commission Term of Appointment

Appointment of members to the Heritage Commission shall be made for a three (3) year term and may be extended by City Council reappointment. The City Council shall appoint members to fill any vacancies for the unexpired term. (See OMC 2.100 Community-Member Advisory Boards, Commissions and Committees)

Proposal 25: Chapter 18.12 – Historic Preservation

Section 18.12.055 - Heritage Commission Powers and Duties

A. The major responsibilities of the Heritage Commission are: to identify and actively encourage the preservation of Olympia's historic resources by maintaining, updating, and expanding the Olympia Heritage Register and reviewing proposed changes to Heritage Register properties; to raise community awareness of Olympia's history and historic resources; and to serve as the City's primary resource in matters of history, historic planning and preservation.

~~A.~~B. In carrying out these responsibilities the Heritage Commission shall engage in the following:

1. Educate property owners about the importance of rehabilitating, preserving, and maintaining ~~the~~ historic properties or objects.

2. Initiate and review periodic surveys of historic properties in Olympia to help identify buildings of historical significance to the community.

3. Maintain a Local Heritage Register according to criteria and procedures stated in Sections 18.12.080 and 18.12.085. This Local Heritage Register shall list buildings, structures, districts, sites and objects identified by the Heritage Commission as having historic significance worthy of recognition and protection by the City.

4. Consider the establishment or expansion of Historic Districts (see OMC 18.12.085.C).

5. Review and make recommendations to the City Council on applications for Special Valuation Tax (see OMC 3.60).

6. Review proposals and applications to construct, ~~change, alter, modify,~~ remodel, remove or significantly affect properties or districts on the Heritage Register properties, as provided OMC 18.12.090 and 18.12.100. Such review shall be for the purpose of providing recommendations on identifying and mitigating the impacts of the proposed action to the identified historic resource~~. All recommendations shall be consistent with the Design Review Criteria and SEPA Mitigation~~. The City agency or body charged with acting on such a permit or document shall forward a copy of the final decision to the Heritage Commission.

7. Make recommendations to the City Council to be used in the land use and permitting process to guide this review.

8. Participate in, promote and conduct public information, educational and interpretive programs pertaining to historic and archaeological resources.

9. Provide information to the public on methods of maintaining and rehabilitating historic properties. This may take the form of pamphlets, newsletters, workshops or similar activities.

10. Recognize excellence in the rehabilitation of historic objects, buildings, structures, sites and districts, and new construction in historic areas; and encourage appropriate measures for such recognition.

11. Be informed about and provide information to the public on incentives for preservation of historic resources, including legislation, regulations and codes which encourage the use and adaptive reuse of historic properties.

12. Make recommendations to the City Council on nominations to the Washington Heritage Register and National Register of Historic Places.

13. Investigate and report to the City Council on the use of various federal, state, local or private funding sources available to promote historic, archaeological, and cultural resources in the City.

14. Provide liaison support, communication, and cooperation with federal, state and other local governmental and Tribal entities which will further historic preservation objectives, including public education, within the Olympia area.

15. Review and provide recommendations to the City Council on the conduct of land use, housing and redevelopment, municipal improvement, and other types of planning and programs undertaken by any agency of the City, other neighboring cities and towns, the County, the state or federal governments, as they relate to historic and archaeological resources within the City.

16. Conduct all Heritage Commission meetings in compliance with RCW Chapter 42.30, the Open Public Meetings Act, to provide for public participation and adopt standards to guide this action.

17. Coordinate as appropriate with City departments and other heritage organizations.

18. Perform any other functions designated to the Commission by the City Council.

Proposal 26: Chapter 18.12 – Historic Preservation

Section 18.12.065 - Heritage Commission Compensation

All members of the Heritage Commission shall serve without compensation except for out-of-pocket expenses incurred in connection with Heritage Commission meetings or programs, and which are in accordance with City policy for Community-Member Advisory Boards, Commissions and Committees (See OMC 2.100.040), and reimbursement of expenses.

Proposal 27: Chapter 18.12 – Historic Preservation

Section 18.12.080 - **Olympia** Heritage Register - Criteria to Designate Property

** Note: This proposal only changes the wording in the section title.*

Proposal 28: Chapter 18.12 – Historic Preservation

Section 18.12.085 - Olympia Heritage Register - Process to Designate Property to the Olympia Heritage Register or Establish a Local Historic District

Listing on the Olympia Heritage Register is an honor that denotes significant association with the historic, archaeological, engineering, or cultural heritage of the community. Properties are listed individually or as a Historic District.

A. Any person, including members of the Heritage Commission, may nominate a building, structure, object, site or district for inclusion on the City Heritage Register.

B. Individual Properties:

1. Applications shall be on forms provided by the city and include information and documentation supporting the historic significance of the building, structure, object, site or district.

2. The application shall specify the exterior features, outbuildings, and other characteristics of the site and the building interior (if any) that contribute to its designation.

3. Notification of nomination will be sent to the property owner.

4. If someone other than the property owner makes a nomination the Heritage Review Committee may deny an application for placement on the Heritage Register based on a determination of ineligibility during a preliminary review. Applicants may appeal this denial to the Heritage Commission.

5. If an application advances to the full Heritage Commission, notification of nomination will be sent to the property owner and posted on the site.

6. Notification of a public hearing will be mailed to the property owner and the applicant(s), posted on the site, and published in a newspaper of general circulation in Olympia, not less than ten (10) days prior to the hearing.

7. The Heritage Commission shall consider the merits of the nomination according to the criteria in OMC 18.12.080 following a public hearing.

8. If the Heritage Commission finds that the nominated property meets the designation criteria in OMC 18.12.080 and has the property owner's consent, the property shall be listed on the Heritage Register and owner(s) and lessee(s), if any, notified of the listing.

9. A marker for register properties with information about the property and its significance must be approved by the Heritage Commission or staff. The City may provide this marker.

10. If the owner does not consent to placement of the owner's property on the Olympia Heritage Register, after following process set forth in OMC 18.12.085.B above, the Heritage Commission may recommend that the City Council approve designation without property owner consent. Notice will be given to the property owner at least 10 (ten) days prior to the City Council review. A person who is adversely aggrieved by a decision of the City Council under this subsection may appeal the City Council decision to Thurston County Superior Court as provided by law.

C. Districts:

1. Signatures must be obtained from the owners of a majority of the properties within the proposed district.

2. Applications shall be on forms and include information and documentation supporting the historic significance of the district.

3. The application shall specify the exterior features, outbuildings, and other characteristics of the sites within the district and the overall character defining elements that contribute to its designation, and identify the contributing and non-contributing status of the properties within the district.

4. The Heritage Review Committee or staff may deny an application for Historic District status based on a determination of ~~a~~ ineligibility during a preliminary review. Applicants may appeal this denial to the Heritage Commission.

5. The Heritage Commission shall consider the merits of the nomination according to the criteria in OMC 18.12.080 following a public hearing. If the Heritage Commission finds that the nominated district meets the designation criteria in OMC Section 18.12.080, the district may be listed on the Olympia Heritage Register with the owner's consent and the owner(s) and lessee(s), if any, notified of the listing.

6. If a majority of property owners within the proposed district boundaries do not consent to local District designation, after following process set forth above, the Heritage Commission may recommend that the City Council approve designation without property owner consent. Notice will be given to the property owners at least 10 (ten) days prior to the City Council review. A person who is adversely affected or

aggrieved by a decision of the City Council under this subsection may appeal the City Council decision to Thurston County Superior Court pursuant to the procedures set forth in ~~RCW Chapter~~state law.

D. The decision of the Heritage Commission designating objects, properties and districts to the City Register may be appealed by the owner(s) of the affected property in writing on forms provided by the City within thirty (30) days to the City Council. Decisions of the City Council may be appealed to Thurston County Superior Court.

E. Properties listed within a local Historic District shall be noted on the official records of the City. Such properties shall be subject to the provisions set forth in this Chapter, as well as the bulk, use, setback, and other controls of the zoning district in which they are located. Nothing contained in this Chapter shall be construed to be repealing, modifying or waiving any zoning or building code provisions.

F. Markers noting the boundaries of the Historic District must be approved by the Heritage Commission or staff. The City may provide these markers.

Proposal 29: Chapter 18.12 – Historic Preservation

Section 18.12.100 - Demolition of a Historic Building or a Contributing Historic District Property

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

Proposal 30: Chapter 18.12 – Historic Preservation

Section 18.12.130 - Tribal and Agency Consultation on Development Review

A. Interested Tribes and the State Department of Archaeology and Historic Preservation (DAHP) shall be notified when an application for land use approval has been submitted to the City of Olympia as described in OMC 18.70.130 ~~Public Notification Procedures~~Notice of Application. Additional ~~notice of~~Tribal or Agency consultation may be provided by the City Historic Preservation Officer.

B. Consistent with law, any recommendations and/or requests by Consulting Tribes and/or DAHP on cultural resource protection will be given substantial weight in decisions on land use or development permit approval and subsequent permit issuance.

Proposal 31: Chapter 18.12 – Historic Preservation

Section 18.12.140 - Cultural Resource Protection

A. Cultural Resources shall be protected from damage during construction and all other development activities in accordance with OMC Sections 18.12.120 and 18.12.140B.

B. Additional Protections for Cultural Resources.

1. ~~Building~~ Development permit recipients for ~~development~~ projects that meet the following criteria shall be required to sign an Inadvertent Discovery Plan (IDP) provided by the City of Olympia Historic Preservation Officer:

   a. All type II or III projects subject to Notice of Application, where ~~public notice was give to affected tribes and~~ a request for an IDP was submitted by an interested Tribe or Agency; and ~~subject to State Environmental Policy Act (SEPA) thresholds; and~~

   ~~a.~~b. All ground disturbing projects considered having high risk of encountering cultural resources as identified by the Historic Preservation Officer.

   ~~b. All projects located within the Downtown SEPA Exemption Area.~~

   The signed IDP shall be held on site throughout the duration of any ground-disturbing activities related to the project.

2. The Director may require additional actions to protect known or predicted cultural resources as a result of requests submitted by Consulting Tribes and/or DAHP during consultation for the following:

   a. Projects subject to State Environmental Policy Act (SEPA) thresholds;

   b. Type II and III ~~P~~projects subject to Agency consultation as per OMC 18.12.130 Tribal and Agency Consultation on Development Review;

   c. Projects on sites considered as having high risk of encountering cultural resources or known to include an archaeological site; and

   ~~d. Projects located within the Downtown SEPA Exemptions Area; and~~

   ~~e.~~d. Projects subject to other State and Federal laws which protect cultural and historic resources, including but not limited to Executive Order 05-05 and Section 106 of the National Historic Preservation Act.

Proposal 32: Chapter 18.36 – Landscaping and Screening

Section 18.36.080 - Landscape 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. 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 Horticulturalist. 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 type of any invasive plants and timeline for removal;

n. Planting locations showing mature size of plants, size of planting stock, species of plant materials, and tree density calculations;

o. Timeline for site preparation and installation of plant materials;

p. Cost-estimate for the purchase, installation and three (3) years maintenance of landscaping~~.~~;

q. Location of underground utility lines and equipment; and

r. Irrigation plans, if applicable for the project.

Proposal 33: Chapter 18.38 – Parking and Loading

Section 18.38.040 – Applicability

Unless specifically exempted in this chapter, every land use shall have permanently maintained off-street parking facilities pursuant to the following regulations.

A. Exemptions. The following are not required to provide off-street parking as a condition of permitting of residential projects:

1. Affordable housing proposals.

2. New construction or the retrofit of existing buildings meeting passive house requirements. "Passive house requirements" means the criteria for certification as a passive house by Phius or the international passive house institute.

3. Modular construction. "Modular construction" means a multistory residential building constructed of standardized components produced off-site, which are transported and assembled at a final location.

4. Mass timber construction. "Mass timber construction" means a building with structural components primarily made of mass timber products as defined in RCW 19.27.570.

Proposal 34: Chapter 18.38 – Parking and Loading

Section 18.38.100 – Vehicular and Bicycle Parking Standards

C. Residential Provisions.

1. Residential uses, such as housing for seniors or people with disabilities, that provide parking for staff or visitors, that comply with parking provisions in state law (RCW 36.70A.620), shall record a covenant restricting use of the site to the approved use (e.g., seniors, people with disabilities). The covenant must be recorded prior to issuance of applicable construction permits.

2. For projects outside of the Downtown Exempt Parking Area, development projects with five or more residential units shall provide at least one accessible parking space. Accessible parking shall meet the location and dimensional standards in the adopted building codes.

3. For accessory dwelling units, single family homes, duplexes, townhouses on individual lots, and mobile home parks there is no maximum amount of parking allowed when all other zoning standards are satisfied (e.g. lot coverages).

4. New residential development projects within the area bounded by Cooper Point Road, Black Lake Boulevard, and Harrison Avenue (known as the Capital Mall Triangle) are exempt from minimum motor vehicle parking requirements.

5. Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed.

6. Tandem parking spaces (one space for every 20 linear feet) may count towards meeting minimum parking requirements, with any necessary provisions for turning radius. "Tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress.

7. The existence of legally nonconforming gravel surfacing in existing designated parking areas may not be a reason for prohibiting utilization of existing space in the parking area to meet local parking standards, up to a maximum of six parking spaces.

8. Parking spaces may not be required to exceed eight feet by 20 feet, except for required parking for people with disabilities.

9. The city will not impose off-street parking requirements as a condition of permitting a residential project if compliance with tree retention would otherwise make a proposed residential development or redevelopment infeasible.

10. Parking spaces that consist of grass block pavers may count toward minimum parking requirements.

11. Existing parking spaces that do not conform to the requirements of this chapter as of June 6, 2024, are not required to be modified or resized, except for compliance with

the Americans with disabilities act. Existing paved parking lots are not required to change the size of existing parking spaces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.

Proposal 35: Chapter 18.38 – Parking and Loading

Section 18.38.160 – Specific zone district standards

C. Downtown Exempt Parking Area (See Figure 38-2).

1. ~~Existing buildings constructed prior to January 1, 2002, which are located within the Downtown Exempt Parking Area (See Figure 38-2),~~All structures and use types shall be exempt from the vehicle parking standards. However, a change of use within ~~such~~ existing structures shall comply with the long-term and short-term bicycle parking standards pursuant to Table 38.01;

2. ~~All new residential buildings and uses located within the Downtown Exempt Parking Area (See Figure 38-2) shall be exempt from vehicle parking standards. However, if any new residential parking is constructed, the parking facility~~All new or replaced parking areas shall meet the Parking Design and Design Review Criteria in OMC 18.38.180 through 18.38.240 and applicable criteria in OMC Chapters 18.04, 18.06, and 18.120). All new residential buildings and uses shall comply with the long-term and short-term bicycle parking standards pursuant to Table 38.01; and

3. All new commercial buildings or expansions totaling over 3,000 square feet of gross leasable area~~, constructed after January 1, 2002~~, which are located within the Downtown Exempt Parking Area (See Figure 38-2) shall be required to meet ~~vehicle parking and~~ bicycle parking standards (OMC 18.38.020 through 18.38.240).~~; and~~

4. ~~When not covered by C.1 or C.2 above, bicycle parking is not required for those buildings and uses located within the Downtown Exempt Parking Area (see Figure 38-2) that do not provide on-site motor vehicle parking.~~

Proposal 36: Chapter 18.38 – Parking and Loading

Section 18.38.220 – Design Standards - General

Off-street parking facilities shall be designed and maintained in accordance with the standards hereunder, provided that up to 30% of parking stalls may be small spaces as described in section B. 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. These standards apply to all bicycle and vehicular parking proposed or provided, even if the parking is not required.

Proposal 37: Chapter 18.40 – Property Development and Protection Standards

Section 18.40.060 – General Standards

C. Fences/Hedges, Walls and Site Perimeter Grading. It shall be the responsibility of property owners to ensure fences are within property lines and that a building permit is obtained when required. "Fences" as used in this section includes walls and similar above-grade unenclosed structures forming a continuous or nearly continuous line or row exceeding six feet in length. Also see definition, OMC 18.02.180(F). For properties located in Downtown Design Review District see OMC 18.120.370. Other properties that may have a Master Plan approval, such as Briggs Village, see adopted regulations for fencing. Contact the planning division of the department for details.

For the purpose of fencing, the front yard is considered to be the first 10 feet of any lot, tract, or parcel that abuts a public street or right of way, excluding alleys. Corner lots adjacent to two public rights of way shall have a front yard and a flanking side yard.

1. Fence Heights:

   a. Fences, when located within a required yard, shall not exceed the following height limits:

      i. Front yard = 48" (4’-0");

      ii. Side yards = 72" (6’-0"), Flanking side yards = 72” (6’-0”);

      iii. Rear yards = 72" (6’-0");

      iv. Clear Sight Triangle = 30" (2’-6").

   b. Agricultural uses. Rear and side yard fences for legally established agricultural uses may be permitted to a maximum height of eight feet from the ground; provided, at a minimum, the portion of the fence above six feet is composed of a fence material that is of a deer fence-type design.

      Examples of deer fence designs include wire with rectangular openings generally four inches by four inches in size. Additionally, the eight-foot fences shall not be constructed of chain link or chicken wire.

   c. Gardens. Front yard fences surrounding a defined garden bed may be permitted to a maximum height of eight feet from the ground and shall be composed of a fence material that is of a deer fence-type design.

      Examples of deer fence designs include wire with rectangular openings generally four inches by four inches in size. Additionally, the eight-foot fences shall not be constructed of chain link or chicken wire.

For purposes of this section, a front yard shall not exceed 10 feet in depth, regardless of any other provision found in this Title.

2. Fence height is measured to the top of the fence, excluding posts. Point of ground measurement shall be the high point of the adjacent final grade.

3. Fences, walls, and hedges are permitted within all yard areas provided that regardless of yard requirements, no closed gate, garage door, bollard or other feature shall obstruct a driveway or other motor vehicle private ingress within 20 feet of a street right-of-way nor obstruct automobile views exiting driveways and alleys (see clear vision triangle). This 20-foot requirement is not applicable within the downtown exempt parking area as illustrated at Figure 38-2. Additional exceptions may be granted in accordance with OMC 18.38.220(A)(2).

4. Front yard fences of any common areas, such as tree, open space, park, and stormwater tracts, must be a minimum of 25 percent unobstructed, i.e., must provide for visibility through the fence.

5. Fence pillars, posts, and similar features may project a maximum of two feet above maximum fence height.

6. Site Perimeter Grading. Within required yard areas, no single retaining wall (nor combination of walls within five horizontal feet of each other) shall exceed a height of 30 inches as measured from the lowest adjacent grade, nor shall any modification of grades or combination of retaining walls result in grade changes exceeding 30 inches within five feet of a property line nor 60 inches within 10 feet of an existing or proposed property line.

7. An administrative exception may be approved by the Department to exceed maximum fence height and other provisions of these standards where all of the following conditions exist.

    a. Variation of existing grade on either side of the fence results in a fence lower than the maximum height as measured from the highest point of grade within five feet of either side of the fence; or other special circumstances relating to the size, shape, topography, location, or surroundings of the subject property warrant an exception to permit a fence comparable with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located;

    b. The special conditions and circumstances do not result from the actions of the applicant;

    c. Granting of the exception will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property is located;

d. The granting of the exception will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject property is situated; and

e. The exception is the minimum necessary to provide the rights and privileges described above.

Applications for additional fence height or other exceptions shall include an explanation of the exception sought and its purpose; and fence illustrations and plan drawing that depicts proposed fence location and height, other structures, landscaping, and proposed grades in relation to existing grades.

[NOTE: A building permit is required for all fences exceeding seven feet in height. Fences and hedges may exceed maximum heights if located outside of required yards. But see Design Guidelines.]

8. Hedges. Hedges are allowed in all required yard areas subject to the following maximum height limits:

   a. Front yard = 48" (4’0")

   b. Side yard, Flanking side yard = Unlimited

   c. Rear yard = Unlimited

[Note: Clear Sight Triangle = 30" (2’-6"), see OMC 18.40.060(B)]

9. Barbed and/or razor wire fences. No person or persons being the owner of or agent for or in possession and control of any property within the city limits shall construct or permit to exist any fence around or in front of such premises, consisting wholly or partially of barbed and/or razor wire, except to provide security at a government-owned property or privately owned utility where security for the property is mandated by law; provided that the provisions of this section shall only extend to fences that are within 10 feet of a street or alley or other public place within the City.

10. Electric fences. It is unlawful to install or maintain any electric fence within the city limits except as follows:

   a. For the purposes of protecting farms or agricultural animals using low-voltage, solar fences installed atop a six-foot non-electric fence; or

   b. For securing an outdoor storage area, subject to the provisions below.

   c. For purposes of this subsection:

      i. "electric fence" means a fence, including an electric security fence, with above-ground electric conductors carrying electric current supplied by

batteries, commercial power, or any other source of electricity, installed for the purpose of retaining or excluding any animals, livestock, or persons.

ii. "Electric security fence" means an electric fence installed to protect an outdoor storage area.

iii. "Outdoor storage area" includes an area used for automobile and recreational vehicle repair and service, equipment storage, lumber yards, fleet storage, landscape supplies, or similar uses.

iv. "Responsible person" means a person or entity that owns or controls property on which an electric security fence is sought to be installed or is installed and used pursuant to this section.

v. The installation and use of an electric security fence is permitted within the following zoning districts:

1. Auto Services (AS)

2. Industrial (I)

3. Light Industrial (LI)

d. The Director may, on a case-by-case basis, authorize the installation and use of an electric security fence to secure an outdoor storage area in the following zoning districts if the Director finds there has been an increase in theft and vandalism at the outdoor storage area and finds that use of an electric security fence is warranted because the responsible person has taken reasonable measures to prevent theft and vandalism, but such measures have not been effective:

i. General Commercial (GC)

ii. Downtown Business (DB)

iii. High Density Corridor 1 (HDC-1)

iv. High Density Corridor 2 (HDC-2)

v. High Density Corridor 3 (HDC-3)

vi. High Density Corridor 4 (HDC-4)

e. An electric security fence is only permitted to be installed and used if the outdoor storage area it protects was established and is operated in conformance with City code.

f. An electric security fence installed and used pursuant to this subsection must meet the following electrical requirements:

i. The electrical charge for the electric security fence must be noncontinuous and the electric fence controllers must be approved by a Nationally Recognized Testing Laboratory (NRTL).

ii. The energy source (energizer) for the electric security fence must be provided by a storage battery not to exceed 12 volts DC. The storage battery must be charged primarily by a solar panel. However, the charge from the solar panel may be augmented by a trickle charger.

iii. The electric charge produced by the electric security fence upon contact may not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission (IEC) Standard No. 60335-2-76.

g. An electric security fence installed and used pursuant to this subsection must meet the following height and location requirements:

i. An electric security fence must be completely surrounded by a non-electric perimeter fence or wall that is not less than five feet in height and no more than eight inches from the electric security fence to prevent entrapment.

ii. An electric security fence may not exceed the higher of eight feet or two feet higher than the perimeter fence or wall.

iii. Exceptions:

1. Where a non-electrified perimeter fence or wall already exists within a required yard setback (as defined in OMC 18.02.180 Y) and if such fence or wall was lawfully installed, such fence or wall need not be modified in height or location to meet the requirements of this subsection. The electric security fence may be located within the required yard setback and may not exceed eight feet in height.

2. Rear and side yards: Where a non-electrified perimeter fence does not exist within a required rear or side yard setback, it may not exceed six feet in height and the electric security fence may not exceed eight feet in height.

3. Front yards: The first priority is to place both the non-electrified perimeter fence and the electric security fence outside the required yard setback. If this is not practical due to existing improvements such as paved parking, curbing, or landscaping, both fences can be placed in the required front yard setback. In these instances, the non-electrified perimeter fence may be up to five feet in height and

must be transparent, for example, chain link or metal picket fencing. The electrified portion may extend up to eight feet in height. Both fences must be placed as far back as site conditions allow to avoid being at the edge of an adjacent street or sidewalk.

h. The responsible person shall clearly identify an electric security fence with warning signs 30 square inches in size per IEC standards, posted at intervals less than 30 feet. Such warning signs must read "Warning – Electric Fence" and contain an imager or symbol (e.g. a lightning bolt) that allows non-English speaking individuals to understand that the fence is electrically charged.

i. The permitting process for electric security fences is governed and regulated in accordance with the City's construction and burglar alarm codes. A building permit is required for an electric fence exceeding seven feet in height.

j. Gates, bollards, or other features of an electric security fence must comply with the provisions in OMC 18.40.060.C.3 and provide emergency access in a manner acceptable to the Fire Marshal.

k. Electric security fences must comply with the City's design and landscape and screening standards as applicable. The responsible person shall submit plans to the Community Planning and Development Department for review and approval prior to fence installation.

Proposal 38: Chapter 18.40 – Property Development and Protection Standards

Section 18.40.060 – General Standards

H. Yards.

1. In addition to the following, yard regulations found in OMC 18.04.060(B) (Accessory Structures) apply to all building sites in all use districts of the City.

2. Yards/Setbacks.

   a. The required setback area shall be parallel to the structure requiring a setback. Setback width shall be measured from the outermost edge of the building foundation to the closest point of the parallel (or nearly parallel) adjoining lot line, or right of way line if closer. In the event of a planned unit development or binding site plan, such development shall meet all Uniform Building Code separation requirements. (See Figure 40-4.)

   b. A required yard area shall be kept free of any building or structure taller than thirty (30) inches, except that a building or projection shall be allowed as provided below:

i. Cornices, window sills, bay windows, flues and chimneys, planters, attached mechanical equipment, and eaves of roofs may project two (2) feet into the required yard area.

ii. Marquees and awnings of commercial buildings may project into required setback areas.

iii. Fences may project into the required yard area if they meet fence height requirements found in OMC 18.40.060(C).

iv. Uncovered steps, porches, or patios, which are no more than thirty (30) inches above the adjacent grade may be placed within the required setback area.

v. Air heating and cooling units 48-inches or less above grade are permitted within rear and side yard setbacks as long as it provides for access and maintenance per the building code.

vi. Uncovered swimming pools, hot tubs and satellite dish antennas may be placed in the rear or interior side yard setback area.

vii. Signs in compliance with OMC 18.43.

viii. Refer to each land use district for other allowed projections in required yards.

c. No building construction nor projection is allowed within any utility, access or public/private easement.

d. The front yard setback for a flag lot shall be a minimum of ten (10) feet measured from the nearest parallel or nearly parallel lot line adjacent to the front facade of the dwelling.

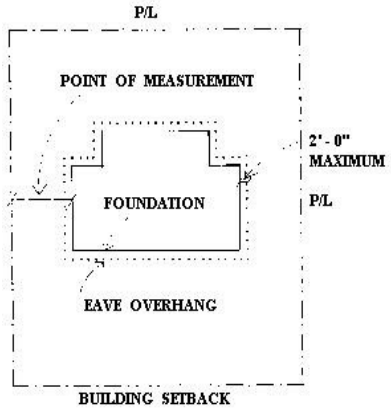


FIGURE 40-4

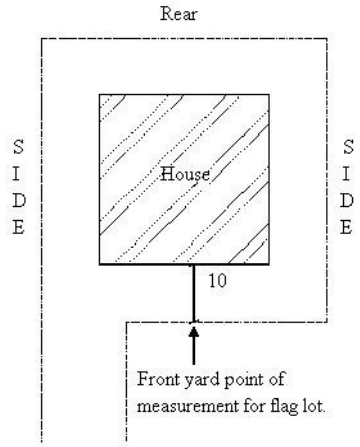


FIGURE 40-5

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

4. For retrofits of existing buildings to be used for residential housing:

   a. The portion of exterior wall assemblies that includes insulation must be allowed to project up to an additional eight inches into the setbacks on all sides;

   b. The building must be allowed to exceed the maximum allowable roof height by eight inches to accommodate additional insulation; and

   c. Gross floor area must be measured from the interior face of the exterior walls, which includes drywall, as typically depicted on the architectural floor plans; and

   d. For existing nonconforming buildings already projecting into setbacks, the portion of exterior wall assemblies that include insulation must be allowed to project up to an additional eight inches into the setbacks on all sides if the building is to be used for residential housing; and

   e. Nothing in this section prohibits a city or county from applying the requirements of the state building code or requires the City to allow a setback of less than 36 inches between residential dwelling units.

Proposal 39: Chapter 18.40 – Property Development and Protection Standards

Section 18.40.080 – Protection Standards

C. Emissions.

1. Air Pollution shall be controlled by the operator and/or proprietor of any land use or activity permitted by this title. The ambient air quality standards specified in Regulation I of the Olympic Air Pollution Control Agency (OAPCA), shall apply to all air contaminants listed therein. See Chapter 173-60 regarding variances and exemptions.

2. Toxic Substances shall be kept to concentrations not exceeding one-fiftieth (1/50) of interior standards by use of the best available control methods and technology in all phases of plant operation and handling of materials, and by an active commitment to good housekeeping practices. Toxic substances not listed in Regulation I of OAPCA, but released into the air shall be limited in accordance with the most current publication entitled Threshold Limit Values, of the American Conference of Governmental Hygienists.

3. Liquid Wastes shall be disposed of through local sanitary sewer systems only upon approval of affected sewer district authorities.

4. Liquid or solid wastes unacceptable to public sewer authorities shall be disposed of on a regular basis in keeping with the best operating characteristics of the industry, and in compliance with the regulations and requirements of local, regional, state or federal agencies having jurisdiction in waste disposal and environmental health and safety.

5. Any operation producing intense heat or glare shall be performed within an enclosure so as to completely obscure such operation from view from any point along the property line.

6. The use, storage, transportation and disposal of all radioactive materials or devices shall be subject to the regulatory jurisdiction and control of the Radiation Control Agency of the Washington State Department of Social and Health Services as amended.

7. No use shall cause earth vibrations~~,~~ ~~or~~ concussions, or construction noise detectable without the aid of instruments beyond its lot lines, with the exception of the temporary vibration produced as a result of construction activity. Such ~~temporary~~ construction activity shall be restricted to the hours between 7:00 a.m. and 6:00 p.m.

Proposal 40: Chapter 18.40 – Property Development and Protection Standards

Section 18.40.080 – Protection Standards

I. Minimum Street Frontage.

1. Each lot, other than in townhouse, cottage and co-housing projects, shall have a minimum of thirty (30) feet of frontage on a public or private street. With respect to binding site plans, this requirement shall apply to the entirety of the binding site plan and not to each individual site or lot. The Director may allow the street frontage to be reduced or eliminated to the minimum extent necessary to enable access to

property where public street access is not feasible for such reasons, including but not limited to, physical site conditions or preexisting development or to protect environmentally Critical Areas. Where frontage is limited, preference is for some street frontage to be provided.

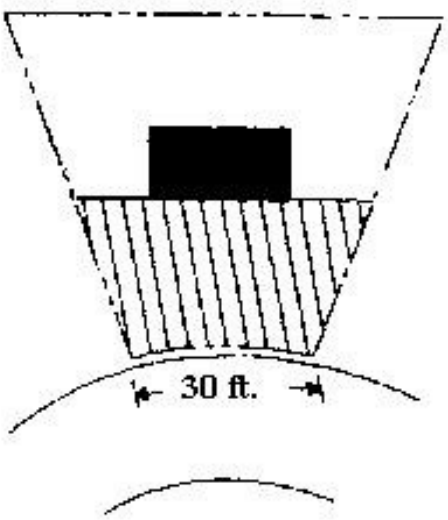


FIGURE 4-2

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

   a. The project shall be designed to minimize the creation of flag lots.

   b. Adjoining flag lots shall share a common driveway wherever possible.

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

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

Proposal 41: Chapter 18.43 - Signs

Section 18.43.040 – Exemptions

B. No Permit Required. The following signs do not require a permit when sized and placed in conformance with this chapter:

1. Signs erected by government agencies to implement public policy.

2. Replacing only the face of an existing sign shall not be considered as either a new sign or a structural alteration and does not require a permit.

3. On-premise occupant name plates on residential dwelling units, provided size of name plates does not exceed three (3) square feet in area.

4. Changing of advertising on a legal changeable copy sign (readerboard).

5. Temporary non-commercial signs less than six (6) square feet in sign surface area on private property and installed less than four (4) feet above ground.

6. Normal maintenance of signs that does not change the appearance or size of the sign.

7. Real Estate Signs in conformance with this chapter (see 18.43.080) do not require a permit or Temporary Sign Agreement.

8. Temporary signs for which a Temporary Sign Agreement has been provided to the City.

9. Any signs required to be posted pursuant to the Olympia Municipal Code or any other local, State, or Federal regulation.

10. Any sign on a vehicle, unless such vehicle sign is prohibited pursuant to OMC 18.43.050.

11. Signs placed by the City in City parks or trails, or the Port of Olympia on port owned parks or trails property, in conformance with its standard practices and policies.

12. Signs painted directly on a building.

Proposal 42: Chapter 18.43 – Sign Code

Section 18.43.130 – Residential Sign Zone

Table 43-8: Permanent Signs for Residential Uses in Residential Sign Zone

Permanent Signs – Residential Uses (Not Including Apartment Complexes)		
Home Occupation Businesses and Short-Term Rentals	Up to two (2) square feet, flush mounted near entrance	One (1) per licensed Home Occupation business or short-term rental only
Home Occupation Business abutting west side of 300 and	Up to five (5) square feet if flush mounted near entrance or up to	One (1) per licensed Home Occupation business only

Table 43-8: Permanent Signs for Residential Uses in Residential Sign Zone

Permanent Signs – Residential Uses (Not Including Apartment Complexes)		
400 blocks of West Bay Drive NW	five (5) square feet per side if freestanding	
Development Identification Signs	Freestanding Sign for Residential Subdivisions, up to 50 square feet (or 25 square feet per side).	One (1) per street frontage which has an entry to the development
Permanent Signs – Non-Residential Uses and Apartment/Multifamily Complexes		
Identification signs for non-residential uses	One (1) freestanding or building mounted sign per driveway access from a street. If freestanding, maximum height is four (4) ft.	• Academic schools – up to 100 sq. ft. maximum; • Other Uses: Up to 24 sq. ft. in size (12 sq. ft. per side if double-sided).
Secondary wall signs for non-residential uses	1 per exterior public entrance to the building	Up to 12 square feet of sign area to identify the primary destination of the entrance (e.g. office, library, gymnasium sanctuary).
Identification Signs for Apartment/Multifamily Complexes	Building mounted sign (flush mounted only) or Freestanding sign. • Multi-family uses - up to 16 sq. ft. maximum; Double sided signs: 1/2 the max.	1 per use. Except multi-family uses ~~in RM-18, RM-24 & RMH~~: 2 signs are permitted where there are entrances off 2 public rights-of- way.
Identification Signs for Individual Uses in Multiple Occupancy Buildings	Building mounted sign to be flush mounted only. • Academic schools – up to 100 sq. ft. maximum; • Multi-family uses - up to 16 sq. ft. maximum; • All other uses - 24 sq. ft. maximum. Double sided signs: 1/2 the max.	
Driveway Entrance/Exit Signs	Freestanding only. 5 square feet total (2.5 square feet per side if double sided)	1 per driveway
Directional	18.43.070	
Public Service	18.43.070	

Proposal 43: Chapter 18.100 – Design Review

Section 18.100.060 – Projects Subject to Design Review

Note: The "background" text of this proposal was updated to reflect changes adopted in Ordinance 7444. The changes shown in red text are still proposed.

A. The following projects are subject to design review:

1. All residential uses in the Infill and Other Residential Design District and all commercial, mixed use, and large multifamily p~~P~~rojects within designated design review districts and corridors, as shown on the Official Design Review Map (See OMC 18.100.080);

2. Commercial projects adjacent to residential zones;

3. Commercial or residential projects for Heritage Register properties or those within an historic district;

4. Projects with a building area greater than 5,000 square feet that require a Conditional Use Permit in a residential zone;

5. Residential projects with 7 units or more;

6. Dwelling units on lots less than 5,000 square feet or on substandard lots;

7. Dwelling units proposed on lots within the area depicted on Figure 4-2a, "Areas Subject to Infill Regulations";

8. Master Planned Developments;

9. Manufactured housing parks;

10. All projects within scenic vistas as identified on the official maps of the City (See OMC 18.100.110); and,

~~12~~11. For the purpose of design review, projects within one of the Downtown Design Sub-Districts will be reviewed for consistency with the criteria in chapter 18.120 OMC only.

B. Exceptions: Evergreen Park PUD; interior work; projects or portions of projects which are not visible from a private or public street; and projects which do not affect the character, use, or development of the surrounding properties, or the architectural character of the structure, such as fences, parking lots with less than twenty (20) spaces or minor repair or renovation of, or minor additions to, existing structures.

Proposal 44: Chapter 18.100 – Commercial Design Criteria High Density Corridor (HDC)

Section 18.100.100 – How to Use Design Criteria

Note: The "background" text of this proposal was updated to reflect changes adopted in Ordinance 7444. The changes shown in red text are still proposed.

C. Design Review Criteria Chapters. Design criteria are separated into chapters, depending on whether the development is commercial or residential, and the location or type of that development, as outlined below.

18.105 Historic Structures and Buildings within the Historic Districts. This Chapter applies to structures listed on the Olympia Heritage Register, Washington Heritage Register, and the National Register of Historic Places, and all structures within a Historic District.

18.110 Basic Commercial Design Criteria. This chapter applies to all commercial projects throughout the City that require design review, in addition to the district-specific requirements found in the following chapters, as applicable. It also applies to projects with a building area greater than 5,000 square feet in gross floor area that require a Conditional Use Permit in a residential zone, to commercial projects adjacent to residential buildings, to commercial or residential projects. The design districts are shown on the Official Design Review Districts and Corridors.

18.120 Downtown Design Criteria. This chapter applies to all commercial, mixed use, and residential projects that require design review that are located in one of the Downtown Design Sub-Districts. Projects will be reviewed for consistency with the criteria in Chapter 18.120 only.

18.130 Commercial Design Criteria - High Density Corridors. This chapter applies to all projects that require design review that are located in the HDC districts and abut a design review corridor (see Design Review map).

18.135 Commercial Design Criteria - Residential Scale District. This chapter applies to all projects that require design review that are located in the Residential Scale ~~District~~Corridor.

18.140 Commercial Design Criteria - Auto Oriented District. This chapter applies to all projects that require design review that are located in the Auto Oriented District.

18.145 Commercial Design Criteria - Freeway Corridor. This chapter applies to all projects that require design review that are located in the Freeway Corridor District.

18.155 Commercial Design Criteria - West Bay Drive District. This chapter applies to all projects that require design review that are located in the West Bay Drive District.

18.170 Residential Design Criteria. Design criteria contained in this chapter (OMC 18.170.030 - 18.170.160) apply to all large multifamily residential buildings (i.e.

those with seven or more dwelling units) not specifically governed by chapter 18.175 OMC, and any development with 20 dwelling units or more on a site throughout the City. Projects of this type and size are reviewed by the Design Review Board.

18.175 Residential Design Criteria - Infill and other residential.

OMC 18.175.020 through OMC 18.175.060 of this chapter apply to all residential dwellings proposed on lots within the area depicted on Figure 4-2a in chapter 18.04 OMC; on lots less than 5000 square feet, or on substandard lots. OMC 18.175.080 and OMC 18.175.090 apply to accessory dwelling units ~~throughout the city~~in the infill regulations design district, including manufactured home accessory dwelling units. OMC 18.175.100 applies to cottage development.

18.180 Residential Design Criteria - Manufactured home parks. This chapter applies only to manufactured home parks.

Proposal 45: Chapter 18.100 – Design Review

Section 18.100.090 – Design Review Process

All projects subject to design review are reviewed either by the Design Review Board (DRB), the Joint Review Committee (JRC), or by staff as noted below. The DRB, JRC, or staff shall provide a recommendation to the review authority. The review authority shall give substantial weight to the recommendation of the DRB or JRC. (A project reviewed by the JRC is not also reviewed by the Heritage Review Committee.) For projects subject to Board level review (DRB or JRC), there is only one public meeting and it is for Concept Design Review at the time of Land Use Review. Detail Design Review will be conducted by staff at the time of building permit review. When land use is not required or is waived, all design review will be conducted by staff unless it is subject to review of the Joint Review Committee.

Proposal 46: Chapter 18.100 – Design Review

Section 18.100.110 – Submission Requirements

D. Time Limitations/Processing. Board level review will be combined with Land Use Review and will meet the timelines of the land use process~~Except in cases where the applicant agrees to an extension of time, the Design Review Board shall have a public meeting on an application for a major project within 30 days after an application is deemed complete~~ pursuant to chapter 18.70 OMC.

Proposal 47: Chapter 18.04 – Residential Districts

Section 18.04.060 – Residential districts' use standards

D. CHILD DAY CARE CENTERS.

1. Permitted Use. Child day care centers are permitted in the districts specified in Tables 4.01 and 5.01 subject to the following conditions:

   a. Child day care centers located in residences shall be separate from the usual living quarters of the family, or located in the portion of the residence used exclusively for children and their caregivers during the hours the center is in operation.

   b. Compliance with state licensing requirements.

   c. Prior to initiating child care services, each child care provider must file a Child Care Registration Form with the Department of Community Planning and Economic Development (forms are provided by the Department). The child care provider must demonstrate compliance with the applicable requirements of the code as listed on the Registration Form. No fee will be required for registration.

2. Accessory Use. A child day care center shall be considered an accessory use if it is sited on the premises of a community service use, such as a private or public school, grange, place of worship, community center, library, or similar adult gathering place and it is associated with that activity. Child care facilities for the exclusive use of employees of a business or public facility shall also be allowed as an accessory use of the business or facility. Prior to initiating operation of a child day care center, the operator must register with the City as specified in Subsection 1.

3. ~~Conditional Use. Child day care centers are allowed as a conditional use in the R-4, R-4-8, R-6-12 and MR-7-13 districts, subject to the requirements contained in Subsection A, and the following standard:~~

   ~~—~~For child day care facilities within a residence: No structural or decorative alteration is permitted which would alter the residential character of an existing residential structure used as a child day care center.

AA. RMH and UR DISTRICTS COMMERCIAL USE REQUIREMENTS.

1. With the exception of Child Care Centers, c~~C~~ommercial uses in the RMH District (see Table 4.01) shall only be allowed in mixed use buildings and shall not exceed five thousand (5,000) square feet in size.

2. With the exception of Child Care Centers, c~~C~~ommercial uses in the UR District (See Table 4.01) shall only be allowed in mixed use buildings and shall not exceed ten percent (10%) of gross floor area or five thousand (5,000) square feet in size, whichever is smaller.

3. In the UR District, on half block areas facing Union Street, office/commercial or other allowed uses equivalent to one story may be built when part of a housing project.

18.06.040 - TABLES: Permitted and Conditional Uses

TABLE 6.01 PERMITTED AND CONDITIONAL USES														
COMMERCIAL DISTRICT	**NR**	**PO/RM**	**GC**	**MS**	**UW**	**UW-H**	**DB**	**AS**	**CSH**	**HDC-1**	**HDC-2**	**HDC-3**	**HDC-4**	**APPLICABLE REGULATIONS**
District-Wide Regulations	18.06.060(R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
1. EATING & DRINKING ESTABLISHMENTS														
Drinking Establishments			P		P	P	P		C 18.06.060(P)		P	P	P	
Drinking Establishments - Existing		P 18.06.060(GG)				P								
Restaurants, with drive-in or drive-through			P										P	
Restaurants, with drive-in or drive-through, existing			P				P 18.06.060(U)					C	P	
Restaurants, without drive-in or drive-through	P 18.06.060 (U)(3)	C	P	P 18.06.060 (U)(2)	P	P	P 18.06.060 (U)(1)	P	P	P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
2. INDUSTRIAL USES														
Industry, Heavy														

Industry, Light			C		P/C 18.06. 060(N)									
On-Site Treatment & Storage Facilities for Hazardous Waste					P 18.06. 060(Q)									
Piers, Wharves, Landings					P									
Printing, Industrial			C		P/C 18.06. 060(N)									
Publishing		C	C		P		P		C	C				
Warehousing			P		P/C 18.06. 060(AA)		P							
Welding & Fabrication			C		P/C 18.06. 060(N)		P							
Wholesale Sales		C 18.06. 060 (BB)(3)	P		P/C	18.06. 060(BB)		P		P	18.06. 060 (BB)(2)			
Wholesale Products Incidental to Retail Business			P		P	P						P	P	
District-Wide Regulations	18.06. 060(R)				18.06. 060 (F)(2)	18.06. 060 (HH)	18.06. 060 (F)(2)							
3. OFFICE USES (See also SERVICES, HEALTH)														
Banks		P	P		P/C	P	P/C	P	P	P	P	P	P	

					18.06.060 (D)(2)	18.06.060 (D)(2)	18.06.060 (D)(2)					18.06.060 (D)(1)		
Business Offices		P	P		P	P	P	P	P	P	P	P	P	
Government Offices		P	P		P	P	P	P	P	P	P	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
4. RECREATION AND CULTURE														
Art Galleries	P	P	P		P	P	P		P	P	P	P	P	
Auditoriums and Places of Assembly			P		P	P	P					P	P	
Boat Clubs					P	P								
Boating Storage Facilities					P			P						
Commercial Recreation		C	P		P	P	P	P		C	C	P	P	
Health Fitness Centers and Dance Studios	P	P 18.06.060(L)	P	P	P	P	P	P	P	P 18.06.060(L)	P 18.06.060(L)	P	P	
Libraries	C	C	C	C	P	P	P		P	C	P	P	P	18.04.060(V)
Marinas/Boat Launching Facilities					P 18.06.060(CC)	P								
Museums		C	P		P	P	P		P	C	C	P	P	18.04.060(V)
Parks, Neighborhood	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)

Parks & Playgrounds, Other	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(T)
Theaters (Drive-in)			C											
Theaters (No drive-ins)			P		P	P	P				C	P	P	
District-Wide Regulations	18.06.060(R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
5. RESIDENTIAL														
Apartments		P	P	P 18.06.060(T)	P	P	P		P	P	P	P	P	
Apartments above ground floor in mixed use development	P	P	P	P 18.06.060(T)	P	P	P		P	P	P	P	P	
Boarding Houses		P	P	P 18.06.060(T)	P	P	P		P	P	P	P	P	
Cooperative - Housing		P	P			P	P			P	P		P	
Duplexes	P	P	P	P 18.06.060(T)			P		P	P	P		P	
Fraternities, Dormitories		C	P	P 18.06.060(T)	P	P	P		P	C	P	P	P	
Group Homes (6 or less)	P	P	P 18.06.060(K)	P 18.06.060(T)	P	P	P 18.06.060(K)		P	P	P	P 18.06.060(K)	P 18.06.060(K)	18.04.060(K)

Group Homes (7 or more)	C	C	C 18.06. 060(K)	C 18.06. 060(T)	C	C	C 18.06. 060(K)		C	C	C	C 18.06. 060(K)	P 18.06. 060(K)	18.04.060(K)
Mobile or Manufactured Homes Park - Existing		C	C	C 18.06. 060(T)						C			C	18.04.060(P)
Quarters for Night Watch person/ Caretaker					P	P								
Retirement Homes		P	P	P 18.06. 060(T)	P	P	P		P	P	P	P	P	
Single-Family Residences	P	P	P	P 18.06. 060(T)			P		P	P	P	P	P	
~~Single Room Occupancy Units~~Co-Living Housing		P	~~C~~P	P	P	P	P		P	P	P	P	~~C~~P	18.04.080(HH)
Townhouses	P	P	P	P 18.06. 060(T)		P	P		P	P	P	P	P	
District-Wide Regulations	18.06. 060(R)				18.06. 060 (F)(2)	18.06. 060 (HH)	18.06. 060 (F)(2)							
6. RETAIL SALES														
Apparel and Accessory Stores			P		P	P	P					P	P	
Boat Sales and Rentals			P		P	P	P	P					P	

Building Materials, Garden and Farm Supplies	P		P		P	P	P					P	P	
Commercial Greenhouses, Nurseries, Bulb Farms	C	C 18.04. 060 (G)	C	C					C		P	P		18.04.060(G)
Food Stores	P	P 18.06. 060(H)	P		P	P	P		P	P 18.08. 060(H)	P	P	P	
Furniture, Home Furnishings, and Appliances			P		P	P	P				P	P	P	
Gasoline Dispensing Facilities accessory to a permitted use	P 18.06. 060 (W)(4)		P		P 18.06. 060(W)		P 18.06. 060 (W)(2)	P				P 18.06. 060(W)	P 18.06. 060 (W)	
Gasoline Dispensing Facility accessory to a permitted use - Existing	P 18.06. 060(W)		P		P 18.06. 060(W)		P 18.06. 060(W)				P	P 18.06.0 60(W)	P	
General Merchandise Stores	P	P 18.06. 060(J)	P		P	P	P			P 18.06. 060(J)	P	P	P	
Mobile, Manufactured, and Modular Housing Sales			P											
Motor Vehicle Sales			P				P	P					P	

Motor Vehicle Supply Stores			P		P	P	P	P			P	P	P	
Office Supplies and Equipment		P 18.06. 060(DD)	P		P	P	P		P	P 18.06. 060(DD)	P	P	P	18.06.060(CC)
Pharmacies and Medical Supply Stores	P	P 18.06. 060 (EE)	P	P	P	P	P		P	P 18.06. 060(EE)	P	P	P	18.06.060(DD)
Specialty Stores	P 18.06 .060 (Y)(3)	P 18.06 .060 (Y)(4)	P	C 18.06. 060 (Y)(2)	P	P	P			P 18.06. 060 (Y)(4)	P	P 18.06. 060 (Y)(1)	P	
District-Wide Regulations	18.06. 060(R)				18.06. 060 (F)(2)	18.06. 060 (HH)	18.06. 060 (F)(2)							
7. SERVICES, HEALTH														
Hospitals				P			P		P					
Nursing, Congregate Care, and Convalescence Homes	C	C	C	P			C		C	C	C	P	P	18.04.060(S)
Offices, Medical		P	P	P	P	P	P	P	P	P	P	P	P	
Veterinary Offices/Clinics			P								P	P	P	
District-Wide Regulations	18.06. 060(R)				18.06. 060 (F)(2)	18.06. 060 (HH)	18.06. 060 (F)(2)							
8. SERVICES, LODGING														
Bed & Breakfast Houses (1 guest room)	P	P 18.06. 060(E)	P 18.06. 060(E)	P 18.06. 060(E)	P	P	P			P	P	P	P	18.04.060(L)(3)(c)

Bed & Breakfast Houses (2 to 5 guest rooms)	C	P 18.06. 060(E)	P 18.06. 060(E)	P 18.06. 060(E)	P	P	P		C	P	P	P	P	18.04.060(L)(3)(c)
Hotels/Motels			P	C	P		P		P				P	
Lodging Houses		P	P	P	P		P		P	P	P	P	P	
Recreational Vehicle Parks			P										P	
District-Wide Regulations	18.06. 060(R)				18.06. 060 (F)(2)	18.06. 060 (HH)	18.06. 060 (F)(2)							
9. SERVICES, PERSONAL														
Adult Day Care Home	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)(3)(b)
Child Day Care Centers	~~C~~P	P	P	P	P	P	P	P	P	P	C	P	P	18.04.060(D)
Crisis Intervention	C	P	C	P			P		C	P	C	C	C	18.04.060(I)
Family Child Care Homes	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)
Funeral Parlors and Mortuaries		C	P				P			C		P	P	
Laundries and Laundry Pick-up Agencies	p	p	P	P	P	P	P			P	P	P 18.06. 060(O)	P	
Personal Services	P	P	P	P	P	P	P	P	P	P	P	P	P	
District-Wide Regulations	18.06. 060(R)				18.06. 060 (F)(2)	18.06. 060 (HH)	18.06. 060 (F)(2)							
10. SERVICES, MISCELLANEOUS														

Auto Rental Agencies			P		P	P	P	P			C	P	P	
Equipment Rental Services, Commercial			P		P		P				P	P	P	
Equipment Rental Services,														
Commercial - Existing		P 18.06. 060 (FF)												
Ministorage			P				P							
Printing, Commercial	P	P	P		P	P	P		P	P	P	P	P	
Public Facilities (see also Public Facilities, Essential on next page)	C	C	C	C	P	C	P	P	P	C	C	C	C	18.04.060(V)
Radio/T.V. Studios		P	P		P	P	P		P	P	P	P	P	
Recycling Facilities	p	P	P	P	P		P		P	P	P	P	P	18.06.060(V)
School - Colleges and Business, Vocational or Trade Schools		C	P		P	P	P		P	C	C	C	P	18.06.060(X)
Service and Repair Shops			P				P	P				P	P	
Service Stations/Car Washes			P				P 18.06. 060(W)	P				P 18.06. 060(W)	P 18.06. 060 (W)	

Service Stations/Car Washes - Existing			P		P 18.06. 060(W)		P 18.06. 060(W)				P	P 18.06. 060(W)	P 18.06. 060 (W)	
Servicing of Personal Apparel and Equipment	P	P	P		P	P	P			P	P	P	P	
Truck, Trailer, and Recreational Vehicle Rentals			P					P						
Workshops for Disabled People	C	C	C	C	P	C	P		C	C	C	C	C	18.04.060(R)
District-Wide Regulations	18.06. 060(R)				18.06. 060 (F)(2)	18.06. 060 (HH)	18.06. 060 (F)(2)							
11. PUBLIC FACILITIES, ESSENTIAL														
Airports			C										C	18.06.060(G)
Inpatient Facilities		C	C	C 18.06. 060(T)	C		C		C	C	C	P	P	18.06.060(G) 18.04.060(K)
Jails			C		C		C		C				C	18.06.060(G)
Mental Health Facilities			C	C 18.06. 060(T)	C		C						C	18.06.060(G) 18.04.060(K)
Other Correctional Facilities		C	C	C 18.06. 060(T)	C	C	C		C	C	C	C	C	18.06.060(G)
Other facilities as designated by the Washington State Office of Financial Management,		C	C		C		C			C	C	C	C	18.06.060(G)

except prisons and solid waste handling facilities														
Radio/TV and Other Communication Towers and Antennas	C	C	C	C	C	C	C	C	C	C	C	C	C	18.06.060(G) 18.44.100
Sewage Treatment Facilities	C	C	C	C	P		P		C	C	C	C	C	18.06.060(G) 18.04.060(X)
State Education Facilities		C	C		C		C		C	C	C	C	C	18.06.060(G) 18.06.060(X)
State or Regional Transportation Facilities	C	C	C	C	C	C	C		C	C	C	C	C	18.06.060(G)
District-Wide Regulations	18.06.060(R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
12. TEMPORARY USES														
Entertainment Events			P		P	P	P						P	
Off Site Contractor Offices	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(DD)
Emergency Housing	P	P	p	P	P			P	P	P	P	P	P	18.04.060(DD)
Fireworks, as determined by Fire Dept.			P		P	P	P				P	P	P	9.48.160

Mobile Sidewalk Vendors		P	P	P	P	P	P			P	P	P	P	
Parking Lot Sales			P		P	P	P	P			P	P	P	
Residences Rented for Social Event (6 or less in 1 year)	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(DD)
Residences Rented for Social Event (7 or more in 1 year)	C	C	C	C	C	C	C		C	C	C	C	C	
Temporary Surface Parking Lot		P	P		P	P	P		P					
District-Wide Regulations	18.06.060(R)				18.06.060 (F)(2)	18.06.060 (HH)	18.06.060 (F)(2)							
13. OTHER USES														
Accessory Structures/Uses														
Adult Oriented Businesses			P										P	18.06.060(B)
Agriculture	P	P	P	P					P	P	P	P	P	
Animals	P	P	P	P	P	P	P		P	P	P	P	P	18.06.060(C)
Cemeteries	C	C	C	C					C	C	C		C	
Conference Center			P		P	P	P						P	
Fraternal Organizations		P	P		P	P	P		P/C 18.06.060(I)	P	P	P	P	

Gambling Establishments			C											
Garage/Yard/ Rummage and Other Outdoor Sales	P	P	P	P	P	P	P		P	P	P	P	P	5.24
Home Occupations	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(L)
Parking Facility, Commercial		P	P		P	P	P 18.06. 060(S)			P	P	P 18.06. 060(S)	P	18.04.060(V)
Places of Worship	C	C	P	C	P	P	P		C	C	C	P	P	18.04.060(U)
Racing Pigeons	C	C	C	C					C	C	C	C	C	18.04.060(Y)
Satellite Earth Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	18.44.100
Schools	C	C	P	C	C	C	C		C	C	C	P	P	18.04.060(DD)
Utility Facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.04.060(X)
Wireless Communications Facilities	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	18.44

LEGEND			
P = Permitted Use	PO/RM = Professional Office/Residential Multifamily	GC = General Commercial	HDC-1=High Density Corridor-1
MS = Medical Services		UW = Urban Waterfront	HDC-2=High Density Corridor-2
DB = Downtown Business	AS=Auto Services	UW-H = Urban Waterfront-Housing	HDC-3=High Density Corridor-3
C = Conditional Use	NR = Neighborhood Retail	CSH = Commercial Services-High Density	HDC-4=High Density Corridor-4