



OMC 18.06 Requested Code Amendments for Drive- Throughs

Olympia City Council

April 9, 2024

Background

- Application received from Thomas Architecture Studios on September 29, 2023
- Text amendments to municipal code governed under OMC 18.70
 - *OMC 18.70.190.A. grants authority to City Council to approve text amendments after considering a recommendation from the Planning Commission*
- Olympia Planning Commission held a public hearing on January 8, 2024; recommended approval with amendments
- Olympia Land Use & Environment Committee reviewed the Planning Commission recommendation February 21, 2024; forwarded Planning Commission's recommendation with amendments as proposed in the draft ordinance

Existing Code - OMC 18.06.060.F.2.

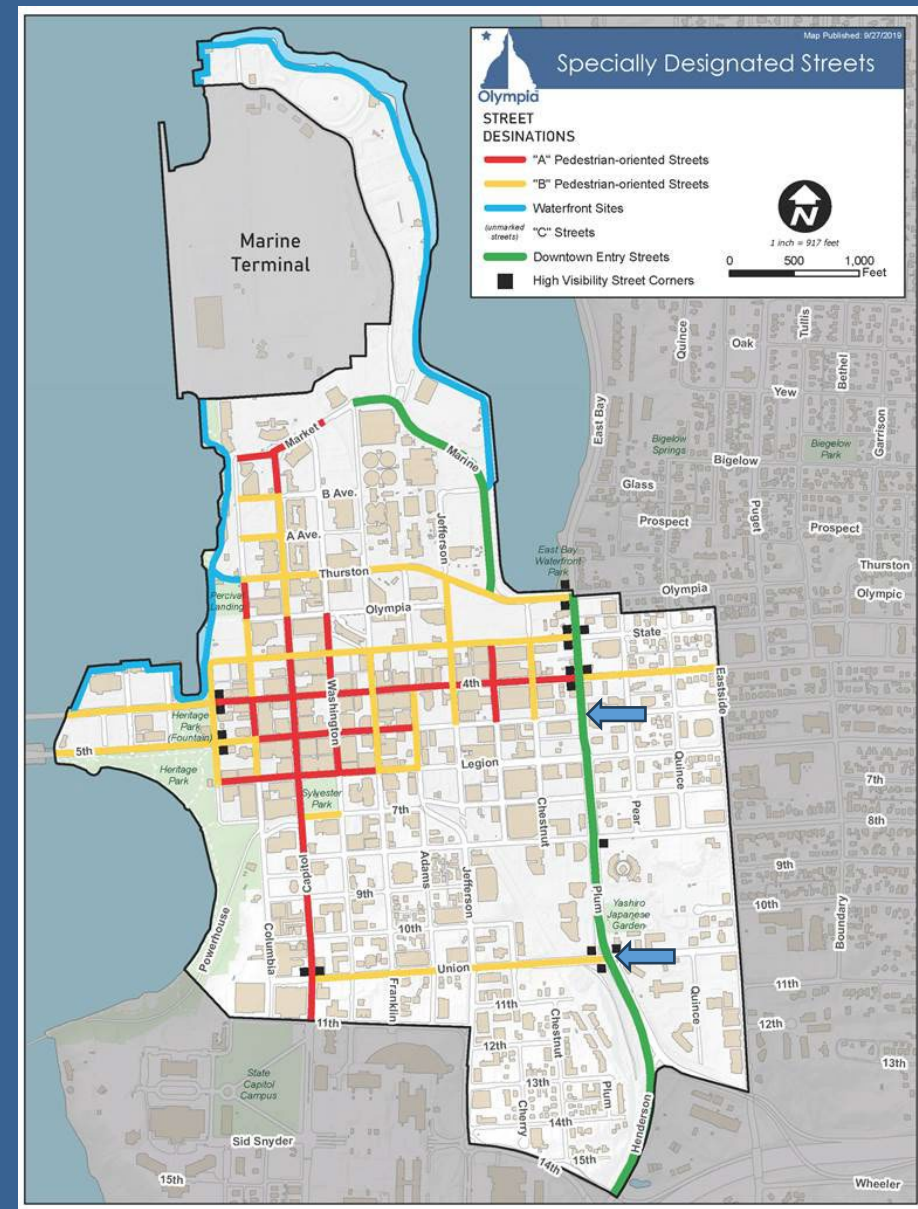
Downtown Business and Urban Waterfront (UW) Requirements. Drive-through and drive-in uses are prohibited as a primary or accessory use (exception: drive-through banks are a conditional use). Existing drive-in and drive-through restaurants permitted before January 1, 1994, are conforming uses. Such uses shall be treated the same as other allowed uses, consistent with applicable regulations or conditional use requirements. Other uses made nonconforming by this zoning ordinance are subject to the requirements of Chapter 18.37, Nonconforming Buildings and Uses.

Proposed Text Amendments

- Replace current code with proposed language and update Table 6.01 – see Attachment 1
- Key provisions:
 - allow drive-through uses within the newly specified area as a conditional use
 - specifies that a new drive-through must be accessory to the primary commercial uses and requires two stories of residential use
 - drive through lane is not allowed between the building and a street



Street Classifications as designated under Engineering Design and Development Standards Chapter 4 - Transportation



Street Types as designated under Downtown Design Review Chapter OMC 18.120.140

Recommended Amendments

- Planning Commission recommended an amendment reducing eligible area to Plum Street between 8th Avenue and Union Avenue; the Commission also recommends an amendment to require a minimum of two floors of residential use
- Land Use & Environment Committee retained the original requested eligible area from 5th Avenue to Union Avenue; LUEC concurred with the recommendation to require two floors of residential use
- Removes drive-ins as a new conditional use; such a use would require a Comprehensive Plan Amendment



If adopted, any applications will be subject to all the following requirements:

- OMC Chapter 18.06 Commercial Districts
- OMC Chapter 18.120 Downtown Design Criteria
- All applicable Engineering Design and Development Standards: Transportation, Stormwater, Waste Resources, etc.
- Conditional Use Permits allow for additional requirements based on factors such as their unusual size, infrequent occurrence, special requirements, possible safety hazards, or detrimental effects on surrounding properties and other similar reasons



Questions?

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Draft Motion

Move to approve the proposed text amendments as recommended by the Land Use and Environment Committee and included in the draft ordinance.



APPENDIX

The following material is provided as reference information only and is not intended as part of the presentation.

Definitions

- **Abutting.** Two or more parcels or buildings sharing a common boundary of at least one point.
- **Accessory Use.** A use of land or a portion thereof customarily incidental and subordinate to the principal use of the land and located on the same lot with the principal use, such as: garage sales; merchandise displays outside of a business; community oriented outdoor activity associated with schools, churches, and other non-profit organizations; and temporary contractor offices on a construction site. Accessory uses may also include uses subordinate to the primary use, such as rooftop solar PV on an existing structure.
- **Frontage.** The side(s) of a lot abutting a public rights-of-way.
- **Legal Lot of Record.** A lot of a subdivision plat or binding site plan or a parcel of land described in a deed either of which is officially recorded to create a separate unit of property, provided that such plat, site plan, or deed must accord with applicable local, state, or federal law on the date created. Separate descriptions of adjoining parcels within a single deed do not necessarily constitute separate legal lots of record.
- **Lot of Record.** A lot, the plat, or deed to which is officially recorded as a unit of property and is described by metes and bounds.

Definitions (cont.)

- **Mixed Use Development.** The development of a parcel or structure with two or more different land uses, such as a combination of residential, office, manufacturing, retail, public, or entertainment in a single or physically integrated group of structures.
- **Parcel.** A parcel of land under one ownership that has been legally subdivided or combined and is shown as a single parcel on the most recent equalized assessment roll.
- **Principal Use.** The primary or predominant use of any lot, building or structure.
- **Restaurant.** A use providing preparation and retail sale of food and beverages, including coffee shops, sandwich shops, ice cream parlors, fast food take-out, espresso stands, and similar uses. A restaurant may include licensed "on-site" provision of alcoholic beverages for consumption on the premises when accessory to such food service. A "drive-in" restaurant is one where all or a significant portion of the consumption takes place or is designed to take place with the patrons remaining in their vehicles while on the premises. A "drive-through" restaurant is one which has one or more drive-through lanes for ordering and dispensing of food and beverages to patrons remaining in their vehicles, for consumption off the premises.

Definitions (cont.)

- **Street, Arterial** - The largest local streets intended to move the most traffic, an arterial street provides an efficient, direct route for long-distance travel within the region and different parts of the City. Street-connecting freeway interchanges to commercial concentrations are classified as arterials. Traffic on arterials is given preference at intersections, and some access control may be considered in order to maintain capacity to carry high volumes of traffic.
- **Street, Local Access**- Local access streets carry local traffic within a neighborhood and may provide connections to collectors or arterials, they provide access to abutting land uses.
- **Street, Major Collector**– Major collectors provide connections between arterials and concentration of residential and commercial activities. The amount of through traffic on a major collector is less than an arterial, and there is more service to abutting land uses. Traffic flow is given preference to lesser streets.

Comprehensive Plan Land Use & Urban Design

GL6 – Community beauty is combined with unique neighborhood identities.

PL18.8 – Create attractive entry corridors to the community and neighborhoods, especially downtown and along urban corridors; to include adopting design standards and installing significant special landscaping along community-entry corridors.

GL18 – Downtown designs express Olympia’s heritage and future in a compact and pedestrian-oriented manner.

PL18.8 – Limit drive-through facilities to the vicinity of the Plum Street freeway interchange.

GL13 – Attractive urban corridors of mixed uses are established near specified major streets.

“Gateways” to Olympia are to be located at the entry/exit points of landscaped “civic boulevards,” at city boundaries, topographical changes, transition in land use, and shifts in transportation densities.



OMC Chapter 18.37

Nonconforming Buildings and Uses

- **Nonconforming Buildings:**

Alterations. Any building or structure that does not meet the criteria...of the use district in which it is located, may be enlarged or remodeled if such alterations do not contribute to further nonconformity. To the extent practical and feasible, any such alteration shall bring the building or structure into closer conformance with the provisions of this title...Preservation of structure remnants, including but not limited to walls and foundations, solely to justify an exception from conformance shall not be permitted.

Relocation. Nonconforming buildings or structures shall not be relocated on the same site unless the move results in bringing the building or structure into closer conformance with the provisions of this title.

Restoration. In the event that a nonconforming structure or building is less than fifty (50) percent destroyed by fire, explosion, act of God or act of public enemy, nothing in this title shall prevent the securing of building permit within six (6) months from the date of destruction for the restoration of said structure. The determination of whether a building or structure is less than fifty (50) percent destroyed shall rest with the building inspector and shall be based on the actual cost of replacing said structure or building. In case the building to be restored houses a nonconforming use, such use is not to be changed unless such change is in conformance with the portion of this section dealing with conversions.

- **Nonconforming use:**

Relocation and Enlargement. The area devoted to a nonconforming use shall not be relocated or enlarged.

OMC Chapter 18.120.220

STREET FRONTS

G. The following requirements apply to developments proposed for sites fronting designated Downtown Entry Streets (see Figure 18.120.140.A.1).

Exception: As an alternative to meeting the requirements of this subsection G, a building subject to this subsection is acceptable if it meets the requirements applicable to Type A Pedestrian Oriented Streets or Type B Pedestrian Oriented Streets.

1. Non-residential buildings. Commercial and mixed-use building façades facing Downtown Entry Streets located within 15 feet of the right-of-way must conform to the following:

a. The building must have at least 50% transparency (clear window area) on the ground floor façade between 2 feet and 8 feet above street level.

b. The building must have a front entrance visible from the public street and a direct walkway between the public sidewalk and the main entrance.

c. The building must have weather protection over the front entry as required by OMC 18.120.450.B.2. The weather protection must be at least 5 feet deep over at least 75% of all portions of the façade adjacent to a pedestrian path or walk.

d. The building may not have fences or screens (except for parking lot screening) taller than 4 feet or retaining walls higher than 30 inches within 15 feet of the right-of-way of the Downtown Entry Street, unless the applicant demonstrates to the City's satisfaction that there are unusual site constraints and the departure is the minimum necessary to alleviate that constraint.

OMC Chapter 18.120.220

STREET FRONTS (cont.)

2. **Residential buildings.** Residential buildings located within 30 feet of the right-of-way must conform to the following:
 - a. The building must have at least 15% transparency on the ground floor.
 - b. The building must have a covered porch, stoop, or patio for individual ground floor unit entries, or a clearly recognizable, covered shared entry pursuant to OMC 18.120.450.B.2.
 - c. The development may not have fences over 4 feet or retaining walls taller than 30 inches within 15 feet of the Downtown Entry Street right-of-way, unless the applicant demonstrates to the City's satisfaction that there are unusual site constraints and the departure is the minimum necessary to alleviate that constraint. Fences and walls are permitted when used to for parking lot screening.
 - d. Garages and storage spaces are prohibited along the ground floor front façade facing the Downtown Entry Street.
3. **Location of surface parking.** Surface parking must be located behind, underneath, or to the side of the ground floor use facing the Downtown Entry Street; parking is prohibited between the building and the street.

Exceptions: If the parking is on the side of a building, or there is no building, parking may not exceed 65 feet of the street frontage. If the lot is wider than 130 feet, parking may occupy up to 50% of the width of the lot facing the street.

OMC Chapter 18.120.220 STREET FRONTS (cont.)

4. **Outdoor display areas.** Large item display areas are prohibited between the main building and the street front. Sidewalks may not be enclosed as a space for retailing. Small, temporary displays and outdoor seating are permitted if pedestrian sidewalk traffic is not impeded as set forth in the City's Street use regulations.

(Ord. 7244 §1 (Exh. A), 2020).

[Link to OMC Chapter 18.120.220 - Street Fronts](#)

OMC Chapter 18.120.220 STREET FRONTS (cont.)

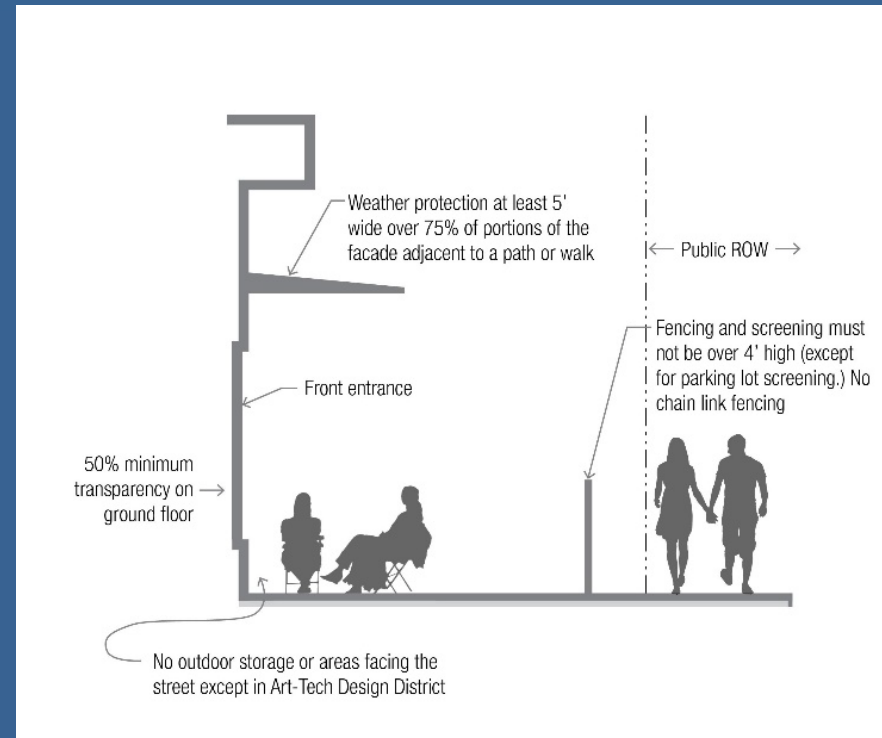


Figure 18.120.220.G.1: Requirements for non-residential buildings within 15 feet of an Entry Street right-of-way (this diagram is for illustrative purposes only. See OMC [18.120.220.G](#) for applicable requirements).

OMC Chapter 18.120.220 STREET FRONTS (cont.)

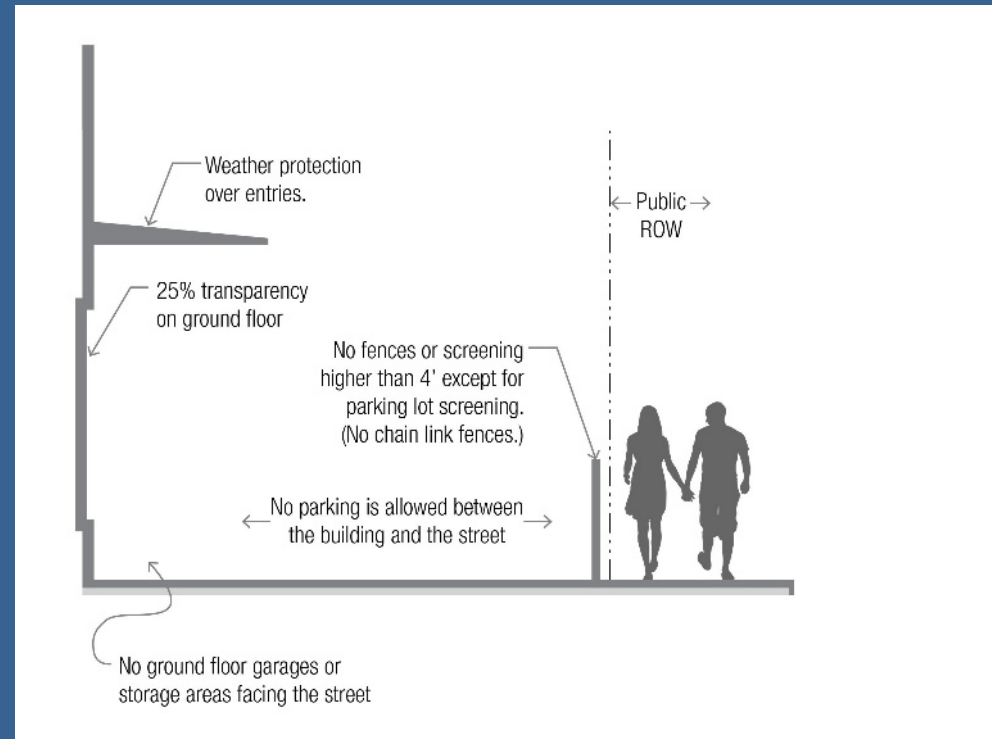


Figure 18.120.220.G.2: Requirements for residential buildings within 30 feet of an Entry Street right-of-way. This diagram is for illustrative purposes only. See OMC 18.120.220.G for applicable requirements.

OMC Chapter 18.120.220 STREET FRONTS (cont.)

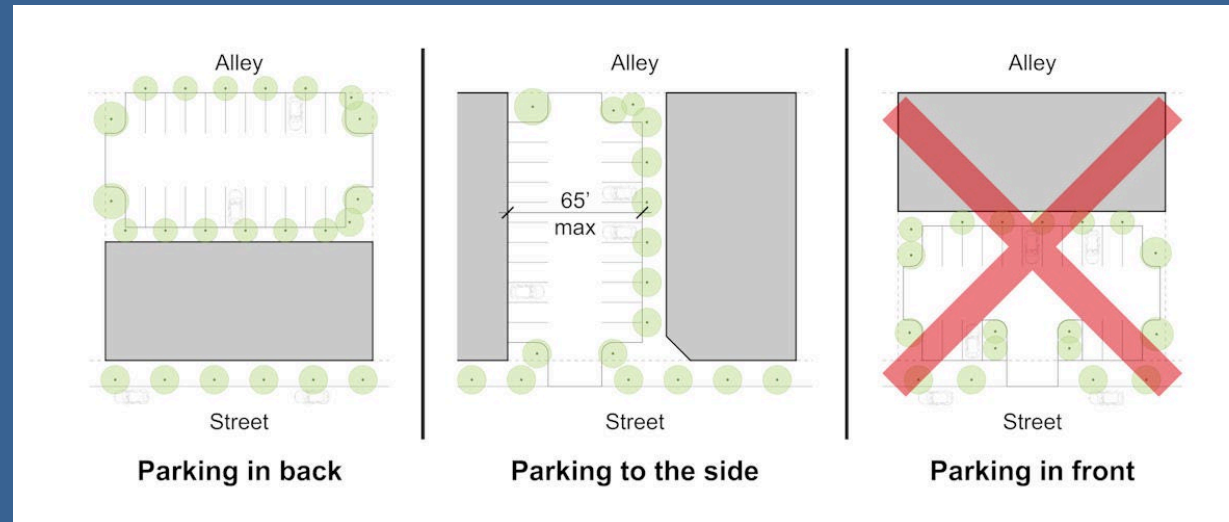


Figure 18.120.220.G.3: Requirements for surface parking location (This diagram is for illustrative purposes only. See OMC 18.120.220.G for applicable requirements).

Other Design Code

OMC 18.120 – Subdistricts and Building Character

Downtown Sub-District – Plum Street is predominantly Business Corridor

General objectives: This Sub-District along Capitol Way and portions of the Plum Street SE corridor is currently characterized by older hotels, small commercial buildings, parking lots, banks, and older office buildings. Substantial redevelopment is envisioned that adds human activity and upgrades the pedestrian routes between Downtown and the Capitol Campus.

Downtown Sub-District – Business Corridor Building Characteristics

The architectural design objective for development along South Capitol Way and other Business Corridor Sub-District buildings is to enhance the visual connection between the State Capitol Campus and the Core...the objective along Plum Street (which is a Downtown Entry Street as described in OMC 18.120.140) is to encourage high quality buildings and an attractive streetscape as an entry into Downtown.

Engineering Design and Development

Chapter 4 – Transportation

Table 3: Street Characteristics

<u>Street</u> Characteristics	Arterial <u>Street</u>	Major Collector	Neighborhood Collector	Local <u>Access</u> Street
Types of <u>Traffic</u> Served	Regional and City-wide	Sub-regional, feed Arterial <u>traffic</u>	Subarea and local <u>traffic</u> , feed Major Collector <u>traffic</u>	Local <u>traffic</u> , feed Neighborhood/Major Collector or Arterial <u>Traffic</u>
Traffic Volumes	14,000 - 40,000 <u>Average Daily Traffic</u>	3,000 - 14,000 <u>Average Daily Traffic</u>	500 - 3,000 <u>Average Daily Traffic</u>	0 - 500 <u>Average Daily Traffic</u>
Percent Local <u>Traffic</u>	0 - 15% of origins and destinations are within a one mile radius of the <u>street</u>	0 - 30% of origins and destinations are within a one mile radius of the <u>street</u>	70% - 100% of origins and destinations are within a one mile radius of the <u>street</u>	80% - 100% of origins and destinations within a one mile radius of the <u>street</u>
Average Travel Length	10 to maximum miles	2 to 15 miles	1 to 2 miles	Minimum to 2 miles
Street Spacing (1)	1 - 2 miles	1/2 - 3/4 mile	1000' - 1500'	350' - 500'
Intersection Spacing (2)	≤500'	350' - 500'	250' - 350'	250' - 350'
Design Speed	30 - 35 mph	25 - 35 mph	25 mph	20 - 25 mph

On-Street Parking	No - except where parking exists and where exempt. Existing parking may be removed for other Transportation needs. Where parking exists, intersection bulb-outs are required.	No - except where parking exists and where exempt. Existing parking may be removed for other Transportation needs. Where parking exists, intersection bulb-outs are required.	Yes - with bulb-outs at intersections.	Yes - one side with parking bulb-outs to define parking areas.
Driveway <u>Access</u>	No	No - except for existing <u>developments</u>	Yes	Yes
Bike Lanes (Class II)	Yes -See <u>4D.020,E</u> for exceptions.	Yes - See <u>4D.020,E</u> for exceptions.	Some - See <u>4D.020,E</u> for exceptions	No
Planting Strips (between sidewalk and curb)	Yes	Yes	Yes	Yes
Sidewalks	Yes	Yes	Yes	Yes
Traffic Calming	No	As needed	Yes - if problem is anticipated or determined through an engineering study.	Yes - if problem is anticipated or determined through an engineering study.
Transit Shelters	Every 1/2 mile	Every 1/2 mile	None	None
Transit Pullouts	Every 1/2 mile	Every 1/2 mile	None	None

Transportation Master Plan – Bike Corridors

- Bike corridors are on local access streets that have slow speeds and few vehicles on them
- Additional signs and pavement markings, and improve the intersections with busy streets
- One existing bike corridor, about a mile and a half long, from Lions Park to Sylvester Park

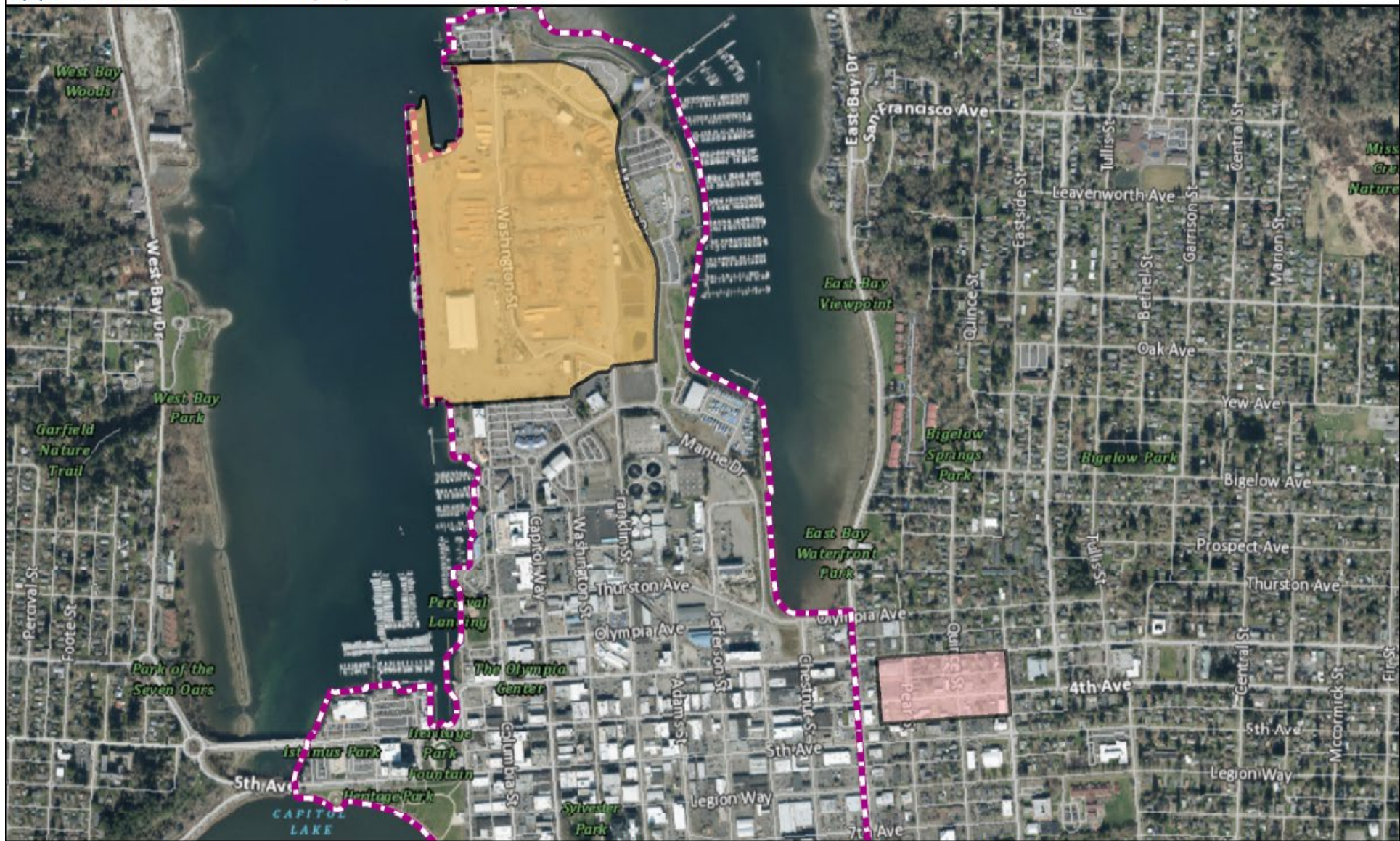


Westbound view from 7th Avenue across Plum Street



Zoning Districts: Drive-Throughs as a Permissible Use

Downtown & Central Olympia



0 0.125 0.25 Miles
 1 inch = 1,000 feet

Map printed 3/20/2024
 For more information, please contact:
 Casey Schaufler, Associate Planner
 cschauf@c.o.olympia.wa.us
 (360) 753-8254

- Current Zoning**
- HIGH DENSITY CORRIDOR 4
 - GENERAL COMMERCIAL
 - INDUSTRIAL
 - LIGHT INDUSTRIAL
 - Downtown Planning Boundary

This map is intended for 8.5x11" landscape printing.

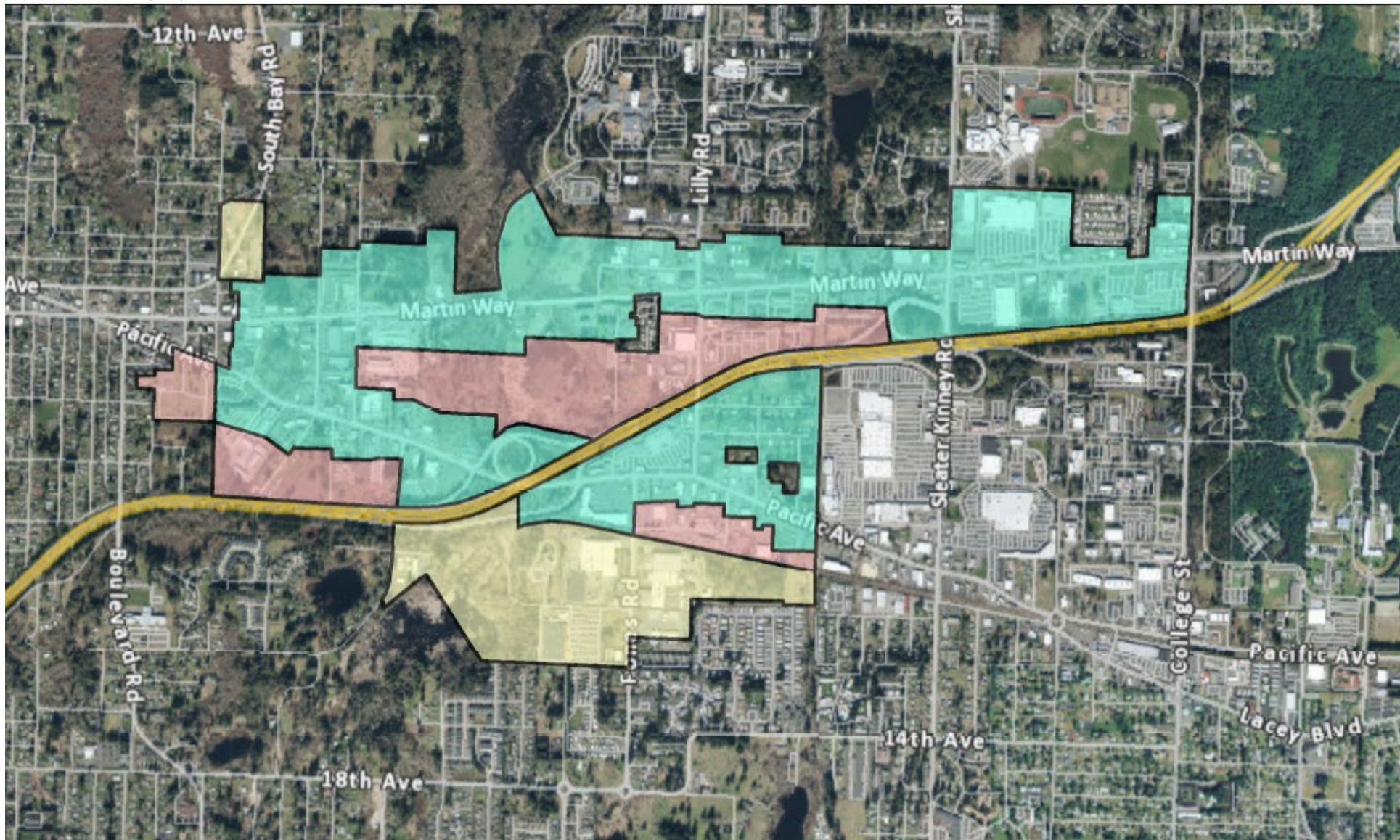
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Zoning Districts: Drive-Throughs as a Permissible Use

East Olympia



0 0.175 0.35
 Miles 1 inch = 1,500 feet

Map printed 3/20/2024
 For more information, please contact:
 Casey Schaufli, Associate Planner
 cschaufli@ci.olympia.wa.us
 (360) 753-8254

- Current Zoning**
- HIGH DENSITY CORRIDOR 4
 - GENERAL COMMERCIAL
 - INDUSTRIAL
 - LIGHT INDUSTRIAL

This map is intended for 8.5x11" landscape printing.

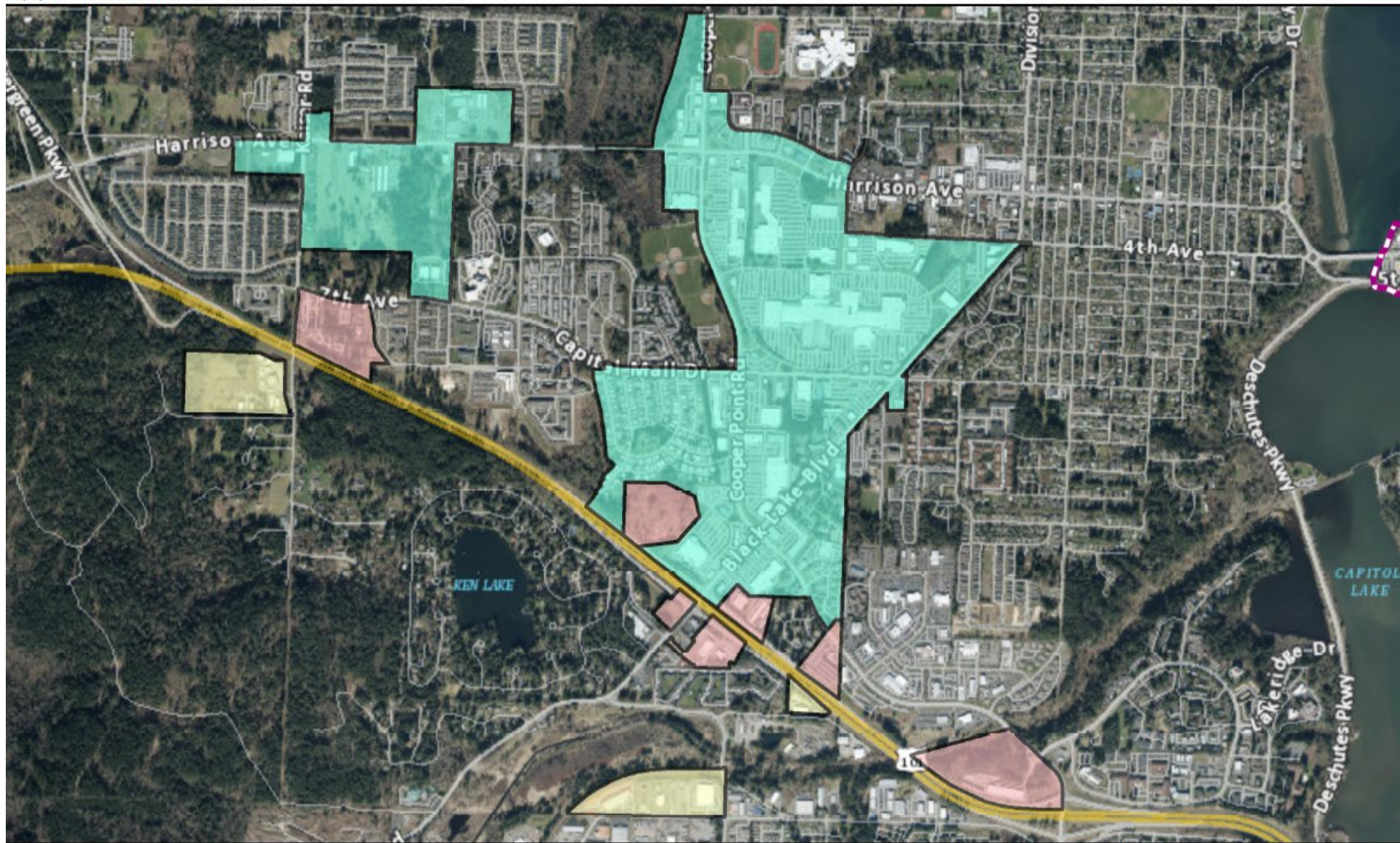
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Zoning Districts: Drive-Throughs as a Permissible Use

West Olympia



0 0.2 0.4
 Miles
 1 inch = 1,667 feet

Map printed 3/20/2024
 For more information, please contact:
 Casey Schaufler, Associate Planner
 cschauf@ci.olympia.wa.us
 (360) 753-8254

- Current Zoning**
- HIGH DENSITY CORRIDOR 4
 - GENERAL COMMERCIAL
 - INDUSTRIAL
 - LIGHT INDUSTRIAL

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Note: This omits the industrial zone located on West Bay Drive



Lots By Tax Parcel Number with a Frontage on Plum Street

Frontages Between Union Avenue and 5th Avenue SE



0 0.0425 0.085 Miles 1 inch = 333 feet

Map printed 1/12/2024
For more information, please contact:
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Lots By Tax Parcel Number with a Frontage on Plum Street

Including Residential Uses Identified by Thruston County Use Codes



0 0.0425 0.085
 Miles 1 inch = 333 feet

Map printed 1/12/2024
 For more information, please contact:
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- Single Family
- Multi-Family
- Apartment

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