Meeting Agenda

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501
Information: 360.753.8441

Tuesday, June 23, 2026 **6:00 PM** **Council Chambers, Online and Via Phone**

Watch the meeting at www.olytv3.com
Register for virtual public comment via Teams:
http://olympiawa.gov/council0623
***IMPORTANT* If joining the meeting on a mobile device or tablet, you will be required to download the Microsoft Teams app**

1. ROLL CALL

1.A ANNOUNCEMENTS

1.B APPROVAL OF AGENDA

2. SPECIAL RECOGNITION

2.A 26-0494 Special Recognition - Mayor for the Day Essay Contest Winner

Attachments: Winning Essay

3. PUBLIC COMMENT

(Estimated Time: 0-30 Minutes) (Sign-up Sheets are provided in the Foyer.)

During this portion of the meeting, community members may address the City Council regarding items related to City business, including items on the Agenda. In order for the City Council to maintain impartiality and the appearance of fairness in upcoming matters and to comply with Public Disclosure Law for political campaigns, speakers will not be permitted to make public comments before the Council in these two areas: (1) where the public testimony may implicate a matter on which the City Council will be required to act in a quasi-judicial capacity, or (2) where the speaker promotes or opposes a candidate for public office or a ballot measure.

Individual comments are limited to two (2) minutes or less. In order to hear as many people as possible during the 30-minutes set aside for Public Communication, the City Council will refrain from commenting on individual remarks until all public comment has been taken. The City Council will allow for additional public comment to be taken at the end of the meeting for those who signed up at the beginning of the meeting and did not get an opportunity to speak during the allotted 30-minutes.

COUNCIL RESPONSE TO PUBLIC COMMENT (Optional)

4. CONSENT CALENDAR

(Items of a Routine Nature)

4.A 26-0493 Approval of the June 16, 2026 City Council Meeting Minutes

Attachments: Minutes

4.B 26-0481 Approval of Bills (March 26, 2026 - May 27, 2026) and Payroll (April 15, 2026 - May 31, 2026) Certification

Attachments: Bills and Payroll

4.C 26-0480 Approval of a Resolution Authorizing a Grant Agreement Between the City of Olympia and Rocky Mountain Institute for a Multifamily EV Charging Project

Attachments: Resolution

Subgrant Agreement

4.D 26-0441 Approval of a Resolution Authorizing the Subordination of Community Development Block Grant Loans for Behavioral Health Resources B&B Apartments

Attachments: Resolution

Agreement

4.E 26-0467 Approval of a Resolution Authorizing an Agreement with the Washington State Department of Natural Resources for Forestland Fire Mutual Aid

Attachments: Resolution

Agreement

4.F 26-0438 Approval of a Resolution Authorizing a Lease Agreement with Catholic Community Services for Quince Street Tiny Home Village

Attachments: Resolution

Agreement

4.G 26-0471 Approval of a Resolution Authorizing a Funding Agreement with Catholic Community Services for Quince Street Tiny Home Village

Attachments: Resolution

Agreement

Financial Table

4.H 26-0472 Approval of a Resolution Authorizing a Leasing Agreement with Valeo Vocation for Operations at Franz Anderson Tiny Home Village

Attachments: Resolution

Agreement

4.I 26-0473 Approval of a Resolution Authorizing a Funding Agreement with Valeo Vocation for Operations at Franz Anderson Tiny Home Village

Attachments: Resolution

Agreement

Financial Table

4. SECOND READINGS (Ordinances)

4.J 26-0444 Approval of an Ordinance to Adopt Code Amendments Related to Olympia Municipal Code Chapters 15.04, 15.08, and 15.16 Related to Park Impact Fees

Attachments: Ordinance

4.K 26-0420 Approval of an Ordinance to Adopt Code Amendments Related to Title 10 - Vehicles and Traffic

Attachments: Ordinance
Proposed Code Amendments
Companion Review Document
Planning Commission Recommendation Letter

4.L 26-0430 Approval of an Ordinance to Adopt Code Amendments Related to Title 16 - Building and Construction

Attachments: Ordinance
Proposed Code Amendments
Companion Review Document
Planning Commission Recommendation Letter

4.M 26-0431 Approval of an Ordinance to Adopt Code Amendments Related to Title 17 - Subdivisions

Attachments: Ordinance
Proposed Code Amendments
Companion Review Document
Planning Commission Recommendation Letter

4.N 26-0432 Approval of an Ordinance to Adopt Code Amendments Related to Title 18 - Unified Development Code

Attachments: Ordinance
Proposed Code Amendments
Companion Review Document
Planning Commission Recommendation Letter

4. FIRST READINGS (Ordinances)

4.O 26-0476 Approval of an Ordinance to Vacate a Right-of-Way along Garfield Avenue Abutting West Bay Drive

Attachments: Ordinance
Vicinity Map
Exhibit "F"
Exhibit "G"

5. PUBLIC HEARING

5.A 26-0475 Public Hearing on Master Use Permit for Ezee Fiber

Attachments: Proposed Service Area Map

5.B 26-0439 Public Hearing on a Substantial Amendment to the 2023-27 Community Development Block Grant Consolidated Plan

Attachments: Substantial Amendment to the 2023-27 Consolidated Plan

5.C 26-0440 Public Hearing on the Program Year 2026 Community Development Block Grant Annual Action Plan

Attachments: Draft Program Year 2026 Annual Action Plan

Program Year 2026 Annual Action Plan Public Summary

Federal Funding Risks

CDBG Program Information

6. OTHER BUSINESS

6.A 26-0426 Briefing on the October 2025 Critical Incident Review and Community Representative Role

7. CONTINUED PUBLIC COMMENT

(If needed for those who signed up earlier and did not get an opportunity to speak during the allotted 30 minutes)

8. COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

9. CITY MANAGER'S REPORT AND REFERRALS

10. ADJOURNMENT

The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the City Council meeting, please contact the Assistant to the City Manager at 360.753.8441 at least 48 hours in advance of the meeting. For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1.800.833.6384.

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

City Council

Special Recognition - Mayor for the Day Essay Contest Winner

Agenda Date: 6/23/2026
Agenda Item Number: 2.A
File Number:26-0494

Type: recognition **Version:** 1 **Status:** Recognition

Title
Special Recognition - Mayor for the Day Essay Contest Winner

Recommended Action
Committee Recommendation:
Not referred to a Committee.

City Manager Recommendation:
Recognize Harriet Rambo as the Mayor for the Day Essay contest winner.

Report
Issue:
Whether to recognize Harriet Rambo as the Mayor for the Day Essay contest winner.

Staff Contact:
Melissa McKee, Assistant to the City Council, 360.753.8443

Presenter(s):
Dontae Payne, Mayor
Harriet Rambo, Mayor for the Day Essay Contest Winner

Background and Analysis:
The City of Olympia Mayor for a Day Essay Contest is a civic engagement program focused on engaging and educating local youth on the workings of municipal government in a fun and meaningful way.

The contest was open to 4th, 5th, and 6th grade aged students who are homeschooled or live within the Olympia School District service boundaries. The essays submitted were reviewed by Mayor Dontae Payne and Mayor Pro Tem Yến Huỳnh.

The topic for the essay submissions was as follows: *If you were selected to be Mayor for the day, what would you do to make Olympia a better community for everyone, and how would you do it? Be specific. Also share why you should be chosen as Mayor for the day.*

Type: recognition **Version:** 1 **Status:** Recognition

Harriet Rambo, 6th Grader at Jefferson Middle School, was the 2026 Mayor for the Day essay contest winner. Along with the today's Special Recognition, as the Mayor for the Day, on May 29, 2026 Ms. Rambo had the opportunity to be "sworn in" and shadow the Mayor for a day; receive a certificate of recognition signed by the Mayor and was included in a news release that includes a photo of her with the City Council. Ms. Rambo participated in multiple civic activities including an Olympia Police Department ride along, and a retirement celebration for a long-time City employee.

Attachments:
Winning Essay

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360-753-8244

City Council

Approval of the June 16, 2026 City Council Meeting Minutes

Agenda Date: 6/23/2026
Agenda Item Number: 4.A
File Number:26-0493

Type: minutes **Version:** 1 **Status:** Consent Calendar

Title
Approval of the June 16, 2026 City Council Meeting Minutes

Meeting Minutes - Draft

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501
Information: 360.753.8441

Tuesday, June 16, 2026 **6:00 PM** **Council Chambers, Online and Via Phone**

Watch the meeting video at www.olytv3.com

1. ROLL CALL

Present: 6 - Mayor Dontae Payne, Mayor Pro Tem Yến Huỳnh, Councilmember Dani Madrone, Councilmember Clark Gilman, Councilmember Kelly Green and Councilmember Paul Berendt

Excused: 1 - Councilmember Robert Vanderpool

1.A ANNOUNCEMENTS

1.B APPROVAL OF AGENDA

The agenda was approved.

2. SPECIAL RECOGNITION

2.A 26-0453 Special Recognition - Proclamation Recognizing Juneteenth

Councilmembers read a proclamation recognizing Juneteenth.

Community organizer and advocate Malika Lamont received the proclamation.

The recognition was received.

2.B 26-0470 Special Recognition - FIFA World Cup 2026 Olympia-Lacey Fanzone

JFJ Strategies Principal Jennie Foglia Jones shared an update regarding the FIFA World Cup 2026 Olympia-Lacey Fanzone and the events taking place in June to celebrate the World Cup.

The recognition was received.

3. PUBLIC COMMENT

The following people spoke: Kurshida Begum and Tana Morehead.

COUNCIL RESPONSE TO PUBLIC COMMENT (Optional)

4. CONSENT CALENDAR

4.A 26-0463 Approval of June 2, 2026 City Council Meeting Minutes

The minutes were adopted.

4.B 26-0468 Approval of June 9, 2026 Study Session Meeting Minutes

The minutes were adopted.

4.C 26-0447 Approval of a Resolution Authorizing a Youth Athletic Facilities Grant Application to the Recreation and Conservation Office for LBA Park Field #3 Renovation

The resolution was adopted.

4.D 26-0448 Approval of a Resolution Authorizing a Youth Athletic Facilities Grant Application to the Recreation and Conservation Office for Kettle View Park Improvements

The resolution was adopted.

4.E 26-0449 Approval of a Resolution Authorizing a Washington Wildlife and Recreation Program Grant Application to the Recreation and Conservation Office for Rebecca Howard Park Phase I

The resolution was adopted.

4.F 26-0452 Approval of a Resolution Authorizing a Building Resilient Infrastructure and Communities Grant Application for the Percival Creek Sewer Reroute Project

The resolution was adopted.

4.G 26-0457 Approval of a Resolution Authorizing a Building Resilient Infrastructure and Communities Grant Application for Coastal Flood Protection Infrastructure Project Scoping

The resolution was adopted.

4.H 26-0466 Approval of a Resolution Authorizing an Agreement with Thurston County and the Cities of Lacey, Tumwater, and Yelm for a Regional Environmental Education Program

The resolution was adopted.

4.I 26-0451 Approval of a Resolution Authorizing an Amendment to the Construction Support Services Agreement with PSOMAS Inc. for the Fones Road Improvement Project

The resolution was adopted.

4.J 26-0450 Approval of a Resolution Authorizing Change Orders to the Contract with Pivetta Brothers Construction for the Fones Road Improvement Project

The resolution was adopted.

4. SECOND READINGS (Ordinances)

4.K 26-0393 Approval of an Ordinance Extending a Declaration of Public Health Emergency Related to Insufficient Supply of Affordable Housing

The ordinance was adopted on second reading.

4. FIRST READINGS (Ordinances)

4.L 26-0444 Approval of an Ordinance to Adopt Code Amendments Related to Olympia Municipal Code Chapters 15.04, 15.08, and 15.16 Related to Park Impact Fees

The ordinance was approved on first reading and moved to second reading.

4.M 26-0420 Approval of an Ordinance to Adopt Code Amendments Related to Title 10 - Vehicles and Traffic

The ordinance was approved on first reading and moved to second reading.

4.N 26-0430 Approval of an Ordinance to Adopt Code Amendments Related to Title 16 - Building and Construction

The ordinance was approved on first reading and moved to second reading.

4.O 26-0431 Approval of an Ordinance to Adopt Code Amendments Related to Title 17 - Subdivisions

The ordinance was approved on first reading and moved to second reading.

4.P 26-0432 Approval of an Ordinance to Adopt Code Amendments Related to Title 18 - Unified Development Code

The ordinance was approved on first reading and moved to second reading.

Approval of the Consent Agenda

Councilmember Berendt moved, seconded by Councilmember Madrone, to adopt the Consent Calendar. The motion carried by the following vote:

Aye: 6 - Mayor Payne, Mayor Pro Tem Huỳnh, Councilmember Madrone, Councilmember Gilman, Councilmember Green and Councilmember Berendt

Excused: 1 - Councilmember Vanderpool

5. PUBLIC HEARING - None

6. OTHER BUSINESS

6.A 26-0458 Briefing on the Safe Housing and Rental Efficiency Accelerator Pilot Program

Building Decarbonization Program Manager Dominic Jones shared an overview of the Safe Housing and Rental Efficiency (SHARE) Accelerator program. He noted that the program connects owners of affordable rental housing within city limits to funding, guidance, and resources to streamline energy efficiency as well as health and safety upgrades. The pilot will support 10 rental units between 2026-2029.

Councilemembers asked clarifying questions.

The report was received.

6.B 26-0417 Approval of a Resolution Authorizing 2026-2028 Inspire Olympia Funding

Inspire Olympia Program Manager Marygrace Goddu, Cultural Access Senior Program Specialist Amelia Layton, and Cultural Access Advisory Board Chair Melissa Meade provided an overview of the Cultural Access Program and its grant review process. They noted that 94 organizations applied for funding, with awards totaling $2.06 million to 68 Impact Grant recipients, $2.4 million to 17 Comprehensive Grant recipients, and $390,000 for the Cultural Access in Olympia Public Schools (CAPS) program. The funding supports arts, culture, heritage, and science organizations and aligns with the Cultural Access Fund spending plan and program goals to expand equitable access to cultural opportunities.

Councilmember Gilman noted that he must recuse himself from voting on funding for the Bridge Music Project, as he serves on it's board.

Councilmembers asked clarifying questions and raised concerns regarding the funding process, including how organizations outside Olympia city limits are evaluated and whether additional recipient requirements, such as a formal code of conduct, should be considered. Staff indicated they will work with the Community Livability and Public Safety Committee to review the program and explore process improvements ahead of the next funding cycle.

Councilmember Madrone moved, seconded by Councilmember Green, to approve the recommendations from the Community Livability and Public Safety Committee, knowing that the Committee has pledged to address the process and has heard all of the feedback and will be working with staff throughout the rest of the year. The motion failed by the following vote:

Aye: 2 - Councilmember Madrone and Councilmember Green

Nay: 1 - Councilmember Berendt

Excused: 1 - Councilmember Vanderpool

Recused: 1 - Councilmember Gilman

Abstained: 2 - Mayor Payne and Mayor Pro Tem Huỳnh

Councilmember Gilman moved, seconded by Councilmember Madrone, to approve the slate of recommendations from the Community Livability and Public Safety Committee excluding the Bridge Music project as a recommendation. The motion carried by the following vote:

Aye: 5 - Mayor Payne, Mayor Pro Tem Huỳnh, Councilmember Madrone, Councilmember Gilman and Councilmember Green

Nay: 1 - Councilmember Berendt

Excused: 1 - Councilmember Vanderpool

Councilmember Madrone moved, seconded by Councilmember Green, moved that the Bridge Music project also receive funding as recommended by the Community LIvabilty and Public Safety Committee. The motion carried by the following vote:

Aye: 5 - Mayor Payne, Mayor Pro Tem Huỳnh, Councilmember Madrone, Councilmember Green and Councilmember Berendt

Excused: 1 - Councilmember Vanderpool

Recused: 1 - Councilmember Gilman

7. CONTINUED PUBLIC COMMENT

8. COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

Councilmembers reported on meetings and events attended.

9. CITY MANAGER'S REPORT AND REFERRALS

City Manager Burney thanked the staff of the Thurston County Food Bank for the recent tour of their operations. He noted that they are in need of personal hygiene product donations. He also thanked Armory Building Manager Valerie Roberts for the recent tour of the Armory construction.

10. ADJOURNMENT

The meeting adjourned at 8:37 p.m.

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601 4th Avenue E.
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City Council

Approval of Bills (March 26, 2026 - May 27, 2026) and Payroll (April 15, 2026 - May 31, 2026) Certification

Agenda Date:
Agenda Item Number: 4.B
File Number:26-0481

Type: decision **Version:** 1 **Status:** Consent Calendar

Title
Approval of Bills (March 26, 2026 - May 27, 2026) and Payroll (April 15, 2026 - May 31, 2026) Certification

City of Olympia

Expenditure Summary

"I the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claims are just, due and unpaid obligations against the City of Olympia, and that I am authorized to authenticate and certify to said claims", and, "I, the undersigned, do hereby certify under penalty of perjury that claims for employee and officer expenses are just, due and unpaid obligations against the City of Olympia, and that I am authroized to certify said claims".

For Period 3/26/2026 to 4/1/2026

Total Approved for Payment

Fund	Amount
FND_001 GENERAL FUND	$66,919.05
FND_003 SPECIAL ACCT CONTROL FUND	$27,408.00
FND_006 DEVELOPMENT FEE REVENUE	$10,174.79
FND_007 PARKING FUND	$1,078.43
FND_014 LEOFF1 OPEB TRUST FUND	$22,759.00
FND_026 MUNICIPAL ARTS FUND	$5,808.80
FND_132 LODGING TAX FUND	$13,474.87
FND_142 HOME FUND	$168,041.86
FND_143 CULTURAL ACCESS PROGRAM	$78,543.38
FND_340 PARKS CAPITAL IMPROVEMENT FUND	$21,392.97
FND_401 DRINKING WATER UTILITY OPERATING	$20,199.77
FND_402 WASTEWATER UTILITY OPERATING	$15,872.18
FND_403 WASTE RESOURCES OPERATING	$61,378.97
FND_404 STORMWATER AND SURFACE WATER OP	$23,413.51
FND_501 EQUIPMENT RENTAL	$9,408.32
FND_502 EQUIPMENT RESERVE	$30,387.60
FND_504 INSURANCE TRUST FUND	$1,286.86
FND_505 WORKERS COMPENSATION	$22,824.29
FND_506 FACILITIES	$2,109.51
FND_507 Fire Fleet	$22,292.53
FND_630 CUSTODIAL	$12,871.81
Non-Departmental / Payroll AP - Suppliers	$517,841.43
Grand Total	**$1,155,487.93**

Rhiannon Weilmunster — Prepared by: — 4/9/2026 — Date

Reviewed by: — 04/09/26 — Date

The Finance Director of the City of Olympia, Washington, herby certifies that for period statement above has been examined and and are approved as recommended for payment.

Michael Githens
Michael Githens (Apr 9, 2026 15:46:37 PDT) — Approved by/Finance Director — 04/09/26 — Date

City of Olympia

Expenditure Summary

"I the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claims are just, due and unpaid obligations against the City of Olympia, and that I am authorized to authenticate and certify to said claims", and, "I, the undersigned, do hereby certify under penalty of perjury that claims for employee and officer expenses are just, due and unpaid obligations against the City of Olympia, and that I am authroized to certify said claims".

For Period 4/2/2026 to 4/8/2026

Total Approved for Payment

FUND	AMOUNT
FND_001 GENERAL FUND	$714,704.77
FND_003 SPECIAL ACCT CONTROL FUND	$7,964.84
FND_006 DEVELOPMENT FEE REVENUE	$110,612.78
FND_007 PARKING FUND	$2,103.46
FND_014 LEOFF1 OPEB TRUST FUND	$3,701.50
FND_025 WASH CENTER MAINTENANCE	$52,932.26
FND_142 HOME FUND	$233.00
FND_143 CULTURAL ACCESS PROGRAM	$51,073.14
FND_320 TRANSPORTATION CAPITAL IMPROVEMENT FUND	$194,983.83
FND_335 GENERAL FACILITIES CAPITAL IMPROVEMENT FUND	$18,491.23
FND_340 PARKS CAPITAL IMPROVEMENT FUND	$217,256.78
FND_401 DRINKING WATER UTILITY OPERATING	$33,824.26
FND_402 WASTEWATER UTILITY OPERATING	$1,320,271.06
FND_403 WASTE RESOURCES OPERATING	$31,969.23
FND_404 STORMWATER AND SURFACE WATER OPERATING	$4,756.95
FND_461 DRINKING WATER CAPITAL IMPROVEMENT	$1,948.73
FND_462 WASTEWATER CAPITAL IMPROVEMENT	$11,515.29
FND_464 STORMWATER AND SURFACE WATER CAPITAL IMPF	$1,692.38
FND_501 EQUIPMENT RENTAL	$91,656.11
FND_502 EQUIPMENT RESERVE	$56,865.36
FND_505 WORKERS COMPENSATION	$44,861.67
FND_506 FACILITIES	$39,578.87
FND_507 Fire Fleet	$13,572.48
Non-Departmental / Payroll AP - Suppliers	$1,591,540.44
Grand Total	**$4,618,110.42**

Rhiannon Weilmunster — Prepared by: — 4/9/2026 — Date

Reviewed by: — 04/09/26 — Date

The Finance Director of the City of Olympia, Washington, herby certifies that for period statement above has been examined and and are approved as recommended for payment.

Michael Githens — Michael Githens (Apr 9, 2026 15:47:06 PDT) — Approved by/Finance Director — 04/09/26 — Date

City of Olympia

Expenditure Summary

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For Period 4/9/2026 to 4/15/2026

Total Approved for Payment

FUND	AMOUNT
FND_001 GENERAL FUND	$154,946.73
FND_003 SPECIAL ACCT CONTROL FUND	$9,730.63
FND_006 DEVELOPMENT FEE REVENUE	$29,207.47
FND_007 PARKING FUND	$16,088.95
FND_014 LEOFF1 OPEB TRUST FUND	$65,637.22
FND_025 WASH CENTER MAINTENANCE	$1,446.60
FND_107 HUD FUND	$22,548.59
FND_132 LODGING TAX FUND	$63,233.23
FND_142 HOME FUND	$149,110.04
FND_143 CULTURAL ACCESS PROGRAM	$84,205.21
FND_320 TRANSPORTATION CAPITAL IMPROVEMENT FUND	$6,644.99
FND_335 GENERAL FACILITIES CAPITAL IMPROVEMENT FUND	$23,884.85
FND_340 PARKS CAPITAL IMPROVEMENT FUND	$5,685.50
FND_401 DRINKING WATER UTILITY OPERATING	$118,864.32
FND_402 WASTEWATER UTILITY OPERATING	$44,644.05
FND_403 WASTE RESOURCES OPERATING	$401,657.73
FND_404 STORMWATER AND SURFACE WATER OPERATING	$7,471.30
FND_411 DRINKING WATER UTILITY DEBT	$11,756.36
FND_412 WASTEWATER UTILITY DEBT	$25,856.06
FND_414 STORMWATER AND SURFACE WATER DEBT	$61,824.36
FND_461 DRINKING WATER CAPITAL IMPROVEMENT	$38,026.07
FND_464 STORMWATER AND SURFACE WATER CAPITAL IMPF	$11,295.16
FND_501 EQUIPMENT RENTAL	$48.19
FND_506 FACILITIES	$46,979.15
FND_507 Fire Fleet	$3,945.86
Non-Departmental / Payroll AP - Suppliers	$2,086,079.71
Grand Total	**$3,490,818.33**

Rhiannon Weilmunster — Prepared by: — 4/21/2026 — Date

Joan M Bitz — Reviewed by: — 04/21/26 — Date

The Finance Director of the City of Olympia, Washington, herby certifies that for period statement above has been examined and and are approved as recommended for payment.

Michael Githens — Michael Githens (Apr 26, 2026 17:22:37 PDT) — Approved by/Finance Director — 04/26/26 — Date

City of Olympia

Expenditure Summary

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For Period 4/16/2026 to 4/22/2026

Total Approved for Payment

Fund	Amount
FND_001 GENERAL FUND	$323,125.02
FND_003 SPECIAL ACCT CONTROL FUND	$184,432.19
FND_006 DEVELOPMENT FEE REVENUE	$22,493.80
FND_007 PARKING FUND	$203.60
FND_014 LEOFF1 OPEB TRUST FUND	$6,964.80
FND_025 WASH CENTER MAINTENANCE	$52,704.48
FND_026 MUNICIPAL ARTS FUND	$1,586.24
FND_138 TRANSPORTATION BENEFIT DISTRICT	$5.68
FND_141 OLY METRO PARK DISTRICT	$2.84
FND_142 HOME FUND	$9,293.45
FND_143 CULTURAL ACCESS PROGRAM	$53,862.01
FND_318 HOME FUND CAPITAL	$398.29
FND_320 TRANSPORTATION CAPITAL IMPROVEMENT	$118,761.28
FND_335 GENERAL FACILITIES CAPITAL IMPROVEME	$57,113.31
FND_340 PARKS CAPITAL IMPROVEMENT FUND	$618,865.95
FND_401 DRINKING WATER UTILITY OPERATING	$25,213.36
FND_402 WASTEWATER UTILITY OPERATING	$41,274.03
FND_403 WASTE RESOURCES OPERATING	$5,767.21
FND_404 STORMWATER AND SURFACE WATER OPE	$10,918.96
FND_462 WASTEWATER CAPITAL IMPROVEMENT	$752.40
FND_501 EQUIPMENT RENTAL	$26,639.84
FND_506 FACILITIES	$23,726.80
FND_507 Fire Fleet	$39,003.48
Non-Departmental / Payroll AP - Suppliers	$360,180.22
Grand Total	**$1,983,289.24**

Rhiannon Weilmunster — Prepared by: — 5/7/2026 — Date

Kensey Wang (May 7, 2026 14:05:09 PDT) — Reviewed by: — 05/07/26 — Date

The Finance Director of the City of Olympia, Washington, herby certifies that for period statement above has been examined and and are approved as recommended for payment.

Michael Githens — Michael Githens (May 7, 2026 14:25:16 PDT) — Approved by/Finance Director — 05/07/26 — Date

City of Olympia

Expenditure Summary

"I the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claims are just, due and unpaid obligations against the City of Olympia, and that I am authorized to authenticate and certify to said claims", and, "I, the undersigned, do hereby certify under penalty of perjury that claims for employee and officer expenses are just, due and unpaid obligations against the City of Olympia, and that I am authroized to certify said claims".

For Period 4/23/2026 to 4/30/2026

Total Approved for Payment

Fund	Amount
FND_001 GENERAL FUND	$365,024.20
FND_003 SPECIAL ACCT CONTROL FUND	$95.00
FND_006 DEVELOPMENT FEE REVENUE	$1,098.14
FND_007 PARKING FUND	$702.82
FND_014 LEOFF1 OPEB TRUST FUND	$9,445.00
FND_025 WASH CENTER MAINTENANCE	$227.66
FND_107 HUD FUND	$39.37
FND_143 CULTURAL ACCESS PROGRAM	$151,782.38
FND_320 TRANSPORTATION CAPITAL IMPROVEMEN	$3,763.50
FND_340 PARKS CAPITAL IMPROVEMENT FUND	$2,006.16
FND_401 DRINKING WATER UTILITY OPERATING	$50,055.30
FND_402 WASTEWATER UTILITY OPERATING	$35,426.70
FND_403 WASTE RESOURCES OPERATING	$80,394.12
FND_404 STORMWATER AND SURFACE WATER OP	$31,810.32
FND_501 EQUIPMENT RENTAL	$54,456.28
FND_502 EQUIPMENT RESERVE	$126,889.13
FND_503 UNEMPLOYMENT COMPENSATION	$250.00
FND_505 WORKERS COMPENSATION	$25,838.47
FND_506 FACILITIES	$707.00
FND_507 Fire Fleet	$48,129.86
FND_630 CUSTODIAL	$42,018.74
Non-Departmental / Payroll AP - Suppliers	$1,634,325.70
Grand Total	**$2,664,485.85**

Rhiannon Weilmunster — Prepared by: — 5/7/2026 — Date

Kensey Wang (May 7, 2026 14:05:55 PDT) — Reviewed by: — 05/07/26 — Date

The Finance Director of the City of Olympia, Washington, herby certifies that for period statement above has been examined and and are approved as recommended for payment.

Michael Githens — Michael Githens (May 7, 2026 14:25:36 PDT) — Approved by/Finance Director — 05/07/26 — Date

City of Olympia

Expenditure Summary

"I the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claims are just, due and unpaid obligations against the City of Olympia, and that I am authorized to authenticate and certify to said claims", and, "I, the undersigned, do hereby certify under penalty of perjury that claims for employee and officer expenses are just, due and unpaid obligations against the City of Olympia, and that I am authroized to certify said claims".

For Period 5/1/2026 to 5/6/2026

Total Approved for Payment

Fund	Amount
FND_001 GENERAL FUND	$356,912.36
FND_003 SPECIAL ACCT CONTROL FUND	$3,070.75
FND_006 DEVELOPMENT FEE REVENUE	$12,025.00
FND_007 PARKING FUND	$592.12
FND_014 LEOFF1 OPEB TRUST FUND	$41,998.79
FND_025 WASH CENTER MAINTENANCE	$136.52
FND_026 MUNICIPAL ARTS FUND	$28,285.00
FND_132 LODGING TAX FUND	$14,607.40
FND_137 HANDS ON CHILDRENS MUSEUM	$466.46
FND_142 HOME FUND	$499,680.24
FND_143 CULTURAL ACCESS PROGRAM	$40,851.22
FND_318 HOME FUND CAPITAL	$544,484.77
FND_320 TRANSPORTATION CAPITAL IMPROVEMENT FUND	$506,736.06
FND_340 PARKS CAPITAL IMPROVEMENT FUND	$115,570.45
FND_401 DRINKING WATER UTILITY OPERATING	$10,677.60
FND_402 WASTEWATER UTILITY OPERATING	$11,829.77
FND_403 WASTE RESOURCES OPERATING	$1,122.90
FND_404 STORMWATER AND SURFACE WATER OPERATING	$11,505.16
FND_411 DRINKING WATER UTILITY DEBT	$17,132.93
FND_412 WASTEWATER UTILITY DEBT	$110,458.41
FND_461 DRINKING WATER CAPITAL IMPROVEMENT	$2,470.50
FND_462 WASTEWATER CAPITAL IMPROVEMENT	$17,281.56
FND_463 WASTE RESOURCES CAPITAL IMPROVEMENT	$5,176.05
FND_464 STORMWATER AND SURFACE WATER CAPITAL IMPF	$2,244.31
FND_501 EQUIPMENT RENTAL	$47,540.43
FND_502 EQUIPMENT RESERVE	$87,695.59
FND_504 INSURANCE TRUST FUND	$18,959.39
FND_506 FACILITIES	$29,094.37
FND_507 Fire Fleet	$18,540.67
Non-Departmental / Payroll AP - Suppliers	$391,327.64
Grand Total	**$2,948,474.42**

Rhiannon Weilmunster — Prepared by: — 5/7/2026 — Date

Kensey Wang (May 7, 2026 14:06:34 PDT) — Reviewed by: — 05/07/26 — Date

The Finance Director of the City of Olympia, Washington, herby certifies that for period statement above has been examined and and are approved as recommended for payment.

Michael Githens
Michael Githens (May 7, 2026 14:25:57 PDT) — Approved by/Finance Director — 05/07/26 — Date

City of Olympia

Expenditure Summary

"I the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claims are just, due and unpaid obligations against the City of Olympia, and that I am authorized to authenticate and certify to said claims", and, "I, the undersigned, do hereby certify under penalty of perjury that claims for employee and officer expenses are just, due and unpaid obligations against the City of Olympia, and that I am authroized to certify said claims".

For Period 5/7/2026 to 5/13/2026

Total Approved for Payment

Fund	Amount
FND_001 GENERAL FUND	$187,331.77
FND_003 SPECIAL ACCT CONTROL FUND	$95.00
FND_006 DEVELOPMENT FEE REVENUE	$36,060.30
FND_007 PARKING FUND	$11,686.64
FND_014 LEOFF1 OPEB TRUST FUND	$67,639.65
FND_025 WASH CENTER MAINTENANCE	$373.94
FND_137 HANDS ON CHILDRENS MUSEUM	$56.00
FND_142 HOME FUND	$2,100.00
FND_143 CULTURAL ACCESS PROGRAM	$17,600.00
FND_317 CAPITAL IMPROVEMENTS FUND	$14,007.74
FND_318 HOME FUND CAPITAL	$456,803.73
FND_335 GENERAL FACILITIES CAPITAL IMPROVEMENT FUND	$80,522.74
FND_340 PARKS CAPITAL IMPROVEMENT FUND	$35,818.12
FND_401 DRINKING WATER UTILITY OPERATING	$42,441.12
FND_402 WASTEWATER UTILITY OPERATING	$14,835.05
FND_403 WASTE RESOURCES OPERATING	$31,703.11
FND_404 STORMWATER AND SURFACE WATER OPERATING	$16,063.15
FND_461 DRINKING WATER CAPITAL IMPROVEMENT	$22,118.45
FND_462 WASTEWATER CAPITAL IMPROVEMENT	$1,964.85
FND_464 STORMWATER AND SURFACE WATER CAPITAL IMPF	$7,003.26
FND_501 EQUIPMENT RENTAL	$5,419.79
FND_505 WORKERS COMPENSATION	$23,747.63
FND_506 FACILITIES	$113,293.60
FND_507 Fire Fleet	$96,303.08
Non-Departmental / Payroll AP - Suppliers	$2,251,422.96
Grand Total	**$3,536,411.68**

Rhiannon Weilmunster — Prepared by: — 5/28/2026 — Date

Reviewed by: — 05/28/26 — Date

The Finance Director of the City of Olympia, Washington, herby certifies that for period statement above has been examined and and are approved as recommended for payment.

Michael Githens (May 28, 2026 13:39:30 PDT) — Approved by/Finance Director — 05/28/26 — Date

City of Olympia

Expenditure Summary

"I the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claims are just, due and unpaid obligations against the City of Olympia, and that I am authorized to authenticate and certify to said claims", and, "I, the undersigned, do hereby certify under penalty of perjury that claims for employee and officer expenses are just, due and unpaid obligations against the City of Olympia, and that I am authroized to certify said claims".

For Period 5/14/2026 to 5/20/2026

Total Approved for Payment

Fund	Amount
FND_001 GENERAL FUND	$913,405.95
FND_003 SPECIAL ACCT CONTROL FUND	$16,550.98
FND_006 DEVELOPMENT FEE REVENUE	$78,432.04
FND_007 PARKING FUND	$18,402.62
FND_014 LEOFF1 OPEB TRUST FUND	$6,968.79
FND_025 WASH CENTER MAINTENANCE	$3,257.60
FND_107 HUD FUND	$12,888.68
FND_132 LODGING TAX FUND	$4,763.67
FND_137 HANDS ON CHILDRENS MUSEUM	$445.50
FND_142 HOME FUND	$8,016.90
FND_143 CULTURAL ACCESS PROGRAM	$20,242.57
FND_317 CAPITAL IMPROVEMENTS FUND	$23,925.20
FND_320 TRANSPORTATION CAPITAL IMPROVEMENT	$136,321.16
FND_335 GENERAL FACILITIES CAPITAL IMPROVEME	$29,429.92
FND_340 PARKS CAPITAL IMPROVEMENT FUND	$501,455.41
FND_401 DRINKING WATER UTILITY OPERATING	$93,849.20
FND_402 WASTEWATER UTILITY OPERATING	$1,464,678.96
FND_403 WASTE RESOURCES OPERATING	$410,133.50
FND_404 STORMWATER AND SURFACE WATER OPE	$18,891.55
FND_501 EQUIPMENT RENTAL	$74,484.92
FND_504 INSURANCE TRUST FUND	$565.33
FND_505 WORKERS COMPENSATION	$21,423.13
FND_506 FACILITIES	$19,392.06
FND_507 Fire Fleet	$5,504.42
FND_630 CUSTODIAL	$16,159.83
Non-Departmental / Payroll AP - Suppliers	$362,796.24
Grand Total	**$4,262,386.13**

Rhiannon Weilmunster — Prepared by: — 5/28/2026 — Date

Reviewed by: — 05/28/26 — Date

The Finance Director of the City of Olympia, Washington, herby certifies that for period statement above has been examined and and are approved as recommended for payment.

Michael Githens
Michael Githens (May 28, 2026 13:38:44 PDT) — Approved by/Finance Director — 05/28/26 — Date

City of Olympia

Expenditure Summary

"I the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claims are just, due and unpaid obligations against the City of Olympia, and that I am authorized to authenticate and certify to said claims", and, "I, the undersigned, do hereby certify under penalty of perjury that claims for employee and officer expenses are just, due and unpaid obligations against the City of Olympia, and that I am authroized to certify said claims".

For Period 5/21/2026 to 5/27/2026

Total Approved for Payment

Fund	Amount
FND_001 GENERAL FUND	$442,632.49
FND_003 SPECIAL ACCT CONTROL FUND	$61,080.57
FND_006 DEVELOPMENT FEE REVENUE	$8,282.18
FND_007 PARKING FUND	$113.33
FND_014 LEOFF1 OPEB TRUST FUND	$18,130.00
FND_025 WASH CENTER MAINTENANCE	$1,472.15
FND_026 MUNICIPAL ARTS FUND	$710.47
FND_107 HUD FUND	$4,136.68
FND_132 LODGING TAX FUND	$1,840.93
FND_138 TRANSPORTATION BENEFIT DISTRICT	$5.68
FND_141 OLY METRO PARK DISTRICT	$2.84
FND_142 HOME FUND	$123,110.65
FND_143 CULTURAL ACCESS PROGRAM	$1,301.17
FND_220 NON-VOTED GO DEBT FUND	$519,964.96
FND_317 CAPITAL IMPROVEMENTS FUND	$21,346.40
FND_318 HOME FUND CAPITAL	$4,022.87
FND_320 TRANSPORTATION CAPITAL IMPROVEMENT FUND	$396,188.89
FND_335 GENERAL FACILITIES CAPITAL IMPROVEMENT FUND	$10,780.00
FND_340 PARKS CAPITAL IMPROVEMENT FUND	$80,516.25
FND_401 DRINKING WATER UTILITY OPERATING	$92,384.76
FND_402 WASTEWATER UTILITY OPERATING	$64,886.50
FND_403 WASTE RESOURCES OPERATING	$84,594.49
FND_404 STORMWATER AND SURFACE WATER OPERATING	$27,156.84
FND_461 DRINKING WATER CAPITAL IMPROVEMENT	$369.79
FND_463 WASTE RESOURCES CAPITAL IMPROVEMENT	$3,610.00
FND_464 STORMWATER AND SURFACE WATER CAPITAL IMPF	$26,156.00
FND_501 EQUIPMENT RENTAL	$21,695.24
FND_502 EQUIPMENT RESERVE	$33.91
FND_503 UNEMPLOYMENT COMPENSATION	$64,596.44
FND_506 FACILITIES	$12,433.56
FND_507 Fire Fleet	$76,960.18
FND_630 CUSTODIAL	$41,197.16
Non-Departmental / Payroll AP - Suppliers	$2,225.12
Grand Total	**$2,213,938.50**

Rhiannon Weilmunster — Prepared by: — 5/28/2026 — Date

Joan M Lutz — Reviewed by: — 05/28/26 — Date

The Finance Director of the City of Olympia, Washington, herby certifies that for period statement above has been examined and and are approved as recommended for payment.

Michael Githens — Michael Githens (May 28, 2026 13:39:09 PDT) — Approved by/Finance Director — 05/28/26 — Date

CITY OF OLYMPIA

4/15/2026

NET PAY: (SEMI MONTHLY)			$	2,242,259.48
FIRE PENSION: (MONTHLY)			$	19,936.56
TOTAL NET PAY:			$	2,262,196.04
Semi-monthly Payroll Check Numbers:	94904	to 94907	$	1,522.88
Semi-monthly Payroll Direct Deposit:			$	2,240,736.60
Manual Payroll Check Numbers:		to		
Manual Payroll Check Numbers:		to		
Monthly Fire Pension Check Numbers:		to	$	-
Monthly Fire Pension Direct Deposit:			$	19,936.56
TOTAL NET PAY:			$	2,262,196.04

Patricia Brassfield — Prepared by: — 04/21/2026 — Date

Reviewed by: — 04/21/2026 — Date

The Finance Director of the City of Olympia, Washington, herby certifies that the Payroll gross earnings, benefits and LEOFF I post-retirement insurance benefits for the pay cycle ending: **4/15/2026** have been examined and are approved as recommended for payment.

Michael Githens
Michael Githens (Apr 26, 2026 17:21:44 PDT) — Approved by/Finance Director — 04/26/2026 — Date

Payroll Certification PPE 4.15.2026 and Fire Pension 4.2026

Final Audit Report 2026-04-27

Created:	2026-04-21
By:	Patricia Brassfield (pbrassfi@ci.olympia.wa.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAIJWeiQQEqdswOmUC-W-TD3aY-gmQKgm0

"Payroll Certification PPE 4.15.2026 and Fire Pension 4.2026" History

Document created by Patricia Brassfield (pbrassfi@ci.olympia.wa.us)
2026-04-21 - 8:09:10 PM GMT

Document emailed to Joan Lutz (jlutz@ci.olympia.wa.us) for signature
2026-04-21 - 8:09:15 PM GMT

Email viewed by Joan Lutz (jlutz@ci.olympia.wa.us)
2026-04-21 - 8:49:30 PM GMT

Document e-signed by Joan Lutz (jlutz@ci.olympia.wa.us)
Signature Date: 2026-04-21 - 8:50:20 PM GMT - Time Source: server

Document emailed to Michael Githens (mgithens@ci.olympia.wa.us) for signature
2026-04-21 - 8:50:22 PM GMT

Email viewed by Michael Githens (mgithens@ci.olympia.wa.us)
2026-04-27 - 0:21:26 AM GMT

Document e-signed by Michael Githens (mgithens@ci.olympia.wa.us)
Signature Date: 2026-04-27 - 0:21:44 AM GMT - Time Source: server

Agreement completed.
2026-04-27 - 0:21:44 AM GMT

CITY OF OLYMPIA

4/30/2026

NET PAY: (SEMI MONTHLY)			$	2,248,056.64
FIRE PENSION: (MONTHLY)			$	-
TOTAL NET PAY:			$	2,248,056.64
Semi-monthly Payroll Check Numbers:	94908	to 94910	$	1,018.39
Semi-monthly Payroll Direct Deposit:			$	2,247,038.25
Manual Payroll Check Numbers:		to		
Manual Payroll Check Numbers:		to		
Monthly Fire Pension Check Numbers:		to	$	-
Monthly Fire Pension Direct Deposit:			$	-
TOTAL NET PAY:			$	2,248,056.64

Patricia Brassfield — Prepared by: — 05/06/2026 — Date

Joan M Bates — Reviewed by: — 05/11/2026 — Date

The Finance Director of the City of Olympia, Washington, herby certifies that the Payroll gross earnings, benefits and LEOFF I post-retirement insurance benefits for the pay cycle ending: **4/30/2026** have been examined and are approved as recommended for payment.

Michael Githens
Michael Githens (May 11, 2026 14:53:32 PDT) — Approved by/Finance Director — 05/11/2026 — Date

Payroll Certification 4.30.2026

Final Audit Report 2026-05-11

Created:	2026-05-06
By:	Patricia Brassfield (pbrassfi@ci.olympia.wa.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAwtt4X_RELVXMJr-Pc6mY-HXXGsYV-P7V

"Payroll Certification 4.30.2026" History

Document created by Patricia Brassfield (pbrassfi@ci.olympia.wa.us)
2026-05-06 - 7:56:37 PM GMT

Document emailed to Joan Lutz (jlutz@ci.olympia.wa.us) for signature
2026-05-06 - 7:56:44 PM GMT

Email viewed by Joan Lutz (jlutz@ci.olympia.wa.us)
2026-05-11 - 9:47:39 PM GMT

Document e-signed by Joan Lutz (jlutz@ci.olympia.wa.us)
Signature Date: 2026-05-11 - 9:48:51 PM GMT - Time Source: server - Signature Appearance Selected: IMAGE

Document emailed to Michael Githens (mgithens@ci.olympia.wa.us) for signature
2026-05-11 - 9:48:53 PM GMT

Email viewed by Michael Githens (mgithens@ci.olympia.wa.us)
2026-05-11 - 9:53:13 PM GMT

Document e-signed by Michael Githens (mgithens@ci.olympia.wa.us)
Signature Date: 2026-05-11 - 9:53:32 PM GMT - Time Source: server - Signature Appearance Selected: TYPE

Agreement completed.
2026-05-11 - 9:53:32 PM GMT

CITY OF OLYMPIA

5/15/2026

NET PAY: (SEMI MONTHLY)			$	2,260,209.77
FIRE PENSION: (MONTHLY)			$	18,280.59
TOTAL NET PAY:			$	2,278,490.36
Semi-monthly Payroll Check Numbers:	94911	to 94913	$	1,220.61
Semi-monthly Payroll Direct Deposit:			$	2,258,989.16
Manual Payroll Check Numbers:		to		
Manual Payroll Check Numbers:		to		
Monthly Fire Pension Check Numbers:		to	$	-
Monthly Fire Pension Direct Deposit:			$	18,280.59
TOTAL NET PAY:			$	2,278,490.36

Patricia Brassfield — Prepared by: — 05/20/2026 — Date

Reviewed by: — 05/20/2026 — Date

The Finance Director of the City of Olympia, Washington, herby certifies that the Payroll gross earnings, benefits and LEOFF I post-retirement insurance benefits for the pay cycle ending: **5/15/2026** have been examined and are approved as recommended for payment.

Michael Githens
Michael Githens (May 20, 2026 13:24:36 PDT) — Approved by/Finance Director — 05/20/2026 — Date

5.15.2026 Payroll Certification and 5.2026 Fire Pension Certification

Final Audit Report 2026-05-20

Created:	2026-05-20
By:	Patricia Brassfield (pbrassfi@ci.olympia.wa.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAgYK1lG4c6ndYYdPXdX-VgAWR9mZWxw0X

"5.15.2026 Payroll Certification and 5.2026 Fire Pension Certification" History

Document created by Patricia Brassfield (pbrassfi@ci.olympia.wa.us)
2026-05-20 - 5:12:38 PM GMT

Document emailed to Joan Lutz (jlutz@ci.olympia.wa.us) for signature
2026-05-20 - 5:12:44 PM GMT

Email viewed by Joan Lutz (jlutz@ci.olympia.wa.us)
2026-05-20 - 7:28:50 PM GMT

Document e-signed by Joan Lutz (jlutz@ci.olympia.wa.us)
Signature Date: 2026-05-20 - 7:36:02 PM GMT - Time Source: server - Signature Appearance Selected: IMAGE

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2026-05-20 - 7:36:04 PM GMT

Email viewed by Michael Githens (mgithens@ci.olympia.wa.us)
2026-05-20 - 8:24:09 PM GMT

Document e-signed by Michael Githens (mgithens@ci.olympia.wa.us)
Signature Date: 2026-05-20 - 8:24:36 PM GMT - Time Source: server - Signature Appearance Selected: TYPE

Agreement completed.
2026-05-20 - 8:24:36 PM GMT

CITY OF OLYMPIA

5/31/2026

NET PAY: (SEMI MONTHLY)			$	2,332,037.82
FIRE PENSION: (MONTHLY)				
TOTAL NET PAY:			$	2,332,037.82
Semi-monthly Payroll Check Numbers:	94914	to 94916	$	1,494.71
Semi-monthly Payroll Direct Deposit:			$	2,330,543.11
Manual Payroll Check Numbers:		to		
Manual Payroll Check Numbers:		to		
Monthly Fire Pension Check Numbers:		to	$	-
Monthly Fire Pension Direct Deposit:				
TOTAL NET PAY:			$	2,332,037.82

Patricia Brassfield — Prepared by: — 06/03/2026 — Date

Joan M Bitz — Reviewed by: — 06/10/2026 — Date

The Finance Director of the City of Olympia, Washington, herby certifies that the Payroll gross earnings, benefits and LEOFF I post-retirement insurance benefits for the pay cycle ending: **5/31/2026** have been examined and are approved as recommended for payment.

Michael Githens
Michael Githens (Jun 10, 2026 14:33:05 PDT) — Approved by/Finance Director — 06/10/2026 — Date

5.31.2026 Payroll Certification

Final Audit Report 2026-06-10

Created:	2026-06-10
By:	Patricia Brassfield (pbrassfi@ci.olympia.wa.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAA-U1V8iAwzrU7DFp9A7YOUjz8sEhXIfuU

"5.31.2026 Payroll Certification" History

Document created by Patricia Brassfield (pbrassfi@ci.olympia.wa.us)
2026-06-10 - 4:30:42 PM GMT

Document emailed to Joan Lutz (jlutz@ci.olympia.wa.us) for signature
2026-06-10 - 4:30:47 PM GMT

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2026-06-10 - 8:44:37 PM GMT

Document e-signed by Joan Lutz (jlutz@ci.olympia.wa.us)
Signature Date: 2026-06-10 - 8:45:34 PM GMT - Time Source: server - Signature Appearance Selected: IMAGE

Document emailed to Michael Githens (mgithens@ci.olympia.wa.us) for signature
2026-06-10 - 8:45:36 PM GMT

Email viewed by Michael Githens (mgithens@ci.olympia.wa.us)
2026-06-10 - 9:32:29 PM GMT

Document e-signed by Michael Githens (mgithens@ci.olympia.wa.us)
Signature Date: 2026-06-10 - 9:33:05 PM GMT - Time Source: server - Signature Appearance Selected: TYPE

Agreement completed.
2026-06-10 - 9:33:05 PM GMT

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

City Council

Approval of a Resolution Authorizing a Grant Agreement Between the City of Olympia and Rocky Mountain Institute for a Multifamily EV Charging Project

Agenda Date: 6/23/2026
Agenda Item Number: 4.C
File Number:26-0480

Type: resolution **Version:** 1 **Status:** Consent Calendar

Title
Approval of a Resolution Authorizing a Grant Agreement Between the City of Olympia and Rocky Mountain Institute for a Multifamily EV Charging Project

Recommended Action
Committee Recommendation:
Not referred to a committee.

City Manager Recommendation:
Move to approve a resolution authorizing a grant agreement between the City of Olympia and Rocky Mountain Institute for a multifamily EV charging project.

Report
Issue:
Whether to approve a resolution authorizing a grant agreement between the City of Olympia and Rocky Mountain Institute for a multifamily EV charging project.

Staff Contact:
Pamela Braff, Director of Climate Programs, City Manager's Office, 360.753.8249

Presenter(s):
None - Consent Calendar Item.

Background and Analysis:
EV Charging Need
The transportation sector is the second largest source of greenhouse gas (GHG) emissions in Olympia, making up 34% of inventoried emissions. Among transportation-related emissions, passenger vehicles are the largest source, followed by heavy-duty trucks and other commercial vehicles. One of the most important ways for the transportation sector to reduce greenhouse gas emissions is to reduce the number of miles Olympians travel by vehicle. However, it will take many decades to achieve the land use and transportation infrastructure changes that will make walking,

rolling, biking, or taking transit the best choice for most trips in Olympia. In the meantime, electric vehicles (EVs) and other types of electric micromobility, such as e-bikes, play an important role in reducing transportation-related GHG emissions.

Adequate charging infrastructure is needed to support the transition to electric vehicles. Concern about limited EV charging stations is a commonly cited barrier to EV adoption. This is particularly true for renters, who often face additional challenges in accessing EV charging at home. Ensuring equitable access to low-cost charging stations for all community members, regardless of where they live or work, is a critical step to support the transition to electric vehicles.

Grant Award
In 2025, the cities of Olympia and Tumwater began working with Rocky Mountain Institute (RMI) to evaluate strategies for expanding access to electric vehicles and micromobility, with an emphasis on addressing barriers for low-income households, renters, and multifamily housing. In early 2026, RMI invited the cities to apply for subgrant funding, supported by a grant from General Motors, to advance this work. Each city was awarded $25,000 to fund the installation of Level 2 EV charging stations to serve residents of affordable multifamily rental housing.

By leveraging private investment, utility incentives, and in-kind staff support, this project will complete installations for at least 2 multifamily sites (one each in the cities of Olympia and Tumwater). Depending on site criteria and specific charging needs, we expect to install 1-2 dual-head, level 2 chargers (2-4 total ports) at each site.

Climate Analysis:
Transportation is one of the largest sources of inventoried greenhouse gas emissions in Olympia, and supporting the transition to electric vehicles is a key strategy to reduce emissions from this sector. By providing EV charging infrastructure for multifamily housing, this project helps remove barriers to electric vehicle adoption and directly advances the Olympia 2045 Comprehensive Plan Policy PT5.4, “Encourage and incentivize the provision of low-cost EV charging for multifamily housing”.

Equity Analysis:
As the purchase price of new and used electric vehicles reaches parity with conventional internal combustion engine vehicles, more households will have the ability to purchase electric vehicles. However, access to affordable and convenient charging remains a significant barrier, especially for renters and residents of multifamily housing who have limited ability to install home charging infrastructure. This project directly addresses this barrier by prioritizing installations that serve residents of affordable multifamily housing and expanding access to EV charging.

Neighborhood/Community Interests (if known):
During the development of the Olympia 2045 Comprehensive Plan, many community members identified increasing access to EV charging infrastructure as a high priority.

Financial Impact:
This subgrant award is $25,000, and no match is required to accept the funding. If installation costs exceed the grant award, these costs would be the responsibility of the property owner.

Options:

Type: resolution **Version:** 1 **Status:** Consent Calendar

1. Move to approve a resolution authorizing a grant agreement between the City of Olympia and Rocky Mountain Institute for a multifamily EV charging project.
2. Move to approve the resolution authorizing a grant agreement between the City of Olympia and Rocky Mountain Institute for a multifamily EV charging project, with specific modifications.
3. Do not approve the resolution authorizing a grant agreement between the City of Olympia and Rocky Mountain Institute for a multifamily EV charging project.

Attachments:
Resolution
Agreement

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A GRANT AGREEMENT BETWEEN THE CITY OF OLYMPIA AND ROCKY MOUNTAIN INSTITUTE FOR A MULTIFAMILY EV CHARGING PROJECT

WHEREAS, climate change is an existential crisis posing one of the most serious threats to the existence of humanity and all species on the planet; a threat that intersects and compounds all other crises facing humanity and our earth; and

WHEREAS, in 2019, Olympia City Council passed a Resolution Expressing a Commitment to Protect the Youth of this Community from the Risks of Climate Destruction (Resolution No. M-2045) and to achieve net zero emissions by 2040; and

WHEREAS, transportation is one of the largest sources of greenhouse gas emissions in Olympia, making up more than 34% of inventoried emissions; and

WHEREAS, it will take many decades to achieve the land use and transportation infrastructure changes that will make walking, rolling, biking, or taking transit the best choice for most trips in Olympia. In the meantime, electric vehicles (EVs) and other types of electric micromobility, such as e-bikes, play an important role in reducing transportation-related GHG emissions; and

WHEREAS, adequate charging infrastructure is needed to support the transition to electric vehicles. Ensuring equitable access to low-cost charging stations for all community members, regardless of where they live or work, is a critical step to support the transition to electric vehicles; and

WHEREAS, renters and residents of multifamily housing face additional barriers to accessing low-cost EV charging at home, and the Olympia 2045 Comprehensive Plan includes Policy PT5.4, “Encourage and incentivize the provision of low-cost EV charging for multifamily housing”; and

WHEREAS, Rocky Mountain Institute, supported by a grant from General Motors, wishes to award a $25,000 subgrant to the City of Olympia and a $25,000 subgrant to the City of Tumwater, for a joint project to install EV charging stations to serve residents of affordable multi-family rental housing in the Cities of Olympia and Tumwater; and

WHEREAS, per Olympia Municipal Code Subsection 3.16.020.C, it is necessary for the City Council to approve the Grant Agreement and authorize the signature of all documents necessary to obligate funds for the Project;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL RESOLVES as follows:

1. The Olympia City Council hereby approves the Grant Agreement between the City of Olympia and Rocky Mountain Institute for a Multifamily EV Charging Project and the terms and conditions contained therein.

2. The City Manager is hereby directed and authorized to execute on behalf of the City of Olympia the Grant Agreement, and any other documents necessary to obligate funds for the Multifamily EV Charging Project, and to make any amendments or minor modifications as may be required and are consistent with the intent of the Grant Agreement, and to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____day of _____ 2022.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

Subgrant Agreement

This Subgrant Agreement (this "Agreement") is made by and between ROCKY MOUNTAIN INSTITUTE ("RMI"), a Colorado nonprofit, and CITY OF OLYMPIA, a non-charter code city that operates under a council-manager government in the State of Washington ("City of Olympia" or "Subrecipient") (each, a "Party", or together, the "Parties"), effective upon the completion of all signatures by the Parties ("Effective Date").

RMI's project seeks to expand access to electric vehicles (EVs), charging infrastructure, and reliable transportation in underserved, low-income, and multifamily communities. The initiative focuses on four areas: addressing EV mobility needs for multifamily residents, expanding pole-mounted and curbside charging, designing neighborhood EV carshare programs, and ensuring affordable electricity to support EV adoption. Through partnerships with cities, residents, and community organizations, RMI is advancing accessible, affordable, and community-based electric transportation solutions that improve mobility, safety, and air quality. The Subrecipient submitted a joint grant proposal with the City of Tumwater, another non-charter code city that operates under a strong mayor government in the State of Washington, to support RMI's initiatives through the installation of multiple Level 2 chargers at affordable multifamily rental housing sites owned and managed by the Cities of Olympia and Tumwater (together, the "Purpose").

RMI, supported by a grant from General Motors, wishes to subgrant funding to Subrecipient hereunder in the amount of Twenty-Five Thousand Dollars ($25,000.00) ("Subgrant") for performance of the Work described in **Attachment A** as relates to the City of Olympia sites referenced therein in furtherance of the Purpose (the "Work"). The Work will be performed in accordance with the timeline of key milestones set forth in **Attachment A**. A separate subgrant in the same amount will be awarded to the City of Tumwater in support of the same Purpose.

1. **Term:** The Term of this Agreement is from the Effective Date to 31 December 2026 ("Term").

2. **Subgrant Budget (not to exceed):** A detailed breakdown of the Subgrant budget ("Budget") is contained in **Attachment A**.

3. **Payment Terms and Schedule:** Subject to the terms of this Agreement, RMI will pay invoices within thirty (30) days after receipt to a bank account designated in writing by Subrecipient. Subrecipient shall submit invoices corresponding to the following payment schedule, and in accordance with the submission requirements below in Section 6.

Payment Schedule				
	% of Subgrant	**Amount**	**Est. Date**	**Milestone to achieve**
Payment 1	100%	$25,000.00	Jun. 2026	Upon receipt and approval of Subgrant Invoice, made after the signing of this Agreement

The Subgrant payment will be made upon RMI's receipt of the executed Agreement.

4. **Use and Reversion of Subgrant Funds:**

The Subgrant may only be used to further the Purpose and to perform the Work. RMI may cancel or postpone Subgrant payments if, in its judgment, Subrecipient becomes unable to perform the Work or ceases to be an appropriate means of accomplishing the Purpose. Any Subgrant funds not expended or committed for the Purpose during the Term of the Agreement will be returned to RMI within 30 days after the expiration or termination of the Agreement (and for avoidance of doubt any Subgrant funds which have been expended for purposes other than the Purpose will be repaid immediately).

5. **Reporting:** Subrecipient shall submit reports to RMI in accordance with the following schedule.

Report Type and Frequency	Reporting Periods	Report Due Date
Final Progress and Financial Report	Effective Date – 31 December 2026	15 January 2027

The reporting should contain (1) a financial report reflecting expenditures according to the line-item categories of the Budget in Attachment A; and (2) a narrative account of what was accomplished by the expenditure of the Subgrant (including a description of progress made toward achieving the deliverables described in Attachment A). Subrecipient may be required to submit additional periodic reports as requested by RMI on progress of the Work. Failure to comply with reporting requirements may result in recoupment of Subgrant payments and ineligibility of future Subgrant funding by RMI.

6. **Submission of Invoices and Reports: All** invoices and reporting documents should be submitted electronically to the Subgrant Team and the Program Operations Manager, Ian Peters, via the email addresses below. All electronic submissions must include the following information in the Subject line: City of Olympia Invoice and/or Report (the date)

Subgrant Team: subgrants@rmi.org

Program Lead: Ian Peters, ian.peters@rmi.org

6.1 Submission of Invoices: Each Invoice shall include signature by an authorized representative of the subrecipient and sufficient detail to permit an analysis of the costs contained therein, including the following:

- Purchase Order Number (PO# 02939)
- Invoice Number
- Invoice Date and Billing Period
- Total Amount Due on this Invoice
- Expenditure descriptions
- Subrecipient remittance address

7. **Subgrant Recordkeeping: Subrecipient** shall maintain financial records for expenditures and receipts relating to this Subgrant and shall retain these records and other supporting documentation for five years after the Subgrant's end date. Subrecipient shall permit RMI to have reasonable access to its files, records and personnel during the term of this Subgrant and for five years thereafter for the purpose of making financial audits, verifications or program evaluations.

8. **Monitoring:** If requested, Subrecipient shall permit representatives of RMI to visit the premises and review the activities of the Subrecipient with respect to the Work supported by this Subgrant

9. **Confidential Information:** During the term of this Agreement, the Parties may receive or have access to data and information that is confidential and proprietary to another Party. All such data and information ("Confidential Information") made available to, disclosed to, or otherwise made known to a Party in connection with this Agreement shall be considered the sole property of its respective owner. Confidential Information may be used by a Party only for purposes of performing the Party's obligations hereunder. No Party shall disclose Confidential Information to any third party without the prior written consent of its respective owner. The Parties shall utilize only Microsoft hosting and collaboration services ("Approved Services") for the exchange and storage of Confidential Information, and each Party shall bear its own costs of accessing and hosting the Approved Services. No Party shall use or duplicate any proprietary information belonging to or supplied by the owning party, except as authorized. These obligations of confidentiality and non-disclosure shall remain in effect for a period of five (5) years following the expiration or earlier termination of this Agreement. Notwithstanding the foregoing, the confidential obligations set forth herein shall not apply to information that is (a) present in the public domain or is publicly disclosed subject to this Agreement; (b) already in the possession of the receiving party and evidenced by documentation dated prior to this Agreement; (c) legally acquired from a third party; or (d) required by law to be disclosed.

10. **Work Made for Hire**: During the performance of this Agreement, Subrecipient may create certain works that may be copyrighted, trademarked, or patented under U.S. law. To the extent that any such works are created, all are subject to this Section 10.

    10.1. Title to Works, Trademarks, and Inventions Produced: It is understood and agreed that the entire right, title, and interest throughout the world in and to all works, trademarks, and/or inventions that are conceived of or produced, whether or not reduced to practice, by Subrecipient, either solely or jointly with others, in connection with or as related to the performance of this Agreement, shall be and hereby are vested in and assigned to RMI as needed to fulfill the Purpose.

    10.2. Further Assurances: Subrecipient agrees to execute any and all documents and to do all other lawful acts as may be required to establish and protect such rights.

11. **Indemnification:** Subrecipient agrees to indemnify and hold harmless RMI and its trustees, officers and employees from any and all liabilities, losses, costs, damages, claims, liens, judgments, penalties, fines, attorneys' fees, court costs and other legal expenses, insurance policy deductibles and all other expenses arising out of or related to (a) any intentional or negligent act or omission of Subrecipient or (b) Subrecipient's failure to perform any of its obligations under this Agreement. Such indemnity shall apply to the fullest extent permitted by applicable law. Subrecipient's obligations under this Section 11 shall survive the expiration or termination of this Agreement.

12. **No Partnership, Joint Venture, Employer/Employee Relationship:** Nothing in this Agreement shall be construed as creating a partnership, joint venture, agency, or an employer/employee relationship between RMI and Subrecipient. Subrecipient agrees to pay all applicable federal, state, and local income taxes, associated payroll and business taxes, licenses and fees, and such insurance as is necessary for Subrecipient's protection in connection with work performed under this Agreement and acknowledges that no workers' compensation insurance is carried by RMI covering Subrecipient.

13. Compliance with Laws and Policies. Subrecipient certifies that it is in compliance with all laws, statutes, and regulations restricting U.S. persons from dealing with any individuals, entities, or groups subject to OFAC sanctions, or, to the extent Subrecipient is a non-US entity, Subrecipient does not deal with any individuals, entities, or groups subject to OFAC sanctions or any other persons known to Subrecipient to support terrorism or to have violated OFAC sanctions. Subrecipient ensures that Subgrant funds will be used in compliance with all applicable laws, regulations, rules, and executive orders and in compliance with RMI's policies located at https://rmi.org/rmi-legal-policies/ (or such other URL as RMI may specify). Subrecipient agrees to protect the Subgrant funds from diversion to non-charitable purposes or activities that support terrorism or terrorist organizations. Subrecipient shall take reasonable steps to ensure the Subgrant funds are not distributed to any person or entity on any U.S. government list of suspected terrorists (such as the list of Specially Designated Nationals Maintained by the U.S. Treasury Department's Office of Foreign Assets Control) or any person or entity having one or more directors or key personnel included on such list.

13.1 Subrecipient represents and warrants as of the date hereof and covenants throughout the Subgrant Term that:

i. It is a duly organized and validly existing political subdivision, public agency, or instrumentality of the State of Washington, organized and operated exclusively for public purposes and the performance of essential governmental functions. Subrecipient further represents and warrants that it is exempt from federal income taxation as a governmental entity pursuant to Section 115(1) of the Internal Revenue Code of 1986, as amended (the "Code"), and that contributions or payments made to or for the use of the Subrecipient for public purposes are eligible to be treated as charitable contributions under Section 170(c)(1) of the Code, to the extent permitted by law. The Subrecipient agrees to notify RMI promptly in writing if there is any change in its legal status or tax treatment that would materially affect the accuracy of the foregoing representations.

ii. Subrecipient has the requisite power to conduct its business as presently conducted and to enter into and comply with its obligations under this Agreement;

iii. Subrecipient is in compliance with all applicable laws, rules, regulations and orders of the state or other jurisdiction that governs Subrecipient or its activities, and Subrecipient maintains, or will obtain and maintain or verify, all licenses, permits, approvals, degrees, certifications or other authorizations that may be required to perform activities in furtherance of the Work to be funded by the Subgrant;

iv. no official or employee of RMI, or any of its affiliates, has received any direct or indirect benefit in connection with the Subgrant; and

v. all materials and information provided to RMI by Subrecipient are true, complete and correct in all material respects and do not contain any material misstatement of fact or omission.

14. Disputes: If the Parties are unable to settle a dispute relating to this Agreement, either Party, on written notice to the other Party, shall submit the dispute to arbitration in accordance with the rules of the American Arbitration Association in the State of Washington. Judgment on the arbitration award may be entered in any court having jurisdiction.

15. Changes and Modifications: Any material changes to the Work or the terms of this Agreement must be approved in advance in writing by all Parties.

16. Termination: Either Party may terminate this Agreement at any time, for any reason, subject to thirty (30) days' advance written notice to the other Party. Further, RMI may terminate this Agreement immediately

upon written notice to Subrecipient if (a) Subrecipient fails to perform any material provision of this Agreement; (b) the prime grant agreement that is funding this Subgrant is modified or terminated; or (c) a material conflict of interest arises.

17. Notices: All notices and demands of any kind that either party may be required or wish to serve on the other in connection with this Agreement shall be in writing and may be delivered personally or by fax, email, certified mail, or commercial overnight delivery, with constructive receipt deemed to have occurred one (1) calendar day after the mailing, sending or transmitting of such notice, as follows:

If to RMI:	**If to Subrecipient:**
Rocky Mountain Institute	City of Olympia
2490 Junction Place, Ste 200	P.O. Box 1967
Boulder, CO 80302	Olympia, WA 98507-1967
Attn: Ian Peters	Attn: Pamela Braff
Email: ian.peters@rmi.org	Email: pbraff@ci.olympia.wa.us

18. Choice of Law: This Agreement shall be governed by and interpreted solely in accordance with the laws of the State of Washington.

19. No Liability; Limitation of Subrecipient Liability. Neither RMI nor the Prime Grantor shall be liable for losses, damages, claims, or other liabilities arising out of the Subrecipient's activities. It is expressly understood that neither RMI nor the Prime Grantor, by making this Subgrant, has an obligation to provide other or additional support to the Subrecipient for the purposes of this Work or for any other purpose.

20. Severability. In the event that any one or more of the provisions contained herein shall, for any reason, be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions of this Agreement, but this Agreement shall be construed as if such invalid, illegal or unenforceable provisions had never been contained herein, unless the deletion of such provision or provisions would result in such a material change so as to cause completion of the transactions contemplated herein to be unreasonable.

21. Binding Effect. This Agreement will be binding upon and inure to the benefit of each of the Parties and its successors and permitted assigns.

22. Assignment. This Agreement may not be assigned by the Subrecipient without the prior written consent of RMI. RMI reserves the right to assign the Agreement to a related party without the consent of the Subrecipient. RMI will promptly notify the Subrecipient of any such assignment.

23. Authority to Sign. The person signing this Agreement on behalf of the Subrecipient represents and certifies that they have full, express power and authority to do so.

24. Counterparts. This Agreement may be executed in counterparts, each of which will be deemed an original but all of which, when taken together, will constitute one and the same instrument.

[Signature page to follow]

The Parties acknowledge and agree to the terms and conditions of this Agreement.

Rocky Mountain Institute

By:_____

Name: Leia Guccione
Title: Managing Director
Date:

City of Olympia

By:_____

Name: Steven J. Burney
Title: City Manager
Date:

Approved as to form:

By:_____

Name: Michael Young
Title: Senior Deputy City Attorney
Date:

ATTACHMENT A

RMI EV Charging Subgrant Proposal

Project Applicant: Cities of Olympia and Tumwater

Contact 1: Pamela Braff, City of Olympia, pbraff@ci.olympia.wa.us
Contact 2: Alyssa Jones Wood, City of Tumwater, ajoneswood@ci.tumwater.wa.us

1. **What is the intended use for the subgrant? Is this in keeping with the goals you've set forth for the project you're currently working on with RMI?**

   This project will fund the installation of Level 2 EV charging stations for residents of affordable multifamily rental housing in the Cities of Olympia and Tumwater. By leveraging private investment, utility incentives, and in-kind staff technical support, we will complete installations for at least 2 multifamily sites (one each in the cities of Olympia and Tumwater). Depending on site criteria and specific charging needs, we expect to install 1-2 dual-head, level 2 chargers (2-4 total ports) at each site.

   This project would directly advance one action from the menu of measures developed as part of our e-mobility access project with RMI (shared level 2 chargers for multifamily housing), and utilize the mapping analysis provided by RMI to prioritize LMI/renter neighborhoods for site selection and outreach.

2. **Has the project been approved by your authority having jurisdiction (AHJ)?**

   No, the project has not yet been approved. However, in our experience, permits for multifamily level 2 chargers typically take less than 2 weeks to be approved. Please see the table in our response to question seven for more details on the anticipated project timeline.

3. **Has a budget been identified for the project? How much has been committed internally?**

   This project will be supported through a combination of grant funding, utility incentives, private investment by site hosts, and in-kind staff time from the Cities to provide project management and technical support. We expect to provide approximately 50 hours of in-kind staff support[1] to property owners on this project.

[1] In-kind support will either be provided directly by City staff, and/or through experienced administrative consultants contracted by the Cities to facilitate the project installations.

Proposed EV Charging Budget – Cities of Olympia and Tumwater	
Item	**Approximate Cost**
City of Olympia	
EV Charger(s), including installation and any necessary electrical work, construction, and/or site improvements. Costs may also include any warranties and software subscriptions to operate the equipment for up to 5 years.	$25,000
Total	$25,000.00
City of Tumwater	
EV Charger(s), including installation and any necessary electrical work, construction, and/or site improvements. Costs may also include any warranties and software subscriptions to operate the equipment for up to 5 years.	$25,000
Total	$25,000.00
GRAND TOTAL	**$50,000.00**

4. **What is the ask of RMI? Will the subgrantee need administrative support disbursing the funding?**

   Our administrative support needs are limited. Staff have experience facilitating similar multifamily EV charging grants and have established workflows and contract templates for administering such programs. RMI may choose to disburse funds to the Cities, site hosts, or directly to the selected installer(s). If selected for this funding, we can work with RMI to determine the best approach for funding distribution.

5. **Does the ask fit the subgrant limit? ($50k)**

   Yes, our funding request is $50,000. Any additional installation costs that exceed grant funding and other incentives will be paid directly by the site hosts.

6. **Is there any dependency on external support or organizations for project success? How is this risk mitigated?**

   Yes, successful implementation depends on the recruitment of two private property owners to host EV charging stations and agree to fund any costs exceeding $25,000 per site. Two of the primary concerns we hear from building owners regarding the

installation of multifamily charging include:

- Cost of Upgrades – This will be addressed by the provision of grant funding, which will cover a significant portion of the installation cost. We will also coordinate with our electric utility (Puget Sound Energy) to access any additional rebates or incentives available to support the installation.
- Project Management – This will be addressed by providing no-cost project management services and technical support to guide the site hosts through each step of the process, from securing quotes to installer selection, installation, and education/outreach to residents.

Our community has significant interest in EV charging access, as demonstrated by participation in previous EV charging grant programs and public comment on climate action plans, and we do not expect any issues in finding at least one interested property owner in both Olympia and Tumwater.

As this project includes level 2 chargers, we expect permitting to be relatively simple and do not expect any major issues related to electrical or utility upgrades.

7. **What is the timeframe for the subgrant's use? (It must be used by the end of calendar year 2026.) Would you be able to provide a max. 3-page follow-up report summarizing the grant's use by December 31, 2026?**

Upon receipt of the funding, we will launch applications for interested site hosts within 1 month. A proposed timeline, assuming a May 1 start date, is provided below.

Month	Activity
May	Launch call for interested site hosts. Select site hosts by June 1. Site hosts sign a commitment letter, indicating their intent to participate in the program and understanding of the program terms.
June – July	Procure quotes from local installers and confirm site feasibility. Site hosts select installers and begin formal contracting process with the cities.
August-September	Execute contracts with site hosts and installers.
September – November	Secure permits and complete installations.
December	Deliver final report to RMI.

8. **How will this project benefit the residents of lower income multi-family housing (MFH) communities?**

The target beneficiaries of this project are tenants/residents of affordable multifamily rental housing in Olympia and Tumwater. For many renters, it is simply inconceivable to purchase/lease an EV without the availability of ample public or overnight charging. While the cost of used EVs becomes more affordable, the availability of reliable charging remains a structural obstacle. Adding charging at their home, which residents can use to charge overnight without undue stress, removes that structural obstacle and can help enable equitable EV adoption.

9. **How likely is this subgrant to make a difference that would have otherwise not have been achieved? Please describe the impact of receiving this funding.**

   This grant funding will enable the installation of EV charging stations at two affordable multifamily apartment buildings within the Olympia/Tumwater area. Without this funding, these installations would not be possible. In addition to directly supporting EV charging access and enabling those residents to more easily transition to electric vehicles, the installation of EV chargers at affordable multi-family housing supports a broader cultural shift towards electric vehicles in our community, and challenges the perception that EVs are only accessible to high-income individuals who own their own homes.

10. **How important is this project in the landscape of EV charging and access in the city or region it would serve?**

    The inclusion of EV charging at multifamily housing is critical, considering the landscape of housing types and current EV charging and access in Olympia and Tumwater. In Olympia, 50% of housing is occupied by renters. In Tumwater, that number is nearly 40%. Given the structural barriers to EV adoption for renters, this type of project not only advances renter equity, but it is also the only way that large-scale transportation electrification can succeed in our region.

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

City Council

Approval of a Resolution Authorizing the Subordination of Community Development Block Grant Loans for Behavioral Health Resources B&B Apartments

Agenda Date: 6/23/2026
Agenda Item Number: 4.D
File Number:26-0441

Type: resolution **Version:** 1 **Status:** Consent Calendar

Title
Approval of a Resolution Authorizing the Subordination of Community Development Block Grant Loans for Behavioral Health Resources B&B Apartments

Recommended Action
Committee Recommendation:
Not referred to a Committee.

City Manager Recommendation:
Move to approve the resolution authorizing the subordination of Community Development Block Grant loans for Behavioral Health Resources B&B apartments.

Report
Issue:
Whether to approve the resolution authorizing the subordination of Community Development Block Grant loans for Behavioral Health Resources B&B apartments.

Staff Contact:
Anastasia Everett, Sr. Housing Program Specialist, CP&ED, 360.753.8277

Presenter(s):
None - Consent Calendar item.

Background and Analysis:
The City's Community Development Block Grant (CDBG) funding has been used for improvements of Behavioral Health Resources' (BHR) B&B Apartments. Loans were issued in 1994, 1995, 1996, 1997 and 2011. BHR has secured new funding to redevelop the B&B apartments, expanding the number of units and making improvements to the building. The redevelopment will offer 19 units of studio and one-bedroom housing for households with incomes up to 50% of area median income at 2104 State Ave. NE.

Supportive services will also be provided. BHR has requested the City subordinate its position of the liens on the property to secure the new funding. The subordination of City loans is a requirement from the new funders to issue their financing of the redevelopment. The subordinations will not have an impact on any other loan terms from the original agreements, including affordability covenants.

Climate Analysis:
Not expected to have an impact on climate.

Equity Analysis:
BHR provides affordable housing for individuals with incomes below 50% area median income who are struggling with mental health and substance use disorders. This action will support underserved and marginalized populations in Olympia.

Neighborhood/Community Interests (if known):
Affordable housing is a top of interest and high priority for the community. This is a project with regional and state funding. Local jurisdictions are coordinating together to support BHR in the improvements of the B&B apartments.

Financial Impact:
The City's CDBG loans total $143,975. The loans are still due in full upon sale of property. There is a risk of financial impact involved in this subordination. The impact identified is that if the senior lien holders foreclose on the property, City CDBG loans would be last in line for payment.

Options:
1. Move to approve the resolution authorizing the subordination of Community Development Block Grant loans for Behavioral Health Resources B&B apartments.
2. Do not approve the resolution authorizing the subordination of the City's CDBG loans. This option would put BHR at risk of not receiving their new funding for the improvements of the B&B apartments
3. Take action on another date. This option would delay BHR's closing on the new funding

Attachments:
Resolution
Agreement

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A PRIORITY AND SUBORDINATION AGREEMENT BETWEEN THE CITY OF OLYMPIA, VARIOUS OTHER PARTIES, AND BEHAVIORAL HEALTH RESOURCES FOR SUBORDINATING EXISTING CDBG LOANS

WHEREAS, The City of Olympia's Community Development Block Grant (CDBG) funding has supported the improvements of Behavioral Health Resources' B&B Apartments ; and

WHEREAS, the City has seven existing CDBG funded loans for the property; other parties also have made loans to Behavioral Health Resources for the B&B Apartments, including the State Department of Commerce and Thurston County; and

WHEREAS, Behavioral Health Resources provides affordable housing for individuals with incomes below 50 percent AMI who are struggling with mental health and substance abuse disorders; and

WHEREAS, Behavioral Health Resources is seeking funding to redevelop the B&B apartments to expand unit count; and

WHEREAS, Behavioral Health Resources has requested the City, and other entities holding liens, to subordinate their lien position on the B&B properties to secure funding for the redevelopment; Behavioral Health Resources has prepared a Priority and Subordination Agreement to effectuate this subordination; the parties to that Agreement are BHR B&B Building LLC, the State Department of Commerce, Thurston County, the City of Olympia, and the Federal Home Loan Bank of Des Moines; and

WHEREAS, per Olympia Municipal Code Subsection 3.16.020(B), it is necessary for the City Council to approve the Priority and Subordination Agreement and to authorize execution the City Manager to execute that Agreement.

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL RESOLVES as follows:

1. The Olympia City Council hereby approves the Subordination Agreement between the City of Olympia and Behavioral Health Resources for the B&B apartments redevelopment and the terms and conditions contained therein.

2. The City Manager is hereby directed and authorized to execute on behalf of the City of Olympia the subordination Agreement, and any other documents necessary to subordinate and to make any amendments or minor modifications as may be required and are consistent with the intent of the subordination Agreement, or to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____day of _____ 2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
SENIOR DEPUTY CITY ATTORNEY

After recording return to:
Behavioral Health Resources
3857 Martin Way E
Olympia, WA 98506

PRIORITY AND SUBORDINATION AGREEMENT

Grantors:

1. **BHR B&B BUILDING LLC**
2. **WASHINGTON STATE DEPARTMENT OF COMMERCE (MULTIFAMILY RENTAL HOUSING – HOUSING TRUST FUND PROGRAM, HOME RENTAL DEVELOPMENT PROGRAM)**
3. **FEDERAL HOME LOAN BANK OF DES MOINES**
4. **THURSTON COUNTY**
5. **CITY OF OLYMPIA**

Grantees:

1. **BHR B&B BUILDING LLC**
2. **WASHINGTON STATE DEPARTMENT OF COMMERCE (MULTIFAMILY RENTAL HOUSING – HOUSING TRUST FUND PROGRAM, HOME RENTAL DEVELOPMENT PROGRAM)**
3. **FEDERAL HOME LOAN BANK OF DES MOINES**
4. **THURSTON COUNTY**
5. **CITY OF OLYMPIA**

Abbreviated Legal Description: **Lot A, BLA No. BLA-25-3999-OL, Rec. 5074574**

Assessor's Tax Parcel Numbers: **68902101100**

Reference Numbers:

	HTF Covenant
	HOME Covenant
	HTF Deed of Trust
	HOME Deed of Trust
	FHLBDM Covenant
	County Deed of Trust
	City Covenant
9401210206	January 14, 1994 Olympia CDBG Deed of Trust
9404120099	April 12, 1994 Olympia CDBG Deed of Trust
9506130079	June 13, 1995 Olympia CDBG Deed of Trust
3005409	December 18, 1995 Olympia CDBG Deed of Trust
3005409	December 18, 1995 Olympia CDBG Deed of Trust
3027293	May 1, 1996 Olympia CDBG Deed of Trust
3118683	November 5, 1997 Olympia CDBG Deed of Trust

THIS PRIORITY AND SUBORDINATION AGREEMENT ("Agreement") is dated as of _____ __, 2026, and is executed by and among the following parties: **BHR B&B BUILDING LLC**, a Washington limited liability company (the "Company"); **BEHAVIORAL HEALTH RESOURCES**, a Washington nonprofit corporation (the "Sponsor"), **THE CITY OF OLYMPIA**, a Washington municipal corporation (the "City"), **FEDERAL HOME LOAN BANK OF DES MOINES**, an Iowa banking corporation (the "FHLBDM"); **WASHINGTON STATE DEPARTMENT OF COMMERCE,** a state agency ("Commerce"); and **THURSTON COUNTY,** a political subdivision of Washington ("County"), (collectively, the "Parties" and each individually, a "Party"). Commerce, City, FHLBDM, and County are collectively referred to herein as "Lenders" and each individually, a "Lender," in each case so long as such Party's deed of trust remains in effect as a lien on the Property (defined below).

RECITALS

A. Company's Interest. The Company owns the real property in Olympia, Thurston County, Washington, legally described as set forth on **Exhibit A** attached hereto (the "Property," which includes all improvements now and hereafter constructed thereon, which Property will be developed using a combination of public and private funds from various sources, resulting in a 19-unit affordable apartment housing project (the "Project"). The Sponsor is the 100% owner, and sole member, of the Company. The Lenders have provided or committed financial assistance for the Project, as described below.

B. County's Interest. County has agreed to make a loan to the Company in the amount of up to $950,000.00 (the "County Loan"). The County Loan is made pursuant to that certain Construction Loan Agreement (the "County Loan Agreement") and is evidenced by a promissory note made by the Company in favor of County in the principal amount of up to $950,000.00 (the "County Note"). Repayment of the County Note is secured by, among other security documents, a Deed of Trust granted by the Company in favor of _____, as trustee, and County as beneficiary, recorded under Thurston County recording no. _____ (the "County Construction Deed of Trust"), encumbering the Company's fee interest in the Property and other personal property described in the County Deed of Trust. All documents identified in this paragraph and all documents executed by the Company in connection with the County Construction Loan are referred to collectively as the "County Loan Documents."

C. FHLBDM's Interests. FHLBDM has agreed to make a subsidy to the Company in an amount of up to $1,700,000.00 (the "FHLBDM Subsidy"). The FHLBDM Subsidy is made pursuant to that certain Affordable Housing Program Subsidy Agreement for Rental Project (Direct Subsidy) (the "FHLBDM Subsidy Agreement"). FHLBDM and the Company have entered into an Agreement for Covenants and Restrictions granted by the Company in favor of FHLBDM,

recorded under Thurston County recording no. _____ (the "FHLBDM Covenant"), encumbering the Company's fee interest in the Property.

D. Commerce's Interests.

a. Commerce and the Sponsor entered into a Housing Trust Fund Program Contract Number _____ (the "HTF Contract"). Pursuant to the HTF Contract, the Sponsor executed one or more Promissory Note(s) in the aggregate principal amount of $2,448,168 in favor of Commerce (collectively, the "HTF Note"). The HTF Note is secured by that certain Deed of Trust, executed by the Company, naming _____ as trustee, and recorded under Thurston County recording no. _____ (the "HTF Deed of Trust"). In addition, in connection with the HTF Contract, the Company executed that certain Low Income Housing Covenant Agreement recorded under Thurston County recording no. _____ (the "HTF Covenant").

b. Commerce and the Sponsor entered into a HOME Rental Development Program contract No. _____ (the "HOME Contract"). Pursuant to the HOME Contract, the Sponsor executed a Promissory Note in the principal amount of $2,076,051 in favor of State (the "HOME Note"). The HOME Note is secured by that certain Deed of Trust, executed by the Company, naming _____ as trustee, and recorded under Thurston County recording no. _____ (the "HOME Deed of Trust"). In addition, in connection with the HOME Contract, the Company executed that certain Restrictive Covenant recorded under Thurston County recording no. _____ (the "HOME Covenant").

c. All documents identified in this Recital D, and any documents executed by Commerce, Sponsor or the Company in connection therewith, are collectively referred to as the "Commerce Loan Documents." References to the "HTF Deed of Trust" or the "HOME Deed of Trust" include all modifications, extensions, renewals or replacements of the respective deed of trust.

E. City's Interests. City and the Company entered into a Partial Impact Fee Exemption Agreement (the "Exemption Agreement"). Pursuant to the Exemption Agreement, the Company executed that certain Restrictive Covenant recorded under Thurston County recording no. _____ (the "City Covenant"). Additionally, prior to the execution of this Agreement, the City made a series of loans to the Company, Sponsor, or their predecessors-in-interest associated with Community Development Block Grant activities, secured by instruments described more fully below:

a. A January 14, 1994 Deed of Trust securing a $25,000.00 loan, naming Thurston County Title Company as Trustee, recorded under Thurston County recording no. 9401210206 (the "1/14/94 CDBG Deed of Trust");
b. An April 12, 1994 Deed of Trust securing a $10,000.00 loan, naming Thurston County Title Company as Trustee, recorded under Thurston County recording no. 9404120099 (the "4/12/94 CDBG Deed of Trust");
c. A June 13, 1995 Deed of Trust securing a $22,000.00 loan, naming Thurston County Title Company as Trustee, recorded under Thurston County recording no. 9506130079 (the "6/13/95 CDBG Deed of Trust ");
d. A December 18, 1995 Deed of Trust securing a $26,000.00 loan, naming Thurston County Title Company as Trustee, recorded under Thurston County recording no. 3005409 (the "12/18/95 CDBG Deed of Trust");
e. A May 1, 1996 Deed of Trust securing a $1,100.00 loan, naming Thurston County Title Company as Trustee, recorded under Thurston County recording no. 3027293 (the "5/1/96 CDBG Deed of Trust");
f. A November 5, 1997 Deed of Trust securing a $5,000.00 loan, naming Thurston County Title Company as Trustee, recorded under Thurston County recording no. 3118683 (the "11/5/97 CDBG Deed of Trust");
g. A March 30, 2011 Deed of Trust securing a $54,875.00 loan, naming Thurston County Title Company as Trustee, recorded under Thurston County recording no. 4204513 (the "3/30/11 CDBG Deed of Trust");
h. The deeds of trust listed in subsections a. through g. above are sometimes referred to herein, collectively, as the "Original CDBG Deeds of Trust".

F. Definitions. The deeds of trust described in Paragraphs B, D, and E above may be referred to collectively hereinafter as the "Deeds of Trust." The covenants and regulatory agreements described in Paragraphs C, D, and E above may be referred to collectively hereinafter as the "Covenants." All of the documents discussed in the Recitals section of this Agreement are collectively referred to as the "Documents" and the information and definitions contained in the Recitals are acknowledged by the Parties to be an incorporated, integral part of this Agreement.

G. Purpose. The Parties wish to enter into this Agreement in order to establish their respective rights and priorities regarding the Property and the Documents, all as more fully set forth herein.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **Document Priority**.

a. The Parties hereto agree that the documents, instruments, and rights identified and described above, regardless of recording order, shall have priority in the order set forth

below in this Section, with the most senior of the respective documents and instruments listed first:

i. HTF Covenant
ii. HOME Covenant
iii. HTF Deed of Trust
iv. HOME Deed of Trust
v. County Construction Deed of Trust
vi. City Covenant
vii. FHLBDM Covenant
viii. 11/5/97 CDBG Deed of Trust
ix. 5/1/96 CDBG Deed of Trust
x. 12/18/95 CDBG Deed of Trust
xi. 6/13/95 CDBG Deed of Trust
xii. 4/12/94 CDBG Deed of Trust
xiii. 1/14/94 CDBG Deed of Trust
xiv. 3/30/11 CDBG Deed of Trust

b. Any Uniform Commercial Code financing statement or fixture filing recorded or filed in connection with any Deed of Trust or any loan referenced in this Agreement shall have the same relative priority or subordination as the Deed of Trust and loan to which such financing statement or fixture filing relates.

c. The Covenants shall survive any foreclosure sale, trustee's sale, or deed in lieu thereof under any of the Deeds of Trust and shall be binding on any person acquiring the Property by any such means, or that is a successor to one who acquires the Property by such means, for so long as such person shall retain an interest in the Property, subject to the terms of each of the Covenants regarding the termination thereof.

d. Regardless of priority as among the Covenants, Company, its successors, and any other parties obligated thereunder shall be obligated to comply with the provisions of each Covenant except as expressly provided herein. The Parties hereto acknowledge that the Covenants apply simultaneously and that the grantors thereunder are obligated to comply with each of them regardless of the relative priority or order of recording of the Covenants.

e. Sponsor agrees that if it acquires the Property or a part thereof, it shall be bound and obligated as a grantor under all of the terms of the Documents then in effect.

2. **Reliance by Lenders; Consent**. It is understood by the parties hereto that the Lenders would not enter into their respective Documents without this Agreement. The Company and Sponsor consent to all terms hereof.

3. **Insurance or Condemnation Proceeds**. Notwithstanding any provision of any Lender's deed of trust or other loan document to the contrary, in the event of any damage to, destruction of, or taking or condemnation (including deed in lieu thereof) of the Property or any portion thereof, any insurance or condemnation proceeds shall be applied first to repair or restoration of the Property and any amounts secured by any Lenders' deed of trust shall not be accelerated as a result of any casualty loss or condemnation.

4. [Reserved]

5. [Reserved]

6. [Reserved]

7. **Cross-Defaults.** Each Lender agrees to provide notice to the other Lenders of an event of default and intent to pursue remedies under such Lender's Documents at least thirty (30) days prior to exercising remedies under such Documents, except that for any actions (not including acceleration, foreclosure, or seeking a receiver) that Commerce determines are reasonably necessary to be taken sooner to protect its security, protect tenants, or address conditions that may affect health or safety, Commerce may give such shorter notice as is practicable in the circumstances. Except as set forth in this Section 7, and notwithstanding anything to the contrary in the Documents, any default under any of the Lenders' loan documents that, after being declared by the Lender entitled to declare such default, is not cured or waived by such Lender within the applicable cure period set forth therein or such longer period as may be allowed by the Lender declaring such default, shall constitute an event of default ("Cross-default") under each of the Lenders' Documents. Notwithstanding the foregoing, if a default under a Lender's loan document occurs that constitutes a Cross-default and such Lender thereafter accepts a cure of or waives the default, then the other Lenders shall be deemed to have accepted such cure as a cure of said Cross-default and such other Lenders shall rescind any notice of acceleration (if any) of their respective loans unless there is an uncured default other than a Cross-default. Unless and until there is a Cross-default under this Section, no Lender shall accelerate any indebtedness of the Company or seek remedies against the Company based solely upon a breach or default by the Company under the Company's agreements with a different Lender.

8. [Reserved]

9. [Reserved]

10. **Acknowledgements.** The Lenders hereby each agree and acknowledge, solely for the benefit of all other Lenders, and the Sponsor hereby agrees and acknowledges for the benefit of all Lenders, as follows:

    a. For purposes of this Agreement, (i) the Lenders acknowledge that each has been provided the opportunity to review the other Lenders' Loan Documents before

executing this Agreement and (ii) the Sponsor acknowledges that it has been provided the opportunity to review the Lenders' Loan Documents before executing this Agreement;

b. No Lender has made any warranty or representation of any kind or nature whatsoever to the other Lenders or to the Sponsor with respect to (i) the application of the proceeds of its loans, (ii) the value of the Property, the improvements to be constructed thereon, or the marketability or value thereof upon completion of such construction, or (iii) the ability of the Company to honor its covenants and agreements with the Lenders;

c. Lender's release of any security for its loan, including, without limitation, the reconveyance of any portion of the Property from the lien of a deed of trust, shall not constitute a waiver or relinquishment of the Commerce's, City's, County's, FHBLDM's, or Sponsor's respective unconditional subordinations of the liens or charges of any other Deed of Trust or Covenant against the Property, or any other subordinations hereunder;

d. No Lender by reason of this Agreement has any duty to disclose to the other Lenders or to the Sponsor any facts that a Lender may now know or hereafter know about the Company or the members, sponsors, or successors of the Company, regardless of whether (i) the Lender has reason to believe that any such facts may increase materially the risk beyond that which any other Lender or the Sponsor intends to assume, (ii) the Lender may have reason to believe that such facts are unknown to another Lender or the Sponsor, or (iii) the Lender has a reasonable opportunity to communicate such facts to another Lender or the Sponsor, it being understood and agreed that each Lender and the Sponsor is fully responsible for being and keeping informed of the financial condition of the Company and/or any partners, sponsors or successors of the Company and of all circumstances bearing on the risk of non-payment of any indebtedness of the Company to the Lenders or the Sponsor as described in this Agreement; and

e. The Lenders and the Sponsor have each made such independent legal and factual inquiries and examinations as such Party deems necessary or desirable and are not relying on any inquiries or examinations made by the other Lenders or on information from the other Lenders concerning the Company, Sponsor, the Property or the Project.

11. **Miscellaneous**.

a. **Entire Agreement**. This Agreement comprises the entire agreement among the parties with respect to the priority of each Party's loans and liens upon and interests in the Property, and all prior understandings or agreements on that subject are superseded hereby, provided that nothing herein shall supersede any separate agreement between Commerce, County, City, FHLBDM and Sponsor by which Sponsor's rights to any payments are subordinated or restricted.

b. **Applicable Law; Venue**. This Agreement shall be governed by and construed in accordance with the laws of State of Washington. Venue of any action or proceeding to enforce, interpret or otherwise related hereto shall lie in Thurston County, Washington.

c. **Successors; Assignment**. This Agreement is for the benefit of the Commerce, County, City, FHLBDM, and their respective successors and assigns, in each case for so long as such Party's Deed of Trust or Covenant, or both, remains in effect with respect to the Property or any part thereof, and any provision hereof may be waived or modified by written agreement among all of them, or so many of them as are affected thereby, without the consent of the Company or Sponsor and without affecting the priority of the liens and interests of the other Parties. The heirs, administrators, assigns, and successors-in-interest of the parties hereto shall be bound by this Agreement. This Agreement may be assigned by a Party only as a part of an assignment of that Party's entire interest in the Property or its loan secured by one of the deeds of trust described herein.

d. **Notices**. All notices to be given pursuant to this Agreement shall be in writing and shall be deemed given when hand-delivered within normal business hours, when actually received by facsimile transmission during normal business hours, two (2) business days after deposit in the U.S. mail, postage prepaid, or one (1) business day if sent by overnight courier to the parties hereto at the addresses set forth below or to such other place as a Party may from time to time designate by notice to the other Parties. No transferee or successor of a Party hereto shall be entitled to notices or opportunity to cure defaults hereunder unless notice of the transfer is given in accordance with this subsection. For purposes of this subsection, a "business day" is any day other than a Saturday, Sunday, statutory federal or Washington state bank holiday.

Commerce-	Washington State Department of Commerce 1500 Jefferson Street SE Olympia, WA 98501 P.O. Box 42525 Olympia, Washington 98504-2525 Attention: Contracts Specialist Email: htfportfoliomgmt@commerce.wa.gov
The County	Thurston County County Public Health and Social Services 412 Lilly Rd NE Olympia, WA 98506
The City	City of Olympia ATTN: CDBG Program Manager PO Box 1967 Olympia, WA 98507

	Email: aeverett@ci.olympia.wa.us
FHLBDM	Federal Home Loan Bank of Des Moines 909 Locust Street, Suite 201 Des Moines, IA 50309 Email: CommunityInvestment@fhlbdm.com
Company	BHR B&B Building LLC 3857 Martin Way E Olympia, WA 98506 Email: iharrel@bhr.org
Sponsor	Behavioral Health Resources 3857 Martin Way E Olympia, WA 98506 Email: iharrel@bhr.org

e. **Amendment**. Except as stated in subsection c. of this Section, this Agreement may be amended only by a writing signed by the Parties hereto, but this subsection shall not impair the validity of any further agreements among fewer than all of the Parties hereto as among themselves.

f. **Counterparts**. This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument and whether or not all parties execute each counterpart.

g. **Completion of Recording Information**. If this Agreement is signed without completion of certain recording information called for above, any Party hereto or any title insurance company acting on the instructions of any Party is hereby authorized to insert such information prior to recording this Agreement.

h. **Attorney Fees**. If any Party shall bring an action against any other Party by reason of the breach of any covenant, provision, or condition of this Agreement, or otherwise arising out of this Agreement, the unsuccessful Party (but not including Commerce) shall pay to the prevailing party reasonable attorneys' fees, which fees shall be payable whether or not any action is prosecuted to judgment. The term "prevailing party" shall include, without limitation, a Party who brings an action against the other by reason of the other's breach or default and obtains substantially the relief sought, whether by compromise, settlement, or judgment.

i. **Consent to Other Parties' Documents**. By executing this Agreement, each Party hereby acknowledges and consents to the execution of, and where appropriate, the recording of, the Documents by the Company and the other Parties thereto. Notwithstanding such consent, the terms hereof, the terms of any such Documents, and the acceptance by Lenders of their respective liens and other rights and interests under these Documents, a Lender shall not, prior to any acquisition of title to the Property by such Lender, be liable or responsible for any obligation of the Company under such Documents, or of any "Owner" as defined in any such documents.

j. **Commerce Approvals.** Commerce executes this Agreement solely in its respective capacities: through the Housing Trust Fund with the Department of Commerce, as the beneficiary under Commerce Loan Documents, and nothing herein shall affect the rights or interests of Commerce with respect to encumbrances on the Property that are not described herein, and nothing herein shall be construed as any commitment, representation or assurance by the Commerce with regard to any action or approval that may be required by any of it for the Project or Property. It is understood that such actions and approvals depend on determinations and decisions of other governmental departments and officials, and it is the obligation of the Company to comply with all relevant conditions and requirements and to obtain all necessary approvals.

[SIGNATURE PAGE(S) FOLLOW]

IN WITNESS WHEREOF, the undersigned has executed this Agreement as of the date first above written.

BHR B&B BUILDING LLC, a Washington limited liability company

By: Behavioral Health Resources, a Washington nonprofit corporation
Its: Managing Member

By: _____
Name: Eric Jensen
Title: Director of Finance and Interim CEO

STATE OF Washington)
) ss
COUNTY OF Thurston)

I hereby certify that I know or have satisfactory evidence that Eric Jensen appeared before me, and acknowledged that s/he signed this instrument, on oath stated that s/he was authorized to execute this instrument, and acknowledged it as the Director of Finance and Interim CEO of Behavioral Health Resources, the Managing Member of **BHR B&B BUILDING LLC,** a Washington limited liability company, to be the free and voluntary act of such entity for the uses and purposes mentioned in this instrument.

GIVEN under my hand and official seal this 16th day of June, 2026.

_____
NOTARY PUBLIC in and for State of Washington
My commission expires May 1st 2029
Print Name: Lori Johnson

Notary Public
State of Washington
Lori Jean Johnson
Commission No. 192326
Commission Expires 05-01-29

IN WITNESS WHEREOF, the undersigned has executed this Agreement as of the date first above written.

BEHAVIORAL HEALTH RESOURCES, a Washington nonprofit corporation

By: _____
Name: Eric Jensen
Title: Director of Finance and Interim CEO

STATE OF Washington)
) ss
COUNTY OF Thurston)

I hereby certify that I know or have satisfactory evidence that Eric Jensen appeared before me, and acknowledged that s/he signed this instrument, on oath stated that s/he was authorized to execute this instrument, and acknowledged it as the Director of Finance and Interim CEO of **Behavioral Health Resources,** a Washington nonprofit corporation, to be the free and voluntary act of such entity for the uses and purposes mentioned in this instrument.

GIVEN under my hand and official seal this 16th day of June, 2026.

NOTARY PUBLIC in and for State of Washington
My commission expires: May 1st 2029
Print Name: Lori Johnson

Notary Public
State of Washington
Lori Jean Johnson
Commission No. 192326
Commission Expires 05-01-29

IN WITNESS WHEREOF, the undersigned has executed this Agreement as of the date first above written.

COMMERCE
WASHINGTON STATE DEPARTMENT OF COMMERCE,
a State Agency

By: _____
Name: _____
Title: Interim Assistant Director, Housing Division_____

STATE OF _____)
) ss
COUNTY OF _____)

I hereby certify that I know or have satisfactory evidence that _____ appeared before me, and acknowledged that _____ signed this instrument, on oath stated that _____ was/were authorized to execute this instrument, and acknowledged it as the Interim Assistant Director, Housing Division of the **Washington State Department of Commerce,** a State Agency, to be the free and voluntary act of such entity for the uses and purposes mentioned in this instrument.

GIVEN under my hand and official seal this _____ day of _____, 2026.

_____
NOTARY PUBLIC in and for State of Washington
My commission expires _____
Print Name: _____

IN WITNESS WHEREOF, the undersigned has executed this Agreement as of the date first above written.

FEDERAL HOME LOAN BANK OF DES MOINES,
An Iowa banking corporation

By: _____
Name: Lyman Williams
Its: EVP/Chief Lending & Business Services Officer,

STATE OF _____)
) ss
COUNTY OF _____)

I certify that I know or have satisfactory evidence that Lyman Williams is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as a EVP/Chief Lending & Business Services Officer, of **FEDERAL HOME LOAN BANK OF DES MOINES**, an Iowa banking corporation, to be the free and voluntary act of such entity for the uses and purposes mentioned in the instrument.

Dated this _____ day of _____, 202_____.

NOTARY PUBLIC in and for State of Washington
Print name:_____
My commission expires: _____

IN WITNESS WHEREOF, the undersigned has executed this Agreement as of the date first above written.

CITY OF OLYMPIA,
A Washington municipal corporation

By: _____
Name: Steven Jay Burney
Its: City Manager

STATE OF WASHINGTON)
) ss
COUNTY OF THURSTON)

On the _____ day of _____ 2026, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Steven Jay Burney, to me known to be the City Manager of the **City of Olympia**, a municipal corporation, who executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned and on oath states that he is authorized to execute the said instrument.

WITNESS my hand and official seal the day and year first above written.

Dated this _____ day of _____ 2026.

_____
Signature

_____
Print Name
NOTARY PUBLIC in and for the State of Washington, Residing at Olympia
My commission expires: _____

APPROVED AS TO FORM:

Michael M. Young
Deputy City Attorney

IN WITNESS WHEREOF, the undersigned has executed this Agreement as of the date first above written.

Thurston County,
a Political Subdivision of Washington

By: _____
Name: Dr. Jen Freiheit
Its: Director of Thurston County Public Health and Social Services

STATE OF WASHINGTON)
) ss
COUNTY OF THURSTON)

I certify that I know or have satisfactory evidence that Dr. Jen Freiheit is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as a Director of Thurston County Public Health and Social Services of **Thurston County**, a political subdivision of Washington, to be the free and voluntary act of such entity for the uses and purposes mentioned in the instrument.

Dated this _____ day of _____, 202_____.

NOTARY PUBLIC in and for State of Washington
Print name:_____
My commission expires: _____

EXHIBIT A

LEGAL DESCRIPTION

LOT A OF BOUNDARY LINE ADJUSTMENT FOR LOT CONSOLIDATION, BLA-25-3999-OL, RECORDED OCTOBER 9, 2025 AS RECORDING NO. 5074574, RECORDS OF THURSTON COUNTY, WASHINGTON.

SITUATE IN COUNTY OF THURSTON, STATE OF WASHINGTON.

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

City Council

Approval of a Resolution Authorizing an Agreement with the Washington State Department of Natural Resources for Forestland Fire Mutual Aid

Agenda Date: 6/23/2026
Agenda Item Number: 4.E
File Number:26-0467

Type: resolution **Version:** 1 **Status:** Consent Calendar

Title
Approval of a Resolution Authorizing an Agreement with the Washington State Department of Natural Resources for Forestland Fire Mutual Aid

Recommended Action
Committee Recommendation:
Not referred to a committee.

City Manager Recommendation:
Move to approve a Resolution authorizing an agreement with the Washington State Department of Natural Resources for forestland fire mutual aid.

Report
Issue:
Whether to approve a Resolution authorizing an agreement with the Washington State Department of Natural Resources for forestland fire mutual aid.

Staff Contact:
Hillory Flowers, Interim Fire Chief, Olympia Fire Department, 360.709.2721

Presenter(s):
None - Consent Calendar

Background and Analysis:
The Washington State Department of Natural Resources (DNR) collects property taxes on certain lands and is statutorily charged with protecting those lands from wildfire. Within the City of Olympia limits are land parcels, such as the woods around Grass Lake and the Percival Creek and Watershed Park, that fall into the definition of “forest lands.” In the past years, the City of Olympia Fire Department has taken a lead role in extinguishing fires on these parcels and has worked with mutual aid partners and the DNR to access personnel, equipment, and technical expertise.

The Forestland Response Agreement provides the legal and practical framework DNR uses to guide the operations in these Wildland Urban Interface areas with fire departments and districts throughout the State. This agreement specifies how the city of Olympia Fire Department and the DNR will cooperate during an emergency response. The agreement provides guidelines on how resources are to be ordered, who is responsible for leading the response, and how that responsibility is transferred, along with details on payment rates and invoice processing. Should the city need outside resources or be part of a mutual aid response outside the city, the agreement will provide the mechanism for those services to be reimbursed by the DNR.

Climate Analysis:
While this interlocal agreement does not specifically address one of the sectors in the Climate Framework, it does support the city's initiative to reduce the impacts of climate change by helping to ensure the emergency response system has the appropriate resources and funding mechanisms to address all-hazard threats. The quicker resources can mobilize and mitigate the emergency, the less the environmental impacts will be.

Equity Analysis:
The impacts of this interlocal agreement have been applied through the equity lens of the city's Equity Framework. This agreement will help the Olympia Fire Department achieve its mission to respond rapidly to mitigate emergencies for all community members. The agreement provides a mechanism to obtain reimbursement for Olympia Fire Department resources mobilized to address a threat.

Neighborhood/Community Interests (if known):
This interlocal agreement supports the universal protection of life and property for all community members.

Financial Impact:
If a wildland fire occurs within the city limits and requires expensive resources such as aviation assets, heavy equipment, or hand crews, the city will be liable for those expenditures until or unless payment by DNR can be negotiated at the time. With this agreement in place, those negotiations are not needed; a standard cost-sharing formula is already in place.

Options:
Whether to approve a Resolution authorizing an agreement with the Washington State Department of Natural Resources for forestland fire mutual aid.
Do not approve the Resolution authorizing the Interlocal Agreement between the City of Olympia and the Washington State Department of Natural Resources and return to staff.
Approve the Resolution authorizing the Interlocal Agreement between the City of Olympia and the Washington State Department of Natural Resources at another time.

Attachments:
Resolution
Agreement

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF OLYMPIA AND WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES FOR FORESTLAND RESPONSE AND FIRE MUTUAL ASSISTANCE

WHEREAS, the Washington State Department of Natural Resources provides mutual assistance and cooperation in the control and suppression of forestland fire, and therefore to contract for the Olympia Fire Department to provide fire protection services to an area within the jurisdiction of DNR; and

WHEREAS, the Washington State Department of Natural Resources will dispatch and pay for fire service resources outside the Olympia Fire Department jurisdictional boundaries; and

WHEREAS, on March 12, 2020; the city and the Washington State Department of Natural Resources entered into an Interlocal Agreement for Forestland Response and Fire Mutual Assistance; and

WHEREAS, the parties desire to enter into a new Interlocal Agreement to allow for mutual aid until May 31, 2030;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE as follows:

1. The Olympia City Council hereby approves the form of Interlocal Agreements between the City of Olympia and Washington State Department of Natural Resources for reimbursement for the Fireland response and mutual aid and the terms and conditions contained therein.

2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Interlocal Agreement, and any other documents necessary to enter into said Agreement, and to make any minor modifications as may be required and are consistent with the intent of the Agreements, or to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____day of _____ 2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
SENIOR DEPUTY CITY ATTORNEY

WILDFIRE

FORESTLAND RESPONSE AGREEMENT
DEPARTMENT OF NATURAL RESOURCES (DNR)
NO. 90-110837

PI: 221, 222, 223, 224
Funding Source: State
Grant Funded: No
DES Supplier Diversity: Not Applicable
Procurement Method: Exempt per DES Policy
Exemption Type: RCW 39.26.125(10) Intergovernmental agreements awarded to any governmental entity, whether federal, state, or local and any department, division, or subdivision thereof.

This Agreement is entered into between the state of Washington, Department of Natural Resources, South Puget Sound Region, hereinafter referred to as "DNR or AGENCY", and the below named Fire Protection District/Department, hereinafter referred to as "District/Department."

CITY OF OLYMPIA; DBA -
OLYMPIA FIRE DEPARTMENT
601 4th Avenue East
Olympia, WA 98507

Phone: 360.753.8348
Email: fire@ci.olympia.wa.us
Washington State UBI #: 342-000-433
Statewide Vendor (SWV) #: SWV0008653

Authority: This Agreement is entered into by DNR under the authority of RCW 76.04.015, RCW 76.04.135 and RCW 76.04.610(3); and by the District/Department under the authority of RCW 52.12.031, RCW 52.12.125 and RCW 35.21.010; and DNR and District/Department in conformity with RCW 39.34, the Interlocal Cooperation Act.

In consideration of the terms, conditions and covenants contained herein, or attached and incorporated and made a part hereof, the Parties mutually agree as follows:

1. **Purpose:** The purpose of this Agreement is to (1) provide for mutual assistance and cooperation in the control and suppression of forestland fire and therefore to contract for the District/Department to provide fire protection services to an area within the jurisdiction of DNR and located in, or adjacent to, the District/Department and to contract for the DNR to assist in fire protection services on forestland within District/Department jurisdiction; and (2) dispatch and pay for fire service resources outside the fire service District/Department jurisdictional boundaries for wildfire dispatch.

2. **Scope:** This Agreement pertains to forestland fire incidents within or adjacent to the District/Department boundaries and to District/Department resources ordered through the DNR Region or Division for dispatch outside of District/Department boundaries for support provided by DNR as outlined in Attachment A – Operational Guidelines for Resources ordered through the DNR Region or Division for dispatch outside of District/Department boundaries.

3. **Term.** The term of this agreement is _____, or date of execution, whichever is later, through May 31, 2030.

4. **Jurisdictional Responsibility:** Within or adjacent to the District/Department boundaries, the statutory jurisdictional responsibility for fire control on forestland varies. It may be:

   (1) **Sole DNR Jurisdiction:** Land subject to Forest Fire Protection Assessment and District/Department is NOT collecting fire protection levy.

   (2) **Sole District/Department Jurisdiction:** Land subject to District/Department fire protection levy and not subject to Forest Fire Protection Assessment.

   (3) **Joint Jurisdiction:** Land subject to Forest Fire Protection Assessment and the District/Department is collecting fire protection levy.

5. **Mutual Aid Fire Incident Response:**

   (1) **Sole DNR Jurisdiction:** In the event of a fire emergency in a sole DNR jurisdiction area, the DNR will respond. The District/Department may respond to provide immediate control action, minimize fire loss, and thereby indirectly protect its own jurisdiction area. DNR may request response from the District/Department to gain timely initial attack and control action, or to supplement DNR resources.

   (2) **Sole District/Department Jurisdiction:** In the event of a fire emergency in a sole District/Department jurisdiction area, the District/Department will respond. DNR may respond to provide immediate control action, minimize fire loss, and thereby indirectly protect its own jurisdiction area. The District/Department may request that DNR provide supplemental resources for fire emergency operations and support.

   (3) **Joint Jurisdiction:** In the event of a fire emergency in a joint jurisdiction area, both DNR and the District/Department will respond, subject to the availability of resources.

6. **Off-Season Incidents:** For this Agreement, no incident will be considered off-season. Fire season will be January 1-December 31 each year.

7. Command:

(1) **Sole DNR Jurisdiction Incidents:** When the District/Department is the first arriving agency, the District/Department on-site initial responders shall establish command until released by a representative of DNR.

(2) **Sole District/Department Jurisdictional Incidents:** When DNR is the first arriving agency, the DNR on-site initial responders shall establish command until released by a representative of the District/Department.

(3) **Joint Jurisdiction Incidents:** The first arriving agency initial responders shall establish command and, upon the arrival of the other agency, unified command will be established and used for incident management.

8. Fire Control and Suppression Definitions:

(1) **Forestland:** As the term is defined by RCW 76.04.005.

(2) **Ordering:** Prior to the arrival of DNR at the incident, the initial attack incident commander may order special resources through DNR. That decision shall be documented and payment authorized (see Section 11 and 12 of this Agreement) by DNR prior to the mobilization of special resources.

(3) **Special Resources:** Air resources, dozers, heavy equipment, or other resources deemed necessary to contain and control the fire.

9. Operation Guidelines:

(1) **Forestland Response:** Representatives of the District/Department and DNR may mutually develop operation guidelines that provide principles, direction and guidance for the conduct of fire control operations related to forest land response. The operation guidelines shall be reviewed at least annually, and revised as necessary to achieve cooperation and understanding.

(2) **DNR Dispatch:** See Attachment A - Operation Guidelines for resources ordered through the DNR Region or Division for dispatch outside of the District/Department jurisdictional boundaries; which is incorporated by reference herein.

10. Fire Investigation: The District/Department and DNR agree to protect the origin area of any fire to the best of its ability. Fires will be jointly investigated when an incident originated in a joint jurisdiction area. A DNR fire investigator may investigate fires originating on, spreading to or threatening land subject to Forest Fire Protection Assessment (i.e., sole DNR or joint jurisdiction areas).

11. Costs:

(1) **Charges Not Required:** One purpose of this Agreement is mutual assistance and cooperation in the control and suppression of fires (see Section 1 - Purpose). In most instances, resource costs will not be charged to the other party. However, there may be circumstances or conditions where the District/Department or DNR desires or is

required to charge, or request reimbursement, for resource costs as described in Subsections (2), (3), (4), and (5) below.

(2) **Sole DNR Jurisdiction:** If the District/Department responds, DNR will pay for District/Department personnel and equipment costs outside of mutual aid unless otherwise negotiated.

(3) **Sole District/Department Jurisdiction:** If DNR responds, the District/Department will pay for DNR personnel and equipment costs outside of mutual aid unless otherwise negotiated.

(4) **Joint Jurisdiction:** Initial attack through complete extinguishment of the fire, each party will pay its own costs.

(5) **DNR Dispatch:** If District/Department personnel is dispatched by DNR outside of District/Department jurisdictional boundaries, DNR will pay for District/Department personnel and equipment costs.

12. Cost Reimbursement Procedures:

(1) **Forestland Response:** Provisions within this Agreement for reimbursement of costs related to forest land response are subject to the following conditions:

(a) Notice: Prior to costs being incurred as allowed by this Agreement (other than DNR Dispatch), notice of such expenditure must be given to DNR of the requesting agency prior to the expenditure or commitment of funds.

(b) Invoice: Any resource provider costs, which are to be billed, must be invoiced within sixty (60) business days of the last date of incurred expense for the incident.

(2) **DNR Dispatch:** Provisions within this Agreement for reimbursement of costs related to DNR dispatch are outlined in Attachment A - Operation Guidelines for resources ordered through the DNR Region or Division for dispatch outside of the District/Department jurisdictional boundaries; which is incorporated by reference herein.

13. Cost Reimbursement Rates:

(1) Forestland Response:

(a) Equipment costs shall be paid to the resource provider at the DNR Wage and Equipment Rates or as otherwise agreed to in writing by the respective authorized agency representatives.

(b) Career/permanent and seasonal personnel costs will be reimbursed to the resource provider at the resource provider's actual total cost. This will include backfill costs as outlined in the State Mobilization Plan.

(2) DNR Dispatch:
Cost reimbursement rates related to DNR dispatch are outlined in Attachment A - Operation Guidelines for resources ordered through the DNR Region or Division for dispatch outside of the District/Department boundaries.

14. Insurance: DNR is an agency of the state of Washington and is therefore self-insured under the State's Self-Insurance Liability Program. The District/Department shall, at all times during the term of this Agreement at its sole cost and expense, buy and maintain insurance of the types and amounts listed below. Failure to buy and maintain the required insurance may result in the termination of the Agreement at DNR's option. If the District/Department is self-insured, evidence of its status as self-insured will be provided to DNR, and if deemed acceptable by DNR, shall satisfy the insurance requirements specified by this Section. The limits of insurance to be bought and maintained by the District/Department shall not be less than as follows:

Minimum Coverage Requirements: These limits may not be sufficient to cover all liability losses and related claim settlement expenses. Purchase of these minimum limits of coverage does not relieve the District/Department from liability for losses and settlement expenses greater than these amounts. DNR shall not be charged for the cost for insurance coverage(s).

District/Department is required to purchase insurance for a period of 36 months after completion of this Agreement. This requirement may be satisfied by the continuous purchase of an extended agreement. This requirement may be satisfied by the continuous purchase of an extended reporting period. During the term of the Agreement, District/Department must purchase and maintain the insurance coverage and limits specified below:

(1) **Commercial General Liability (CGL) Insurance or District/Department Equivalent.** District/Department must purchase and maintain CGL on an Insurance Services Office (ISO) form CG 00 01 or equivalent form, covering liability arising from premises, operations, independent contractors, personal injury, products-completed operations, and liability assumed under an insured contract. Such insurance must be provided on an occurrence basis. If insurance is written on a "claims made" basis, the policy shall provide full coverage for prior acts or include a retroactive date that precedes the effective date of this Agreement. Insurance must include liability coverage with limits not less than those specified below:

Description	Dollar Amount
General Aggregate Limit (Other than products-completed operations)	$2,000,000
Each Occurrence Limit	$2,000,000

(2) **Employer's liability ("Stop Gap") Insurance:** District/Department shall purchase and maintain employer's liability insurance and if necessary, commercial umbrella liability insurance with limits not less than $1,000,000 each accident for bodily injury by accident or $1,000,000 each employee for bodily injury by disease.

(3) **Business Auto Policy (BAP) Insurance:** If activities pursuant to this Agreement involve the use of vehicles, to include FEPP vehicles, the District/Department must

purchase and maintain a BAP on an Insurance Services Office (ISO) form CA 00 01 or equivalent form. The Description of Covered Autos must include one or more of the following:

a. "Any Auto" (Symbol 1).

b. If District/Department-owned personal vehicles are used, the BAP must cover "Owned Autos Only" (Symbol 2).

c. If District/Department hires autos, the BAP must cover "Hired Autos Only" (Symbol 8).

d. If District/Department employee's vehicles are used, the BAP must cover "Non-Owned Autos Only" (Symbol 9).

Such insurance must be provided on an occurrence basis. The BAP insurance must include liability coverage with limits not less than those specified below. The District/Department is responsible for any deductible.

Description	Each Accident
Bodily Injury and Property Damage	$1,000,000

(4) **Workers Compensation Insurance or Equivalent:** The District/Department shall comply with all state of Washington workers compensation statutes and regulations. Coverage shall be provided for all employees and volunteers of the District/Department and shall include bodily injury (including death) that arises out of or in connection with the performance of this Agreement.

15. Service Limitations. The responses and fire suppression services provided for under this Agreement are intended to be rendered on the same basis as such services are rendered to other areas within the District/Department or DNR jurisdictions and neither party assumes liability for failure to provide services by reason of any circumstances beyond the party's control. In the event of simultaneous fires or medical aid calls within the areas covered by this Agreement whereby facilities of either party are taxed beyond the party's ability to render equal protection, the officers and agents of the party shall have sole discretion as to which call shall be answered first. The responding party shall have sole discretion to determine the manner and method of responding to and handling emergencies under this Agreement consistent with Section 7 - Command of this Agreement.

16. Benefits. This agreement is entered into for the benefit of the parties to this agreement only and shall confer no benefits, direct or implied, on any third persons.

17. Renegotiation and Modification: The terms and conditions of this Agreement may be renegotiated at the request of either Party between the dates of January 1 and March 1 of any year. Any modification or amendment of this Agreement must be in writing and must be signed by duly authorized agents of the Parties.

18. Assignment and Delegation: This Agreement, or any right or interest therein, may not be assigned or otherwise transferred by either Party without the prior written consent of the other Party. Any attempted assignment shall be void unless made in strict conformity with this section.

Either Party may perform its duty through a delegate or agent, but shall not be thereby relieved of any duty to perform or any liability for breach of this Agreement.

19. **Remedies:** Any remedy exercised by either Party shall not be deemed exclusive and either Party may pursue any and all other remedies available to it under the law.

20. **Compliance with Laws:** Parties shall comply with all applicable federal, state, and local laws, rules and regulations that govern each component of this Agreement.

21. **Non–Waiver:** Waiver by either Party of strict performance of any provision of this Agreement shall not act as a waiver of the right of the other Party to require future strict performance of the same provision or any other provision.

22. **Harassment.** Per RCW 43.01.135, Sexual harassment in the workplace, Agency Contractors hereby have access to DNR Policy PO01-052 Sexual Harassment: https://www.dnr.wa.gov/publications/em_harassment_prevention_policy.pdf

23. **Interpretation and Venue:** This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington. The venue of any action brought under this Agreement shall be in the Superior Court of Thurston County.

24. **Severability:** If any provision of this Agreement is held to be invalid, such invalidity shall not affect the other provisions of this Agreement that can be given effect without the invalid provision(s), and to this end the provisions of this Agreement are declared severable.

25. **Termination:** This Agreement may be terminated by either Party by the provision of ninety (90) days written notice, provided that neither Party may terminate this Agreement at any time between April 15 and October 15 of any year due to the fire danger during this period.

26. **Agreement Managers:**

DISTRICT/DEPARTMENT AGREEMENT MANAGER	DNR AGREEMENT MANAGER
Hillory Flowers *City of Olympia; DBA –* *Olympia Fire Department* 601 4th Avenue East Olympia, WA 98507 Phone: 360-753-8348 Email: fire@ci.olympia.wa.us	Daniel Eide *Department of Natural Resources* 950 Farman Avenue North Enumclaw, WA 98022 Phone: 360-802-7030 Email address: daniel.eide@dnr.wa.gov

This Agreement supersedes all previous agreements.

By signature below, the Agencies certify that the individuals listed in this document, as representatives of the Agencies, are authorized to act in their respective areas for matters related to this instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement.

CITY OF OLYMPIA; DBA - OLYMPIA FIRE DEPARTMENT

Signature Date

Steven J. Burney
Name

City Manager
Title

601 4th Avenue East
Olympia, WA 98507
Address

360-753-8348
Telephone

06/16/2026
Signature Date

Senior Deputy City Attorney

STATE OF WASHINGTON DEPARTMENT OF NATURAL RESOURCES – SOUTH PUGET SOUND REGION

Signature Date

Don Melton
Name

Region Manager
Title

950 Farman Avenue North
Enumclaw, WA 98022
Address

360-825-1631
Telephone

Attachment A

Operation Guidelines

Resources ordered through the DNR Region or Division for Dispatch outside of District/Department jurisdictional boundaries

Department of Natural Resources (DNR) agrees to dispatch District/Department resources to incidents outside of the Districts/Department jurisdictional boundaries as needed to meet DNR responsibilities and as approved by the District/Department. Dispatches can include out of the state of Washington. Participation by a District/Department with incidents outside its jurisdiction is voluntary and separate from involvement in State Fire Mobilization.

This Agreement extends to all District/Department members:

- Washington Fire Service (WFS) paid members which District/Department allow to participate will be paid by the District/Department. DNR will reimburse district/department costs as outlined in this agreement.

- Members of Washington Fire Service who are volunteers will need to be hired by the DNR via the DNR casual hire process and paid directly by DNR. This may be completed pre-season or at the time of the incident. Your local DNR Region office will handle the casual hire process.

District/Department agrees:

1) All personnel dispatched outside of their jurisdictional boundaries will have a valid Incident Qualification Card (red card) stating current qualifications; and will adhere to qualifications and standards described in NWCG PMS 310-1;

2) To keep equipment and personnel status current in the Interagency Resource Ordering Capability (IROC) by selecting option a. or b. below. List available resources on the following resource list addendum. (Check one):

   a. ☐ With DNR Region approval, DNR Region will give Web-Status rights to IROC for district employees. It is the employee's responsibility to ensure that their status is accurate.
   b. ☒ DNR Region will status your employees. For this option, you would need to provide your local DNR Region Dispatch with the status of your employees every Monday by 1200 hours. Dispatch would then update their status in IROC for that week (0800 Tuesday to 0800 Tuesday).

   For dispatches outside of the DNR region, approval from DNR host region fire staff is required. Host region fire staff will coordinate with Wildland Fire Management Division in order to ensure statewide readiness.

3) To notify your local DNR Region of any changes in status of personnel/equipment (i.e.; dispatched/demobilized under State Fire Mobilization, demobilization & ETA home from incidents dispatched thru DNR, etc.);

4) All personnel and equipment dispatched will be paid by the District/Department; (except volunteers will follow payment procedures outlined in their individual agreement and be paid directly by DNR);

5) All Equipment and Personnel dispatched under this agreement will arrive at each incident with a copy of their current Forestland Response Agreement.

6) Invoice for personnel and equipment costs billed to DNR will include:

    a. Original Emergency Fire Time Report (OF-288); hourly wage rate (regular and OT) for personnel hours on the OF-288. This applies to paid district/department staff. Volunteers will be paid directly by DNR.
    b. Original shift ticket (OF-286) documenting mileage to/from incident as well as mileage incurred on the incident signed by the incident supervisor.
    c. Copy of Resource Order card.

7) Invoices requesting payment for equipment (engines/tenders) will be submitted to DNR within sixty (60) business days of the last date of the incurred expense for the incident and shall include Original Emergency Equipment Use Invoice Form (OF-286) and shift tickets (OF-297); and

8) Invoices requesting payment for other travel costs (meals, lodging not provided by the incident) must be submitted to DNR within sixty (60) business days of the last date of the incurred expense for the incident.

9) Only utilize agency owned vehicles or procured rental vehicles on the fireline or off-road.

DNR agrees to:

1) Assist the District/Department with updating status of IMT members in IROC;

2) Maintain IQS records for District/Department personnel with NWCG PMS 310-1 wildland fire qualifications, if red carded through the DNR;

3) Reimburse District/Department within 30 days of invoice receipt and documentation as required above;

4) Reimburse the Fire Service District/Department at the Total Cost of personnel. This includes, regular time, overtime, and District/Department backfill for that position as outlined in the State Mobilization Plan. The DNR will not pay for muster time, wildland premium pay, or other unspecified pay provisions.

Rental vehicles for Off-road use must be procured consistent with the National Emergency Rental Vehicle Blanket Purchase Agreement (NERV). Rental vehicles for non-fire line positions must be rented through alternative sources other than the USFS NERV rental vehicle agreement. Rental vehicle authorization must be documented on the resource order. Please speak with your local DNR Region for more specific information.

DISTRICT/DEPARTMENT RESOURCE LIST
OVERHEAD AND EQUIPMENT ADDENDUM

DNR will dispatch and process invoices for the following fire district members and equipment when dispatched by DNR outside of their fire district.

Overhead Resources

	Name	Career or Volunteer	Backfill Required	Position/Qualifications	Team Affiliation or Single Resource
1	Hall, Jerry	C	Y	REMS/FFT2	S
2	Henderson, Michael	C	Y	EngB	S
3	Kirk, Spencer	C	Y	FF1-T	S
4	Rasmus, Cameron	C	Y	FF2	S
5	Palzer, Nicholas	C	Y	FF2	S
6	Johnson, Derek	C	Y	FF2	S
7	Bottin, Tyler	C	Y	FF2	S
8	Konkright, Spencer	C	Y	FF2	S
9	Furr, Mitch	C	Y	FF2	S
10	Galloway, Brennan	C	Y	FF2	S
11	Gaylord, Tim	C	Y	FF2	S
12					
13					
14					
15					
16					
17					
18					
19					
20					

DISTRICT/DEPARTMENT RESOURCE LIST
OVERHEAD AND EQUIPMENT ADDENDUM

DNR will dispatch and process invoices for the following fire district members and equipment when dispatched by DNR outside of their fire district.

Equipment Resources

			Rate / Negotiated Rate*
1	2016 FORD F150, 5988OD, Command Vehicle	1FTF@1EG9GKD82337	OFM POV Rate
2	2002 FORD F550, 68709C, Brush O1	1FDAW57F22EC78166	OFM POV Rate
3	1995 Pierce Pumper, EO32, 05867D	4P1CT02545A000638	OFM POV Rate
4	1998 Pierce Pumper, EO12, 06264D	4P1CT02S0WA000822	OFM POV Rate
5	1998 Pierce Pumper, EO42, 06263D	4P1CT02S4WA000824	OFM POV Rate
6	2008 Pierce Pumper, Front Line Engine O3, 44256D	491CV01H78A008144	OFM POV Rate
7	2010 Pierce Pumper, Front Line Engine O4, 20342D	4P1CV01H9AA011102	OFM POV Rate
8	2010 Pierce Pumper, Front Line Engine O2, 52675D	4PICV01H7AA011101	OFM POV Rate
9	2016 Pierce Pumper, Front Line Engine O1, 61211D	4P1BAAGF9GA016392	OFM POV Rate
10			

* The negotiated rate must be agreed upon between the signing parties prior to dispatch.

CONTACT INFORMATION:

Chad Boulay, 360-570-3945, cboulay@ci.olympia.wa.us
Jeremy Fox, 360-709-2719, jfox@ci.olympia.wa.us

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

City Council

Approval of a Resolution Authorizing a Lease Agreement with Catholic Community Services for Quince Street Tiny Home Village

Agenda Date: 6/23/2026
Agenda Item Number: 4.F
File Number:26-0438

Type: resolution **Version:** 1 **Status:** Consent Calendar

Title
Approval of a Resolution Authorizing a Lease Agreement with Catholic Community Services for Quince Street Tiny Home Village

Recommended Action
Committee Recommendation:
Not referred to a committee.

City Manager Recommendation:
Move to approve the resolution authorizing a lease agreement with Catholic Community Services for Quince Street Tiny Home Village.

Report
Issue:
Whether to Approve Resolution Authorizing a Lease Agreement with Catholic Community Services for Quince Street Tiny Home Village.

Staff Contact:
Kim Kondrat, Homeless Response Manager, Community Planning & Economic Development, 360.742.6448

Presenter(s):
None - Consent Calendar Item.

Background and Analysis:
Quince Street Tiny Home Village was established when the setdown of the former “mitigation site” (established 2018) was removed from the downtown core in 2021. The residents of the former mitigation site were transferred to the site with an improvement of the tiny homes with added heat, electrical lighting and USB ports, access to laundry, shower trailers and case management. This 100 -unit tiny home village is the largest in the County and has been crucial in the Homeless Response System of Thurston County, accepting residents from Coordinated Entry and the Encampment Resolution Program as well as City departments (i.e. Community Court and Homeless Response). Continued support is encouraged to continue the forward progress of our homeless response system

to provide opportunities for unhoused citizens to stabilize physically and psychologically and get out of survival mode to pursue possible pathways out of homelessness. This decreases calls to First Responder by providing shelter/housing.

Climate Analysis:
There will be no significant impact to greenhouse gas emissions.

Equity Analysis:
BIPOC, LGBTQ+ community and mentally disabled individuals tend to make up the unhoused population disproportionately. These populations are prioritized with the Housing Equity and Assessment Tool which is used to place unhoused folks into Quince Street Village. They are positively impacted by Quince Street Village. The City of Olympia community benefits by having unhoused folks placed in shelter that gives an opportunity for folks in crisis to stabilize. City First Responders also benefit by fewer calls to respond to crises that result from lack to basic needs. he surrounding businesses are impacted by the increase of foot traffic of unhoused individuals which may lead to increase in vandalism of property and need for increase security. City departments meet regularly with neighboring businesses and CCS to address concerns and collaborate in a concerted effort to minimize the negative effects of having a shelter provider in close proximity to their locations.

Neighborhood/Community Interests (if known):
Homelessness has been at the top priority of concerns that have come through the Public Opinion and Community Engagement Survey distributed to Olympia community members. There is high community interest in the City's compassionate yet accountable approach to homelessness as declared in the One Community Plan. Quince Street Tiny Home Village supports this approach. City staff and Catholic Community Services staff have ongoing contact with surrounding businesses and coordinated City response with the Olympia Police Department and Parking Services. There have been frequent failures of the plumbing of the 2 shower trailers that were donated by LOTT 5 years ago. The plumbing is in the process of being assessed and updated. Several units of the tiny home village have significant water damage, possibly due to tiny home construction as well as at risk of flooding due to close location to Indian Creek. Public Works department has been helpful in times of flooding. Residents have been moved to improved units for their health and safety and there is a regular inspection schedule and improved training of staff to help identify signs of needed repair of units.

Financial Impact:
The City of Olympia is leasing the Quince Street Village property to Catholic Community Services for $1.

Options:
1. Move to approve the resolution authorizing a lease agreement with Catholic Community Services for Quince Street Tiny Home Village.
2. Modify Resolution Authorizing a Lease Agreement with Catholic Community Services for Quince Street Tiny Home Village. Modifying will need approval from Catholic Community Services which can take a while and result in a delay in services to residents and decrease in funds and staff.
3. Don't Approve Resolution Authorizing a Lease Agreement with Catholic Community Services for Quince Street Tiny Home Village. (This could result in the closure of the Tiny Home Village

and there would be 100 individuals back out on the street since there are not enough shelter available in the community. This would have a negative impact on the downtown core businesses and increase calls to police and fire as crises escalate when basic needs are not met.)

Attachments:
Resolution
Agreement

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF OLYMPIA AND CATHOLIC COMMUNITY SERVICES OF WESTERN WASHINGTON FOR A TINY HOUSE/SHELTER VILLAGE AT 1215 QUINCE STREET SE

WHEREAS, the City of Olympia declared a public health emergency related to homelessness on July 17, 2018; and

WHEREAS, the City has worked since then to find solutions that will assist in alleviating the homeless crisis in Olympia and reduce human suffering; and

WHEREAS, the City owns certain real property at 1215 Quince Street SE, Olympia, Washington, consisting of approximately 1.41 acres (the Property) that has suitability for use as a tiny house/shelter village; and

WHEREAS, the City and Catholic Community Services of Western Washington (CCS) are entering into a Funding Agreement that governs the City of Olympia's provision of funding to CCS in exchange for CCS's operation, management, and maintenance of a tiny house/shelter facility on the Property serving formerly unhoused residents, as specified in that separate Funding Agreement; and

WHEREAS, as part of CCS's operation, management, and maintenance of the tiny house facility on the Property, CCS wants to lease a portion of the Property from the City for the sole purpose of using it for a tiny house/shelter village to provide temporary shelter and housing for formerly unhoused persons in tiny houses/shelters, including a community kitchen, administrative offices, and areas for sanitary shower, toilet, laundry facilities, solid waste collection, and for other related case management services for the temporary residents of the tiny houses/shelters village; and

WHEREAS, the City and CCS have negotiated terms and conditions for CCS's lease of a portion of the Property; and

WHEREAS, the City Council determines it to be in the best interest of the residents of the City of Olympia to lease to CCS a portion of the property commonly located at 1215 Quince Street SE, Olympia, for the sole purpose of using it for a tiny house/shelter village;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL RESOLVES as follows:

1. The Olympia City Council hereby approves the form of Lease Agreement between the City and Catholic Community Services of Western Washington to lease to Catholic Community Services a portion of the property located at 1215 Quince Street SE, Olympia, Washington, for a tiny house/shelter village upon the terms and conditions contained therein.

2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Lease Agreement, and any other documents necessary to execute said Agreement, and to make any minor amendments or modifications as may be required and are consistent with the intent of the Agreement, and to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____day of _____ 2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

LEASE AGREEMENT

This LEASE AGREEMENT ("Lease") is between the City of Olympia, a Washington municipal corporation ("Lessor"), and Catholic Community Services of Western Washington, a Washington public benefit corporation, also known as CCS, ("Lessee"), jointly referred to in this Lease as "the Parties" or singularly as a "Party." This Lease is not effective until the "Effective Date" (as defined in Paragraph 14.15 below).

RECITALS

Lessor is the owner of certain real property located at 1215 Quince Street SE (formerly 1211 Quince Street SE), in Olympia, Thurston County, Washington, consisting of approximately 1.41 acres (61,420 square feet) and legally described on the attached Exhibit "A", and generally shown on a vicinity sketch attached as Exhibit "B", subject to Lessor's exclusion of certain areas from the Lease as depicted on the attached Exhibit "B-1." All attached exhibits are a part of this Lease.

Lessee wishes to lease the property from Lessor for the sole purpose of using it for a tiny houses/shelters village to provide temporary shelter and housing for homeless persons. Lessee will maintain on the site a community kitchen, meeting facility, sanitary facilities (shower, toilet, sinks, and laundry), solid waste collection, and for site and case management services for the temporary residents of the tiny houses/shelter's village.

The Parties to this Lease are entering into a separate Funding Agreement that governs the City of Olympia's provision of funding to Catholic Community Services in exchange for Catholic Community Service's operation, management, and maintenance of the tiny house/shelter facility as specified in that separate Funding Agreement.

The signatories to this Lease acknowledge that they are authorized to execute this Lease and any associated documents, and to correct scrivener's errors or other errors or omissions that would otherwise be in substantial conformance with this Lease.

The Parties enter into this Lease to memorialize the terms and conditions under which Lessor will lease the property to Lessee.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained in this Lease, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

TERMS AND CONDITIONS

1. Leased Property. Lessor hereby leases to Lessee the property located at 1215 Quince Street SE in Olympia, Thurston County, Washington, legally described as shown on Exhibit "A" and generally located as shown on a vicinity sketch attached as Exhibit "B,"

subject to Lessor's exclusion of certain areas as depicted on Exhibit "B-l" which are retained by Lessor for the Indian Creek stream buffer area for flood protection and habitat enhancement. The property described in this Paragraph 1 is referred to in this Lease as the "Property."

2. Use and Occupancy. Lessee shall use the Property as a site to provide shelter to homeless persons in tiny houses/shelters, together with associated facilities for a shared kitchen, meeting facility, sanitary facilities (showers, sinks, toilets and laundry), site management, solid waste, storage, and security, and for no other purpose or use without the express written consent of Lessor.

3. Term. The term of this Lease is from the Effective Date until June 30, 2026, and may be renewed for an additional term upon mutual written agreement of the Parties, subject to the terms of this Lease and any written modifications or amendments. In the event Lessee ceases to use the Property for the express purpose stated in this Lease, the tenancy will automatically terminate without further notice and the Lessee shall vacate the Property. Either Lessor or Lessee may terminate this lease with or without cause with 90 days' written notice to the other Party.

4. Acceptance of Property As Is. Lessee accepts and acknowledges use of the Property in its "as is" condition.

5. Rent. Lessee shall pay Lessor the sum of **ONE DOLLAR AND NO CENTS** per year ($1.00) as rent for the Property. Said rental payment is due and payable upon commencement of the Lease.

6. Maintenance and Repairs.

Lessee is responsible for routine maintenance and minor repairs necessary for the day-to-day operation of the Premises. Such routine maintenance and minor repairs does not include capital improvements, structural repairs, replacement of major building systems, or other substantial improvements to the Premises. Lessor is responsible for contracting and managing capital improvements, structural repairs, replacement of major building systems, and other major repairs or improvements to the Premises. Lessee is responsible for compliance with all applicable prevailing wage requirements for any non-routine maintenance work performed directly by Lessee or by contractors retained by Lessee. Nothing in this section may be construed to require Lessee to contract for or manage capital improvements, structural repairs, replacement of major building systems, or other major repairs or improvements that are the responsibility of Lessor under this Agreement.

7. Utilities. Lessee is financially responsible for and shall pay for electricity, telephone, cable television, internet, and wi-fi access services to the Property (if any), and any other utilities necessary for operation of the site as a tiny house village/shelter facility.

8. Insurance, Indemnification and Hold Harmless Agreement. Lessee shall defend, indemnify, and hold harmless Lessor, its agents, officers, officials, employees, and volunteers from and against any and all claims, suits, actions, liabilities for injuries, death of any person, or for loss or damages to property which arises out of Lessee's use of the Property, or from the conduct of Lessee or its employees, agents, or contractors, or from any activity, work, or thing done, permitted, or suffered by Lessee in or about the Property, except only such injury or damage caused by the sole negligence of Lessor. It is further specifically and expressly understood that the indemnification provided in this section constitutes Lessee's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated and agreed to by the Lessee and Lessor. This section survives the expiration or termination of this Lease.

Lessor shall defend, indemnify, and hold harmless Lessee, its agents, officers, employees, contractors, and volunteers from and against any and all claims, suits, actions, liabilities for injuries, death of any person, or for loss or damages to property which arises out of any intentional or negligent breach of this Lease by the Lessor. This section survives the expiration or termination of this Lease.

8.1 Concurrent negligence. Should a court of competent jurisdiction determine that this Lease is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of Lessee and the Lessor, or their respective officers, officials, agents, employees, and volunteers, the Lessee's liability, including the duty and cost to defend, under this section is only to the extent of Lessee's negligence.

8.2 Insurance term. Lessee shall procure and maintain for the term of the Lease insurance against claims for injuries to persons or damage or loss to property, which may arise from or in connection with the Lessee's operation and use of the Property.

8.3 No Limitation. The Lessee's maintenance of insurance as required by this Lease may not be construed to limit the liability of the Lessee to the coverage provided by such insurance, or otherwise limit the Lessor's recourse to any remedy available at law or in equity.

8.4 Minimum scope of insurance. The Lessee shall obtain insurance of the types and coverage described below:

1. Commercial General Liability insurance must be at least as broad as Insurance Services Office (ISO) occurrence form CG 00 01 and shall cover premises and contractual liability. Lessor shall be named as an additional insured on Lessee's Commercial General Liability insurance policy using ISO Additional Insured-Managers or Lessors of Premises Form CG 20 11 or a substitute endorsement providing at least as broad coverage.

2. Property insurance must be written on an all risk basis.

8.5 Minimum amounts of insurance. The Lessee shall maintain the following insurance limits:

1. Commercial General Liability insurance must be written with limits no less than $1,000,000 each occurrence, and $9,000,000 of umbrella or excess insurance.

2. Property insurance must be written covering the full value of Lessee's property and improvements with no coinsurance provisions.

8.6 Other insurance provisions. The Lessee's Commercial General Liability insurance policy or policies are to contain or be endorsed to contain that they are primary insurance as respect to the Lessor. Any insurance, self-insurance, or self-insured pool coverage maintained by the Lessor is excess of the Lessee's insurance and does not contribute with it.

8.7 Acceptability of insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.

8.8 Verification of coverage. The Lessee shall furnish the Lessor with original certificates and a copy of the amendatory endorsements, including the additional insured endorsement, evidencing the insurance requirements of the Lessee.

8.9 Waiver of subrogation. Lessee and Lessor hereby release and discharge each other from all claims, losses, and liabilities arising from or caused by any hazard covered by property insurance on or in connection with the premises or any building or structures on the Property. This release applies only to the extent that such claim, loss, or liability is covered by insurance.

8.10 Lessor's property insurance. Lessor shall purchase and maintain during the term of the lease all-risk property insurance covering any building or other structures for its full replacement value without any coinsurance provisions.

8.11 Notice of cancellation. The Lessee shall provide the Lessor with written notice of any policy cancellation within two business days of Lessee's receipt of such notice.

8.12 Failure to maintain insurance. Failure on the part of the Lessee to maintain the insurance as required is a material breach of the Lease, upon which the Lessor may, after giving five business days' notice to the Lessee to correct the breach, terminate the Lease or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the Lessor on demand.

8.13 Lessor full availability of Lessee limits. If the Lessee maintains higher insurance limits than the minimums shown above, the Lessor is insured for the full available

limits of Commercial General and Excess or Umbrella liability maintained by the Lessee, irrespective of whether such limits maintained by the Lessee are greater than those required by this Lease or whether any certificate of insurance furnished to the Lessor evidence limits of liability lower than those maintained by the Lessee.

9. Acknowledgment and Acceptance.

9.1 Taxes and assessments. In the event a leasehold tax is imposed upon Lessee's tenancy by the State of Washington during the term of this Lease, Lessor shall pay such leasehold tax amount to the State of Washington during the period Lessee has occupied or is occupying the Property. Lessor shall cooperate with Lessee in filing for applicable property tax exemptions.

9.2 Mechanics' liens. In the event Lessee causes any labor, material, or services to be furnished in, on, or about the Property, or any part thereof, Lessee shall pay, resolve, settle, or compromise such liens or claims and fully satisfy such liens or claims so as to prevent or remove any liens against the Property. Lessee will not allow any lien to attach to the Property. Lessee shall fully indemnify and hold harmless the Lessor from any and all claims of liens against the Property incurred by Lessee, including any attorney's fees, costs, or other litigation expenses incurred by Lessor in connection with such claims of lien.

9.3 Subleases and other agreements. Lessee shall not enter into any leases, subleases, licenses, or easements with any person or entity for profit or other charge or consideration upon the Property, except with the express prior written consent of Lessor. The Property must be solely used for a tiny houses/shelter village, and associated facilities as set forth in Paragraph 2 above, and no other purpose, during the term of this Lease.

9.4 Motor vehicle parking CCS may utilize the parking stalls on the Property for CCS staff and provider vehicle parking. Such parking stalls are not intended for resident parking nor vehicle habitation. CCS shall manage parking on the Property, including engaging a tow operator as necessary to tow illegally parked vehicles.

9.5 Storage of personal property. Any personal property of Lessee or those housed on the Property must be stored upon the Property. Lessee shall not store Lessee's personal property, nor permit other to store their personal property, upon any adjacent property owned by Lessor or others, except with express written consent from Lessor or other property owner.

9.6 Due authority. Lessee and Lessor have all requisite power and authority to execute and deliver this Lease and to carry out its obligations under this Lease. This Lease has been, and the documents contemplated hereby will be, duly executed and delivered by Lessor and Lessee and constitute their legal, valid and binding obligation enforceable against Lessor and Lessee in accordance with its terms.

10. Covenants of Lessee. Lessee covenants and agrees as follows:

10.1 Perform obligations. From the Effective Date of this Lease, Lessee will perform any monetary and non-monetary obligations it has regarding the Property.

10.2 No encumbrances. From the Effective Date of this Lease, Lessee will not grant, create, or voluntarily allow the creating of, or amend, extend, modify, or change, any easement, right-of-way, encumbrance, restriction, covenant, lease, license, option or other right affecting the Property or any part thereof.

10.3 Environmental. Lessor asserts that there are no known hazardous substances or materials as defined under RCW 70A.305, RCW 64.44.010, WAC 246-205, and other current and future applicable federal and state regulations and laws ("Hazardous Substances") on the Property at the Effective Date.

Lessee shall not cause or permit any Hazardous Substances to be brought upon, kept, or used in or about, or disposed of on the Property by Lessee, its employees, officers, agents, contractors, customers, clients, visitors, guests, or other licensees or invitees, except in strict compliance with all applicable federal, state, and local laws and regulations. If Lessee breaches the foregoing obligations, then Lessee shall indemnify, defend, and hold Lessor harmless with respect to any loss, liability, claim, demand, damage, or expense of any kind, including attorneys' fees, costs, and expenses (collectively, "Loss") arising out of the release of Hazardous Substances on, under, above, or about the Property by Lessee, except for any release of any Hazardous Substance on, under, above, or about the Property caused or contributed by Lessor, or any employee, agent, or contractor of Lessor.

10.4 Definitions. The term "Hazardous Substance" includes (a) those substances included within the definitions of "hazardous substances," "hazardous materials," "toxic substances," "hazardous wastes," or "solid wastes" in any Environmental Law; (b) petroleum products and petroleum byproducts; (c) polychlorinated biphenyls; (d) chlorinated solvents; and (e) asbestos. The term "Environmental Law" includes any federal, state, municipal or local law, statute, ordinance, regulation, order or rule pertaining to environmental protection, waste disposal, toxic or hazardous materials, contamination, or clean-up.

10.5 Compliance with laws. Lessee shall comply with any and all statutes, codes, regulations, covenants, or laws that may affect the use and occupancy of the Property. Violation of this covenant by Lessee is grounds for termination of this Lease.

10.6 Nuisance or waste. Lessee shall not permit any nuisance upon the Property or permit any waste or destruction of the Property.

10.7 Indemnification. Lessee shall pay, protect, pay the defense costs of,

indemnify, and hold Lessor and its successors and assigns harmless from and against any and all loss, liability, claim, damage, and expense suffered or incurred by reason of (a) the breach of any representation, warranty, or agreement of Lessee set forth in this Lease, (b) the failure of Lessee to perform any obligation required by this Lease to be performed by Lessee, (c) the maintenance, and/or operation of the Property by Lessee not in conformance with this Lease, or (d) any injuries to persons or property from any cause occasioned in whole or in part by any acts or omissions of the Lessee, its representatives, agents, employees, contractors or suppliers.

10.8 Access to the Property. Lessee shall permit Lessor or its agents, employees, officials, officers, or contractors to access the Property for the purpose of any environmental studies, work for restoration purposes that is required by permitting agencies, or to perform water, sewer, stormwater, or other necessary utility connections or services as may be required, including garbage/solid waste collection and waste recycling.

11. Casualty. If any fire, windstorm, earthquake, volcanic eruption, or casualty occurs and materially affects all or any portion of the Property on or after the date of this Lease, Lessor is under no duty or obligation to repair, replace, or rebuild any structure, dwelling or outbuilding located upon the Property.

12. Legal Notices. Unless applicable law requires a different method of giving notice, any and all notices, demands, or other communications required or desired to be given under or related to this Lease by any Party (collectively, "Notices") must be in writing and is validly given or made to another Party if delivered either personally or by Federal Express, UPS, USPS, or other overnight delivery service of recognized standing, or if deposited in the United States mail, certified, registered, or express mail with postage prepaid. If such Notice is personally delivered, it must be conclusively deemed given at the time of such delivery. If such Notice is delivered by Federal Express or other overnight delivery service of recognized standing, it must be deemed given 48 hours after the deposit of the Notice with such delivery service. If such Notice is mailed as provided in this section, it must be deemed given five days after its deposit in the United States mail. Each such Notice may be deemed given only if properly addressed to the party to whom such notice is to be given as follows:

To Lessor: Steven J. Burney, City Manager City of Olympia
601 4th Ave E
PO Box 1967
Olympia WA 98507-1967
Email: jburney@ci.olympia.wa.us

With a copy to: Mark Barber, City Attorney
City of Olympia
601 4th Ave E
PO Box 1967
Olympia WA 98507-1967
Email: mbarber@ci.olympia.wa.us

To Lessee: Mike Curry, CCS VP and Agency Director
Catholic Community Services of Western
Washington 1323 Yakima Avenue
Tacoma WA 98504-4457
Email: MikeC@ccsww.org

With a copy to: Kristin A. Tan, Legal Counsel
100 23rd Ave S
Seattle WA 98144
Email: KristinT@ccsww.org

Any Party may change its address for receiving notices as provided in this section by a written notice given in the manner provided in this section to the other Party hereto.

13. Contract Manager. For routine issues of contract management such as insurance, invoices, and issues related to routine management of this Lease, please contact:

Lessor's Manager: Kim Kondrat, Homeless Response Manager
City of Olympia
PO Box 1967
Olympia WA 98507-1967
Office: 360.753.8033
Cell: 360.280-8951
Email: kkondrat@ci.oiympia.wa.us

Lessee's Manager: Gabriel Ash, Director of Housing and Homeless services
604 Devoe Street SE
Olympia WA 98501
360.753.3340
Email: gabea@ccsww.org

14. Miscellaneous.

14.1 Applicable law. This Lease is in all respects, governed by the laws of the State of Washington.

14.2 Further assurances. Each of the Parties shall execute and deliver any and all additional papers, documents, and other assurances, and shall do any and all acts and things reasonably necessary in connection with the performance of its obligations under this Lease, to cany out the intent of the Parties.

14.3 Modification or amendment, waivers. No amendment, change, or modification of this Lease is valid, unless in writing and signed by all of the Parties. No waiver of any breach of any covenant or provision in this Lease may be deemed a waiver of any preceding or succeeding breach, or of any other covenant or provision in this Lease. No extension of time for performance of any obligation or act may be deemed an extension of the time for performance of any other obligation or act.

14.4 Successors and assigns. All of the terms and provisions contained in this Lease inure to the benefit of and are binding upon the Parties and their respective heirs, legal representatives, and successors, if applicable. Lessee may not assign this Lease.

14.5 Entire agreement and no third party beneficiaries. This Lease constitutes the entire understanding and agreement of the Parties with respect to its subject matter and any and all prior agreements, understandings, or representations with respect to its subject matter are hereby canceled in their entirety and are of no further force or effect. The Parties do not intend to confer any benefit under this Lease to any person, firm, or corporation other than the immediate Parties.

14.6 Attorneys' fees. Should either Party bring suit to enforce the terms of this Lease, the prevailing party in such lawsuit is entitled to an award of its reasonable attorneys' fees and costs incurred in connection with such lawsuit.

14.7 Construction. Captions are solely for the convenience of the Parties and are not a part of this Lease. This Lease may not be construed as if it had been prepared by one of the Parties, but rather as if both Parties had prepared it.

14.8 Partial Invalidity. If any term or provision of this Lease or the application thereof to any person or circumstance is, to any extent, invalid or unenforceable, the remainder of this Lease, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, are not affected thereby; and each such term and provision of this Lease is valid and enforceable to the fullest extent permitted by law.

14.9 Survival. The covenants, agreements, obligations to indemnify, representations, and warranties made in this Lease survive unimpaired. This Lease will not be recorded with the Auditor, but a Memorandum of Lease may be recorded with the Auditor at the request of a Party, which shall bear any costs associated with that recording.

14.10 Time. Time is of the essence of every provision of this Lease.

14.11 Risk of loss. All of Lessee's personal property, of any kind or description whatsoever that is on the Property is at Lessee's sole risk of loss. Lessor will not insure Lessee's personal property of whatever kind or nature. Any such insurance must be obtained by Lessee.

14.12 Force majeure. Performance by Lessee or Lessor of their obligations under this Lease will be extended by the period of delay caused by force majeure. Force majeure includes war, natural catastrophe, strikes, walkouts or other labor industrial disturbance, order of any government, court or regulatory body having jurisdiction, shortages, blockade, embargo, riot, civil disorder, or any similar cause beyond the reasonable control of the Party who is obligated to render performance (but excluding financial inability to perform, however caused).

14.13 Recitals. The Recitals set forth above are incorporated by this reference into this Lease and are made a part of this Lease.

14.14 Counterparts. This Lease may be executed in a number of identical counterparts which, taken together, constitute collectively one Lease; but in making proof of this Lease, it is not necessary to produce or account for more than one such counterpart. Additionally, (i) the signature pages taken from separate individually executed counterparts of this Lease may be combined to form multiple fully executed counterparts; and (ii) a facsimile signature or an electronically scanned signature or digital signature, where permitted by law, must be deemed to be an original signature for all purposes. All executed counterparts of this Lease must be deemed to be originals, but all such counterparts, when taken together, constitute one and the same Lease.

14.15 Effective Date. This Lease is effective as of the date of the last authorizing signature.

15. Event of Default. In the event of a default under this Lease by Lessee (including a breach of any representation, warranty, or covenant set forth herein), Lessor is entitled, in addition to all other remedies, to seek monetary damages and specific performance of Lessee's obligations under this Lease or termination of this Lease, at Lessor's option.

*****SIGNATURES APPEAR ON THE FOLLOWING PAGE*****

LESSEE:

CATHOLIC COMMUNITY SERVICES OF WESTERN WASHINGTON, a Washington public benefit corporation

Mike Curry, CCS VP and Agency Director

Date: 6/20/26

STATE OF WASHINGTON

) ss.

COUNTY OF ~~THURSTON~~ PIERCE

On the 17th day of June 2026, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Mike Curry, to me known to be the CCS Vice President and Agency Director of Catholic Community Services of Western Washington, a Washington public benefit corporation, who executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said public benefit corporation for the uses and purposes therein mentioned and on oath states that he is authorized to execute the said instrument.

WITNESS my hand and official seal the day and year first above written.

LARA B J DURAND-GORDON 111315 NOTARY PUBLIC COMMISSION EXPIRES 06-20-29 STATE OF WASHINGTON

Signature

Name (printed): LARA BJ. DURAND-GORDON

NOTARY PUBLIC in and for the State of Washington

Residing at Tacoma, WA

My appointment expires: 6/20/29

LESSOR:

CITY OF OLYMPIA, a Washington municipal corporation

_____
Steven J. Burney, City Manager
Date:_____

APPROVED AS TO FORM:
Michael M. Young
_____
Senior Deputy City Attorney
Date: 06/17/2026

STATE OF WASHINGTON
) ss.
COUNTY OF THURSTON

On the _____ day of _____2026, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Steven J. Burney, to me known to be the City Manager of the City of Olympia, a Washington municipal corporation, who executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned and on oath states that he is authorized to execute the said instrument.

WITNESS my hand and official seal the day and year first above written.

Signature
Name (printed): _____
NOTARY PUBLIC in and for the State of Washington
Residing at _____
My appointment expires: _____

EXHIBIT "A"

Legal Description

PARCEL B OF BOUNDARY LINE ADJUSTMENT NO. BLA-0325850L, AS RECORDED JANUARY 21, 2004, UNDER AUDITOR'S FILE NOS. 3612157 AND 3612158, AND AS AMENDED UNDER AUDITOR'S FILE NO., 3612958.

SITUATE IN THURSTON COUNTY, WASHINGTON

EXCEPT FOR AREAS EXCLUDED AS DEPICTED ON EXHIBIT "B-1" ATTACHED TO THIS LEASE AGREEMENT, WHICH AREAS SHALL BE RETAINED BY LESSOR.

EXHIBIT B

GENERAL VICINITY

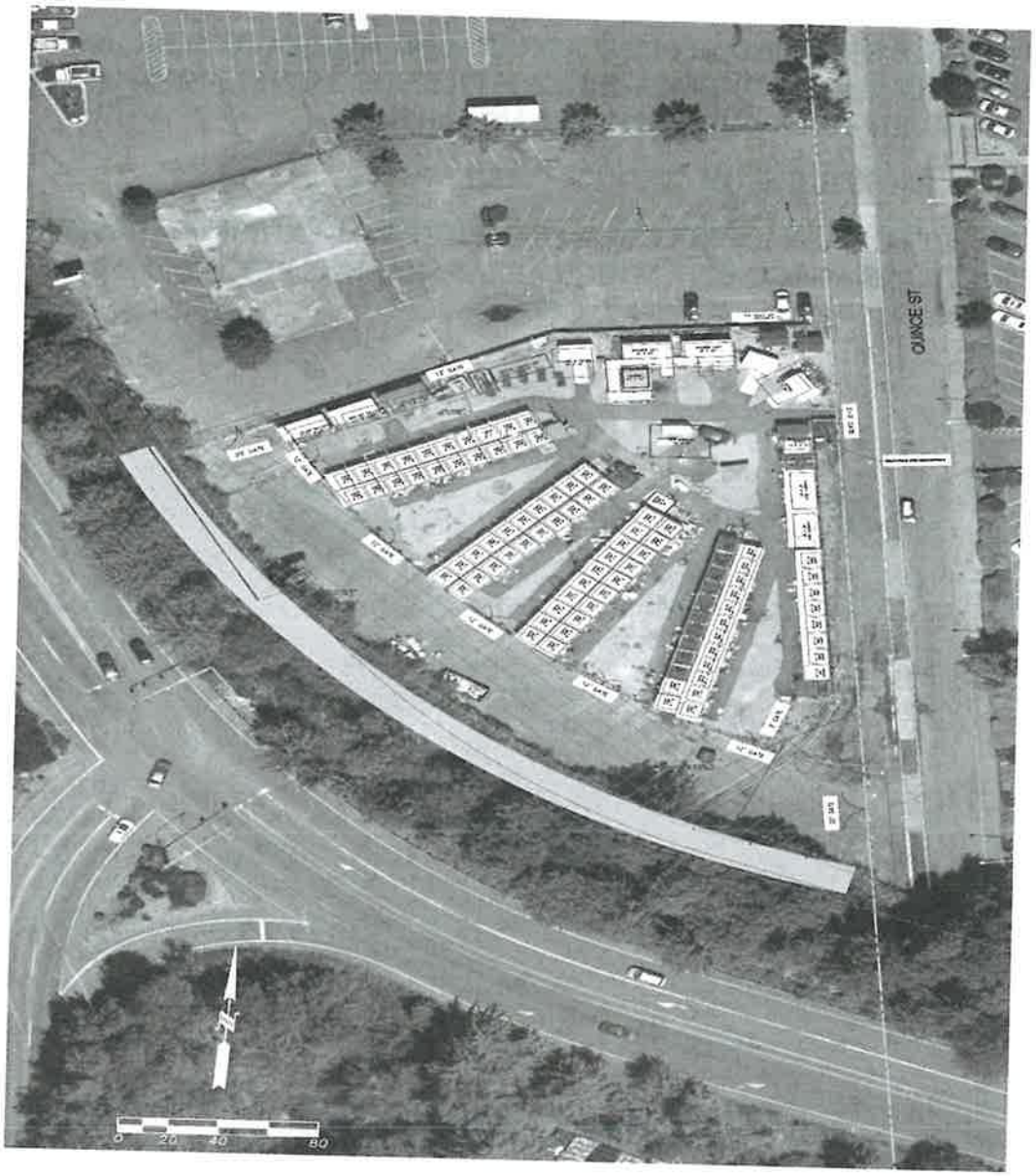


EXHIBIT B-1

EXCLUSION SKETCH

QUINCE ST.
Acres 45
Acres 47

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

City Council

Approval of a Resolution Authorizing a Funding Agreement with Catholic Community Services for Quince Street Tiny Home Village

Agenda Date: 6/23/2026
Agenda Item Number: 4.G
File Number:26-0471

Type: resolution **Version:** 1 **Status:** Consent Calendar

Title
Approval of a Resolution Authorizing a Funding Agreement with Catholic Community Services for Quince Street Tiny Home Village

Recommended Action
Committee Recommendation:
Not referred to a committee.

City Manager Recommendation:
Move to approve the resolution authorizing a funding agreement with Catholic Community Services for Quince Street Tiny Home Village.

Report
Issue:
Whether to approve a resolution authorizing a funding agreement with Catholic Community Services for Quince Street Tiny Home Village

Staff Contact:
Kim Kondrat, Homeless Response Manager, Community Planning & Economic Development, 360.742.6448

Presenter(s):
None. Consent Calendar Items.

Background and Analysis:
Quince Street Tiny Home Village was established when the setdown of the former “mitigation site” (established 2018) was removed from the downtown core in 2021. The residents of the former mitigation site were transferred to the site with an improvement of the tiny homes with added heat, electrical lighting and USB ports, access to laundry, shower trailers and case management.

This 100-unit tiny home village is the largest in the County and has been crucial in the Homeless Response System of Thurston County, accepting community members from Coordinated Entry and the Encampment Resolution Program as well as City departments (i.e. Community Court and

Homeless Response).

Continued support is encouraged to continue the forward progress of our homeless response system to provide opportunities for unhoused community members to stabilize physically and psychologically and get out of survival mode to pursue possible pathways out of homelessness. This decreases calls to First Responder by providing shelter/housing.

Climate Analysis:
There will be no significant impact to greenhouse gas emissions.
.

Equity Analysis:
BIPOC, LGBTQ+ community and mentally disabled individuals tend to make up the unhoused population disproportionately. These populations are prioritized with the Housing Equity and Assessment Tool which is used to place unhoused folks into Quince Street Village. They are positively impacted by Quince Street Village. The City of Olympia residents benefit by having unhoused folks placed in shelter that gives an opportunity for folks in crisis to stabilize.

City First Responders also benefit from fewer calls to respond to crises that result from lack of basic needs. The surrounding businesses are impacted by the increase of foot traffic of unhoused individuals which may lead to increase in vandalism of property and need for increased security. City departments meet regularly with neighboring businesses and CCS to address concerns and collaborate in a concerted effort to minimize the negative effects of having a shelter provider in close proximity to their locations.

Neighborhood/Community Interests (if known):
Homelessness has been at the top priority of concerns that have come through the Public Opinion and Community Engagement Survey distributed to Olympia community members. There is high community interest in the City's compassionate yet accountable approach to homelessness as declared in the One Community Plan. Quince Street Tiny Home Village supports this approach.

City staff and CCS staff have ongoing contact with surrounding businesses and coordinated City response with OPD and Parking Services. There have been frequent failures of the plumbing of the 2 shower trailers that were donated by LOTT 5 years ago. The plumbing is in the process of being assessed and updated. Several units of the tiny home village have significant water damage, possibly due to tiny home construction as well as at risk of flooding due to close location to Indian Creek. Public Works department has been helpful in times of flooding. Residents have been moved to improved units for their health and safety and there is a regular inspection schedule and improved training of staff to help identify signs of needed repair of units.

Financial Impact:
There is the loss of Dept of Commerce ERP Grant ($330,000 for FY 25-26). Quince Street received $773,711 from Thurston County Regional Housing Council Grant for FY 26-27. The remainder of the $1,700,055 contract ($926,344) will be funded by Olympia Home Fund.

Options:
1. Move to approve the resolution authorizing a funding agreement with Catholic Community Services for Quince Street Tiny Home Village.

2. Modify Resolution Authorizing a Funding Agreement with Catholic Community Services for Quince Street Tiny Home Village. Modifying will need approval from Catholic Community Services which can take a while and result in a delay in services to residents and decrease in funds and staff.
3. Don't Approve Resolution Authorizing a Funding Agreement with Catholic Community Services for Quince Street Tiny Home Village.

Attachments:
Resolution
Agreement
Financial Table

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A FUNDING AGREEMENT BETWEEN THE CITY OF OLYMPIA AND CATHOLIC COMMUNITY SERVICES OF WESTERN WASHINGTON FOR THE ESTABLISHMENT, OPERATION, MANAGEMENT, AND MAINTENANCE OF A TINY HOUSE/SHELTER VILLAGE AT 1215 QUINCE STREET SE

WHEREAS, the City of Olympia declared a public health emergency related to homelessness on July 17, 2018; and

WHEREAS, the City has worked since then to find solutions that will assist in alleviating the homeless crisis in Olympia; and

WHEREAS, Catholic Community Services of Western Washington (CCS) has experience assisting persons who are homeless by managing and operating the City's former downtown tiny house/shelter facility and managing and operating a tiny house village at 1215 Quince Street SE, known as Quince Street Village. CCS is experienced in providing this type of transitional housing and providing homeless persons with essential services including hygiene, trash collection, utilities, and security to allow for the best chance for success in transitioning to permanent housing; and

WHEREAS, the City and CCS have negotiated terms and conditions whereby the City provides funding to CCS to enable CCS to establish, operate, manage, and maintain the Quince Street Village for the purpose of providing temporary shelter for homeless persons in tiny houses/shelters; and

WHEREAS, the City and CCS are entering into a separate Lease Agreement which governs CCS's lease of the Quince Street Village property for purposes of carrying out the operation, management, and maintenance of the tiny house/shelter facility as provided in the Funding Agreement.

WHEREAS, the City Council determines it to be in the best interest of the residents of the City of Olympia to provide funding to CCS to establish, operate, manage, and maintain a tiny house/shelter village in Olympia;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL RESOLVES as follows:

1. The Olympia City Council hereby approves the form of Funding Agreement between the City and Catholic Community Services of Western Washington to provide funding to Catholic Community Services for the establishment, operation, management, and maintenance of a tiny house/shelter village in Olympia upon the terms and conditions contained therein.

2. The City Manager is hereby authorized and directed to execute on behalf of the City of Olympia the Funding Agreement, and any other documents necessary to execute that

Agreement, and to make any minor amendments or modifications as may be required and are consistent with the intent of the Agreement, and to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

2026-2027 FUNDING AGREEMENT
BETWEEN
CITY OF OLYMPIA AND CATHOLIC COMMUNITY
SERVICES OF WESTERN WASHINGTON

This Funding Agreement ("Agreement") is effective as of the date of the last authorizing signature (which is the "effective date"). This Agreement is between the City of Olympia, a Washington municipal corporation ("City"), and Catholic Community Services, a Washington public benefit corporation ("CCS"), jointly referred to as the "Parties," or singularly as a "Party."

RECITALS

The City of Olympia declared a public health emergency related to homelessness on July 17, 2018. Since that date, the City has worked to find solutions that will assist in alleviating the homeless crisis in Olympia and to reduce human suffering.

CCS has experience assisting persons who are homeless by managing and operating the City's downtown tiny house/shelter facility, previously known as the downtown mitigation site, now Quince St. Village. CCS has managed and operated the Quince Street Village site since 2022. CCS is experienced in providing this type of tiny house sheltering and providing homeless people with essential services including hygiene, trash collection, utilities, and security to allow for the best chance for success in transitioning to permanent housing.

The City wishes to continue to engage the services of CCS to operate, manage, and maintain the tiny house/shelter facility on property commonly referred to as Quince Street Village, for the purpose of providing temporary shelter and housing for homeless persons in tiny houses/shelters. CCS will maintain on the site a community kitchen, meeting facility, and areas for sanitary shower, toilet, laundry facilities, solid waste collection, and for other related case management services for the temporary participants of the tiny house/shelter facility.

The Parties are entering into a separate Lease Agreement which governs CCS's lease of the Quince Street Village property (as defined in that Lease) for purposes of carrying out the operation, management, and maintenance of the tiny house/shelter facility as provided in this Agreement.

The Parties acknowledge that they are authorized to execute this Agreement and any associated documents, and to correct scrivener's errors or other errors or omissions that would otherwise be in substantial conformance with this Agreement.

The Parties now enter into this Agreement to memorialize the terms and conditions under which the City will provide funding to CCS for the purpose of operating, managing, and maintaining a tiny house/shelter facility for homeless persons to transition to permanent housing.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

TERMS AND CONDITIONS

NOW, THEREFORE, the Parties agree as follows:

1. Purpose.

The purpose of this Agreement is to provide funding to CCS to enable CCS to operate, manage and maintain a tiny house/shelter facility in Olympia, Washington, to be known as the "Quince Street Village."

CCS will work with participants of the tiny house/shelter facility to ensure they obtain the services necessary to enable each participant to transition to permanent housing within a reasonable period of time.

2. Term/Termination.

The Term of this Agreement commences on the effective date and continues until June 30, 2027, unless otherwise terminated as provided in this Agreement. Prior to the expiration of the Term, this Agreement for funding may be terminated by either party, with or without cause, upon 90 days' written notice to the other party. Once termination notice has been provided, the City will only be responsible for funding the work that is in progress as of the date of the termination notice and that can be completed prior to the date of termination. The City will reimburse CCS for security at an amount not to exceed the total award amount, during the period of time when CCS has given termination notice to the City but is still in the 90-day notice period.

3. Location of the Site.

CCS shall staff a tiny house/shelter facility located upon City owned property that has been leased to CCS, and is located at 1215 Quince Street SE (formerly designated 1211 Quince Street SE), Olympia, Thurston County, Washington, the exact location of which is shown on the attached **Exhibit A**, and called "Quince Street Village" or "Village" in this Agreement. The site area is approximately 1.41 acres or 61,420 square feet, more or less, except for areas excluded as depicted on the attached **Exhibit A-1**.

4. Structures on the Site.

Any significant changes to the site must be approved by the City prior to commencement of any change or modification. Quince Street Village may consist of:

Tiny house/shelter for approximately 100 people

- Each tiny house/shelter is equipped with electrical power, windows, locking door
- Furniture (bed)
- Necessary fixtures (heat, lighting)
- Security cameras (no audio) covering entrances and each row
- Six staff offices
- Three storage sheds
- Two covered spaces

- Three Hygiene Trailers, consisting of:
    - Nine showers
    - Nine toilets – Three ADA
    - Laundry facilities
    - Two outdoor sinks
    - One Cooking/Eating area:
        - Equipped with refrigeration
    - Fencing capable of locking the surrounding perimeter of two main areas

5. Funding.

CCS shall operate the tiny house/shelter facility as outlined in the Scope of Operations in the attached **Exhibit B**, in exchange for reimbursement funding not to exceed the total amount set forth in the attached **Exhibit C**. The City and CCS shall work together in good faith to address security issues for CCS's staff that may arise at Quince Street Village, including the City taking the lead role on any participant evictions that may be required pursuant to the Residential Landlord Tenant Act, RCW Chapter 59.18, at the City's sole expense, subject to CCS executing a conflict waiver and common interest/joint defense agreement related to evictions at Quince Street Village.

5.1 Total Funding. The City shall fund CCS in an amount not to exceed **ONE MILLION SEVEN HUNDRED THOUSAND FIFTY FIVE AND 49/100 CENTS ($1,700,055.49)** as provided in this Agreement.

5.2 Method of Funding. Funding by the City will be provided on a reimbursement basis only with proper receipts for items purchased or staff employed, accompanying a properly completed invoice, the requirements of which are outlined in the attached **Exhibit D**, Invoice Requirements. A spreadsheet to assist CCS in tracking and submitting invoices is included as **Exhibit D-1**, attached. In the event CCS fails to submit an invoice that includes proper documentation to the City within 60 days from the end of the month in which the expense is incurred, CCS forfeits any right to reimbursement for that expense.

5.3 CCS Responsible for Taxes. CCS is solely responsible for the payment of, and shall pay, any taxes imposed by any lawful jurisdiction as a result of CCS's activities under this Agreement.

6. Compliance with Laws.

In using the funding authorized under this Agreement, CCS shall comply with any and all applicable federal, state, and City laws including all City codes, ordinances, resolutions, standards and policies, as existing on the effective date or later adopted or amended.

7. Assurances.

CCS affirms that it has the requisite training, skill, and experience necessary to establish, manage, and operate the Quince Street Village for the purposes stated in this Agreement in a manner that will ensure the stability, safety, and health of participants and that will promote safety in the community. This includes necessary skill and training in accounting matters so that expenses are tracked, and invoicing is properly and timely provided to the City for reimbursement. CCS further affirms that any employees, officers, officials, and volunteers are appropriately trained, accredited, and licensed

by any and all applicable agencies and governmental entities, including being licensed to do business in the state of Washington and within the City of Olympia.

8. Independent Contractor/Conflict of Interest.

It is the intent and understanding of the Parties that CCS is operating independently from the City and the City is neither liable nor obligated to pay any CCS employee any benefits provided to City employees such as sick leave, vacation pay, or any other benefit of employment, nor to pay any social security or other employment related tax. CCS shall pay all income and other taxes due for CCS employees. Industrial or any other insurance that is purchased for the benefit of the City, regardless of whether such may provide a secondary or incidental benefit to CCS, may not be deemed to convert this Agreement to an employment contract. Even though funding for this Agreement may include reimbursement for certain CCS staff and benefits, CCS employees may not be considered employees of the City.

9. Equal Opportunity Employer.

9.1 In all CCS services, programs, or activities, and all hiring and employment made possible by or resulting from this Agreement, CCS and CCS's employees, agents, subcontractors, and representatives shall not unlawfully discriminate against any person based on any legally protected class status, including sex, age (except minimum age and retirement provisions), race, color, religion, creed, national origin, marital status, veteran status, sexual orientation, gender identity, genetic information, or the presence of any disability, including sensory, mental, or physical disabilities; provided, however, that the prohibition against discrimination in employment because of disability does not apply if the particular disability prevents the performance of the essential functions required of the position.

This requirement applies, but is not limited, to the following: employment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. CCS shall not violate any of the terms of Chapter 49.60 RCW, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973 or any other applicable federal, state, or local law or regulation regarding nondiscrimination. Any material violation of this provision is grounds for termination of this Agreement by the City and, in the case of CCS's breach, may result in ineligibility for further City agreements.

9.2 In the event of CCS's noncompliance or refusal to comply with the above nondiscrimination requirement, this Agreement may be rescinded, canceled, or terminated in whole or in part, and CCS may be declared ineligible for further agreements or contracts with the City. The City shall, however, give CCS a reasonable time in which to correct this noncompliance.

9.3 To assist the City in determining compliance with the foregoing nondiscrimination requirements, CCS must sign and is bound by, the *Statement of Compliance with Nondiscrimination* and *Equal Benefits Declaration* attached hereto as **Exhibit E**.

10. Responsibilities for Communication.

CCS shall operate the Quince Street Village in a manner consistent with the accepted practices for other similar tiny house/shelter facilities, being particularly mindful of the surrounding neighborhood

in which Quince Street Village is sited and its proximity to schools and businesses. CCS shall:

- Host ongoing community meetings to share information, hear concerns, and answer questions about Quince Street Village, its development and operations.
- Organize meetings made up of neighborhood stakeholders, faith-based organizations, service providers, and businesses, which will provide ongoing advisory input to the Village that meets at least four times a year. CCS shall invite the City's Homeless Response Coordinator to attend all stakeholder meetings.
- Engage with interested parties through presentations and educational tools.
- Publicize telephone numbers and email addresses of site leadership for any community member seeking to contact the Village or CCS staff and CCS shall respond promptly.
- Respond promptly to any citizen request for documentation relating to the establishment or operations of Quince Street Village or its communications.

11. Indemnification/Insurance.

11.1 Indemnification / Hold Harmless. CCS shall defend, indemnify, and hold the City, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses, or suits, including attorneys' fees, arising out of or resulting from the acts, errors, or omissions of CCS in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

The City shall defend, indemnify, and hold CCS, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses, or suits, including attorneys' fees, arising out of resulting from the acts, errors, or omissions of the City in performance of this Agreement, except for injuries and damages caused by the sole negligence of CCS.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of CCS and the City, its officers, officials, employees, and volunteers, CCS's liability hereunder is only to the extent of CCS's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes CCS's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section survive the expiration or termination of this Agreement.

11.2 Insurance Term. CCS shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work under this Agreement by CCS, its agents, representatives, or employees.

11.3 No Limitation. CCS's maintenance of insurance as required by the Agreement may not be construed to limit the liability of CCS to the coverage provided by such insurance or otherwise limit the City's recourse to any remedy available at law or in equity.

11.4 Minimum Scope of Insurance. CCS shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired, and leased vehicles. Coverage must be at least as broad as ISO occurrence form (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.

2. Commercial General Liability insurance must be at least as broad as ISO occurrence form CG 00 01 and must cover liability arising from premises, operations, independent contractors, stop gap liability, personal injury and advertising injury. The City must be named as an additional insured under CCS's Commercial General Liability insurance policy with respect to the work performed as a part of this Agreement using an additional insured endorsement at least as broad as ISO CG 20 26.

3. Tenant Discrimination insurance coverage. The City must be named as an additional insured under CCS's Tenant Discrimination insurance policy/coverage with respect to the work performed as a part of this Agreement using an additional insured endorsement at least as broad as ISO CG 20 26, or as otherwise reasonably is similar.

4. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

5. Professional Liability insurance appropriate to CCS's profession.

11.5 Minimum Amounts of Insurance. CCS shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident.

2. Commercial General Liability insurance must be written with limits no less than $1,000,000 each occurrence, $3,000,000 general aggregate, with excess or umbrella coverage in the sum of $9,000,000.

3. Tenant Discrimination insurance must be written with limits no less than $1,000,000 each occurrence, $2,000,000 general aggregate, with excess or umbrella coverage in the sum of $9,000,000.

4. Professional Liability insurance must be written with limits no less than $1,000,000 per claim and $1,000,000 policy aggregate limit.

11.6 Other Insurance Provisions. CCS's Automobile Liability, Commercial General Liability, and Tenant Discrimination insurance policies are to contain or be endorsed to contain that they are primary insurance with respect to the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City is excess of CCS's insurance and does not contribute with it.

11.7 Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.

11.8 Verification of Coverage. CCS shall furnish the City with original certificates and a copy of the amendatory endorsements, including the additional insured endorsement, evidencing the

insurance requirements of CCS before commencement of the work.

11.9 Notice of Cancellation. CCS shall provide the City with written notice of any policy cancellation, within two business days of their receipt of such notice.

11.10 Failure to Maintain Insurance. Failure on the part of CCS to maintain the insurance as required constitutes a material breach of this Agreement, upon which the City may, after giving five business days' written notice to CCS to correct the breach, immediately terminate the Agreement or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due CCS from the City.

11.11 City's Full Access to CCS's Limits. If CCS maintains higher insurance limits than the minimums shown above, the City is insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by CCS, irrespective of whether such limits maintained by CCS are greater than those required by this Agreement, or any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by CCS.

12. City Contributions to Preparation of the Site.

The City will contribute to the preparation of the Site only as specifically outlined in the attached Exhibit B, which exhibit includes an overall site plan and layout of facilities and tiny houses/shelters.

13. Treatment of Assets.

13.1 Title to all nonexpendable personal property and buildings purchased by CCS, the cost of which CCS has been reimbursed as a direct item of cost under this Agreement, will pass to and vest in the City at the conclusion of this Agreement.

13.2 Nonexpendable personal property purchased by CCS under the terms of this Agreement in which title will be vested in the City at the end of the Agreement may not be rented, loaned, or otherwise passed to any person, partnership, corporation/association, or organization without the prior express written approval of the City or its authorized representative, and such property must, unless otherwise provided in this Agreement or approved by the City or its authorized representative, be used only for the performance of this Agreement.

13.3 As a condition precedent to reimbursement for the purchase of nonexpendable personal property, title to which will vest in the City, CCS shall execute such security agreements and other documents as necessary for the City to perfect its interest in such property in accordance with the "Uniform Commercial Code--Secured Transactions" as codified in Article 9 of Title 62A, the Revised Code of Washington.

13.4 CCS is responsible for any loss or damage to the property of the City including expenses entered thereunto which results from negligence, willful misconduct, or lack of good faith on the part of CCS, or which results from the failure on the part of CCS to maintain and administer in accordance with sound management practices that property, to ensure that the property will be returned to the City in

like condition to that in which it was furnished or purchased, fair wear and tear excepted.

13.5 Upon the happening of loss or destruction of, or damage to, any City property, CCS shall notify the City or its authorized representative and shall take all reasonable steps to protect that property from further damage.

13.6 CCS shall surrender to the City all property of the City within thirty (30) days after rescission, termination or completion of this Agreement unless otherwise mutually agreed upon by the parties.

14. Books and Records/Public Records.

CCS shall maintain books, records, and documents which sufficiently and properly reflect the funding provided by the City for the establishment and operation of Quince Street Village, as well as direct and indirect costs, related to the performance of this Agreement. In addition, CCS shall maintain such accounting procedures and practices as may be deemed necessary by the City to assure proper accounting of all funds paid pursuant to this Agreement. All CCS records related in any way to this Agreement are subject, at all reasonable times, to inspection, review, copying, or audit by the City, its authorized representative, the State Auditor, or other governmental officials authorized by law to monitor this Agreement.

A record owned, used, or retained by the City is a "public record" pursuant to RCW 42.56.010, and is subject to disclosure upon request under Washington's Public Records Act, even if such record is in CCS's sole possession. Should the City request, in writing, that CCS provide the City with a record that the City, in its sole discretion, deems to be a public record, so that it may be produced in response to a public records request, and should CCS fail to provide such record to the City within 10 days of the City's request for such record, CCS shall indemnify, defend, and hold the City harmless for any public records judgment, including costs and reasonable attorney's fees, against the City involving such withheld record.

This section survives expiration of the Agreement.

15. Non-Appropriation of Funds.

If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will not be obligated to continue the Agreement after the end of the current fiscal period, and this Agreement will automatically terminate upon the completion of all remaining operations for which funds are allocated. No penalty or expense will accrue to the City in the event this provision applies.

16. Contract Manager.

For routine issues of contract management, such as insurance, invoices, and issues related to this Agreement, please contact:

City Contract Manager:	Kim Kondrat, Homeless Response Manager City of Olympia 601 4th Ave E PO Box 1967 Olympia WA 98507-1967 Office: 360.753.8235 Cell: 360.742.6448 Email: kkondrat@ci.olympia.wa.us
With a copy to:	William Crites-Krumm, Homeless Outreach Specialist City of Olympia 601 4th Ave E PO Box 1967 Olympia WA 98507-1967 Email: wcrites@ci.olympia.wa.us
CCS Contract Manager:	Gabriel Ash Director of Housing and Homeless Services Catholic Community Services of Western Washington 604 Devoe Street SE Olympia WA 98501 Cell: 360.753.3340 Email: gabea@ccsww.org
With a copy to:	Marirose Piciucco, Vice President of Legal Affairs Catholic Community Catholic Community Services of Western Washington 604 Devoe Street SE Olympia WA 98501 Email: mpiciucco@ccsww.org

17. General Provisions.

17.1 Entire Agreement. This Agreement contains all of the terms, conditions, and agreements of the Parties with respect to any matter covered or mentioned in this Agreement and no prior agreements is effective for any purpose. The Parties do not intend to confer any benefit under this Agreement to any person, firm, or corporation other than the immediate Parties.

17.2 Modification or amendment, waivers. No amendment, change, or modification of this Agreement is valid unless in writing and signed by all of the Parties. No waiver of any breach of any covenant or provision in this Agreement may be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision in this Agreement. No extension of time for performance of any obligation or act may be deemed an extension of the time for performance of any other obligation or act.

17.3 Full Force and Effect; Severability. Any provision of this Agreement that is declared invalid or illegal in no way affects or invalidates any other provision and such other provisions remains in full force and effect. Further, if it should appear that any provision of this Agreement is in conflict with

any Washington state statute, the provision that appears to conflict therewith must be deemed inoperative and null and void, insofar as it may be in conflict therewith, and must be deemed modified to conform to such statutory provision.

17.4 Assignment. Neither CCS nor the City may transfer or assign, in whole or in part, any or all of its obligations and rights under this Agreement without the prior written consent of the other Party.

1. If CCS wants to assign this Agreement or subcontract any of its work under this Agreement, CCS shall submit a written request to the City for approval not less than 30 days prior to the commencement date of any proposed assignment or subcontract.

2. CCS shall ensure that any work or services assigned or subcontracted for under this Agreement is subject to each provision of this Agreement.

3. Any technical/professional service subcontract not listed in this Agreement, which is to be charged to this Agreement, must have prior written approval by the City.

4. The City may inspect any assignment or subcontract document.

17.5 Successors in Interest. Subject to Subsection 17.4, the rights and obligations of the Parties inure to the benefit of and are binding upon their respective successors in interest, heirs, legal representatives, and assigns, if applicable.

17.6 Attorneys' Fees. In the event either of the Parties defaults on the performance of any term of this Agreement or either Party places the enforcement of this Agreement in the hands of an attorney, or files a lawsuit, the prevailing party will be entitled to its reasonable attorneys' fees, costs, and expenses to be paid by the other Party.

17.7 No Waiver. Failure or delay of the City to declare any breach or default immediately upon occurrence does not waive such breach or default. Failure of the City to declare one breach or default does not act as a waiver of the City's right to declare another breach or default.

17.8 Governing Law and Venue. This Agreement is made in Washington, and is governed by and must be interpreted in accordance with the laws of the State of Washington. Any lawsuit related to or arising out of this Agreement may be brought and maintained only in Thurston County Superior Court of the State of Washington.

17.9 Authority. Each individual executing this Agreement on behalf of the City and CCS represents and warrants that such individual is duly authorized to execute and deliver this Agreement on behalf of CCS or the City, respectively.

17.10 Notices. Any notices required to be given by the Parties under this Agreement must be delivered at the addresses set forth in Paragraph 16 above. Any notices may be delivered personally to the addressee of the notice or may be deposited in the United States mail, postage prepaid, to the address set forth in Paragraph 16. Any notice so posted in the United States mail must be deemed received five days after the date of mailing. If such notice is delivered personally, it must be deemed

given at the time of such delivery. If such Notice is delivered by Federal Express, UPS, USPS, or other overnight delivery service of recognized standing, such notice must be deemed given 48 hours after the deposit thereof with such delivery service.

17.11 Captions. The respective captions of the paragraphs and subsections of this Agreement are inserted for convenience of reference only and may not be deemed to modify or otherwise affect any of the provisions of this Agreement.

17.12 Performance. Time is of the essence in performance of this Agreement and each and all of its provisions in which performance is a factor. Adherence to completion dates set forth in the description of the establishment or operations is essential to CCS's performance of this Agreement.

17.13 Remedies Cumulative. Any remedies provided for under this Agreement are not intended to be exclusive but are cumulative with all other remedies available to the City or CCS at law, in equity, or by statute.

17.14 Counterparts. This Agreement may be executed in any number of counterparts, which counterparts collectively constitute the entire Agreement. Further, this Agreement may be executed by a facsimile signature or an electronically signed or digital signature where permitted by law and must be deemed to be an original signature for all purposes. All executed counterparts of this Agreement must be deemed to be originals, but such counterparts, when taken together, constitute one and the same Agreement.

17.15 Equal Opportunity to Draft. The Parties have participated and had an equal opportunity to participate in the drafting of this Agreement and the attached Exhibits. No ambiguity may be construed against any Party upon a claim that a Party drafted the ambiguous language, but this Agreement must be construed as if prepared by both Parties.

17.16 Ratification. Any work performed in 2025 prior to the effective date of this Agreement, and that falls within the scope of this Agreement and is consistent with its terms, is hereby ratified and confirmed.

17.17 Certification Regarding Debarment, Suspension, and Other Responsibility Matters.

1. By signing the agreement below, CCS certifies to the best of its knowledge and belief, that it and its principals:

a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency.

b. Have not within a three-year period preceding the effective date been convicted of or had a civil judgment rendered against them for commission or fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or

receiving stolen property;

c. Are not as of the effective date indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph 1.b. of this certification; and

d. Have not within a three year period preceding this application/proposal had one or more public transactions (federal, state, or local) terminated for cause or default.

2. Where CCS is unable to certify to any of the statements in this certification, CCS shall attach an explanation to this Agreement.

17.18 Time. Time is of the essence of every provision of this Agreement.

17.19 Force majeure. Performance by CCS or the City of their obligations under this Agreement will be extended by the period of delay caused by force majeure. Force majeure is war, natural catastrophe, strikes, walkouts or other labor industrial disturbance, order of any government, court or regulatory body having jurisdiction, shortages, blockade, embargo, riot, civil disorder, or any similar cause beyond the reasonable control of the Party who is obligated to render performance (but excluding financial inability to perform, however caused).

CITY OF OLYMPIA
a Washington municipal corporation

By: _____
Steven J. Burney, City Manager

Date: _____

CATHOLIC COMMUNITY SERVICES OF WESTERN WASHINGTON
a Washington public benefit corporation

By: Mike Curry
Mike Curry, VP & Agency Director

Date: 06/17/2026

APPROVED AS TO FORM:

Michael M. Young
Senior Deputy City Attorney

EXHIBIT A
PROPERTY DESCRIPTION

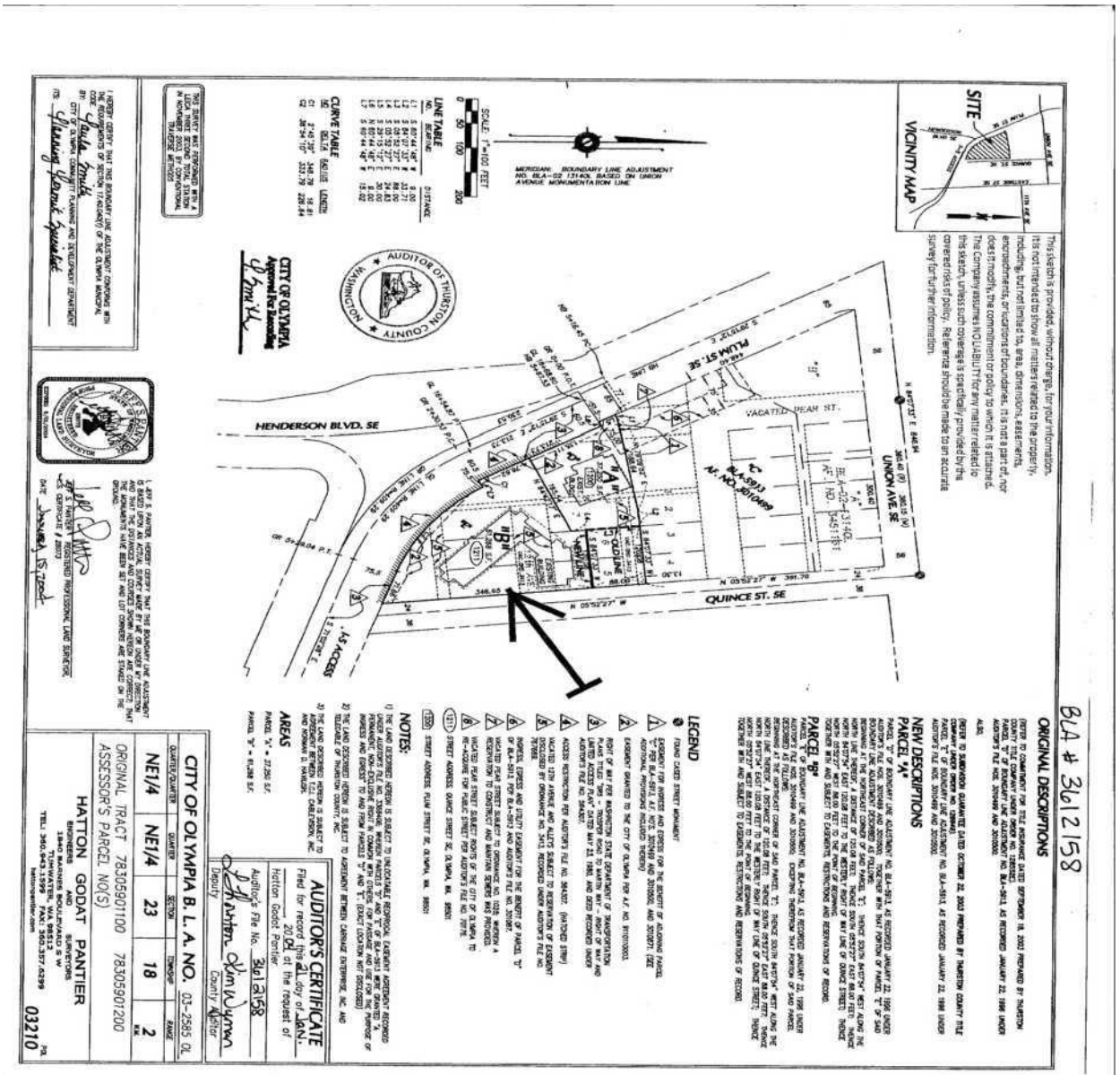


EXHIBIT A-1
SITE PHOTO

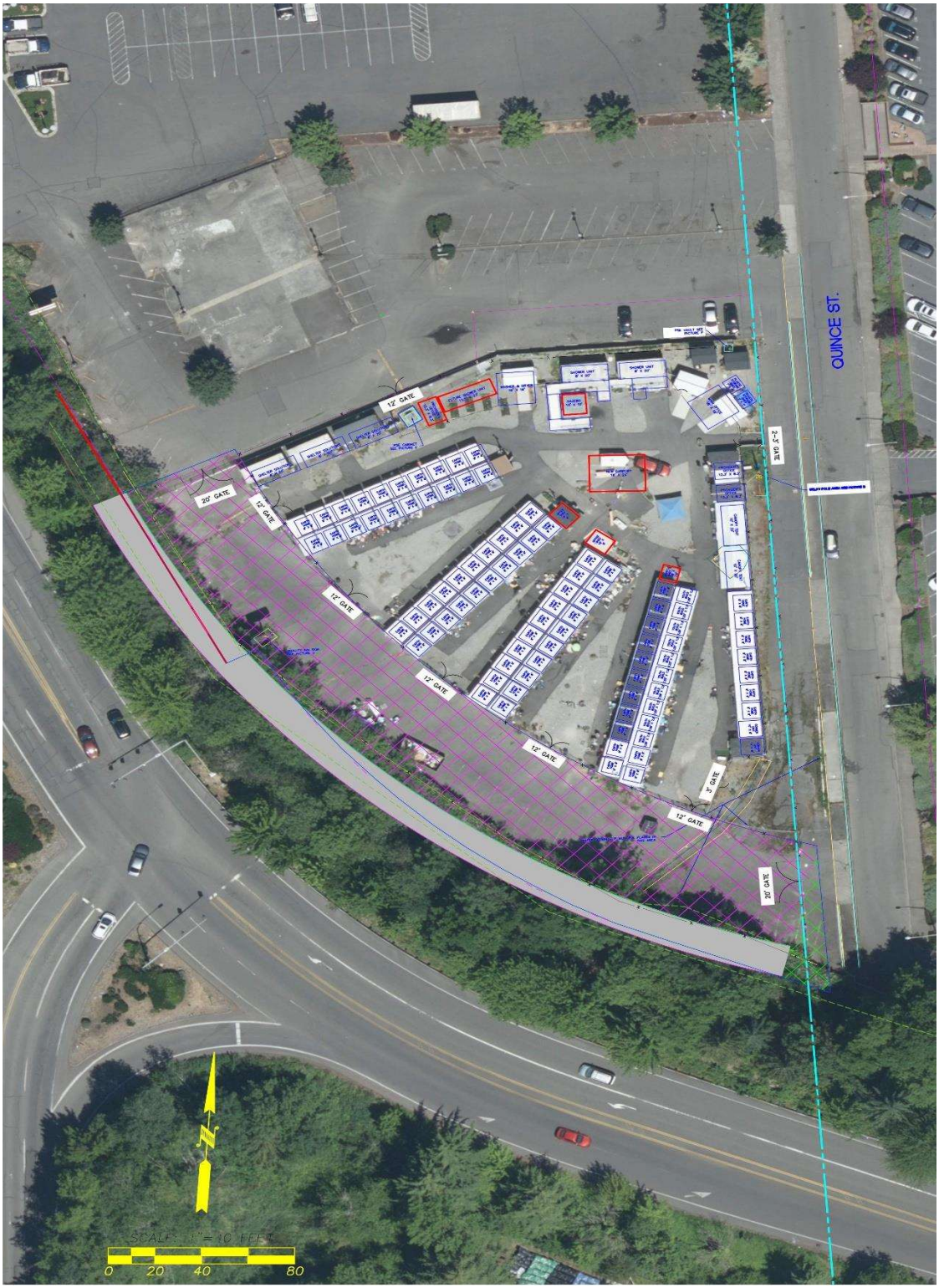


EXHIBIT B
SCOPE OF WORK

Catholic Community Services ("CCS") has been a partner in operating and managing the City's downtown mitigation site, now **Quince Street Village**, and tiny house/shelters. The City's downtown tiny house/shelter community serves to help participants reclaim their dignity and get on a path to permanent housing by providing a heated and secure structure, hygiene facilities, and ready access to case management. As an alternative to traditional shelter, tiny house/shelter facilities are a crisis response to homelessness where tiny houses/shelters can be set up quickly and cost effectively.

I. **Community Engagement**

- Host ongoing community meetings to share information, hear concerns, and answer questions about Quince Street Village, its development and operations. Organize meetings made up of neighborhood stakeholders that meet at least four times a year. CCS shall invite the City's Homeless Response Manager to attend all stakeholder meetings.

- Engage with interested parties through presentations and educational tools.

- Publicize telephone numbers and email addresses for site leadership for any community member seeking to contact the village or CCS staff and CCS shall respond promptly.

- Respond promptly to any citizen request for documentation relating to the rules, regulations, or operations of Quince Street Village.

- All resources and events at or around the village will be available only to Quince Street participants per an agreement with the surrounding businesses at the site's establishment

- At the City's discretion and within available resources, the City of Olympia shall continue to provide law enforcement and other municipal support to deter illegal drug activity and loitering in the neighborhood surrounding Quince Street Village.

II. **Site Changes**

- Changes to the physical site must be approved by the City of Olympia prior to commencement of any changes.

III. **Operations**

- CCS Staff Oversight and Support: Hire, onboard, and support staff with an onsite supervisor and oversight from CCS.

- The City of Olympia shall support CCS in identifying and transitioning to any individual CCS determines it is unable to serve effectively to a more appropriate placement.

- CCS may assess an individual's qualification for placement prior to program entry to ensure appropriate resources are available. Such assessments may be conducted by CCS or its designated partners.

- CCS may, in its sole discretion, deny services to any individual it determines it cannot effectively or safely serve, or who poses a risk to the safety, security, or housing stability of others.

- While CCS endeavors to serve individuals in need, the use of illegal drugs, including related behaviors that pose a risk to others, is prohibited within shelter facilities. This policy is intended to protect individuals who may be new to or maintaining sobriety. Individuals identified as using illegal drugs or alcohol must be offered treatment services, if available, and may be required to enter into a behavioral agreement as a condition of continued stay. In the event that treatment services are unavailable or on-site use persists, the City shall support CCS in identifying and transitioning the individual to a more appropriate placement or pursuing eviction.
-
- Establish partnership with local substance use services and treatment provider to provide substance use assessments on site to participants on a regular basis.

Security: Ensure a secure site with a closed perimeter and entrance monitored as staffing permits. CCS will coordinate maintenance of security cameras and will manage security camera footage.

Site Management: Work with participants to ensure cleanliness and adherence to a Code of Conduct developed by CCS that is consistent with community expectations. There should always be a minimum of 6 ft clearance on all pathways for emergency response personnel unless otherwise directed by Building Official and/or Olympia Fire Department

CCS will conduct regular unit inspections to test smoke/carbon monoxide detectors and adherence to Code of Conduct. CCS will develop staff processes for grievances and appeals for expulsions from the site. CCS will develop formal behavioral agreements that provide clarity regarding requirements for continuation or restoration of services.

- Village Participant Community: Work with participants to foster harmony and collaboration. CCS is responsible for developing methods for gathering regular input from participants within the Village, including monthly village meetings with participants.
- Maintenance: Conduct maintenance inspections around the site and perform the required maintenance tasks, subcontracting as needed.

24/7 Communication: Ensure that CCS staff are available around the clock to answer questions and communicate with emergency services.

Intakes: Work effectively with the City and referring service providers on the intake of new participants to the program.

Ensure that program participants have knowledge of, and access to, food resources. CCS is responsible for providing at least one meal a day.

Manage donations and storage of donated supplies within the Village.

Develop an emergency management plan addressing weather, fire, and security issues.

Engage and comply with Thurston County Housing Information Management System by ensuring clients are entered into the HMIS system. Track intakes, exits, and progress with HMIS reporting procedures provided by Thurston County. Maintain records of individuals served, service provided, surveys completed and other reporting as requested by City of Olympia and submit reports monthly with invoices to the City of Olympia.

Ensure coordination with Thurston County Coordinated Entry System.

Monitor and comply with Thurston County Health guidelines related to health and safety protocol and practices.

Any use and placement of heaters, shared cooking, or other propane or electric heating appliances is prohibited unless approved by the Olympia Fire Department.

Report any predatory or illegal behavior to law enforcement (drug dealing, sex trafficking, other illegal activities). CCS staff are not expected to personally engage in attempting to stop such behavior.

- Document and provide monthly reports of incidents, violations of site rules or Code of Conduct, emergency calls to Olympia Fire or Police Departments.

- Notify Homeless Response Manager of any site safety concerns, hazardous conditions, and other life and safety issues on site. Homeless Response Manager should be notified of hospitalizations and deaths on site.

IV. **Case Management**

- Staff Oversight & Support: Hire, onboard, and support case management staff with CCS's

experienced case management supervisory team.

- Housing Case Management: Work with participants to create a plan to find and maintain a permanent housing solution. Provide resources and referrals to participants to assist them with achieving the housing goals they have identified, in partnership with their case manager. Provide behavioral health crisis first response and follow up with appropriate referral coordination. Case managers are responsible for creating a Housing Stability Plan.

- Assist participants in filling out necessary paperwork and help each participant through the process requirements to obtain any assistance applicable to the individual participant's situation, including a Coordinated Entry intake. Case managers are responsible for making sure their clients are active and their assessments are redone as needed (1 year after last assessment, major life changes, etc.).

- Education & Health Service Coordination: Connect clients with agencies that improve health and education outcomes and help them through any process requirements to obtain necessary services.

- Data Management: Track intakes, exits, and progress with HMIS reporting procedures.

- Intake Coordination: Coordinate with referring agencies for successful program outcomes.

V. **Maintenance and Repairs of Site**

- CCS is responsible for routine maintenance and minor repairs necessary for the day-to-day operation of the Premises. Such routine maintenance and minor repairs does not include capital improvements, structural repairs, replacement of major building systems, or other substantial improvements to the Premises.

- The City is responsible for contracting and managing capital improvements, structural repairs, replacement of major building systems, and other major repairs or improvements to the Premises.

- CCS is responsible for compliance with all applicable prevailing wage requirements for any non-routine maintenance work performed directly by CCS or by contractors retained by CCS.

- Nothing in this section may be construed to require CCS to contract for or manage capital improvements, structural repairs, replacement of major building systems, or other major repairs or improvements that are the responsibility of the City under this Agreement.

VI. **Administrative**

- Insurance: Maintain ample insurance coverage for the site and CCS operations, naming the City of Olympia as an additional insured.

- Accounting: Document purchases, track finances, and bill accurately.

- Hiring: Manage all hiring and staffing needs with CCS's human resources team.

- CCS will perform background screening, including national criminal history checks, on all hired staff and on volunteers, as deemed appropriate per CCS policy.

CCS will screen registered sex offender status in compliance with CCS's participation standards at the Quince Street Village.

Exhibit C
2026 BUDGET

Staffing Costs	$1,323,395.54
Operations	$244,003.94
Administration	$132,656.01
TOTAL	$1,700,055.49

ADDITIONAL DETAIL FOR CERTAIN TYPES
OF REIMBURSABLE BUDGET ITEMS

Client Support: CCS may incentivize participant performance and utilize funds to support participant goals and promote healthy behaviors. If there are questions about the use of funds for these purposes, CCS should contact the City's Contract Manager or designated representative.

Training: Training may encompass CPR, First Aid, NARCAN administration, de-escalation techniques, addressing domestic violence, establishing boundaries, combating discrimination, and utilizing the Homeless Management Information System (HMIS). Additional instruction is provided through CCS internal staff training. Participation in conferences and workshops may cover topics related to homelessness or affordable housing. Additionally, CCS will offer training opportunities to participants aimed at supporting housing stability and achieving their goals.

Mileage: Staff trips include attending meetings and training, purchasing supplies, working with participants getting them to appointments, etc.

Administration Fee: This covers items such as human resources, hiring and advertising, management, supervision, administration, program support, fundraising, volunteer coordination, etc. NOTE: Payroll and other supporting documentation are required to accompany requests for administration reimbursement. There will be no reimbursement for items that do not have appropriate supporting documentation.

EXHIBIT D
INVOICE REQUIREMENTS

In the event CCS fails to submit an invoice that includes proper documentation to the City within 60 days from the end of the month in which the expense is incurred, CCS forfeits any right to reimbursement for that expense.

1. A primary contact for CCS invoice questions will respond to the City within 24 hours regarding any invoice question.

2. A spreadsheet furnished by the City of Olympia will be required to be filled out monthly that includes (See **Exhibit D-1**):

- The billing period
- Total invoice amount
- A total for the invoice period
- The remaining budget available for the contract term

3. Supplemental documentation (receipts that support staffing expenditures and other expenses)

4. Any cost not included in the contract budget must be preapproved by email to ensure payment.

5. A monthly progress report that includes total number of guests, length of stay, exits for behavioral (or other) reasons, exits into permanent housing.

6. Invoices must be emailed to these City email addresses:

Kim Kondrat, Homeless Response Manager
Email: kkondrat@ci.olympia.wa.us

Will Crites-Krumm, Homeless Outreach Specialist
Email: wcrites@ci.olympia.wa.us

City Responsibilities:

1. The City shall make payment monthly, within 30 days after receipt of an approvable invoice.

City Contract Manager or designated representative will inform CCS of need for additional documentation or disputed costs in writing.

EXHIBIT D-1
INVOICE TEMPLATE

Invoice No.		Bill Period:	
BILL FROM VENDOR OR CLAIMANT		**BILL TO AGENCY**	
Catholic Community Services		**City of Olympia**	
1323 Yakima Ave		**PO Box 1967**	
Tacoma WA 98405-4457		**Olympia, WA 98507-1967**	

REIMBURSEMENT REQUEST

Budget Line Items	Budget	Prior Period Expenses to Date	Report Period Request	Line Item Balance
Staffing Costs	$ 1,323,395.54			
Operations	$ 244,003.94			
Administration	$ 132,656.01			
Totals:	$ 1,700,055.49			

New Contract Balance for Current Fiscal Year	$ 1,700,055.49	Reimbursement Requested	$ -
Contract Description	Quince Street Village		
Contract Period:	2026-2027		

VENDOR CERTIFICATION	CITY CERTIFICATION
The individual signing this voucher below warrants they have the authority to do so as authorized on behalf of the entity identified in the Vendor/Claimant section. The individual signing below certifies under penalty of perjury that the terms and totals listed herein are proper charges for materials, merchandise, or services furnished per the City contract referenced above, and that all good furnished and/or services rendered have been provided without discrimination on the basis of age, sex, marital status, race, creed, color, national origin, handicap, religion, or Vietnam era or disabled veterans status.	I, the undersigned, do hereby certify under penalty of perjury, that the material furnished, the services rendered, or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the Claim is a just, due , and unpaid obligation against the City of Olympia, and that I am authorized and certify said Claim.
Signed by:	**Signed by:**
Printed Name / Title / Date Signed	Printed Name / Title / Date Signed

INSTRUCTIONS TO VENDOR OR CLAIMANT:

Submit this form to claim payment for materials, merchandise, and services. Invoice must be completely filled out, signed and emailed to: Kim Kondrat kkondrat@ci.olympia.wa.us 360-753-8235
with a CC to: Joshua Chaney jchaney@ci.olympia.wa.us 360-233-6509
Attach supporting documentation to this invoice as outlined in the contract.

Invoices must be submitted monthly and are due within 60 days from the end of the month in which expenses are incurred.
Failure to submit timely invoices will result in forfeiture of the rights to reimbursement for late expenses.

Exhibit E
STATEMENT OF COMPLIANCE WITH NONDISCRIMINATION REQUIREMENT AND EQUAL BENEFITS DECLARATION

The Olympia City Council mandates compliance with the City's *Nondiscrimination in Delivery of City Services or Resources* ordinance (OMC 1.24) and *Employee Benefits* ordinance (OMC 3.18) for all services provided by City employees or through contracts with other entities. All contract agencies or vendors and their employees must understand and fully carry out the City's nondiscrimination policy. Accordingly, each City agreement or contract for services contains language that requires an agency or vendor to agree that it shall not unlawfully discriminate against an employee or client based on any legally protected status. This includes but is not limited to: race, creed, religion, color, national origin, age, sex, marital status, veteran status, sexual orientation, gender identity, genetic information, or the presence of any disability and any other status protected from discrimination by state or federal law. Unlawful discrimination includes transphobic discrimination or harassment, including transgender exclusion policies or practices in employee benefits.

Listed below are methods to ensure that this policy is communicated to your employees, if applicable.

- Nondiscrimination provisions are posted on printed material with broad distribution (newsletters, brochures, etc.).
- Nondiscrimination provisions are posted on applications for service.
- Nondiscrimination provisions are posted on the agency's web site.
- Nondiscrimination provisions are included in human resource materials provided to job applicants and new employees.
- Nondiscrimination provisions are shared during meetings.

Failure to implement at least two of the measures specified above or to comply with the City of Olympia's nondiscrimination ordinance constitutes a breach of contract.

By signing this statement, I acknowledge compliance with the City of Olympia's Nondiscrimination ordinance by the use of at least two of the measures specified above.

If this contract is valued at $50,000 or more, I affirm that CCS listed below complies with the City of Olympia Equal Benefits Ordinance (OMC 3.18) and shall, prior to contracting with the City, have policies in place prohibiting discrimination in the provision of employee benefits.

Should I operate as a sole proprietor, I agree not to discriminate against any client, or any future employees, based on any status protected from discrimination by state or federal law.

Mike Curry	06/17/2026
Signature	Date
Mike Curry	
Printed Name of Signatory	CCS Name

Quince Street Village

	FY 2025-2026	FY 2026-2027**
Funding Sources	**1,619,100**	**1,700,055**
Dept. of Commerce ERP Grant	*330,000*	*-*
Thurston County RHC Grant	*440,000*	*773,711*
*Fund 142 - Home Fund Available Resources**	*849,100*	*926,344*
Operating Expenses	**1,619,100**	**1,700,055**

*-Available Resources includes non-dedicated sources such as: 1/10th of 1% Affordable Housing Sales & Use Tax, 0.5% Municipal Utility Tax, or General Fund support.

**-FY 2026-2027 begins July 1, 2026 - operating expenses are estimates and present an estimated 5% increase. Contract negotiations are in-progress.

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

City Council

Approval of a Resolution Authorizing a Leasing Agreement with Valeo Vocation for Operations at Franz Anderson Tiny Home Village

Agenda Date: 6/23/2026
Agenda Item Number: 4.H
File Number:26-0472

Type: resolution **Version:** 1 **Status:** Consent Calendar

Title
Approval of a Resolution Authorizing a Leasing Agreement with Valeo Vocation for Operations at Franz Anderson Tiny Home Village

Recommended Action
Committee Recommendation:
Not referred to a committee.

City Manager Recommendation:
Move to approve a resolution authorizing a leasing agreement with Valeo Vocation for operations at Franz Anderson Tiny Home Village.

Report
Issue:
Whether to approve a resolution authorizing a leasing agreement with Valeo Vocation for operations at Franz Anderson Tiny Home Village.

Staff Contact:
Kim Kondrat, Homeless Response Manager, Community Planning & Economic Development, 360.742.6448

Presenter(s):
None - Consent Calendar Item.

Background and Analysis:
Franz Anderson Tiny Home Village was established under Governor Inslee's Safety Initiative in 2022 in an effort to clear the State's Rights of Way of encampments by providing housing. Fifty tiny homes were constructed and were offered to residents of the Wheeler and Nickerson encampments in Olympia, off the I-5. Originally managed by OlyMAP from 2022-2025, management was transitioned to Valeo Vocation in July of 2025, with the addition of an optional workforce program available to residents. With the closure of Plum Street Village (another City of Olympia tiny home village), 19 of larger Plum Street tiny homes were moved to Franz Anderson village spring 2026, replacing some smaller units and expanding the number of residential units to 60. The footprint of available land for

Franz Anderson was also expanded to the entire parcel.

Franz Anderson provides a low barrier option for persons experiencing homelessness and also increases pathways to unhoused individuals to employment with an effective case management system and code of conduct. This tiny home village is funded mostly by the Encampment Resolution Program through the Department of Commerce (formerly the Safety Initiative as mentioned above) thus only able to provide shelter to those specified by Department of Commerce as specified on the ERP Eligibility Criteria.
Continued support is encouraged to continue the forward progress of our homeless response system to provide opportunities for unhoused citizens to stabilize physically and psychologically and get out of survival mode to pursue possible pathways out of homelessness. This decreases calls to First Responders by providing shelter/housing and opportunities to calm down before escalating to a level requiring crisis response.

Climate Analysis:
There will be no significant impact to greenhouse gas emissions.

Equity Analysis:
The City of Olympia community benefits by having unhoused folks placed in shelter that gives an opportunity for folks in crisis to stabilize. City First Responders also benefit by fewer calls to respond to crises that result from lack to basic needs. The surrounding businesses and neighboring apartment/house residents are impacted by the increase of foot traffic of unhoused individuals which may lead to increase in vandalism of property, and need for increase security. City departments meet regularly with neighboring businesses and Valeo to address concerns and collaborate in a concerted effort to minimize the negative effects of having a shelter provider in close proximity to their locations. They are positively impacted by Quince Street Village.

Neighborhood/Community Interests (if known):
Homelessness has been at the top priority of concerns that have come through the Public Opinion and Community Engagement Survey distributed to Olympia community members. There is high community interest in the City's compassionate yet accountable approach to homelessness as declared in the One Community Plan. Franz Anderson Tiny Home Village supports this approach. City staff and Valeo staff have ongoing contact with surrounding businesses and coordinated City response with the Olympia Police Department. Improved Kitchen and Community spaces were recently moved from another ERP village to enhance community livability and events. Residents who participate in the HIRE (employment) crew and who are compliant with the code of conduct are eligible to be moved to an available larger unit for housing. Enhanced case management is available to delve into other housing options outside of the tiny home village.

Financial Impact:
The City of Olympia is leasing the Franz Anderson property to Valeo Vocation for $1.
Options:

1. Move to approve resolution authorizing a leasing agreement with Valeo Vocation for operations at Franz Anderson Tiny Home Village.
2. Modify Resolution Authorizing a Lease Agreement with Valeo Vocation for operations at Franz Anderson Tiny Home Village
3. Don't Approve Resolution Authorizing a Lease Agreement with Valeo Vocation for operations at Franz Anderson Tiny Home Village

Type: resolution **Version:** 1 **Status:** Consent Calendar

Attachments:
Resolution
Agreement

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF OLYMPIA AND VALEO VOCATION FOR CERTAIN PROPERTY LOCATED AT 528 FRANZ ANDERSON ROAD FOR A TINY HOUSE/SHELTER VILLAGE

WHEREAS, the City of Olympia declared a public health emergency related to homelessness on July 17, 2018; and

WHEREAS, the City has worked since then to find solutions that will assist in alleviating the homeless crisis in Olympia and reduce human suffering; and

WHEREAS, the City owns certain real property commonly located at 528 Franz Anderson Road, Olympia, Washington, consisting of approximately 1.48 acres (64,902square feet) Parcel Number 41701000100, more or less (the "Property") that has suitability for use as a tiny house/shelter village; and

WHEREAS, the City and Valeo Vocation are entering into a Funding Agreement that governs the City of Olympia's provision of funding to Valeo in exchange for Valeo's operation, management, and maintenance of a tiny house/shelter facility on the Property serving formerly unhoused residents, as specified in that separate Funding Agreement.

WHEREAS, as part of Valeo's operation, management, and maintenance of the tiny house facility on the Property, Valeo wants to lease a portion of the Property from the City for the sole purpose of using it for a tiny house/shelter village to provide temporary shelter and housing for formerly unhoused persons, including a community eating and meeting facility, and areas for sanitary shower, toilet, laundry facilities, solid waste collection, and for other related case management and site support services for the temporary residents of the tiny house/shelter facility; and

WHEREAS, the City and VALEO have negotiated terms and conditions for Valeo's lease of a portion of the Property; and

WHEREAS, the City Council determines it to be in the best interest of the residents of the City of Olympia to lease to Valeo, a portion of the Property for the sole purpose of using it for a tiny house/shelter village;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL HEREBY RESOLVES as follows:

1. The Olympia City Council hereby approves the form of Lease Agreement between the City and Valeo Vocation to lease to Valeo a portion of the property commonly located off Franz Anderson Road, in Olympia, Washington, for a tiny house/shelter village upon the terms and conditions contained therein.

2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Lease Agreement, and any other documents necessary to execute said Agreement, and to make any minor amendments or modifications as may be required and are consistent with the intent of the Agreement, or to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

LEASE AGREEMENT

This LEASE AGREEMENT ("Lease") is between the City of Olympia, a Washington municipal corporation ("Lessor"), and VALEO Vocation, a Washington nonprofit corporation ("Lessee"), jointly referred to in this Lease as "the Parties" or singularly as a "Party." This Lease is not effective until the "Effective Date" (as defined in Paragraph 14.15 below).

RECITALS

Lessor is the owner of certain real property located at 528 Franz Anderson Road in Olympia, Thurston County, Washington consisting of approximately 1.48 acres (64,902 square feet) and legally described on Exhibit "A" attached to this Lease, and generally shown on a vicinity sketch attached as Exhibit "B" to this Lease. (All attached exhibits to this Lease are a part of this Lease.)

Lessee wants to lease the property from Lessor for the sole purpose of using it for a tiny houses/shelters village to provide temporary shelter and housing for homeless persons in tiny houses. Lessee will maintain on the site a community eating and meeting facility, and areas for sanitary shower, toilet, laundry facilities, solid waste collection, and for other related case management services for the temporary residents of the tiny houses/shelters village.

The Parties to this Lease are entering into a separate Funding Agreement that governs the City of Olympia's provision of funding to VALEO Vocation in exchange for Valeo's operation, management, and maintenance of the tiny house/shelter facility as specified in that separate Funding Agreement.

The signatories to this Lease acknowledge that they are authorized to execute this Lease and any associated documents, and to correct scrivener's errors or other errors or omissions that would otherwise be in substantial conformance with this Lease.

The Parties enter into this Lease to memorialize the terms and conditions under which Lessor will lease the property to Lessee.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

TERMS AND CONDITIONS

1. Leased Property. Lessor hereby leases to Lessee the property located at 528 Franz Anderson Road in Olympia, Thurston County, Washington, legally described as shown on Exhibit "A" and generally located as shown on a vicinity sketch attached as Exhibit "B". The Leased Property described in this Paragraph 1 is referred to in this Lease as "the Property."

2. Use and Occupancy. Lessee shall use the Property as a site to provide shelter to homeless persons in tiny houses/shelters, together with associated facilities for a shared eating and meeting facility, sanitary facilities (showers, sinks, toilets, and laundry), site management, solid waste, storage, and security, and for no other purpose or use without the express written consent of Lessor.

3. Term. The term of this Lease is the effective date to June 30, 2027, and may be renewed for an additional term upon mutual written agreement of the Parties, subject to the terms of this Lease and any written modifications or amendments. In the event Lessee ceases to use the Property for the express purpose stated in this Lease, the tenancy will automatically terminate without further notice and the Lessee shall vacate the Property. Lessor or Lessee may terminate this lease, with or without cause, with 90 days' written notice to the other Party.

4. Acceptance of Property As Is. Lessee accepts and acknowledges use of the Property in its "as is" condition.

5. Rent. Lessee shall pay Lessor the sum of ONE DOLLAR AND NO CENTS per year ($1.00) as rent for the Property. Said rental payment is due and payable upon commencement of the Lease.

6. Maintenance and Repairs. Lessee is responsible for any and all routine repairs to the Property and structures thereon, including appliances, water heater, laundry washer-dryer, electrical, plumbing, roof, carpet, sinks, showers, kitchen appliances and fixtures, interior and exterior paint, flooring or walls, doors or windows, screens, or window coverings, landscaping, rodents or pest control, and mold abatement. Major repairs or replacements, if needed, require the Parties to confer on a solution as to which Party will be responsible for payment of the major repair or replacement. Examples of "major repairs or replacements" outside the routine normal maintenance are: (1) moving, relocating, or installing tiny homes, structures, or permanent installed infrastructure; (2) adding new tiny homes, structures, offices, or permanently required infrastructure; (3) any work that would typically require a mechanical, electrical, or building permit by code; (4) cutting, patching, pouring concrete, or any hardscape work; (5) site storm water drainage that does not recede in a reasonable time or causes significant damage to site infrastructure; and (6) adding, moving, relocating, or damage to perimeter secure fencing that is in excess of 15 percent of total installed fencing. The foregoing list is not to be deemed exclusive. Installation, maintenance, and service of security camera systems for the Property is either included in Lessee's Funding Agreement or will be subject to negotiation between the Parties. To the extent required by law, Lessee shall pay prevailing wages to persons performing work on the Property.

7. Utilities. Lessee is financially responsible for and shall pay for electricity, telephone, cable television, internet, and wi-fi access services to the Property (if any), and any other utilities necessary for operation of the site as a tiny house village/shelter facility.

8. Insurance, Indemnification and Hold Harmless Agreement. Lessee shall defend, indemnify, and hold harmless Lessor, its agents, officers, officials, employees, and volunteers from and against any and all claims, suits, actions, liabilities for injuries, death of any person, or for

loss or damages to property which arises out of Lessee's use of the Property, or from the conduct of Lessee or its employees, agents, or contractors, or from any activity, work, or thing done, permitted, or suffered by Lessee in or about the Property, except only such injury or damage caused by the sole negligence of Lessor. It is further specifically and expressly understood that the indemnification provided in this section constitutes the Lessee's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated and agreed to by the Lessee and Lessor. The provisions of this paragraph survives the expiration or termination of this Lease.

Lessor shall defend, indemnify, and hold harmless Lessee, its agents, officers, employees, contractors, and volunteers from and against any and all claims, suits, actions, liabilities for injuries, death of any person, or for loss or damages to property which arises out of any intentional or negligent breach of this Lease by the Lessor. The provisions of this paragraph survives the expiration or termination of this Lease.

8.1 Concurrent negligence. Should a court of competent jurisdiction determine that this Lease is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of Lessee and the Lessor, or their respective officers, officials, agents, employees, and volunteers, the Lessee's liability, including the duty and cost to defend, hereunder is only to the extent of Lessee's negligence.

8.2 Insurance term. Lessee shall procure and maintain for the duration of the Lease, insurance against claims for injuries to persons or damage or loss to property, which may arise from or in connection with the Lessee's operation and use of the Property.

8.3 No Limitation. Lessee's maintenance of insurance as required by this Lease may not be construed to limit the liability of the Lessee to the coverage provided by such insurance, or otherwise limit the Lessor's recourse to any remedy available at law or in equity.

8.4 Minimum scope of insurance. The Lessee shall obtain insurance of the types and coverage described below:

1. Commercial General Liability insurance must be at least as broad as Insurance Services Office (ISO) occurrence form CG 00 01 and must cover premises and contractual liability. Lessor must be named as an additional insured on Lessee's Commercial General Liability insurance policy using ISO Additional Insured-Managers or Lessors of Premises Form CG 20 11 or a substitute endorsement providing at least as broad coverage.

2. Property insurance must be written on an all risk basis.

8.5 Minimum amounts of insurance. The Lessee shall maintain the following insurance limits:

1. Commercial General Liability insurance must be written with limits no less than $1,000,000 each occurrence, and $10,000,000 of umbrella or excess insurance.

2. Property insurance must be written covering the full value of Lessee's property and improvements with no coinsurance provisions.

8.6 Other insurance provisions. The Lessee's Commercial General Liability insurance policy or policies are to contain, or be endorsed to contain, that they are primary insurance as respect to the Lessor. Any insurance, self-insurance, or self-insured pool coverage maintained by the Lessor is excess of the Lessee's insurance and does not contribute with it.

8.7 Acceptability of insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.

8.8 Verification of coverage. Lessee shall furnish Lessor with original certificates and a copy of the amendatory endorsements, including the additional insured endorsement, evidencing the insurance requirements of the Lessee.

8.9 Waiver of subrogation. Lessee and Lessor hereby release and discharge each other from all claims, losses, and liabilities arising from or caused by any hazard covered by property insurance on or in connection with the premises or any building or structures on the Property. This release applies only to the extent that such claim, loss, or liability is covered by insurance.

8.10 Lessor's property insurance. Lessor shall purchase and maintain during the term of the lease all-risk property insurance covering any building or other structures for its full replacement value without any coinsurance provisions.

8.11 Notice of cancellation. Lessee shall provide the Lessor with written notice of any policy cancellation within two business days of Lessee's receipt of such notice.

8.12 Failure to maintain insurance. Failure on the part of the Lessee to maintain the insurance as required constitutes a material breach of the Lease, upon which the Lessor may, after giving five business days' notice to the Lessee to correct the breach, terminate the Lease or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the Lessor on demand.

8.13 Lessor full availability of Lessee limits. If the Lessee maintains higher insurance limits than the minimums shown above, the Lessor is insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Lessee, irrespective of whether such limits maintained by the Lessee are greater than those required by this Lease or whether any certificate of insurance furnished to the Lessor evidence limits of liability lower than those maintained by the Lessee.

9. Acknowledgment and Acceptance.

9.1 Taxes and assessments. In the event a leasehold tax is imposed upon Lessee's tenancy by the State of Washington during the term of this Lease, Lessor shall pay such leasehold tax amount to the State of Washington during the period Lessee has occupied or is occupying the Property.

9.2 Mechanics' liens. In the event Lessee causes any labor, material, or services to be furnished in, on, or about the Property, or any part thereof, Lessee shall pay, resolve, settle, or compromise such liens or claims and to fully satisfy such liens or claims so as to prevent or remove any liens against Lessor's Property. Lessee shall not allow any lien to attach to the Property. Lessee shall fully indemnify and hold harmless the Lessor from any and all claims of liens against the Property incurred by Lessee, including any attorney's fees, costs, or other litigation expenses incurred by Lessor in connection with such claims of lien.

9.3 Subleases and other agreements. Lessee shall not enter into any leases, subleases, licenses, or easements with any person(s) or entities for profit or other charge or consideration upon the Property, except with the express prior written consent of Lessor. The Property may be solely used for a tiny houses/shelters village, and associated facilities as set forth in Paragraph 2 above, during the term of this Lease.

9.4 Motor vehicle parking. Lessee may utilize the parking stalls on the Property for Lessee's staff and provider vehicle parking. Such parking stalls are not intended for resident parking nor vehicle habitation. Lessee shall manage parking on the Property, including engaging a tow operator as necessary to tow illegally parked vehicles.

9.5 Storage of personal property. Any personal property of Lessee or those housed on the Property must be stored upon the Property. Lessee shall not store Lessee's personal property, nor permit others to store their personal property, upon any adjacent property owned by Lessor or others, except with express written consent from Lessor or other property owner.

9.6 Due authority. Lessee and Lessor have all requisite power and authority to execute and deliver this Lease and to carry out its obligations under this Lease. This Lease has been, and the documents contemplated hereby will be, duly executed and delivered by Lessor and Lessee and constitute their legal, valid and binding obligation enforceable against Lessor and Lessee in accordance with its terms.

10. Covenants of Lessee. Lessee covenants and agrees as follows:

10.1 Perform obligations. From the Effective Date, Lessee will perform any monetary and non-monetary obligations it has regarding the Property.

10.2 No encumbrances. From the Effective Date, Lessee will not grant, create, or voluntarily allow the creating of, or amend, extend, modify or change, any easement, right-of-way, encumbrance, restriction, covenant, lease, license, option, or other right affecting the Property or any part thereof.

10.3 Environmental. Lessor asserts that there are no known hazardous substances or materials as defined under RCW 70A.305, RCW 64.44.010, WAC 246-205, and other current and future applicable federal and state regulations and laws ("***Hazardous Substances***") on the Property at the Effective Date.

Lessee shall not cause or permit any Hazardous Substances to be brought upon, kept, or used in or about, or disposed of on the Property by Lessee, its employees, officers, agents, contractors, customers, clients, visitors, guests, or other licensees or invitees, except in strict compliance with all applicable federal, state, and local laws and regulations. If Lessee breaches the foregoing obligations, then Lessee shall indemnify, defend, and hold Lessor harmless with respect to any loss, liability, claim, demand, damage, or expense of any kind, including attorneys' fees, costs, and expenses (collectively, "Loss") arising out of the release of Hazardous Substances on, under, above, or about the Property by Lessee, except for any release of any Hazardous Substance on, under, above, or about the Property caused or contributed by Lessor, or any employee, agent, or contractor of Lessor.

10.4 Definitions. The term "Hazardous Substance" includes (a) those substances included within the definitions of "hazardous substances," "hazardous materials," "toxic substances," "hazardous wastes," or "solid wastes" in any Environmental Law; (b) petroleum products and petroleum byproducts; (c) polychlorinated biphenyls; (d) chlorinated solvents; and (e) asbestos. The term "Environmental Law" includes any federal, state, municipal, or local law, statute, ordinance, regulation, order, or rule pertaining to health, industrial hygiene, environmental conditions, or hazardous substances.

10.5 Compliance with laws. Lessee shall comply with any and all statutes, codes, regulations, covenants, or laws that may affect the use and occupancy of the Property. Violation of this covenant by Lessee is grounds for termination of this Lease.

10.6 Nuisance or waste. Lessee shall not permit any nuisance upon the Property or permit any waste or destruction of the Property.

10.7 Indemnification. Lessee shall pay, protect, pay the defense costs of, indemnify, and hold Lessor and its successors and assigns harmless from and against any and all loss, liability, claim, damage, and expense suffered or incurred by reason of: (a) the breach of any representation, warranty, or agreement of Lessee set forth in this Lease, (b) the failure of Lessee to perform any obligation required by this Lease to be performed by Lessee, (c) the maintenance, and/or operation of the Property by Lessee not in conformance with this Lease, or (d) any injuries to persons or

property from any cause occasioned in whole or in part by any acts or omissions of the Lessee, its representatives, agents, employees, contractors, or suppliers.

10.8 Access to Property. Lessee shall permit Lessor and its agents, employees, officials, officers, and contractors to access the Property for the purpose of any environmental studies, work for restoration purposes that is required by permitting agencies, or to perform water, sewer, stormwater, or other necessary utility connections or services as may be required, including garbage/solid waste collection and waste recycling.

11. Casualty. If any fire, windstorm, earthquake, volcanic eruption, or casualty occurs and materially affects all or any portion of the Property on or after the Effective Date, Lessor is under no duty or obligation to repair, replace or rebuild any structure, dwelling, or outbuilding located upon the Property.

12. Legal Notices. Unless applicable law requires a different method of giving notice, any and all notices, demands, or other communications required or desired to be given under this Lease by any Party (collectively, "Notices") must be in writing and must be validly given or made to another Party if delivered either personally or by Federal Express, UPS, USPS, or other overnight delivery service of recognized standing, or if deposited in the United States mail, certified, registered, or express mail with postage prepaid. If such Notice is personally delivered, it must be conclusively deemed given at the time of such delivery. If such Notice is delivered by Federal Express or other overnight delivery service of recognized standing, it must be deemed given 48 hours after the deposit thereof with such delivery service. If such Notice is mailed, it must be deemed given five days after the deposit thereof in the United States mail. Each such Notice must be deemed given only if properly addressed to the party to whom such notice is to be given as follows:

To Lessor:
Steven J. Burney, City Manager
City of Olympia
601 4th Ave E
P.O. Box 1967
Olympia, WA 98507-1967
Email: jburney@ci.olympia.wa.us

With a copy to:
Mark Barber, City Attorney
City of Olympia
601 4th Ave E
P.O. Box 1967
Olympia, WA 98507-1967
Email: mbarber@ci.olympia.wa.us

To Lessee:

Sherri Jensen, Chief Executive Officer
Valeo Vocation
603 S. 13th Street
P.O. Box 5907
Tacoma, WA 98415
Office: (253) 301-2134
Cell: (253) 691-2846
Email: sherri@valeovocation.org

Any Party may change its address for receiving notices as provided in this Lease by a written notice given in the manner above to the other Party.

13. Contract Manager. For routine issues of contract management such as insurance, invoices, and issues related to routine management of this Lease, please contact:

Lessor's Manager: Kim Kondrat, Homeless Response Manager
City of Olympia
601 4th Ave E
P.O. Box 1967
Olympia, WA 98507-1967
Cell: 360-742-6448
Email: kkondrat@ci.olympia.wa.us

Lessee's Manager: Sherri Jensen, Chief Executive Officer
Valeo Vocation
603 S. 13th Street
P.O. Box 5907
Tacoma, WA 98415
Office: (253) 301-2134
Cell: (253) 691-2846
Email: sherri@valeovocation.org

14. Miscellaneous.

14.1 Applicable law. This Lease is in all respects, governed by the laws of the State of Washington.

14.2 Further assurances. Each of the Parties shall execute and deliver any and all additional papers, documents, and other assurances, and shall do any and all acts and things reasonably necessary in connection with the performance of its obligations under this Lease, to carry out the intent of the Parties.

14.3 Modification or amendment, waivers. No amendment, change, or modification of this Lease is valid unless in writing and signed by all of the Parties. No waiver of any breach of any covenant or provision in this Lease may be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision in this

Lease. No extension of time for performance of any obligation or act may be deemed an extension of the time for performance of any other obligation or act.

14.4 Successors and assigns. All of the terms and provisions contained in this Lease inure to the benefit of and are binding upon the Parties and their respective heirs, legal representatives, and successors, if applicable. No assignment is permitted by Lessee of this Lease.

14.5 Entire agreement and no third party beneficiaries. This Lease constitutes the entire understanding and agreement of the Parties with respect to its subject matter and any and all prior agreements, understandings, or representations with respect to its subject matter are hereby canceled in their entirety and are of no further force or effect. The Parties do not intend to confer any benefit under this Lease to any person, firm, or corporation other than the immediate Parties.

14.6 Attorneys' fees. Should either Party bring suit to enforce the terms of this Lease, the prevailing party in such lawsuit is entitled to an award of its reasonable attorneys' fees and costs incurred in connection with such lawsuit.

14.7 Construction. Captions are solely for the convenience of the Parties and are not a part of this Lease. This Lease may not be construed as if it had been prepared by one of the Parties, but rather as if both Parties had prepared it.

14.8 Partial Invalidity. If any term or provision of this Lease or the application thereof to any person or circumstance is, to any extent, held invalid or unenforceable, the remainder of this Lease, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, are not affected thereby; and each such term and provision of this Lease is valid and be enforced to the fullest extent permitted by law.

14.9 Survival. The covenants, agreements, obligations to indemnify, representations, and warranties made in this Lease survive unimpaired the expiration or termination of this Lease. This Lease will not be recorded with the Auditor, but a Memorandum of Lease may be recorded with the Auditor at the request of a Party, at that Party's expense.

14.10 Time. Time is of the essence of every provision of this Lease.

14.11 Risk of loss. All of Lessee's personal property, of any kind or description whatsoever that is on the Property is at Lessee's sole risk of loss. Lessor does not insure Lessee's personal property of whatever kind or nature. Any such insurance must be obtained by Lessee.

14.12 Force majeure. Performance by Lessee or Lessor of their obligations under this Lease will be extended by the period of delay caused by force majeure. Force majeure includes war, natural catastrophe, strikes, walkouts or other labor industrial

disturbance, order of any government, court, or regulatory body having jurisdiction, shortages, blockade, embargo, riot, civil disorder, or any similar cause beyond the reasonable control of the party who is obligated to render performance (but excluding financial inability to perform, however caused).

14.14 Counterparts. This Lease may be executed in a number of identical counterparts which, taken together, constitute collectively one Lease; but in making proof of this Lease, it is not necessary to produce or account for more than one such counterpart. Additionally, (i) the signature pages taken from separate individually executed counterparts of this Lease may be combined to form multiple fully executed counterparts; and (ii) a facsimile signature or an electronically scanned signature or digital signature, where permitted by law, must be deemed to be an original signature for all purposes. All executed counterparts of this Lease must be deemed to be originals, but all such counterparts, when taken together, constitute one and the same Lease.

14.15 Effective Date. This Lease is effective as of the date of the last authorizing signature affixed hereto.

15. Event of Default. In the event of a default under this Lease by Lessee (including a breach of any representation, warranty, or covenant of this Lease), Lessor is entitled, in addition to all other remedies, to seek monetary damages and specific performance of Lessee's obligations under this Lease or termination of this Lease, at Lessor's option.

*****SIGNATURES APPEAR ON THE FOLLOWING PAGE*****

LESSEE:

VALEO Vocation, a Washington nonprofit corporation

Sherri Jensen, Chief Executive Officer

Date: 6/17/26

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

On the 17th day of June 2026, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Sherri Jensen, to me known to be the Chief Executive Office of VALEO Vocation, a Washington nonprofit corporation, who executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said public benefit corporation for the uses and purposes therein mentioned and on oath states that she is authorized to execute the said instrument.

WITNESS my hand and official seal the day and year first above written.

Signature
Name (printed): Lisa Oatts
NOTARY PUBLIC in and for the State of Washington
Residing at Pierce County
My appointment expires: Jan 17, 2028

LISA OATTS
Notary Public
State of Washington
Commission # 20102346
My Comm. Expires Jan 17, 2028

LESSOR:

CITY OF OLYMPIA, a Washington municipal corporation

_____
Steven J. Burney, City Manager

Date: _____

APPROVED AS TO FORM:

Michael M. Young
Senior Deputy City Attorney

Date: 06/15/2026

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

On the _____ day of _____ 2026, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Steven J. Burney, to me known to be the City Manager of the City of Olympia, a Washington municipal corporation, who executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned and on oath states that he is authorized to execute the said instrument.

WITNESS my hand and official seal the day and year first above written.

_____
Signature
Name (printed): _____
NOTARY PUBLIC in and for the State of Washington
Residing at _____
My appointment expires: _____

EXHIBIT "A"

Legal Description

PARCEL A:
TRACT 10 AND THAT PORTION OF TRACT 11 OF COLLEGE CITY BERRY TRACTS, AS RECORDED IN VOLUME 9 OF PLATS, PAGE 7, LYING NORTHWESTERLY OF PRIMARY STATE HIGHWAY NO. 1, EXCEPTING THEREFROM THOSE PORTIONS CONVEYED TO THE STATE OF WASHINGTON BY DEEDS RECORDED JANUARY 15, 1957 UNDER AUDITOR'S FILE NO. 580057, JANUARY 24, 1957 UNDER AUDITOR'S FILE NO. 580325 AND JULY 3, 1985 UNDER AUDITOR'S FILE NO. 8507030084.

SITUATE IN THURSTON COUNTY, WASHINGTON.
SUBJECT TO EASEMENTS, RESERVATIONS, AND RESTRICTIONS OF RECORD.

EXHIBIT "B"
General Vicinity Sketch

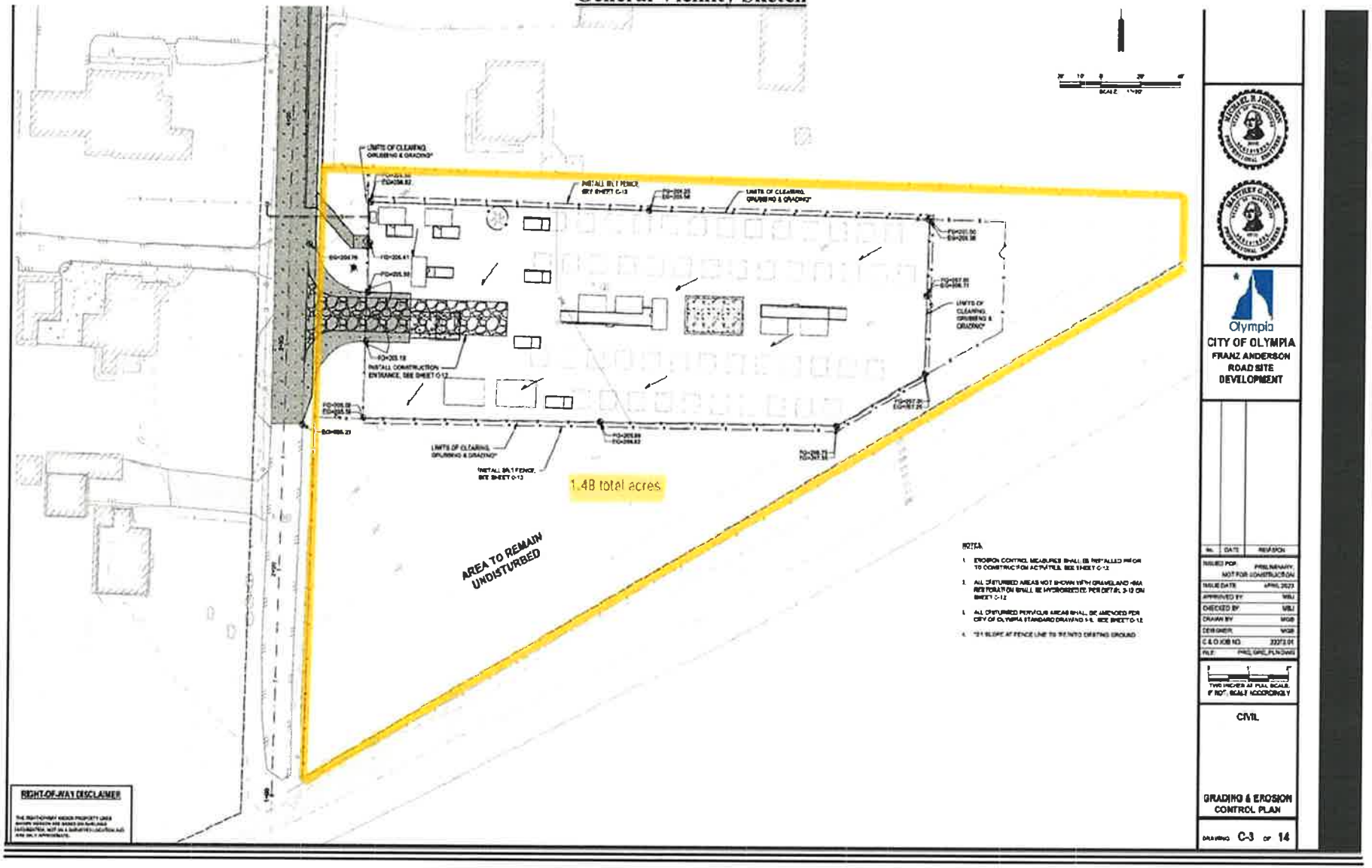
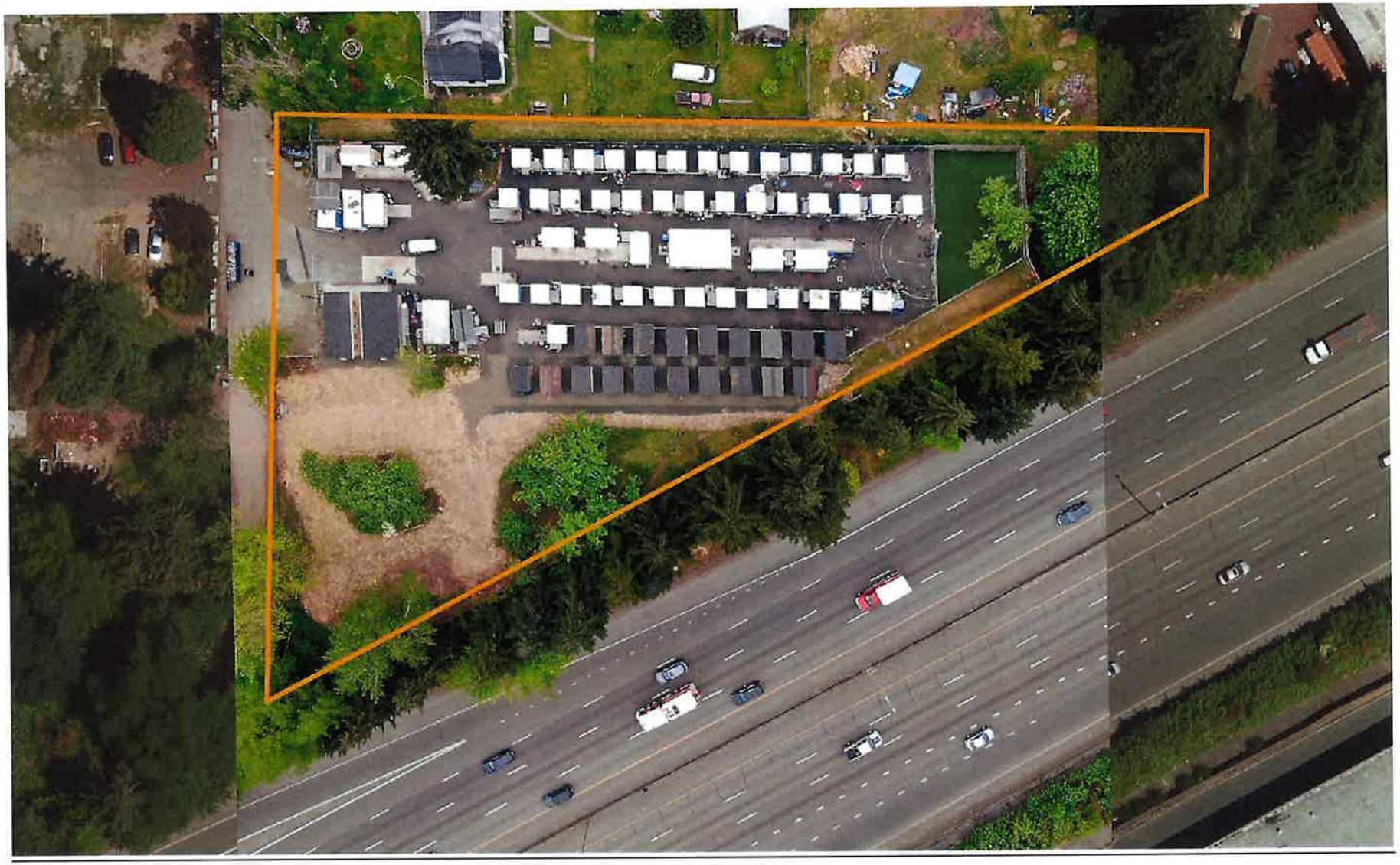


EXHIBIT B-1



docusign

Certificate Of Completion

Envelope Id: 778C94F9-256D-84D7-8251-81CA3CBB5DA6
Status: Completed
Subject: Complete with Docusign: June 23 - Lease Agreement - City of Olympia and Valeo Vocation.docx
Source Envelope:
Document Pages: 15
Signatures: 1
Certificate Pages: 4
Initials: 0
AutoNav: Enabled
EnvelopeId Stamping: Disabled
Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Envelope Originator:
Amber Coleman
acoleman@ci.olympia.wa.us
IP Address: 152.44.142.131

Record Tracking

Status: Original
6/15/2026 9:39:12 AM
Holder: Amber Coleman
acoleman@ci.olympia.wa.us
Location: DocuSign

Signer Events	Signature	Timestamp
Michael M. Young myoung@ci.olympia.wa.us Deputy City Attorney Security Level: Email, Account Authentication (None)	Michael M. Young Signature Adoption: Pre-selected Style Using IP Address: 152.44.142.131	Sent: 6/15/2026 9:39:59 AM Viewed: 6/15/2026 9:45:58 AM Signed: 6/15/2026 9:46:05 AM

Electronic Record and Signature Disclosure:
Accepted: 4/1/2020 10:22:57 AM
ID: ccbef2e8-aa13-4612-bc1e-ff1326c76f02

In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp

Agent Delivery Events	Status	Timestamp

Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp

Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	6/15/2026 9:39:59 AM
Certified Delivered	Security Checked	6/15/2026 9:45:58 AM
Signing Complete	Security Checked	6/15/2026 9:46:05 AM
Completed	Security Checked	6/15/2026 9:46:05 AM

Payment Events	Status	Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Olympia (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a $0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Olympia:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:
To contact us by email send messages to: skrier@ci.olympia.wa.us

To advise City of Olympia of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at skrier@ci.olympia.wa.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from City of Olympia

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to skrier@ci.olympia.wa.us and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Olympia

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to skrier@ci.olympia.wa.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: https://support.docusign.com/guides/signer-guide-signing-system-requirements.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify City of Olympia as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by City of Olympia during the course of your relationship with City of Olympia.

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

City Council

Approval of a Resolution Authorizing a Funding Agreement with Valeo Vocation for Operations at Franz Anderson Tiny Home Village

Agenda Date: 6/23/2026
Agenda Item Number: 4.I
File Number:26-0473

Type: resolution **Version:** 1 **Status:** Consent Calendar

Title
Approval of a Resolution Authorizing a Funding Agreement with Valeo Vocation for Operations at Franz Anderson Tiny Home Village

Recommended Action
Committee Recommendation:
Not referred to a committee.

City Manager Recommendation:
Move to approve a resolution authorizing a funding agreement with Valeo Vocation for operations at Franz Anderson Tiny Home Village.

Report
Issue:
Whether to approve resolution authorizing a funding agreement with Valeo Vocation for operations at Franz Anderson Tiny Home Village.

Staff Contact:
Kim Kondrat, Homeless Response Manager, Community Planning & Economic Development, 360.742.6448

Presenter(s):
None- Consent Calendar Item.

Background and Analysis:
Franz Anderson Tiny Home Village was established under Governor Inslee's Safety Initiative in 2022 in an effort to clear the State's Rights of Ways of encampments by providing housing. Fifty tiny homes were constructed and were offered to residents of the Wheeler and Nickerson encampments in Olympia, off the I-5. Originally managed by OlyMAP from 2022-2025, management was transitioned to Valeo Vocation in July of 2025, with the addition of an optional workforce program available to residents. With the closure of Plum Street Village (another City of Olympia tiny home

village), 19 of larger Plum St tiny homes were moved to Franz Anderson village spring 2026, replacing some smaller units and expanding the number of residential units to 60.The footprint of available land for Franz Anderson was also expanded to the entire parcel.

Franz Anderson provides a low barrier option for persons experiencing homelessness and also increases pathways to unhoused individuals to employment with an effective case management system and code of conduct. This tiny home village is funded mostly by the Encampment Resolution Program through the Department of Commerce (formerly the Safety Initiative as mentioned above) thus only able to provide shelter to those specified by Department of Commerce as specified on the ERP Eligibility Criteria.
Continued support is encouraged to continue the forward progress of our homeless response system to provide opportunities for unhoused citizens to stabilize physically and psychologically and get out of survival mode to pursue possible pathways out of homelessness. This decreases calls to First Responders by providing shelter/housing and opportunities to calm down before escalating to a level requiring crisis response.

Climate Analysis:
There will be no significant impact to greenhouse gas emissions.

Equity Analysis:
The City of Olympia community benefits by having unhoused folks placed in shelter that gives an opportunity for folks in crisis to stabilize. City First Responders also benefit by fewer calls to respond to crises that result from lack to basic needs. The surrounding businesses and neighboring apartment/house residents are impacted by the increase of foot traffic of unhoused individuals which may lead to increase in vandalism of property, and need for increase security. City departments meet regularly with neighboring businesses and Valeo to address concerns and collaborate in a concerted effort to minimize the negative effects of having a shelter provider in close proximity to their locations. They are positively impacted by Quince Street Village.

Neighborhood/Community Interests (if known):
Homelessness has been at the top priority of concerns that have come through the Public Opinion and Community Engagement Survey distributed to Olympia citizens. There is high community interest in the City's compassionate yet accountable approach to homelessness as declared in the One Community Plan. Franz Anderson Tiny Home Village supports this approach. City staff and Valeo staff have ongoing contact with surrounding businesses and coordinated City response with the Olympia Police Department. Improved Kitchen and Community spaces were recently moved from another ERP village to enhance community livability and events. Residents who participate in the HIRE (employment) crew and who are compliant with the code of conduct are eligible to be moved to an available larger unit for housing. Enhanced case management is available to delve into other housing options outside of the tiny home village.

Financial Impact:
Operations of Franz Anderson for the FY 2026-27 increases to $1,314,389 from $1,251,799, due to the 5% COLA. Most of that will be covered by ERP funds from Commerce with the balance covered by Olympia Home Fund.

Options:
1. Move to approve resolution authorizing a funding agreement with Valeo Vocation for

operations at Franz Anderson Tiny Home Village.
2. Modify Resolution Authorizing a Funding Agreement with Valeo Vocation for operations at Franz Anderson Tiny Home Village.
3. Don’t Approve Resolution Authorizing a Funding Agreement with Valeo Vocation for operations at Franz Anderson Tiny Home Village.

Attachments:
Resolution
Agreement
Financial Table

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A FUNDING AGREEMENT BETWEEN THE CITY OF OLYMPIA AND VALEO VOCATION FOR THE OPERATION, MANAGEMENT, AND MAINTENANCE OF A TINY HOUSE/SHELTER VILLAGE AT 528 FRANZ ANDERSON ROAD

WHEREAS, the City of Olympia declared a public health emergency related to homelessness on July 17, 2018; and

WHEREAS, the City has worked since then to find solutions that will assist in alleviating the homeless crisis in Olympia; and

WHEREAS, Valeo Vocation is experienced in building relationships with unhoused community members through engagement and education, and by offering health, safety, self-management, self-advocacy, and survival support to those living outdoors; and

WHEREAS, between in 2024, until its closure, Valeo operated the Plum Street Village tiny home village under a lease and a funding agreement with the City; since June 30, 2025, Valeo has operated Calyx@Franz Anderson, also referred to as Franz-Anderson Tiny House Village, located at 528 Franz Anderson Road; and

WHEREAS, the City and Valeo have negotiated terms and conditions of a Funding Agreement whereby the City provides funding to Valeo to enable Valeo to operate, manage, and maintain a tiny house/shelter facility at the Franz Anderson site for the purpose of providing temporary shelter and housing formerly unhoused persons in tiny houses/shelters; and

WHEREAS, the City and Valeo are entering into a separate Lease Agreement which governs Valeo's lease of the Franz Anderson Village property for purposes of carrying out the operation, management, and maintenance of the tiny house/shelter facility as provided in the Funding Agreement; and

WHEREAS, the City Council determines it to be in the best interest of the residents of the City of Olympia to provide funding to Valeo to enable Valeo to operate, manage, and maintain a tiny house/shelter village in Olympia at 528 Franz Anderson Road;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL HEREBY RESOLVES as follows:

1. The Olympia City Council hereby approves the form of Funding Agreement between the City and Valeo Vocation to provide funding to Valeo for the establishment, operation, management, and maintenance of a tiny house/shelter village at 528Franz Anderson Road in Olympia under the terms and conditions contained therein.

2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Funding Agreement, and any other documents necessary to execute that Agreement, and to make any minor amendments or modifications as may be required and are consistent with the intent of the Agreement, and to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

2026-2027 FUNDING AGREEMENT
BETWEEN
THE CITY OF OLYMPIA AND VALEO VOCATION

This Funding Agreement ("Agreement") is effective as of the date of the last authorizing signature (which is the "effective date"). This Agreement is between the City of Olympia, a Washington municipal corporation ("City"), and VALEO Vocation, a Washington nonprofit corporation ("VALEO"), jointly referred to as the "Parties," or singularly as a "Party."

RECITALS

On July 17, 2018, the City of Olympia declared a public health emergency related to homelessness. Since that date, the City has worked to find solutions that will assist in alleviating the homeless crisis in Olympia and to reduce human suffering.

VALEO has experience assisting those who are homeless by establishing tiny house villages as transitional housing and connecting residents with essential services to allow them the best chance of success in transitioning to permanent housing. Since January 1, 2024, VALEO has managed and operated the City Plum Street Village tiny house/shelter facility through a Funding Agreement with the City. VALEO is experienced in providing this type of tiny house sheltering and providing homeless people with essential services, including hygiene, trash collection, utilities, and security to allow for the best chance for success in transitioning to permanent housing.

The City wishes to continue to engage the services of VALEO to operate, manage, and maintain the tiny house/shelter facility on property commonly referred to as the Franz Anderson Village, for the purpose of providing temporary shelter and housing for homeless persons in tiny houses/shelters. VALEO will maintain on the site a community kitchen, meeting facility, and areas for sanitary shower, toilet, laundry facilities, solid waste collection, and for other related case management services for the temporary participants of the tiny house/shelter facility.

The Parties are entering into a separate Lease Agreement which governs VALEO's lease of the Franz Anderson Village property (as defined in that Lease) for purposes of carrying out the operation, management, and maintenance of the tiny house/shelter facility as provided in this Agreement.

The Parties acknowledge that they are authorized to execute this Agreement and any associated documents, and to correct scrivener's errors or other errors or omissions that would otherwise be in substantial conformance with this Agreement.

The Parties now enter into this Agreement to memorialize the terms and conditions under which the City will provide funding to VALEO for the purpose of operating, managing, and maintaining a tiny house/shelter facility for homeless persons to transition to permanent housing.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

TERMS AND CONDITIONS

1. Purpose. The purpose of this Agreement is to provide funding to VALEO to enable VALEO to establish, operate, and maintain a tiny house/shelter facility in Olympia, Washington, to be known as "Calyx@Franz Anderson."

VALEO will work with residents of the tiny house/shelter facility to ensure they obtain the services necessary to enable each resident to transition to permanent housing within a reasonable period of time.

2. Term/Termination. The term of this Agreement commences on the effective date and continues until June 30, 2027, unless otherwise terminated as provided in this Agreement. Prior to the expiration of the Term, this Agreement for funding may be terminated by the City, with or without cause, upon 60 days' written notice to VALEO. Once termination notice has been provided, the City will only be responsible for funding the work that is in progress as of the date of the termination notice and can be completed prior to the date of termination.

3. Location of the Site. VALEO shall staff a tiny house/shelter facility located upon City owned property that has been leased to VALEO, and is commonly located at 528 Franz Anderson Road, Olympia, Thurston County, Washington, the exact location of which is legally described on the attached **Exhibit A,** and called "Calyx@Franz Anderson" or "Village." The site area is approximately 1.48 acres (64,448 square feet) more or less.

4. Structures on the Site. Any significant changes to the site must be approved by the City prior to commencement of any change or modification. The addition of buildings (residential and community buildings) are allowable upon mutual written agreement by VALEO and the City in accordance with the Emergency Housing Permit recommendations. Calyx@Franz Anderson may consist of:

- Tiny house/shelter for approximately 60 persons
  - Each tiny house/shelter is equipped with electrical power, windows, locking door
  - Furniture (bed)
  - Necessary fixtures (heat, lighting)
- On-site staff to monitor security 24/7
- 2 Resident Common Areas, which shall include:
  - Case Management Office
  - One community area
- 2 Hygiene Trailers, consisting of
  - 6 showers- 2 ADA
  - 8 toilets – 2 ADA

- Laundry facilities
- 1 Eating area:
    - Equipped with certain kitchen appliances, e.g., microwaves, refrigeration
- Fencing capable of locking the surrounding perimeter of two main areas
    - Six feet high chain link

5. Funding. VALEO shall operate the tiny house/shelter facility as outlined in the Scope of Operations in attached **Exhibit B,** in exchange for reimbursement funding not to exceed the total amount set forth in subparagraph 5.1 and the attached **Exhibit C**.

5.1 Total Funding. The City shall fund VALEO in an amount not to exceed ONE MILLION THREE HUNDRED FOURTEEN THOUSAND THREE HUNDRED AND EIGHTY EIGHT DOLLARS AND NO/100 CENTS ($1,314,388.00) as provided in this Agreement.

5.2 Method of Funding. Funding by the City will be provided on a reimbursement basis only with proper receipts for items purchased or staff employed, accompanying a properly completed invoice, the requirements of which are outlined in the attached **Exhibit D,** Invoice Requirements. A spreadsheet to assist VALEO in tracking and submitting invoices is included as **Exhibit D-1, attached**. **In the event VALEO fails to submit an invoice that includes proper documentation to the City within 60 days from the end of the month in which the expense is incurred, VALEO forfeits any right to reimbursement for that expense.**

5.3 VALEO Responsible for Taxes. VALEO is solely responsible for the payment of, and shall pay, any taxes imposed by any lawful jurisdiction as a result of VALEO's activities under this Agreement.

6. Compliance with Laws. In using the funding authorized under this Agreement, VALEO shall comply with any and all applicable federal, state, and City laws including all City codes, ordinances, resolutions, standards and policies, as existing on the effective date or later adopted or amended.

7. Assurances. VALEO affirms that it has the requisite training, skill, and experience necessary to establish, manage, and operate Calyx@Franz Anderson for the purposes stated in this Agreement in a manner that will ensure the stability, safety, and health of residents and that will promote safety in the community. This includes necessary skill and training in accounting matters so that expenses are tracked, and invoicing is properly and timely provided to the City for reimbursement. VALEO further affirms that any employees, officers, officials, and volunteers are appropriately trained, accredited, and licensed by any and all applicable agencies and governmental entities, including being licensed to do business in the state of Washington and within the City of Olympia.

8. Independent Contractor/Conflict of Interest. It is the intent and understanding of the Parties that VALEO is operating independently from the City and the City is neither liable nor obligated to pay any VALEO employee any benefits provided to City employees, such as sick leave, vacation pay, or any other benefit of employment, nor to pay any social security or other

employment related tax. VALEO shall pay all income and other taxes due for VALEO employees. Industrial or any other insurance that is purchased for the benefit of the City, regardless of whether such may provide a secondary or incidental benefit to VALEO, may not be deemed to convert this Agreement to an employment contract. Even though funding for this Agreement may include reimbursement for certain VALEO staff and benefits, VALEO employees may not be considered employees of the City.

9. Equal Opportunity Employer.

9.1 In all VALEO services, programs, or activities, and all hiring and employment made possible by or resulting from this Agreement, VALEO and VALEO's employees, agents, subcontractors, and representatives shall not unlawfully discriminate against any person based on any legally protected class status, including sex, age (except minimum age and retirement provisions), race, color, religion, creed, national origin, marital status, veteran status, sexual orientation, gender identity, genetic information, or the presence of any disability, including sensory, mental or physical disabilities; provided, however, that the prohibition against discrimination in employment because of disability does not apply if the particular disability prevents the performance of the essential functions required of the position.

This requirement applies, but is not limited to, the following: employment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. VALEO shall not violate any of the terms of Chapter 49.60 RCW, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973 or any other applicable federal, state, or local law or regulation regarding nondiscrimination. Any material violation of this provision is grounds for termination of this Agreement by the City and, in the case of VALEO's breach, may result in ineligibility for further City agreements.

9.2 In the event of VALEO's noncompliance or refusal to comply with the above nondiscrimination requirement, this Agreement may be rescinded, canceled, or terminated in whole or in part, and VALEO may be declared ineligible for further agreements or contracts with the City. The City shall, however, give VALEO a reasonable time in which to correct this noncompliance.

9.3 To assist the City in determining compliance with the foregoing nondiscrimination requirements, VALEO must sign, and is bound by, the *Statement of Compliance with Nondiscrimination* and *Equal Benefits Declaration* attached as **Exhibit E**.

10. Responsibilities for Communication. VALEO shall operate Calyx@ Franz Anderson in a manner consistent with the accepted practices for other similar tiny house/shelter facilities, being particularly mindful of the surrounding neighborhood in which Calyx@Franz Anderson is sited and its proximity to schools and businesses. VALEO shall:

- Host ongoing community meetings to share information, hear concerns, and answer questions about Calyx@Franz Anderson, its development and operations.

- Organize meetings made up of neighborhood stakeholders, faith-based organizations, service providers, and businesses, which will provide ongoing advisory input to the Village that meets at least four times a year. VALEO shall invite the City's homeless response coordinator to attend all stakeholder meetings.
- Engage with interested parties through presentations and educational tools.
- Publicize telephone numbers, email addresses, and staff contacts for any community member seeking to contact the Village or VALEO staff, and VALEO shall respond promptly.
- Coordinate tours, as needed, in a manner that is respectful of resident privacy and dignity.
- Respond promptly to any request for documentation relating to the establishment or operations of Calyx@Franz Anderson or its communications.

11. Indemnification/Insurance.

11.1 Indemnification / Hold Harmless. VALEO shall defend, indemnify, and hold the City, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses, or suits including attorneys' fees, arising out of or resulting from the acts, errors, or omissions of VALEO in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

The City shall defend, indemnify, and hold VALEO, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses, or suits including attorneys' fees, arising out of or resulting from the acts, errors, or omissions of the City in performance of this Agreement, except for injuries and damages caused by the sole negligence of VALEO.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of VALEO and the City, its officers, officials, employees, and volunteers, VALEO's liability hereunder is only to the extent of VALEO's negligence. It is further specifically and expressly understood that the indemnification provided in this Agreement constitutes VALEO 's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section survive the expiration or termination of this Agreement.

11.2 Insurance Term. VALEO shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work under this Agreement by VALEO, its agents, representatives, or employees.

11.3 No Limitation. VALEO's maintenance of insurance as required by the Agreement may not be construed to limit the liability of VALEO to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

11.4 Minimum Scope of Insurance. VALEO shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired, and leased vehicles. Coverage must be at least as broad as ISO occurrence form (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.

2. Commercial General Liability insurance must be at least as broad as ISO occurrence form CG 00 01 and must cover liability arising from premises, operations, independent contractors, stop gap liability, personal injury, and advertising injury. The City must be named as an additional insured under VALEO's Commercial General Liability insurance policy with respect to the work performed as a part of this Agreement using an additional insured endorsement at least as broad as ISO CG 20 26.

3. Tenant Discrimination insurance coverage. The City shall be named as an additional insured under VALEO's Tenant Discrimination insurance policy/coverage with respect to the work performed as a part of this Agreement using an additional insured endorsement at least as broad as ISO CG 20 26, or as otherwise reasonably is similar.

4. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

5. Professional Liability insurance appropriate to VALEO's profession.

11.5 Minimum Amounts of Insurance. VALEO shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident.

2. Commercial General Liability insurance must be written with limits no less than $1,000,000 each occurrence, $3,000,000 general aggregate, with excess or umbrella coverage in the sum of $10,000,000.

3. Tenant Discrimination insurance must be written with limits no less than $1,000,000 each occurrence, $2,000,000 general aggregate, with excess or umbrella coverage in the sum of $10,000,000.

4. Professional Liability insurance must be written with limits no less than $1,000,000 per claim and $1,000,000 policy aggregate limit.

11.6 Other Insurance Provisions. VALEO's Automobile Liability, Commercial General Liability, and Tenant Discrimination insurance policies are to contain, or be endorsed to contain, that they are primary insurance with respect to the City. Any insurance, self-insurance,

or insurance pool coverage maintained by the City is excess of VALEO's insurance and does not contribute with it.

11.7 Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

11.8 Verification of Coverage. VALEO shall furnish the City with original certificates and a copy of the amendatory endorsements, including the additional insured endorsement, evidencing the insurance requirements of VALEO before commencement of the work.

11.9 Notice of Cancellation. VALEO shall provide the City with written notice of any policy cancellation, within two business days of VALEO's receipt of such notice.

11.10 Failure to Maintain Insurance. Failure on the part of VALEO to maintain the insurance as required is a material breach of this Agreement, upon which the City may, after giving five business days' written notice to VALEO to correct the breach, immediately terminate the Agreement or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due VALEO from the City.

11.11 City's Full Access to VALEO's Limits. If VALEO maintains higher insurance limits than the minimums shown above, the City is insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by VALEO, irrespective of whether such limits maintained by VALEO are greater than those required by this Agreement, or any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by VALEO.

12. City Contributions to Preparation of the Site. The City will contribute to the preparation of the Site only as specifically outlined in the attached **Exhibit B**, which exhibit includes an overall site plan and layout of facilities and tiny houses/shelters.

13. Treatment of Assets.

13.1 Title to all nonexpendable personal property and buildings purchased by VALEO, the cost of which VALEO has been reimbursed as a direct item of cost under this Agreement, will pass to and vest in the City at the conclusion of this Agreement.

13.2 Nonexpendable personal property purchased by VALEO under this Agreement in which title will be vested in the City at the end of the Agreement may not be rented, loaned, or otherwise passed to any person, partnership, corporation/association, or organization without the prior express written approval of the City or its authorized representative, and such property will, unless otherwise provided in this Agreement or approved by the City or its authorized representative, be used only for the performance of this Agreement.

13.3 As a condition precedent to reimbursement for the purchase of nonexpendable personal property, title to which will vest in the City, VALEO shall execute such security

agreements and other documents as are necessary for the City to perfect its interest in such property in accordance with the "Uniform Commercial Code--Secured Transactions" as codified in Article 9 of Title 62A, the Revised Code of Washington.

13.4 VALEO is responsible for any loss or damage to the property of the City, including expenses entered thereunto which results from negligence, willful misconduct, or lack of good faith on the part of VALEO, or which results from the failure on the part of VALEO to maintain and administer in accordance with sound management practices that property, to ensure that the property will be returned to the City in like condition to that in which it was furnished or purchased, fair wear and tear excepted.

13.5 Upon the happening of loss or destruction of, or damage to, any City property, VALEO shall notify the City or its authorized representative and shall take all reasonable steps to protect that property from further damage.

13.6 VALEO shall surrender to the City all property of the City within 30 days after termination or completion of this Agreement unless otherwise mutually agreed upon by the parties.

14. Books and Records/Public Records. VALEO shall maintain books, records, and documents which sufficiently and properly reflect the funding provided by the City for the establishment and operation of Calyx@Franz Anderson, as well as direct and indirect costs, related to the performance of this Agreement. In addition, VALEO shall maintain such accounting procedures and practices as may be deemed necessary by the City to assure proper accounting of all funds paid pursuant to this Agreement. All VALEO records related in any way to this Agreement are subject, at all reasonable times, to inspection, review, copying, or audit by the City, its authorized representative, the State Auditor, or other governmental officials authorized by law to monitor this Agreement.

A record owned, used, or retained by the City is a “public record” pursuant to RCW 42.56.010, and is subject to disclosure upon request under Washington’s Public Records Act, even if such record is in VALEO’s sole possession. Should the City request, in writing, that VALEO provide the City with a record that the City, in its sole discretion, deems to be a public record, so that it may be produced in response to a public records request, and should VALEO fail to provide such record to the City within 10 days of the City’s request for such record, VALEO shall indemnify, defend, and hold the City harmless for any public records judgment, including costs and reasonable attorney’s fees, against the City involving such withheld record.

15. Non-Appropriation of Funds. If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will not be obligated to continue the Agreement after the end of the current fiscal period, and this Agreement will automatically terminate upon the completion of all remaining operations for which funds are allocated. No penalty or expense accrues to the City in the event this provision applies.

16. Contract Manager. For routine issues of contract management, such as insurance, invoices, and issues related to this Agreement, please contact:

City Contract Manager:
Kim Kondrat, Homeless Response Manager
City of Olympia
601 4th Avenue E
P.O. Box 1967
Olympia, WA 98507-1967
Office: (360)
Cell: (360) 742-6448
Email: kkondrat@ci.olympia.wa.us

With a copy to:
Will Crites-Krumm, Homeless Program Specialist
City of Olympia
601 4th Ave E
P.O. Box 1967
Olympia WA 98507-1967
Email: wcrites@ci.olympia.wa.us

VALEO Contract Manager:
Sherri Jensen
Chief Executive Officer
VALEO Vocation
603 S 13th Street
PO Box 5907
Tacoma WA 98415
Office: 253.301.2134
Cell: 253.691.2846
Email: sherri@VALEOvocation.org

17. General Provisions.

17.1 Entire Agreement. This Agreement contains all of the terms, conditions, and agreements of the Parties with respect to any matter covered or mentioned in this Agreement and no prior agreements is effective for any purpose. The Parties do not intend to confer any benefit under this Agreement to any person, firm, or corporation other than the immediate Parties.

17.2 Modification or amendment, waivers. No amendment, change, or modification of this Agreement is valid unless in writing and signed by all of the Parties. No waiver of any breach of any covenant or provision in this Agreement may be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision in this Agreement. No extension of time for performance of any obligation or act may be deemed an extension of the time for performance of any other obligation or act.

17.3 Full Force and Effect; Severability. Any provision of this Agreement that is declared invalid or illegal in no way affects or invalidates any other provision and such other provisions remains in full force and effect. Further, if it should appear that any provision of this Agreement is in conflict with any Washington state statute, the provision that appears to conflict therewith must be deemed inoperative and null and void, insofar as it may be in conflict therewith, and must be deemed modified to conform to such statutory provision.

17.4 Assignment. Neither VALEO nor the City may transfer or assign, in whole or in part, any or all of its obligations and rights under this Agreement without the prior written consent of the other Party.

1. If VALEO wants to assign this Agreement or subcontract any of its work under this Agreement, VALEO shall submit a written request to the City for approval not less than 30 days prior to the commencement date of any proposed assignment or subcontract.

2. VALEO shall ensure that any work or services assigned or subcontracted for under this Agreement is subject to each provision of this Agreement.

3. Any technical/professional service subcontract not listed in this Agreement, which is to be charged to this Agreement, must have prior written approval by the City.

4. The City may inspect any assignment or subcontract document.

17.5 Successors in Interest. Subject to Subsection 17.4, the rights and obligations of the Parties inure to the benefit of and are binding upon their respective successors in interest, heirs, legal representatives, and assigns, if applicable.

17.6 Attorneys' Fees. In the event either of the Parties defaults on the performance of any term of this Agreement or either Party places the enforcement of this Agreement in the hands of an attorney, or files a lawsuit, the prevailing party is entitled to its reasonable attorneys' fees, costs, and expenses to be paid by the other Party.

17.7 No Waiver. Failure or delay of the City to declare any breach or default immediately upon occurrence does not waive such breach or default. Failure of the City to declare one breach or default does not act as a waiver of the City's right to declare another breach or default.

17.8 Governing Law and Venue. This Agreement is made in Washington and is governed by and must be interpreted in accordance with the laws of the State of Washington. Any lawsuit related to or arising out of this Agreement may be brought and maintained only in Thurston County Superior Court of the State of Washington.

17.9 Authority. Each individual executing this Agreement on behalf of the City and VALEO represents and warrants that such individual is duly authorized to execute and deliver this Agreement on behalf of VALEO or the City, respectively.

17.10 Notices. Any notices required to be given by the Parties under this Agreement must be delivered at the addresses set forth in Paragraph 16 above. Any notices may be delivered personally to the addressee of the notice or may be deposited in the United States mail, postage prepaid, to the address set forth in Paragraph 16. Any notice so posted in the United States mail must be deemed received five days after the date of mailing. If such notice is delivered personally, it must be deemed given at the time of such delivery. If such Notice is delivered by Federal Express, UPS, USPS, or other overnight delivery service of recognized standing, such notice must be deemed given 48 hours after the deposit thereof with such delivery service.

17.11 Captions. The respective captions of the paragraphs and subsections of this Agreement are inserted for convenience of reference only and may not be deemed to modify or otherwise affect any of the provisions of this Agreement.

17.12 Performance. Time is of the essence in performance of this Agreement and each and all of its provisions in which performance is a factor. Adherence to completion dates set forth in the description of the establishment or operations is essential to VALEO's performance of this Agreement.

17.13 Remedies Cumulative. Any remedies provided for under this Agreement are not intended to be exclusive but are cumulative with all other remedies available to the City or VALEO at law, in equity, or by statute.

17.14 Counterparts. This Agreement may be executed in any number of counterparts, which counterparts collectively constitute the entire Agreement. Further, this Agreement may be executed by a facsimile signature or an electronically signed or digital signature where permitted by law and must be deemed to be an original signature for all purposes. All executed counterparts of this Agreement must be deemed to be originals, but such counterparts, when taken together, constitute one and the same Agreement.

17.15 Equal Opportunity to Draft. The Parties have participated and had an equal opportunity to participate in the drafting of this Agreement and the attached Exhibits. No ambiguity may be construed against any Party upon a claim that a Party drafted the ambiguous language, but this Agreement must be construed as if prepared by both Parties.

17.16 Ratification. Any work performed in 2025 prior to the effective date of this Agreement, and that falls within the scope of this Agreement and is consistent with its terms, is hereby ratified and confirmed.

17.17 Certification Regarding Debarment, Suspension, and Other Responsibility Matters.

1. By signing the agreement below, VALEO certifies to the best of its knowledge and belief, that it and its principals:

a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;

b. Have not within a three-year period preceding the effective date been convicted of or had a civil judgment rendered against them for commission or fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

c. Are not as of the effective date indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph 1.b. of this certification; and

d. Have not within a three year period preceding this application/proposal had one or more public transactions (federal, state, or local) terminated for cause or default.

2. Where VALEO is unable to certify to any of the statements in this certification, VALEO shall attach an explanation to this Agreement.

17.18 Early Retirement from the State of Washington - Certification. By signing this form, VALEO certifies that no one being directly compensated for their services pursuant to this Agreement has retired from the Washington State Retirement System using the 2008 Early Retirement Factors with restrictions on returning to work.

17.19 Force majeure. Performance by VALEO or the City of its obligations under this Agreement will be extended by the period of delay caused by force majeure. Force majeure is war, natural catastrophe, strikes, walkouts or other labor industrial disturbance, order of any government, court or regulatory body having jurisdiction, shortages, blockade, embargo, riot, civil disorder, or any similar cause beyond the reasonable control of the Party who is obligated to render performance (but excluding financial inability to perform, however caused).

SIGNATURES ON FOLLOWING PAGE

CITY OF OLYMPIA,
a Washington municipal corporation

By:_____
Steven J. Burney, City Manager

Date:_____

APPROVED AS TO FORM:

Michael M. Young
Senior Deputy City Attorney

VALEO VOCATION
a Washington non-profit corporation

By: Sherri Jensen
Sherri Jensen, Chief Executive Officer

Date: 06/17/2026

Exhibit "A"
Property Legal Description

PARCEL A:

TRACT 10 AND THAT PORTION OF TRACT 11 OF COLLEGE CITY BERRY TRACTS, AS RECORDED IN VOLUME 9 OF PLATS, PAGE 7, LYING NORTHWESTERLY OF PRIMARY STATE HIGHWAY NO. 1, EXCEPTING THEREFROM THOSE PORTIONS CONVEYED TO THE STATE OF WASHINGTON BY DEEDS RECORDED JANUARY 15, 1957, UNDER AUDITOR'S FILE NO. 580057, JANUARY 24, 1957, UNDER AUDITOR'S FILE NO. 580325 AND JULY 3, 1985 UNDER AUDITOR'S FILE NO. 8507030084.

SITUATE IN THURSTON COUNTY, WASHINGTON.

SUBJECT TO EASEMENTS, RESERVATIONS, AND RESTRICTIONS OF RECORD.

Exhibit "B"
SCOPE OF WORK

I. Overview

Founded in Tacoma, WA in 2018, VALEO Vocation is a 501(c)3 workforce development organization that leverages a social enterprise business model to create impact in the community and change the lives of its most vulnerable citizens. VALEO provides dignified, paying transitional jobs, direct employer matches and integral support services that allow people experiencing significant employment barriers to build a better life and exit homelessness. VALEO has been lead operator and/or responsible for shelter staffing for twelve emergency shelters since 2020 and has coordinated with the City of Olympia on the Journey- to-Jobs program. VALEO managed and operated the Plum Street Village from January 1, 2024 to December 31, 2025, and has managed and operated the Franz Anderson Village since July 1, 2025. Their employment-focused program have been successful in both villages, providing income and purpose to the people staying at those shelters and setting the groundwork for fuller reintegration into the community.

II. Community Engagement

- Host at least four community meetings annually to share information, hear concerns, and answer questions about Calyx@Franz Anderson operations. VALEO shall invite the City's Homeless Response Coordinator to participate in each meeting.

- Engage with interested parties through presentations and educational tools.

- Publicize telephone numbers, email addresses, and staff contacts for any community member seeking to contact the village or VALEO staff, and VALEO shall respond promptly.

- Respond promptly to any citizen request for documentation relating to the rules, regulation or operations of Calyx@Franz Anderson or its communications.

III. Site Changes

- Changes to the site must be approved by the City of Olympia prior to commencement of any changes.

IV. Operations and Security Plan

VALEO shall:

- VALEO Staff Oversight and Support: Hire, onboard, and support staff with an onsite supervisor and oversight from VALEO.

- Security: Ensure a secure site with a closed perimeter, monitored entrance, and secure facilities. VALEO shall coordinate installation and maintenance of security cameras and will manage security camera footage.

- Site Management: Work with residents to ensure cleanliness and adherence to a Code

of Conduct/Community Agreements developed by VALEO, in partnership with the residents, that is consistent with community expectations and the expectations of the City of Olympia. VALEO shall conduct regular unit inspections to test smoke/carbon monoxide detectors and adherence to Code of Conduct/Community Agreements. VALEO shall develop staff processes for grievances and appeals for expulsions from the site. VALEO shall develop formal behavioral agreements that provide clarity regarding requirements for continuation or restoration of services. VALEO should ensure that a minimum of 6 ft clearance on all pathways at all times for emergency response personnel unless otherwise directed by Building Official and/or Olympia Fire Department.

- Village Resident Community: Work with residents to foster harmony and collaboration within the Village.

- Programming: Operate an employment program, which will be voluntary for residents to participate. Drug use is not allowed at the site. Urinalysis will take place under the voluntary work program.

- Pets: Valeo will allow residents staying at the site before July 2, 2025, to keep their pets, even though beyond the allowable maximum for new intakes.

- Maintenance: Maintain site facilities and address the required maintenance tasks as needed.

- 24/7 Communication: Ensure that VALEO staff are available around the clock to answer questions and communicate with emergency services.

- Intakes: Work effectively with the City and referring service providers on the intake of new residents to the program.

- Manage Donations: Manage donations and storage of donated supplies within the Village.

- Develop an emergency management plan addressing weather, fire, and security issues.

- Ensure engagement and compliance with Thurston County Housing Information Management System. Ensure clients are entered into the HMIS system and Coordinated Entry. Track intakes, exits, and progress with HMIS reporting procedures provided by Thurston County. Maintain records of individuals served, service provided, outreach activities conducted, surveys completed and other reporting as requested by City of Olympia and submit reports monthly with invoices to the City of Olympia.

- Monitor and comply with Thurston County Health guidelines and other health and safety protocols and practices.

Any use and placement of heaters, shared cooking or other propane or electric heating appliances must be approved by the Olympia Fire Department and is otherwise prohibited.

- Report any predatory or illegal behavior to law enforcement (drug dealing, sex trafficking, other illegal activities). VALEO staff are not expected to personally engage in attempting to stop such behavior.

- Document visitors, incidents, violations of site rules or Code of Conduct, emergency calls to Olympia Fire or Police Departments.

V. Case Management

- Staff Oversight & Support: Hire, onboard, and support case management staff with VALEO's experienced case management supervisory team.

- Comprehensive Case Management: Case Management includes Housing Case Management. Case Managers will help refer residents to transitional and permanent housing using vouchers, Section 8, Social Security, public assistance, earned income and income support. Case managers will work with any resident desiring to access case management services to develop a strengths-based, participant-led goal plan and to attain self-identified goals, including, but not limited to: available shelter and housing resources; completion of Coordinated Entry/HEAT and other housing/shelter assessments; obtaining phones and identification documents; obtaining identification, birth certificates, social security cards; obtaining basic survival and harm reduction supplies; transportation; behavioral health, medical, substance use and harm reduction services ; domestic violence support services ; vehicle repairs; obtaining income through ABD/SSI/SSDI/TANF/WIC/EBT and/or employment; legal support and advocacy; relocation and family reconnection;

- Assist residents in filling out necessary paperwork and help each resident through the process requirements to obtain any assistance applicable to the individual resident's situation, including a Coordinated Entry intake.

- Education & Health Service Coordination: Connect clients with agencies that improve health and education outcomes and help them through any process requirements to obtain necessary services.

- Data Management: Track intakes, exits, and progress with HMIS reporting procedures.

- Intake Coordination: Coordinate with referring agencies for successful program outcomes.

VI. Maintenance and Repairs of Site: Conduct assessments and perform required maintenance and repair tasks as needed. VALEO is responsible for ensuring compliance with all laws applicable to public works and maintenance. VALEO must verify all filing requirements with the Washington State Department of Labor & Industries (L&I) to ensure compliance.

- Maintenance and Public Works: VALEO will address routine maintenance tasks and repairs classified as a public work, ensuring all tasks meet L&I regulations. For public works, VALEO must follow

prevailing wage laws, public works laws, and obtain any required licenses before starting work. VALEO is responsible for verifying all necessary approvals from L&I. Subcontracting this work is allowed. VALEO is responsible for ensuring the contractor is not on the L&I debarred list. VALEO is also responsible for informing the subcontractor that the repairs are classified as a public work and ensuring that prevailing wages laws, public works laws, and all L&I regulations are followed by the subcontractor. Repairs must be approved by the City, except in cases of emergency repairs

- Filing Requirements: VALEO and its subcontractors must verify their obligation to submit certified payroll reports, Statements of Intent to Pay Prevailing Wages, and Affidavits of Wages Paid with L&I. These filings must be completed before work begins and upon completion of the project, as required by L&I.

- Prevailing Wage Rates: The applicable prevailing wage rates for this contract can be found at https://secure.lni.wa.gov/wagelookup/rates/journey-level-rates. Rates should be based on the publication date of January 1, 2026, and apply to Thurston County. VALEO must retain a copy of the prevailing wage rates, and the City will make a copy available for review upon request.

Invoices and Payment: Invoices submitted by VALEO must include the number of prevailing wage hours worked. No payments will be made by the City until all required filings have been submitted to and approved by L&I.

VII. Administrative

- Insurance: Maintain ample insurance coverage, as provided in the Funding Agreement, for the site and VALEO operations, naming the City of Olympia as an additional insured.

- Accounting: Document purchases, track finances, and bill accurately.

- Hiring: Manage all hiring and staffing needs.

    - VALEO will perform background screening, including national criminal history checks, on all hired staff and on volunteers and residents, per VALEO's insurance requirement, as deemed appropriate. No Convicted Arson charges or Registered Sex Offenders Levels 2 or 3 are allowed per VALEO's insurance requirement.

Exhibit "C"
2026-2027 BUDGET
Calyx@Franz Anderson

Personnel	743,172.00
Site Support	149,328.00
Program Support	290,449.20
Total	1,314,388.00

Additional Detail for Certain Types of Reimbursable Budget Items

Training: May include such trainings as CPR, First Aid, Bloodborne Pathogens, Food Handlers permitting/certification, use of NARCAN, overdose awareness and prevention, motivational interviewing, harm reduction and trauma-informed care, de-escalation and crisis response, domestic and sexual violence, suicide awareness and prevention, boundaries and vicarious trauma, compassion fatigue anti-discrimination, anti-racism/DEI, HMIS, Ragic, case management, general management, participant-led/strengths-based services, working with people who use drugs and people who recognize behavioral health challenges and other trainings relevant to homeless services and Evidenced-Based and Promising Practices. etc. Conferences and workshops may relate to homelessness or affordable housing. Training for villagers on self-governance, dispute resolution, domestic violence, financial literacy, anger management or any of the additional trainings listed above that may be relevant to building villagers' skills and abilities to meet their needs and improve their health, stability, safety, well-being and ability to positively engage and build relationships with the broader community.
Mileage: Staff trips include attending meetings and trainings, purchasing supplies, working with residents and getting them to appointments, etc.

Administration Fee: This covers items such as human resources, hiring and advertising, management, supervision, administration, program support, fundraising, volunteer coordination, etc.

NOTE: Payroll and other supporting documentation is required to accompany requests for administration reimbursement. There will be no reimbursement for items that do not have appropriate supporting documentation.

EXHIBIT D
INVOICE REQUIREMENTS

Each monthly invoice must be submitted by email by the 15th of next month and must include:

1. A primary contact for VALEO invoice questions who will respond to the City within 24 hours regarding any invoice question.

2. A spreadsheet furnished by the City of Olympia will be required to be filled out monthly that includes (See **Exhibit D-1**):

- The billing period
- Total invoice amount
- A total for the invoice period
- The remaining budget available for the contract term

3. Supplemental documentation (receipts that support staffing expenditures and other expenses).

4. Any cost not included in the contract budget, or beyond the monthly budget amount, must be pre-approved by email in order to ensure payment.

5. A monthly progress report that includes total number of guests, length of stay, exits for behavioral (or other) reasons, exits into permanent housing.

6. Invoices must be emailed to these City email addresses:

Kim Kondrat, Homeless Response
Manager
City of Olympia
601 4th Avenue E
P.O. Box 1967
Olympia WA 98507-1967
Office: 360.753.8235
Cell: 360.742.6448
Email: kkondrat@ci.olympia.wa.us

Will Crites-Krumm, Homeless Response
Program Specialist
City of Olympia
601 4th Avenue E
P.O. Box 1967
Olympia WA 98507-1967
Email: wcrites@ci.olympia.wa.us

City Responsibilities:

1. Payment will be made on a monthly basis, within 30 days after receipt of an invoice.

2. City Contract Manager will inform VALEO of any need for additional documentation or disputed costs in writing.

Exhibit D-1
Monthly Invoice

Invoice No.		Bill Period:	
BILL FROM VENDOR OR CLAIMANT		**BILL TO AGENCY**	
VALEO Vocation		**City of Olympia**	
605 S. 13th Street		**PO Box 1967**	
Tacoma, WA 98415		**Olympia, WA 98507-1967**	

REIMBURSEMENT REQUEST

Budget Line Items	Budget	Prior Period Expenses to Date	Report Period Request	Line Item Balance
Personnel	$743,172.00		$ -	
Site Support	$149,328.00		$ -	
Program Support	$290,449.20		$ -	
Administration	$131,438.80		$ -	
Totals:	$1,314,388.00		#REF!	

New Contract Balance for Current Fiscal Year	$ 1,314,388.00	Reimbursement Requested	#REF!
Contract Description	Calyx @ Franz Anderson		
Contract Period:	7/1/2026-6/30/2027		

VENDOR CERTIFICATION	CITY CERTIFICATION
The individual signing this voucher below warrants they have the authority to do so as authorized on behalf of the entity identified in the Vendor/Claimant section. The individual signing below certifies under penalty of perjury that the terms and totals listed herein are proper charges for materials, merchandise, or services furnished per the City contract referenced above, and that all good furnished and/or services rendered have been provided without discrimination on the basis of age, sex, marital status, race, creed, color, national origin, handicap, religion, or Vietnam era or disabled veterans status.	I, the undersigned, do hereby certify under penalty of perjury, that the material furnished, the services rendered, or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the Claim is a just, due , and unpaid obligation against the City of Olympia, and that I am authorized and certify said Claim.
Signed by:	**Signed by:**
Printed Name / Title / Date Signed	Printed Name / Title / Date Signed

INSTRUCTIONS TO VENDOR OR CLAIMANT:

Submit this form to claim payment for materials, merchandise, and services. Invoice must be completely filled out, signed and emailed to: Kim Kondrat kkondrat@ci.olympia.wa.us 360-742-6448
Joshua Chaney jchaney@ci.olympia.wa.us 360-233-6509

Attach supporting documentation to this invoice as outlined in the contract.

Invoices must be submitted monthly and are due within 60 days from the end of the month in which expenses are incurred.

Failure to submit timely invoices will result in forfeiture of the rights to reimbursement for late expenses.

Exhibit "E"
STATEMENT OF COMPLIANCE WITH NONDISCRIMINATION REQUIREMENT AND EQUAL BENEFITS DECLARATION

The Olympia City Council mandates compliance with the City's *Nondiscrimination in Delivery of City Services or Resources* ordinance (OMC 1.24) and *Employee Benefits* ordinance (OMC 3.18) for all services provided by City employees or through contracts with other entities. All contract agencies or vendors and their employees must understand and fully carry out the City's nondiscrimination policy. Accordingly, each City agreement or contract for services contains language that requires an agency or vendor to agree that it shall not unlawfully discriminate against an employee or client based on any legally protected status. This includes but is not limited to: race, creed, religion, color, national origin, age, sex, marital status, veteran status, sexual orientation, gender identity, genetic information, or the presence of any disability and any other status protected from discrimination by state or federal law. Unlawful discrimination includes transphobic discrimination or harassment, including transgender exclusion policies or practices in employee benefits.

Listed below are methods to ensure that this policy is communicated to your employees, if applicable.

- Nondiscrimination provisions are posted on printed material with broad distribution (newsletters, brochures, etc.).
- Nondiscrimination provisions are posted on applications for service.
- Nondiscrimination provisions are posted on the agency's web site.
- Nondiscrimination provisions are included in human resource materials provided to job applicants and new employees.
- Nondiscrimination provisions are shared during meetings.

Failure to implement at least two of the measures specified above or to comply with the City of Olympia's nondiscrimination ordinance constitutes a breach of contract.

By signing this statement, I acknowledge compliance with the City of Olympia's Nondiscrimination ordinance by the use of at least two of the measures specified above.

If this contract is valued at $50,000 or more, I affirm that Consultant listed below complies with the City of Olympia Equal Benefits Ordinance (OMC 3.18) and shall, prior to contracting with the City, have policies in place prohibiting discrimination in the provision of employee benefits.

Should I operate as a sole proprietor, I agree not to discriminate against any client, or any future employees, based on any status protected from discrimination by state or federal law.

Sherri Jensen
Signature

06/17/2026
Date

Sherri Jensen
Printed Name of Signatory

Consultant Name

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

City Council

Approval of an Ordinance to Adopt Code Amendments Related to Olympia Municipal Code Chapters 15.04, 15.08, and 15.16 Related to Park Impact Fees

Agenda Date: 6/23/2026
Agenda Item Number: 4.J
File Number:26-0444

Type: ordinance **Version:** 1 **Status:** 2d Reading-Consent

Title
Approval of an Ordinance to Adopt Code Amendments Related to Olympia Municipal Code Chapters 15.04, 15.08, and 15.16 Related to Park Impact Fees

Recommended Action
Committee Recommendation:
The Finance Committee recommends approval of an ordinance amending the Olympia Municipal Code (OMC) chapters 15.04, 15.08, and 15.16 related to Park Impact Fees in compliance with State law.

City Manager Recommendation:
Move to approve on second reading an ordinance amending the OMC chapters 15.04, 15.08, and 15.16 related to Park Impact Fees in compliance with State law.

Report
Issue:
Whether approve on second reading, an ordinance amending the OMC chapters 15.04, 15.08, and 15.16 related to Park Impact Fees in compliance with State law.

Staff Contact:
Laura Keehan, Director of Parks Planning & Maintenance, Parks Arts and Recreation, 360.570.5855
Tammy LeDoux, Finance & Policy Coordinator, Parks, Arts and Recreation, 360.753.8053

Presenter(s):
None - Consent Calendar Item.

Background and Analysis:
Background and analysis has not changed from first to second reading.

The proposed changes to OMC Chapters 15.04, 15.08, and 15.16 are to update code sections related to the new park impact fee methodology approved by City Council on June 2, 2026. These

revisions address administrative updates and clarify existing language.

In 2023, the Washington State Legislature adopted Senate Bill 5258, amending RCW 82.02.060 to require park impact fee schedules to reflect the proportionate impact of different housing unit types. The law requires lower park impact fees for smaller housing units based on square footage, number of bedrooms, or trips generated. The City must adopt a compliant methodology within six months of adoption of the Comprehensive Plan, requiring implementation by June 30, 2026.

The City hired FCS Group to scale the current park impact fees to comply with this recent change in State law. The existing methodology determines fees by dwelling type; the proposed methodology shifts the basis of the fee calculation to the dwelling's square footage. An update of the fees is not included as a part of this study as this change is only to the methodology and is intended to be revenue neutral. The next park impact fee rate study will be completed in Fall 2028 after the next Parks Plan is adopted.

Climate Analysis:
Park impact fees pay for park facilities to serve new residential development at urban densities and infill, which is consistent with the City's Comprehensive Plan and is a key climate mitigation strategy.

Equity Analysis:
This new methodology is designed to fairly fund park infrastructure while reducing the cost burden on smaller-sized dwelling units, to support community needs and housing affordability. Also, dwelling units that meet low-income housing criteria are given an 80% discount on their park impact fees in Olympia.

Parks play an important role in the community as places that are free and accessible to the public for social connection and gathering, physical and mental health, and preservation and connection with nature.

Financial Impact:
None identified. The new park impact methodology and subsequent code changes are intended to be revenue neutral.

Neighborhood/Community Interests (if known):
Olympians have shown a strong level of community support for Parks, Arts and Recreation services, as demonstrated by two voted funding measures and strong participation in the development of the Parks Plan. The YES Olympia Parks Coalition was heavily involved in the formation of the Olympia Metropolitan Park District and members continue to take a strong interest in the parks system.

The Olympia Master Builders (OMB) and housing community may have interest in the changes in the code for park impact fees rates. Staff has informed the OMB about the proposed park impact fee methodology change.

Options:
1. Move to approve on second reading an ordinance amending the OMC chapters 15.04, 15.08, and 15.16 related to Park Impact Fees in compliance with State law.
2. Do not approve the proposed Ordinance to amend the Olympia Municipal Code relating to Park Impact Fees. Park Impact Fees would no longer be collected.

3. Take other action.

Attachments:
Ordinance

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON IMPLEMENTING THE REQUIREMENTS OF SENATE BILL 5258 FOR IMPACT FEES; AMENDING OLYMPIA MUNICIPAL CODE SECTIONS 15.04.020, 15.04.040, 15.08.010, AND 15.16.010, RELATING TO IMPACT FEES TO ENSURE CONSISTENCY WITH STATE LAW

WHEREAS, in 2023, the Washington State Legislature passed Senate Bill 5258, amending RCW 82.02.060(1) to require cities to set impact fees based on "the square footage, number bedrooms, or trips generated" in the housing unit in order to produce a proportionally lower impact fee for smaller housing units and that such proportional fees be in effect six months after the City's next periodic comprehensive plan update; and

WHEREAS, the changes adopted in SB 5258 necessitate updates to Olympia Municipal Code (OMC) to ensure consistency; and

WHEREAS, the City adopted the Comprehensive Plan update by Ordinance 7453 on December 16, 2025 and took effect on January 1, 2026; and

WHEREAS, the City Council determined at their Council meeting held on June 2, 2026, that the methodology to set park impact fee rates should be based on residential unit square footage; and

WHEREAS, this Ordinance is adopted pursuant to Article 11, Section 11, of the Washington Constitution;

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

Section 1. Amendment of OMC 15.04.020. Olympia Municipal Code Section 15.04.020 is hereby amended to read as follows:

15.04.020 Definitions

The following words and terms have the following meanings for the purposes of this title, unless the context clearly requires otherwise. Terms ~~otherwise~~ not defined ~~herein~~ in this section are defined pursuant to RCW 82.02.090 or given their usual and customary meaning.

A. "Accessory Dwelling Unit" means ~~a dwelling unit that has been added onto, created within, or separated from a single-family detached dwelling for use as a complete independent living unit with provisions for cooking, eating, sanitation, and sleeping~~a dwelling unit located on the same lot as a principal unit (as defined in OMC 18.02.180(P)). ADUs can be attached to, within, or detached from the principal unit.

B. "Building Permit" means an official document or certification which is issued by the Building Official and which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, demolition, moving, or repair of a building or structure.

C. "Capital Facilities" means the facilities or improvements included in a capital budget or capital facilities plan.

D. "Capital Facilities Plan" means the capital facilities plan element of a comprehensive plan adopted by the City of Olympia pursuant to chapter 36.70A RCW, and such plan as amended.

E. "City" means the City of Olympia.

F. "Council" means the City Council of the City of Olympia.

G. "Concurrent" or "Concurrency" means that the improvements are in place at the time the impacts of development occur, or that the necessary financial commitments are in place, which include the impact fees anticipated to be generated by the development, to complete the improvements necessary to meet the specified standards of service defined in the Parks Study, the Transportation Study, the Olympia School District Schools Study, and the North Thurston School District Capital Facilities Plan within 10 years of the time the impacts of development occur.

H. "Department" means the Department of Community Planning and Economic Development.

I. "Development Activity" means any construction, expansion, or change in the use of a building or structure that creates additional demand and need for public facilities.

J. "Development Approval" means any written authorization from the City of Olympia which authorizes the commencement of a development activity.

K. "Director" means the Director of the Department of Community Planning and Economic Development or the Director's designee.

L. "Downtown" means all properties located within the downtown area, which is currently bounded by: Budd Inlet on the north; Budd Inlet and Capitol Lake on the west; along 14th Avenue extending between Capitol Lake and Capitol Way, then east on 14th Avenue extending to Interstate 5 on the south; Eastside Street on the east; and along Olympia Avenue in a westerly direction reconnecting with the Budd Inlet on the north, including properties owned by the Port of Olympia, as shown in Figure 15-04-1.

M. "Dwelling Unit" means ~~a single unit providing complete and independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking, and sanitation needs~~a residential living unit that independently provides complete living facilities for one or more persons and that includes permanent provisions for living, sleeping, eating, cooking, and sanitation.

N. "Encumbered" means to reserve, set aside, or otherwise earmark the impact fees in order to pay for commitments, contractual obligations, or other liabilities incurred for public facilities.

O. "Feepayer" is a person, collection of persons, corporation, partnership, an incorporated association, or any other similar entity, or department or bureau of any governmental entity or municipal corporation commencing a land development activity which creates the demand for additional capital facilities, and which requires the issuance of a building permit. "Feepayer" includes an applicant for an impact fee credit.

P. "Gross Floor Area" or "GFA" means the total square footage of any building, structure, or use, including accessory uses.

Q. "Gross Leasable Area" or "GLA" means the total square footage of leasable space in any building, structure, or use, including accessory uses. This does not include common spaces like lobbies, elevator shafts, stairwells, etc.

R. "Hearing Examiner" means the Examiner who acts on behalf of the Council in considering and applying land use regulatory codes as provided under chapter 18.82 OMC. Where appropriate, "Hearing Examiner" also refers to the office of the hearing examiner.

S. "High Density Corridor" or "HDC" only includes HDC-1, HDC-2, HDC-3 land use zoning areas and has the same meaning as set forth in OMC 18.06.020(B)(10), (11), and (12).

T. "Impact fee" means a payment of money imposed by the City of Olympia on development activity pursuant to this title as a condition of granting development approval in order to pay for the public facilities needed to serve new growth and development. "Impact fee" does not include a reasonable permit fee, an application fee, the administrative fee for collecting and handling school impact fees, the cost of reviewing independent fee calculations, or the fee for deferring payment of impact fees.

U. "Impact Fee Account" or "Account" means the account(s) established for each type of public facility for which impact fees are collected. The Accounts are established pursuant to OMC 15.04.100 and OMC 15.04.110 and must comply with the requirements of RCW 82.02.070.

V. "Alternative and Independent Fee Calculation" means the park impact calculation, the school impact calculation, the transportation impact calculation, or economic documentation prepared by a feepayer, to support the assessment of an impact fee other than by the use of schedules in chapter 15.16 OMC, or the calculations prepared by the Director or the Olympia School District or the North Thurston School District where none of the fee categories or fee amounts in the schedules in chapter 15.16 OMC accurately describe or capture the impacts of the new development on public facilities.

W. "Interest" means the average interest rate earned by the City of Olympia, or the Olympia School District, or the North Thurston School District with respect to school fees, in the last fiscal year, if not otherwise defined.

X. "Interlocal Agreement" or "Agreement" means the school interlocal agreement by and between the City of Olympia and the Olympia School District and the school interlocal agreement by and between the City of Olympia and the North Thurston School District, as authorized in OMC 15.04.110 herein.

Y. "Living Space" means the total square footage of a ~~residential~~ dwelling unit, excluding garages and accessory structures.

~~Y~~Z. "Low-income housing" means housing for which the ~~with a~~ monthly housing expense of the occupant(s), ~~that~~ is no greater than thirty percent of eighty percent of the median family income, adjusted for family size, for ~~the county where the project is located~~Thurston County, as reported by the United States department of housing and urban development.

~~Z~~AA. "North Thurston School District" means the North Thurston School District No. 3.

~~AA~~BB. "North Thurston School District Capital Facilities Plan" means the North Thurston School District No. 3's capital facilities plan, as the same may be amended or updated.

~~BB~~CC. "Occupancy Permit" means the permit issued by the City of Olympia where a development activity results in a change in use of a pre-existing structure.

~~CC~~DD. "Olympia School District" means the Olympia School District No. 111, Thurston County, Washington.

~~DD~~EE. "Open Space" means for the purposes of this title undeveloped public land that is permanently protected from development (except for the development of trails or other passive public access or use).

~~EE~~FF. "Owner" means the owner of record of real property, or a person with an unrestricted written option to purchase property; provided that, if the real property is being purchased under a recorded real estate contract, the purchaser is considered the owner of the real property.

~~FF~~GG. "Parks" means parks, open space, and recreational facilities, including ball fields, golf courses, athletic fields, soccer fields, swimming pools, tennis courts, volleyball courts, neighborhood parks, community parks, special use parks, trails, and open space.

~~GG~~HH. "Parks Study" means the City of Olympia Park Impact Fee Study dated October 2022, and as amended.

~~HH~~II. "Planned Residential Development" or "PRD" has the same meaning as set forth in chapter 18.56 OMC.

~~II~~JJ. "Project Improvements" means site improvements and facilities that are planned and designed to provide service for a particular development or users of the project and are not system improvements. No improvement or facility included in a capital facilities plan adopted by the Council may be considered a project improvement.

~~JJ~~KK. "Proportionate share" means that portion of the cost of public facility improvements and facilities that are reasonably related to the service demands and needs of new development. The proportionate share will be calculated by the methods required by RCW 82.02.060, and as set forth in the Park Rate Study.

~~JJ~~LL. "Public Facilities" means the following capital facilities owned or operated by the City of Olympia or other governmental entities: (1) publicly owned parks, open space, and recreational facilities; (2) public streets and roads; and (3) public school facilities.

~~KK~~MM. "Residential" or "Residential Development" means all types of construction intended for human habitation. This includes single-family, duplex, triplex, and other multifamily development.

~~LL~~NN. "Olympia School District Schools Study" means the "Olympia School District - Rate Study for Impact Fees for School Facilities, 1994," and as amended.

~~MM~~OO. "Senior Housing Development" means a residential development of 10 units or more that is occupied exclusively by residents 55 years of age or older. In order to qualify for the "Senior Development" impact fee rate, a restrictive covenant is required to be placed on the deed limiting the development to residents 55 years of age or older.

~~NN~~PP. "Single Room Occupancy ~~Dwelling~~Unit" means a housing type consisting of one room, with private or shared bathroom facilities and cooking facilities that are either in the room or shared.

~~OO~~QQ. "Square Footage" means the square footage of the gross floor area of the development.

~~PP~~RR. "State" means the State of Washington.

~~QQ~~SS. "System Improvement" means a public facility that is included in the City of Olympia's capital facilities plan, the Olympia School Study, or the North Thurston School District Capital Facilities Plan and that ~~are~~ is

designed to provide service to service areas within the community at large, in contrast to project improvements.

~~RR~~TT. "Transportation Study" means the City of Olympia Multimodal Transportation Impact Fee Rate Study dated October 2020, and as amended.

Section 2. Amendment of OMC 15.04.040. Olympia Municipal Code Section 15.04.040 is hereby amended to read as follows:

15.04.040 Assessment of impact fees

A. The City shall impose and collect impact fees, based on the schedules in chapter 15.16 OMC, or an alternate fee calculation as provided for in OMC 15.04.050, and the applicable interlocal agreements pursuant to OMC 15.04.110, from any applicant seeking development approval from the City for any development activity within the City, where such development activity requires the issuance of a building or occupancy permit. This includes the development of residential, commercial, retail, office, and industrial land, and includes the expansion of existing uses that creates a demand for additional public facilities, as well as a change in existing use that creates a demand for additional public facilities. Per RCW 36.70A, for each category of impact fees, the impact fees imposed on Accessory Dwelling Units may not exceed 50 percent of those assessed for a single-family residence or principal unit on the same lot.

B. The Director shall determine whether a particular development activity is subject to impact fees under this chapter. The Director shall make such determination in writing and such determination is subject to appeal under the procedures set forth in OMC 18.70.170.

C. The following development activities are not subject to some or all impact fees:

1. Alteration of an existing nonresidential structure that does not expand the usable space or add any residential units is not subject to transportation, park, or school impact fees.

2. Miscellaneous improvement, including fences, walls, swimming pools, mining, dredging, filling, grading, paving, excavation or drilling operations, and signs is not subject to transportation, park, or school impact fees.

3. Demolition or moving of a structure is not subject to transportation, park, or school impact fees.

4. Expansion of an existing structure that results in the addition of 120 square feet or less of gross floor area, or in the case of park impact fee calculation, living space, is not subject to transportation, park, or school impact fees.

5. Replacement of a structure with a new structure of the same size and use at the same site or lot when such replacement occurs within 72 months of the demolition or destruction of the prior structure is not subject to transportation, park, or school impact fees. Replacement of a structure with a new structure of the same size must be interpreted to include any structure for which the gross square footage of the building will not be increased by more than 120 square feet. However, any additional residential unit that is created in the replacement is subject to park, transportation, and school impact fees, and any additional gross floor area greater than 120 square feet added in the replacement is subject to transportation impact fees.

6. The creation of an accessory dwelling unit is not subject to school impact fees.

7. A single room occupancy dwelling is not subject to school impact fees.

8. A change in use where the increase in trip generation is less than the threshold stated in OMC 15.04.040(E) is not subject to transportation impact fees.

9. Expansion of an existing residential structure that does not increase the number of residential units is not subject to school impact fees.

D. Applicants seeking development approval from the City for residential developments where the property is located outside the boundaries of the Olympia School District are not required to pay the school impact fee set forth in OMC 15.16.030. Applicants seeking development approval from the City for residential developments where the property is located outside the boundaries of the North Thurston School District are not required to pay the school impact fee set forth in OMC 15.16.030.

E. Where a change in use triggers review under the State Environmental Policy Act or increases the trip generation by more than five percent or 10 peak hour person trips, whichever is less, the Director shall calculate a transportation impact fee based on the increases in the trip generation rate.

F. The Director shall assess impact fees at the time the complete building permit application is submitted for each unit in the development, using either the impact fee schedules then in effect or an independent fee calculation, at the election of the applicant and pursuant to the requirements set forth in OMC 15.04.050.

G. An applicant that has been awarded credits prior to the submittal of the complete building permit application pursuant to OMC 15.04.070, shall submit, along with the complete building permit application, a copy of the letter or certificate prepared by the Director pursuant to OMC 15.04.070 setting forth the dollar amount of the credit awarded. Impact fees, as determined after the application of appropriate credits, are collected from the feepayer at the time the building permit is issued or prior to final building inspection as set forth in subsection (H) of this section.

H. Where the impact fees imposed are determined by the square footage of the development, the impact fee is based on the size and type of structure proposed to be constructed on the property. If the final square footage of the development is in excess of the initial square footage set forth in the building permit, any difference will be adjusted at the time that a certificate of occupancy is issued or the time that the building is occupied, using the rate schedule in effect at the time of permit application.

I. Except as provided in subsection (J) of this section, the Department shall not issue a building permit unless and until the impact fees required by this chapter, less any permitted exemptions, credits, or deductions, have been paid.

J. Impact fee payments may be deferred until prior to the City conducting a final building inspection. An applicant or legal owner of the property upon which the development activity allowed by the building permit is to occur must sign an Impact Fee Deferral Agreement in a form acceptable to the city attorney. The applicant shall pay a $50 administrative fee, along with fees necessary for recording the agreement in the office of the Thurston County Auditor.

K. In the event that the fees are not paid within the time provided in this section, the City may institute foreclosure proceedings under the process set forth in chapter 61.12 RCW, except as revised herein. The then-present owner shall also pay the City's reasonable attorney fees and costs incurred in the foreclosure process. Notwithstanding the foregoing, the City may not commence foreclosure proceedings less than 30 calendar days

prior to providing written notification to the then-present owner of the property via certified mail with return receipt requested advising of its intent to commence foreclosure proceedings. If the then-present owner cures the default within the 30-day cure period, no attorney fees or costs will be owed. In addition, the City retains its full authority to withhold inspections and to suspend, revoke, or refuse to issue occupancy and other building permits and to commence enforcement actions due to non-payment of impact fees.

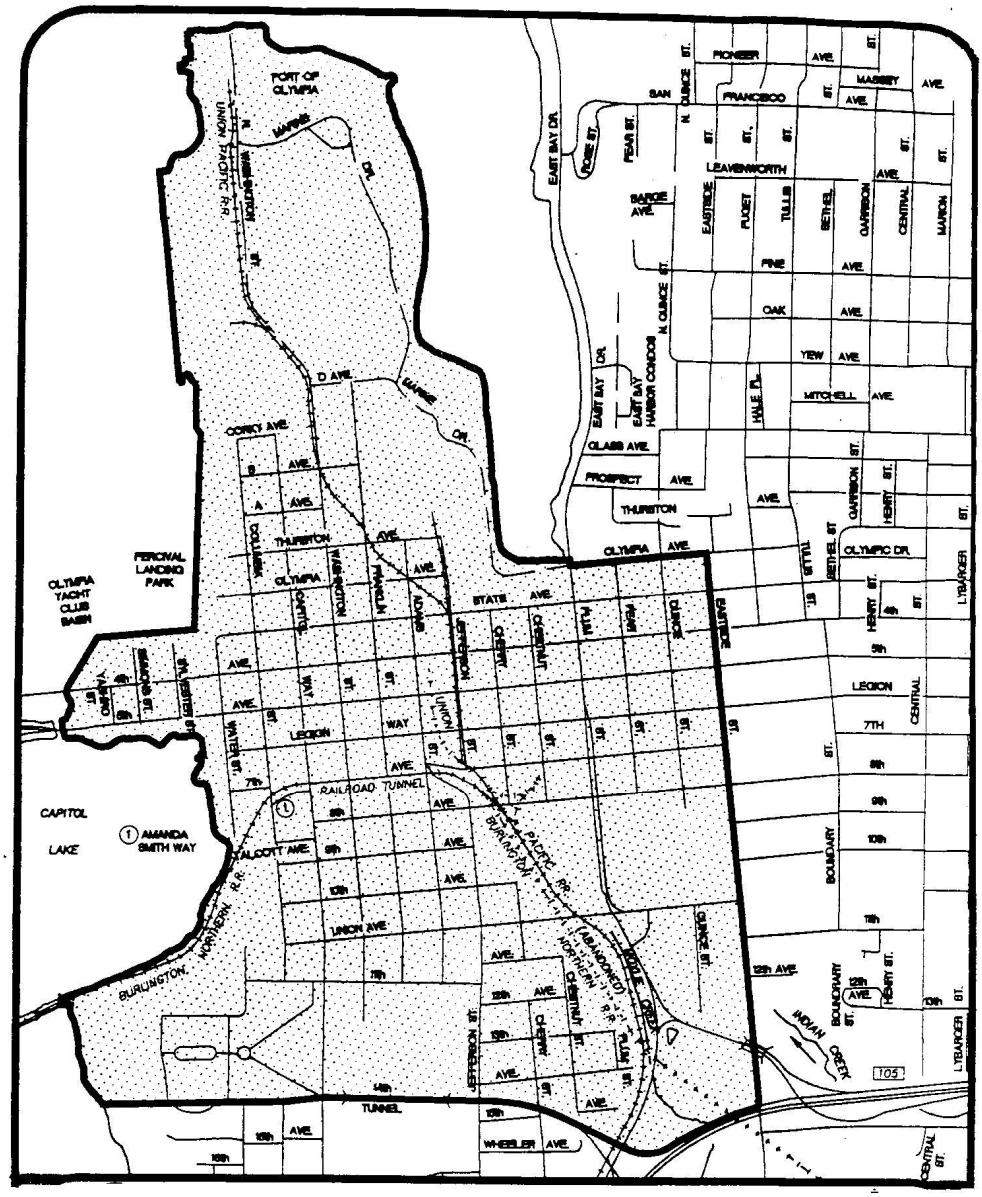


FIGURE 15-04-1

Downtown Deferred Impact Fee Payment Option Area

(Grey Shaded Area Only)

Note: This map is for illustrative purposes only.

For exact description of area, see Section 15.04.020 Definitions.

Section 3. Amendment of OMC 15.08.010. Olympia Municipal Code Section 15.08.010 is hereby amended to read as follows:

15.08.010 Park impact fee

A. The park impact fee set forth in Schedule A (Section 15.16.010), attached to this title, is generated from the formula for calculating impact fees set forth in RCW 82.02.060 and the Parks Study, which is incorporated ~~herein~~ into this title by reference. Except as otherwise provided in Sections 15.04.050, 15.04.060, and 15.04.070, all new residential developments in the City will be charged the park impact fee in Schedule A (Section 15.16.010).

B. The park impact fees in Schedule A will be reviewed annually to consider adjustments to the fees to account for increased costs of labor, construction materials and real property. The City Council intends that such review should occur concurrently with the annual review of the Capital Facilities Plan element of the City's Comprehensive Plan.

Section 4. Amendment of OMC 15.16.010. Olympia Municipal Code Section 15.16.010 is hereby amended to read as follows:

15.16.010 Schedule A, Park Impact Fees

For the purposes of calculating park impact fees, ~~For complete building permit applications,~~ "~~L~~living s~~S~~pace" means the total square footage of a ~~residential~~ dwelling unit, excluding garages and accessory structures. Per RCW 36.70A, for each category of impact fees, the impact fees imposed on Accessory Dwelling Units may not exceed 50 percent of those assessed for a ~~single-family residencet or~~ principal unit on the same lot. ~~t~~The following schedule applies to residential development:

Land Use	Unit of Measure	Rate
Residential Unit	~~Habitable~~ Living Space square footage~~t~~	$3.92 with minimum fee/unit $3,187.93 and maximum fee/unit $13,720.00

~~Housing Type:~~

~~TYPE OF DWELLING UNIT~~

~~Single Family including Manufactured Homes on individual lots, Townhouses $6,995~~

~~Multi Family including Apartments, Duplex, Triplex, Fourplex, Cottage Housing, and Courtyard Apartments $5,991~~

~~Units in Senior Housing Developments (including single family units) $5,991~~

~~Mobile Home in Mobile Home Parks $5,230~~

~~Single Room Occupancy Units, Studios, Accessory Dwelling Units $2,991~~

~~Downtown Multi Family (including apartments, Duplex, Triplex, Fourplex, Cottage Housing, Courtyard Apartments) and Townhouses $4,709~~

Section 5. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Section 6. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances remains unaffected.

Section 7. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 8. Effective Date. This Ordinance takes effect July 1, 2026, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
SENIOR DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

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

City Council

Approval of an Ordinance to Adopt Code Amendments Related to Title 10 - Vehicles and Traffic

Agenda Date: 6/23/2026
Agenda Item Number: 4.K
File Number:26-0420

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title
Approval of an Ordinance to Adopt Code Amendments Related to Title 10 - Vehicles and Traffic

Recommended Action
Committee Recommendation:
The Land Use and Environment Committee recommend approval of an ordinance adopting Code Amendments related to Title 10 - Vehicles and Traffic.

City Manager Recommendation:
Move to approve on second reading an ordinance to adopt Code Amendments related to Title 10 - Vehicles and Traffic.

Report
Issue:
Whether to approve on second reading an ordinance to adopt Code Amendments related to Title 10 - Vehicles and Traffic.

Staff Contact:
Casey Schaufler, Associate Planner, Community Planning and Economic Development, 360.753.8254

Presenter(s):
None - Consent Calendar Item.

Background and Analysis:
Background and analysis has not changed from first to second reading.

Staff regularly propose amendments to the Olympia Municipal Code (OMC) to make updates, corrections, and clarifications, including amendments necessary to comply with new state requirements. During the multi-year Comprehensive Plan update process, staff identified several areas of the code that warranted future amendment but deferred work on those items until completion of the Comprehensive Plan update.

During that same timeframe, the Washington State Legislature adopted new laws requiring local code amendments. Due to statutory timelines included in some of the legislation, several of the required amendments are highly specific and must be adopted within six months of the Comprehensive Plan update. As a result, some of the proposed code amendments must be completed by the end of June of this year.

This set of proposed amendments affects several different Titles within the OMC. The amendments originate from a variety of sources and operational needs. Some were requested by the Olympia Fire Department and relate to Title 16 (Buildings and Construction). Others were proposed by the City's Historic Preservation Planner and development review planners within the Community Planning and Development Department, affecting Title 10 (Vehicles and Traffic) and Title 18 (Unified Development Code). Additional amendments are necessary to comply with new state requirements and affect Title 17 (Subdivisions) and Title 18 (Unified Development Code).

Because several years passed without a comprehensive package of code amendments, and due to the need to address both accumulated updates and new state mandates, the 2026 amendment package is relatively extensive. In total, the package includes more than 40 proposed amendments that would modify four Titles in the OMC.

To improve organization and readability, staff arranged the amendments generally in the order in which they appear in the OMC. Each proposal is identified by number and includes the relevant code citation and topic area. Amendments are grouped by Title, and within each Title, proposals are organized by chapter and section order. To reduce the overall length of the document, only the specific subsections proposed for amendment are included.

To assist members of the public in understanding the purpose of each proposal and identifying which amendments are required by state law, staff also prepared a companion review document.

Planning Commission
The Planning Commission received a briefing on the proposed amendments in March and held a public hearing in April. No written comments were submitted, and no members of the public provided testimony during the hearing.

Following deliberation, the Planning Commission recommended approval of the amendments as proposed. During discussion, the Commission considered issues related to ground-floor retail requirements and the limitations those requirements may create for housing development in certain areas of Downtown Olympia. This language was not specifically proposed for amendment, but Commissioners are aware of it, the City's vacancy study work, and upcoming requirements for allowing ground-floor residential units in most of the City.

Ultimately, the Commission recommended revisiting the issue later this year as part of the implementation of SB 6026 and other forthcoming state requirements that may further limit local ground-floor commercial requirements. The Commission also recommended that future discussion be informed by the findings of the recent commercial vacancy study.

Land Use and Environment Committee
The Committee considered the proposed amendments at its meeting in May. The Committee recommends approval of the code amendments as proposed and understands the issues raised by

the Planning Commission. Planning Commission Chair, Greg Quetin, was present to summarize the Commission's deliberations and answer questions.

Climate Analysis:
These proposed amendments are relatively minor or additions to the code to address new state requirements. Staff do not believe these amendments will have a significant impact on climate-related issues, either positively or negatively. Some of the amendments to implement new requirements do support urban land uses and the retrofitting of existing buildings being converted to residential uses that meet newer, more stringent, energy code requirements. These measures will provide some support for our community's efforts to reduce emission of greenhouse gases.

Equity Analysis:
These amendments are likely to only have a minimal effect on equity issues. Some of the amendments will provide support for the conversion of existing structures into residential uses. This could provide greater housing supply, which may help slow, or potentially reduce, the cost of housing for renters. If such projects are taken in areas where other incentives for multifamily housing exist, this could make housing projects more likely to occur.

Neighborhood/Community Interests (if known):
Staff received some questions regarding the proposed amendments when they were first issued in late February. Those questions led to the development of the review companion document and appear to have answered those questions. No additional inquiries were made and no public comments were received.

Options:
1. to approve on second reading an ordinance to adopt Code Amendments related to Title 10 - Vehicles and Traffic.
2. Move to approve on second reading, an ordinance to adopt Code Amendments related to Title 10 - Vehicles and Traffic with revisions.
3. Do not adopt an ordinance for Code Amendments related to Title 10 - Vehicles and Traffic.

Financial Impact:
Funding for this work was supported through the department's existing base budget.

Attachments:
Ordinance
Proposed Code Amendments
Companion Review Document
Planning Commission Recommendation Letter

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING TITLE 10, VEHICLES AND TRAFFIC, OF THE OLYMPIA MUNICIPAL CODE, RELATED TO MISCELLANEOUS CODE AMENDMENTS

WHEREAS, on February 23, 2026, the City of Olympia Community Planning and Economic Development Department proposed multiple minor amendments to various chapters of the Olympia Municipal Code, including in Title 10, Vehicles and Traffic (the Proposed Amendments); and

WHEREAS, Notice of Application for the Proposed Amendments was routed to all Recognized Neighborhood Associations within the City of Olympia and to the Council of Neighborhoods Association on February 23, 2026; and

WHEREAS, on February 23, 2026, the Proposed Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt Development Regulation amendments as required by RCW 36.70A.106 and no comments were received from state agencies during the comment period; and

WHEREAS, on March 2, 2026, the Olympia Planning Commission received a briefing on the Proposed Amendments; and

WHEREAS, on March 11, 2026, the City of Olympia issued a Determination of Non-Significance pursuant to the State Environmental Policy Act (SEPA) on the Proposed Amendments; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Recognized Neighborhood Associations with the City of Olympia pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Parties of Record pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 27, 2006, a legal notice was published in *The Olympian* newspaper regarding the date of the Olympia Planning Commission's public hearing on the Proposed Amendments; and

WHEREAS, on April 6, 2026, the Olympia Planning Commission received a briefing, held a public hearing, and deliberated the Proposed Amendments; and

WHEREAS, there were no written or oral public comments or testimony received on the Proposed Amendments; and

WHEREAS, following the public hearing and deliberations, on April 6, 2026, the Planning Commission provided to the City Council its recommendation to amend multiple chapters in the Olympia Municipal Code (OMC), including in Title 10, Vehicles and Traffic; and

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

WHEREAS, the Proposed Amendments have been reviewed pursuant to the Rezones and Text Amendments process outlined in Chapter 18.70 OMC; and

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

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

Section 1. Amendment of OMC 10.18.010. Olympia Municipal Code Subsection 10.18.010 is hereby amended to read as follows:

10.18.010 Definitions

For purposes of this chapter, the following terms ~~shall be~~are 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~~ does not include recreational vehicles such as travel trailers.

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

Section 2. Olympia Municipal Code. Copies of the Olympia Municipal Code are and must be retained on file with the office of the City Clerk.

Section 3. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and/or any references thereto.

Section 4. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or application of the provisions to other persons or circumstances remains unaffected.

Section 5. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 6. Effective Date. This Ordinance takes effect five days after passage and publication, as provided by law.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

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.

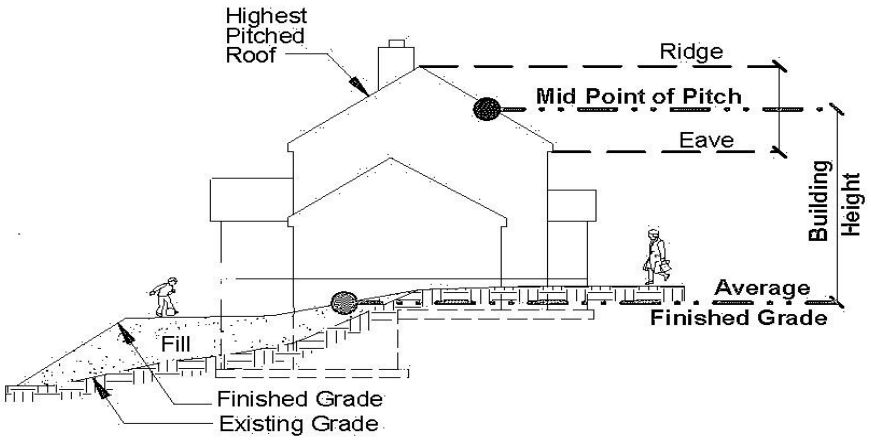


FIGURE 6-1A

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.



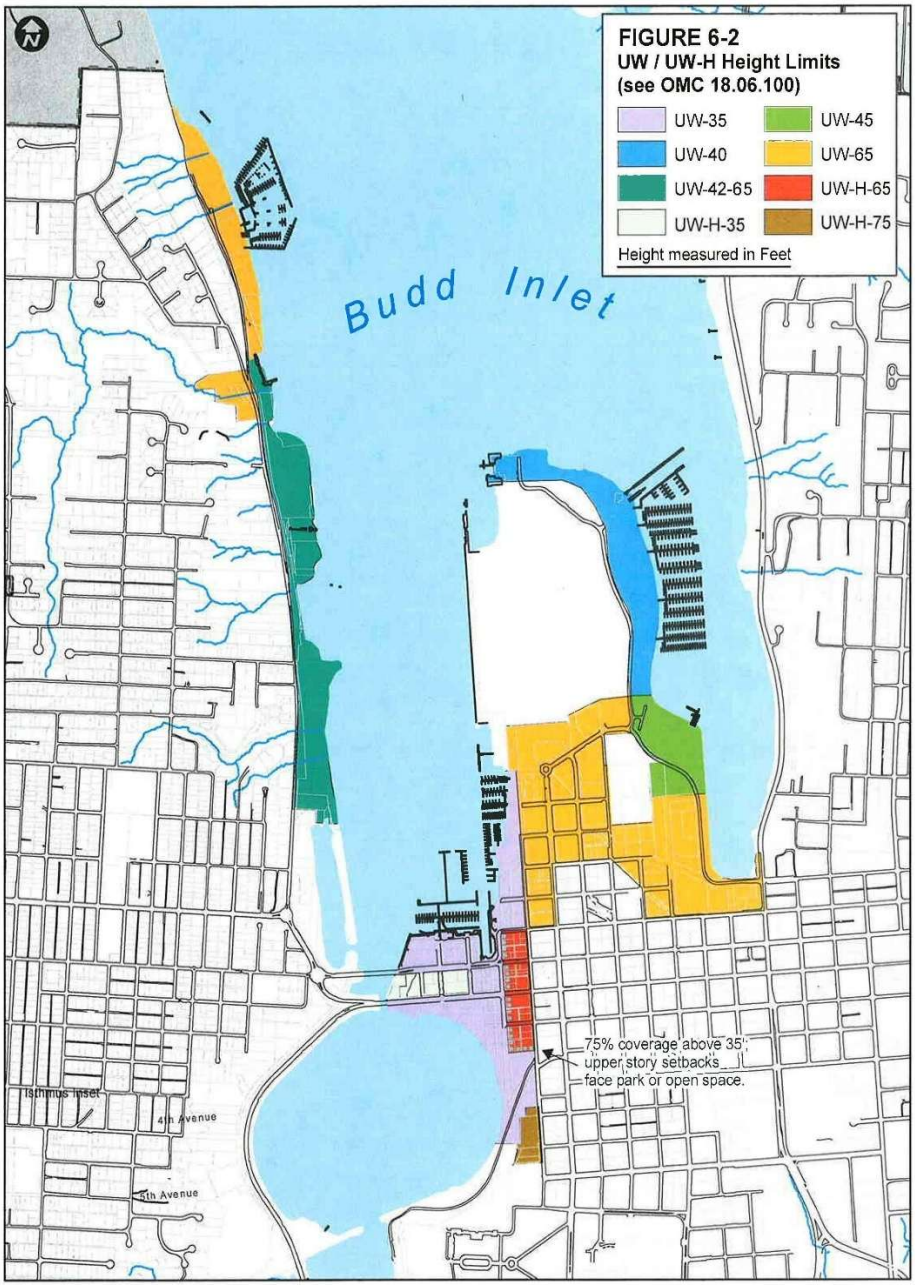
iii. Block 122: Height bonus is limited to one additional story, up to a maximum height of 75 feet. Block 122 is bounded by Olympia Ave, Jefferson Street, and Marine Drive.



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.

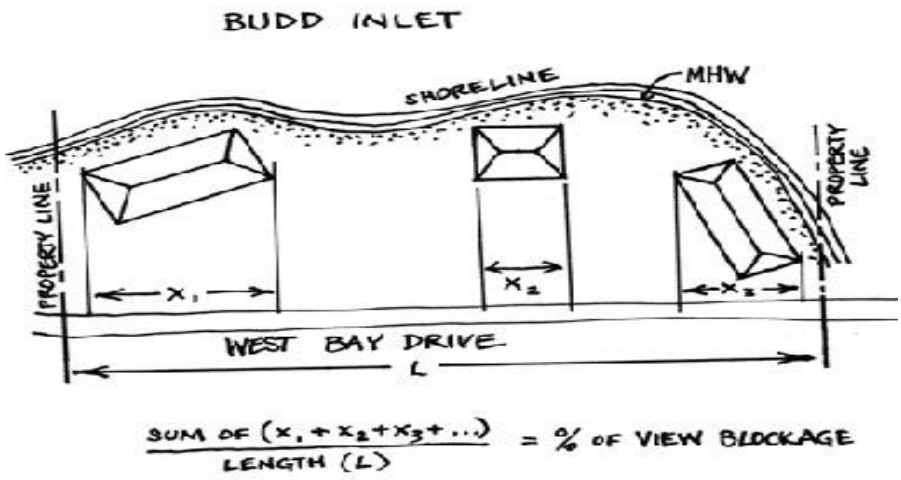


FIGURE 6-2A
Calculating View Blockage in a portion of the Urban Waterfront District along West Bay Drive.

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.

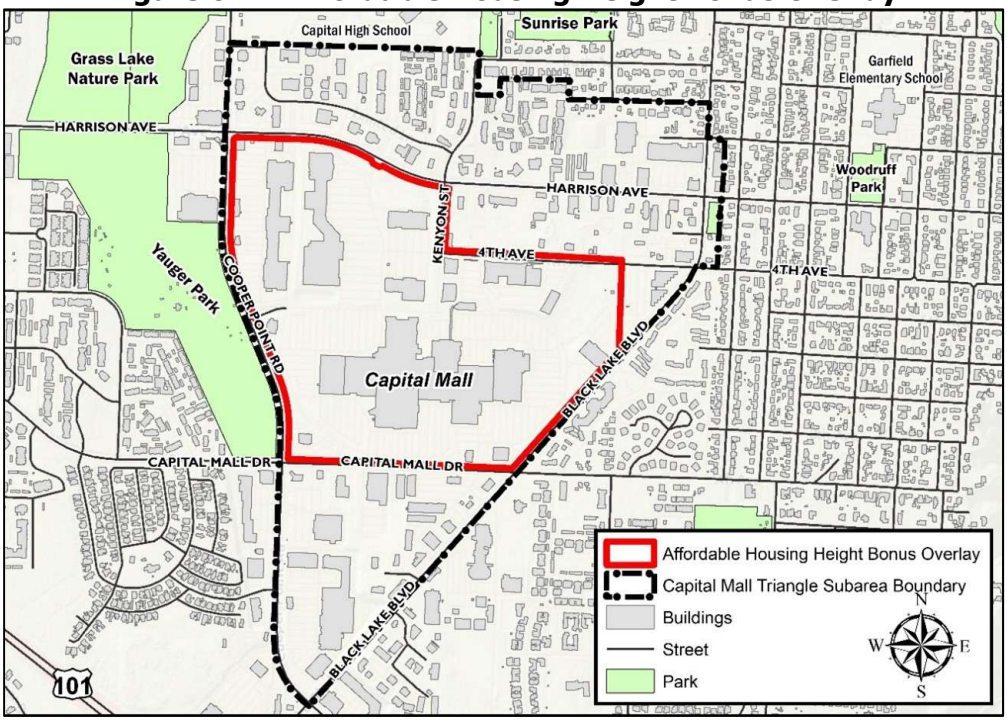
c. Maximum building height is 130 feet for development that meet all of the following requirements:

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).

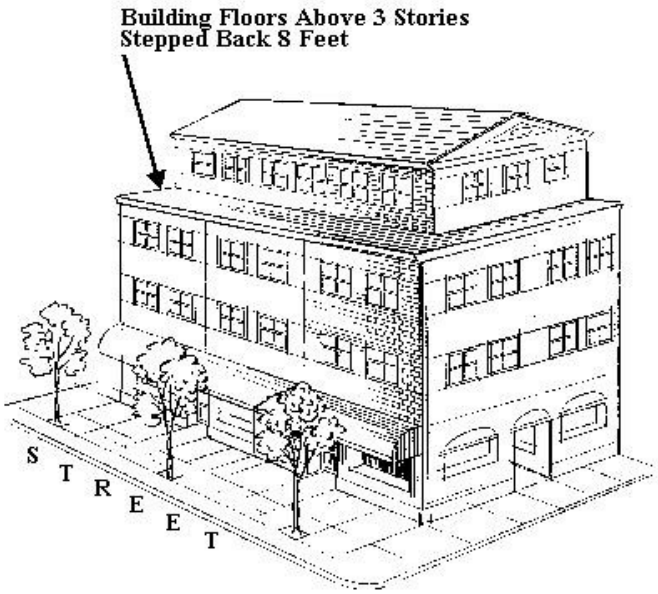


FIGURE 6-3

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.

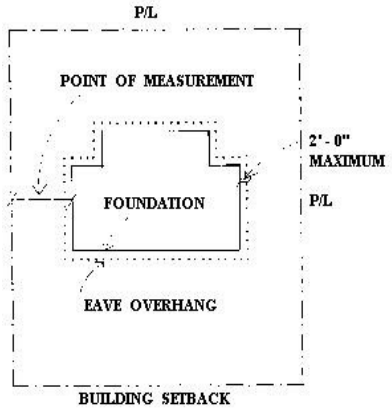


FIGURE 40-4

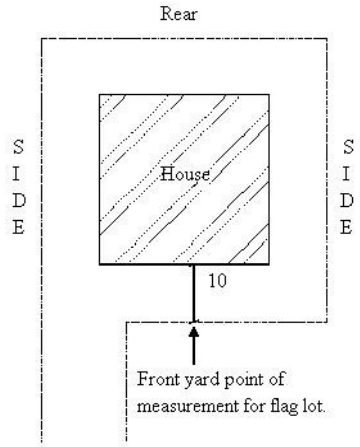


FIGURE 40-5

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.

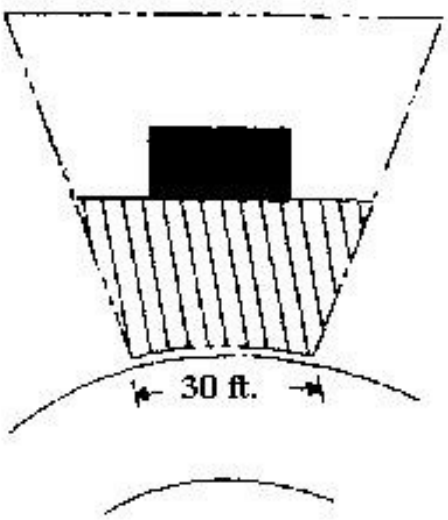


FIGURE 4-2

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 pProjects 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

2026 Proposed Code Amendments
City of Olympia

The City of Olympia is proposing amendments to the Olympia Municipal Code (OMC). This document is a companion to the proposed amendments, intended to provide information about each of the 47 requested amendments and the outcome, if approved. Page numbers provided correspond to the first public draft of the proposal.

For more information, please contact Joyce Phillips at jphillip@ci.olympia.wa.us or 360.570.3722.

#	Page #	Request by:	Purpose	Outcome
1	Page 1	CPED	Treat all residential zoning districts the same regarding parking. Acknowledge there are more than 3 residential zoning districts.	Treat all residential neighborhoods the same way for parking enforcement.
2	Page 2	OFD	Remove definition of bulk storage	Remove definition.
3	Pages 2-3	OFD	Remove an exception related to access roadways	Remove an exception that was causing "gray" areas and instead rely on access standards.
4	Page 3	OFD	Clarify that Section 16.32.053 – Chapter 9 refers to Commercial Type Hoods.	Section title renamed to Commercial Type Hoods. Helps make it easier for people to find code language related to commercial type hoods.
5	Page 3	OFD	Clarify which parts of the International Fire Code are not adopted by Olympia.	Clarify that Appendix A, Appendix C, and Appendix J are not applicable in Olympia.
6	Pages 3-5	OFD	Clarify when fire alarms are required.	Remove a specific requirement that states that manual fire alarm stations shall be located within 5 feet of all required exits on each floor level and from the structure; add language that applies when certain types of automatic fire sprinkler systems are present in some building types (Group R).
7	Pages 6-8	State Required (HB1096)	Add provisions to the subdivision code to allow "lot splitting"	Add provisions to the subdivision code to allow lot splitting as a type of subdivision.

#	Page #	Request by:	Purpose	Outcome
8	Page 8	CPED	Expand the purpose statement of Title 18 to include renewable energy systems and the reduction of greenhouse gas emissions.	Add provisions to the purpose statement of Title 18 regarding renewable energy systems and the reduction of greenhouse gas emissions.
9	Page 9	CPED	Clarify that "shall" and "must" are requirements within the code; remove the year (1986) in regard to the official dictionary used when considering ordinarily accepted meanings	Clarify that "shall" and "must" are requirements within the code; remove the year (1986) in regard to the official dictionary used when considering ordinarily accepted meanings
10	Pages 9-10	CPED	Clean up language in the code about how to address properties that are divided into more than one zoning district.	The property will be reviewed based on a consolidated site plan that uses one of the two zones for development.
11	Pages 10-11	CPED	Add new definitions	Definitions for adjacent, floor area ratio, solar energy system, solar photovoltaic system, grid-connected solar energy system, roof-mounted solar energy system, Ground-mounted solar energy system as accessory and primary uses, and revisions to property line definitions are provided.
12a	Page 12	CPED	Address "large multifamily" as a permitted use, but one that is different than other housing types given the number of units allowed per lot.	Clarify that large multifamily developments are only allowed in higher density zones. This closes an unintended loophole that may have been construed to allow more than 6 units per lot on larger lots in lower density residential zoning districts.
12b	Page 13	State Required (SB 5509)	Address where child day care centers are allowed.	Allow child day care centers in all residential zoning districts.
13	Page 18	CPED	Remove limitation of the number of people cared for in a Hospice Care Center in two zoning districts.	Remove the limitation of the number of people cared for in a Hospice Care Center. Rely on state license.
14	Pages 18-19	State Required (See RCW 35A.21.440)	Address new state requirements for adding housing units in existing buildings.	Address new state requirements for adding housing units in existing buildings. Affects 18.04 – Residential Districts and 18.06 – Commercial Districts.

#	Page #	Request by:	Purpose	Outcome
15	Page 19	CPED	Address temporary surface parking lot language to add clarity.	Clarify that provisions for temporary surface parking areas are applicable to such lots only when they were previously approved/permitted.
16	Pages 23-24	CPED	Clarify that Hard Surface bonus is available to projects that meet applicability of 18.04.080.k.1.b, not all of 18.04.080.K.1; and that land areas that are submerged for all or part of the year do not count toward the developable land area of the lot.	Clarify that Hard Surface bonus is available to projects that meet applicability of 18.04.080.k.1.b, not all of 18.04.080.K.1; and that land areas that are submerged all or part of the year do not count toward the developable land area of the lot.
17	Pages 25-38	CPED	Clean up the table to increase readability, address new category of "large multifamily", and make changes to match format of the related table in the residential districts chapter.	Clean up the table to increase readability, address new category of "large multifamily", and make changes to match format of the related table in the residential districts chapter. One example: Building coverage is removed and impervious surface and hard surface limits will determine coverage allowed.
18	Page 39, 49-50	State Required (See RCW 36.70A.813 and RCW 36.70A.815)	Address when maximum building height can be exceeded to allow for roof-mounted solar energy panels and when upper story stepbacks and façade modulation cannot be required.	Address when maximum building height can be exceeded to allow for roof-mounted solar energy panels and when upper story stepbacks and façade modulation cannot be required.
19	Pages 50-51	CPED	Provide Hard Surface Coverage allowances currently provided for in residential areas in commercial areas when certain requirements are met.	Provide Hard Surface Coverage allowances currently provided for in residential areas in commercial areas when certain requirements are met.
20	Page 51	CPED	Require the 10 foot maximum front yard setback only along design review corridors or on streets designated as arterials.	Removes the 10 foot maximum setback from lower intensity streets that carry lower traffic volumes. The intention is to have buildings oriented to and close to sidewalks for high traffic streets, but currently the provision applies to all streets.
21	Pages 51-52	Historic Pres.	Update the purpose and intent language.	Update the purpose and intent language to better match the inclusive values of the City.

#	Page #	Request by:	Purpose	Outcome
22	Page 52	Historic Pres.	To update Heritage Commission requirements in code to reflect how the commission operates in order to be uniform with the City's Advisory Body requirements.	Reduce the number of members on the Heritage Commission from 11 to 9 members. This is similar to other advisory committees and may help make it easier to keep the positions filled.
23	Page 52	Historic Pres.	Modify the language about the composition of Commission members in order to reduce the commission's potential for being out of compliance in the case that recruitment is not able to bring in specific subject matter experts.	Reduce the requirement for 4 of the members (down to 2 members) to have specific professional requirements. This may help make it easier to keep the commission positions filled.
24	Page 53	Historic Pres.	Route the reader to the general rules that the heritage commission follows as one of the many advisory bodies of the City to provide more information on terms of appointment.	Add citation to advisory committee code language.
25	Pages 53-54	Historic Pres.	Clarify that the Olympia Heritage Commission must maintain the local Olympia Heritage Register, but does not maintain the State or National register. Alter language to add clarity on process. Remove mentions of references that are no longer applicable..	Add clarifying language about the Heritage Commission powers and duties.
26	Page 54-55	Historic Pres.	Correct code to reflect the City's advisory body procedures that are in practice to be in compliance with City's standards at a larger level.	Add citation to policy on Community-Member Advisory Boards, Commissions and Committees (See OMC 2.100.040).
27	Page 55	Historic Pres.	Amend section name	Amend section name to clarify applicability to the Olympia Heritage Register.
28	Page 55-57	Historic Pres.	Amend section title and add clarification to code language to clarify that the City only maintains our local register, but does not have jurisdiction to maintain or regulate the state or national registers.	Amend language to apply to the Olympia Heritage Register and local historic districts.

#	Page #	Request by:	Purpose	Outcome
29	Page 57	Historic Pres.	Update language to remove reference to obsolete policy.	Remove reference to SEPA Mitigation Policy for Olympia Historic Resources.
30	Pages 57-58	Historic Pres.	Update language	Update language to better align with OMC 18.70, which identifies administration of various permit types, and current terminology.
31	Page 58	Historic Pres.	Update language	Update language to better align with OMC 18.70, current terminology, and current processes.
32	Pages 59-60	CPED	Require that landscaping plans include the location of underground utility lines and equipment; and irrigation plans, if applicable for the project.	Require that landscaping plans include the location of underground utility lines and equipment; and irrigation plans, if applicable for the project.
33	Page 60	CPED	Address parking exemptions in OMC 18.38.	Address parking exemptions in OMC 18.38.
34	Pages 61-62	State Required (See RCW 36.70A.622)	Address certain parking provisions.	Add residential parking provisions as required by Washington State.
35	Page 62	CPED	Address commercial parking provisions in the Downtown Parking Exemption Area.	All structures and uses shall be exempt from the vehicle parking standards but new buildings over 3,000 sq. ft. of gross leasable area shall provide bicycle parking.
36	Page 62	CPED	Clarify that if bicycle or vehicle parking is provided, even if it is not required, that it shall meet standards.	Clarify that if bicycle or vehicle parking is provided, even if it is not required, that it shall meet standards.
37	Pages 63-68	CPED	Address fence and hedge standards to point out additional provisions that apply to some properties.	Add that for properties located in the Downtown Design Review District to see OMC 18.120.370. For other properties that may have a Master Plan approval, such as Briggs Village, to see adopted regulations.
38a	Page 69	CPED	Clarify that some mechanical equipment is allowed in side yard setbacks.	Clarify that mechanical equipment is allowed in side yard areas and may exceed 30 inches in height.

#	Page #	Request by:	Purpose	Outcome
38b	Page 70	State Required (See RCW 35A.21.440, RCW 35.21.990, HB 1042, & HB 1757)	Add provisions for the retrofit of existing buildings when changing to add new housing units.	Clarify when certain energy efficiency measures are allowed to extend into setback areas when existing buildings are being converted into residential units.
39	Pages 70-71	CPED	Add clarifying language to noise standards regarding construction activity.	Add clarifying language to noise standards regarding construction activity.
40	Pages 71-72	CPED	Identify the City's preference for each lot to have at least some street frontage, such as by creating a "flag lot".	Identify the City's preference for each lot to have at least some street frontage.
41	Pages 72-73	CPED	Clarify that signs painted on the side of a building do not require a building permit.	Clarify that signs painted on the side of a building do not require a building permit.
42	Pages 73-74	CPED	Allow multifamily complexes to have two signs.	Allow up to 2 signs when there is frontage on 2 public rights of way.
43	Page 75	CPED	Clarify that design review applies to "large multifamily" projects and to all residential projects in the Infill Design Review District. Clarify that design review is not required for projects that are not visible from a street.	Clarify that design review applies to "large multifamily" projects and to all residential projects in the Infill Design Review District. Clarify that design review is not required for projects that are not visible from a street.
44	Pages 76-77	CPED	Provide language clarifying when design review standards apply to development proposals.	Provide language clarifying when design review standards apply to development proposals.
45	Page 77	CPED	Clarify that when land use review 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.	Clarify that when land use review 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.
46	Page 77	CPED	Clarify that when Board Level design review is required, the administration of the project will be processed in accordance with the timelines associated with the land use permit per OMC 18.70 (Administration).	Clarify that when Board Level design review is required, the administration of the project will be processed in accordance with the timelines associated with the land use permit per OMC 18.70 (Administration).

#	Page #	Request by:	Purpose	Outcome
47	Pages 77-91	State Required (See RCW 35A.21.440)	Allow child day care centers in all zoning districts except industrial zones.	Allow child day care centers in all zoning districts except industrial zones.

Olympia Planning Commission

April 6, 2026

Olympia City Council
PO Box 1967 Olympia
WA 98507-1967

SUBJECT: 2026 Code Amendments

Dear Mayor Payne and Councilmembers:

The Planning Commission recommends approval of the 2026 Code Amendments. The Commission had a briefing on the proposal on March 2, 2026. A public hearing was conducted on April 6, 2026, so the Commission could consider input from the public on the proposal as we completed deliberations.

The Commission voted to recommend approval of the Code Amendments. The commission would like to highlight the following suggestion for future consideration:

- Proposal #14F: During deliberations we discussed striking the "except ground floor commercial or retail that is along a pedestrian street". Removing this restriction would allow for more housing, while vacancies suggest that the city has sufficient commercial space. However, we concluded that removing the clause would require further study as it interacts with other goals (e.g. ground floor interaction on pedestrian streets). **We recommend that the clause be revisited this year during implementation of SB 6026 and other upcoming state requirements that also constrain the requirements of ground floor commercial and be informed by the recent vacancy study.**

Thank you for the opportunity to provide input for your consideration.

Sincerely,

Gregory R. Quetin

Greg Quetin
Chair

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

City Council

Approval of an Ordinance to Adopt Code Amendments Related to Title 16 - Building and Construction

Agenda Date: 6/23/2026
Agenda Item Number: 4.L
File Number:26-0430

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title
Approval of an Ordinance to Adopt Code Amendments Related to Title 16 - Building and Construction

Recommended Action
Committee Recommendation:
The Land Use and Environment Committee recommend approval of an ordinance adopting Code Amendments related to Title 16 - Building and Construction.

City Manager Recommendation:
Move to approve on second reading an ordinance to adopt Code Amendments related to Title 16 - Building and Construction.

Report
Issue:
Whether to approve on second reading an ordinance to adopt Code Amendments related to Title 16 - Building and Construction.

Staff Contact:
Casey Schaufler, Associate Planner, Community Planning and Economic Development, 360.753.8254

Presenter(s):
None - Consent Calendar Item.

Background and Analysis:
Background and analysis has not changed from first to second reading.

Staff regularly proposes amendments to the Olympia Municipal Code (OMC) to make updates, corrections, and clarifications, including amendments necessary to comply with new state requirements. During the multi-year Comprehensive Plan update process, staff identified several areas of the code that warranted future amendment but deferred work on those items until completion of the Comprehensive Plan update.

During that same timeframe, the Washington State Legislature adopted new laws requiring local code amendments. Due to statutory timelines included in some of the legislation, several of the required amendments are highly specific and must be adopted within six months of the Comprehensive Plan update. As a result, some of the proposed code amendments must be completed by the end of June of this year.

This set of proposed amendments affects several different Titles within the OMC. The amendments originate from a variety of sources and operational needs. Some were requested by the Olympia Fire Department and relate to Title 16 (Buildings and Construction). Others were proposed by the City's Historic Preservation Planner and development review planners within the Community Planning and Development Department, affecting Title 10 (Vehicles and Traffic) and Title 18 (Unified Development Code). Additional amendments are necessary to comply with new state requirements and affect Title 17 (Subdivisions) and Title 18 (Unified Development Code).

Because several years passed without a comprehensive package of code amendments, and due to the need to address both accumulated updates and new state mandates, the 2026 amendment package is relatively extensive. In total, the package includes more than 40 proposed amendments that would modify four Titles in the OMC.

To improve organization and readability, staff arranged the amendments generally in the order in which they appear in the OMC. Each proposal is identified by number and includes the relevant code citation and topic area. Amendments are grouped by Title, and within each Title, proposals are organized by chapter and section order. To reduce the overall length of the document, only the specific subsections proposed for amendment are included.

To assist members of the public in understanding the purpose of each proposal and identifying which amendments are required by state law, staff also prepared a companion review document.

Planning Commission
The Planning Commission received a briefing on the proposed amendments in March and held a public hearing in April. No written comments were submitted, and no members of the public provided testimony during the hearing.

Following deliberation, the Planning Commission recommended approval of the amendments as proposed. During discussion, the Commission considered issues related to ground-floor retail requirements and the limitations those requirements may create for housing development in certain areas of Downtown Olympia. This language was not specifically proposed for amendment, but Commissioners are aware of it, the City's vacancy study work, and upcoming requirements for allowing ground-floor residential units in most of the City.

Ultimately, the Commission recommended revisiting the issue later this year as part of the implementation of SB 6026 and other forthcoming state requirements that may further limit local ground-floor commercial requirements. The Commission also recommended that future discussion be informed by the findings of the recent commercial vacancy study.

Land Use and Environment Committee
The Committee considered the proposed amendments at its meeting in May. The Committee

recommends approval of the code amendments as proposed and understands the issues raised by the Planning Commission. Planning Commission Chair, Greg Quetin, was present to summarize the Commission's deliberations and answer questions.

Climate Analysis:
These proposed amendments are relatively minor or additions to the code to address new state requirements. Staff do not believe these amendments will have a significant impact on climate related issues, either positively or negatively. Some of the amendments to implement new requirements do support urban land uses and the retrofitting of existing buildings being converted to residential uses that meet newer, more stringent, energy code requirements. These measures will provide some support for our community's efforts to reduce emission of greenhouse gases.

Equity Analysis:
These amendments are likely to only have a minimal effect on equity issues. Some of the amendments will provide support for the conversion of existing structures into residential uses. This could provide greater housing supply, which may help slow, or potentially reduce, the cost of housing for renters. If such projects are taken in areas where other incentives for multifamily housing exist, this could make housing projects more likely to occur.

Neighborhood/Community Interests (if known):
Staff received some questions regarding the proposed amendments when they were first issued in late February. Those questions led to the development of the review companion document and appear to have answered those questions. No additional inquiries were made, and no public comments were received.

Financial Impact:
Funding for this work was supported through the department's existing base budget.

Options:
1. Move to approve on second reading an ordinance to adopt Code Amendments related to Title 16 - Building and Construction.
2. Move to approve onsecond reading, an ordinance to adopt Code Amendments related to Title 16 - Building and Construction, with revisions.
3. Do not adopt an ordinance for Code Amendments related to Title 16 - Building and Construction.

Attachments:
Ordinance
Proposed Code Amendments
Companion Review Document
Planning Commission Recommendation Letter

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING TITLE 16, BUILDINGS AND CONSTRUCTION OF THE OLYMPIA MUNICIPAL CODE, RELATED TO MISCELLANEOUS CODE AMENDMENTS

WHEREAS, City staff identified necessary minor corrections to certain sections of Title 16 of the Olympia Municipal Code for the clarification and updating of code language related to fire department access and fire alarm provisions; and

WHEREAS, on February 23, 2026, the City of Olympia Community Planning and Economic Development Department proposed multiple minor amendments to various chapters in the Olympia Municipal Code, including in Title 16, Buildings and Construction; and

WHEREAS, Notice of Application for the Proposed Amendments was routed to all Recognized Neighborhood Associations within the City of Olympia and to the Council of Neighborhoods Association on February 23, 2026; and

WHEREAS, on February 23, 2026, the Proposed Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt Development Regulation amendments as required by RCW 36.70A.106 and no comments were received from state agencies during the comment period; and

WHEREAS, on March 2, 2026, the Olympia Planning Commission received a briefing on the Proposed Amendments; and

WHEREAS, on March 11, 2026, the City of Olympia issued a Determination of Non-Significance pursuant to the State Environmental Policy Act (SEPA) on the Proposed Amendments; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Recognized Neighborhood Associations with the City of Olympia pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Parties of Record pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 27, 2006, a legal notice was published in *The Olympian* newspaper regarding the date of the Olympia Planning Commission's public hearing on the Proposed Amendments; and

WHEREAS, on April 6, 2026, the Olympia Planning Commission received a briefing, held a public hearing, and deliberated the Proposed Amendments; and

WHEREAS, there were no written or oral public comments or testimony received on the Proposed Amendments; and

WHEREAS, following the public hearing and deliberations, on April 6, 2026, the Planning Commission provided to the City Council its recommendation to amend multiple chapters including in Title 16, Buildings and Construction; of the Olympia Municipal Code (OMC), as proposed; and

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

WHEREAS, the Proposed Amendments have been reviewed pursuant to the Rezones and Text Amendments process outlined in Chapter 18.70 OMC; and

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

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

Section 1. Amendment of OMC 16.32.020. Olympia Municipal Code Chapter Section 16.32.020 is hereby amended to read as follows:

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.~~

Section 2. Amendment of OMC 16.32.050(A). Olympia Municipal Code Subsection 16.32.050 is hereby amended to read as follows:

A. Every building hereafter constructed ~~shall~~ must 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~~ must 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~~ must conform to the following:

1. Positive transition grades ~~shall~~ must be no greater than ~~ten~~ 10 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~~ may 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~~ must 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.~~

B. The required width of access roadways ~~shall~~ may not be obstructed in any manner, including parking vehicles, NO PARKING/FIRE LANE signs, and/or other appropriate notice prohibiting obstructions may be required and ~~shall~~ must be maintained.

C. The access roadway ~~shall~~ must be extended to within 150~~'~~ feet of all portions of the exterior walls of the first story of any building. Where the access roadway cannot be provided, approved fire protection system or systems ~~shall~~ must be provided as required and approved by the chief.

D. Where fire protection systems approved by the chief are provided, the clearances required in this section may be modified.

E. The chief ~~shall have the authority to~~may require an increase in the minimum access widths where such width is not adequate for fire or rescue operations.

F. Access width requirements:

1. ~~Twenty (~~20~~)~~ feet:

a. All commercial development - no exceptions.

b. Three or more single family.

c. More than two duplexes.

d. Apartment buildings.

2. ~~Fifteen (~~15~~)~~ feet:

a. Two or fewer single family or two duplexes.

3. ~~Twelve (~~12~~)~~ feet:

a. Under certain conditions, the Olympia Fire Department, at its discretion, ~~will~~ may allow a reduction in access.

4. Turn-around required:

a. When required:

i. Three single family dwellings or more.

ii. Three duplex structures or more.

iii. Apartment buildings.

b. ~~Thirty~~30 -foot inside radius with 20-foot minimum width for streets/driveways in excess of 150 feet.

Where their standards cannot be met due to impracticality, the Fire Chief may allow fixed fire protective systems to substitute for required roadways and turn-arounds.

Section 3. Amendment of OMC 16.32.053. Olympia Municipal Code Section 16.32.053 is hereby amended to read as follows:

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

Section 4. Amendment of OMC 16.32.090. Olympia Municipal Code Subsection 16.32.090 is hereby amended to read as follows:

The following sections of the current adopted International Fire Code are not a 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.

Section 5. Amendment of OMC 16.44.060. Olympia Municipal Code Subsection 16.44.060 is hereby amended to read as follows:

A. Design. All fire alarm plans submitted for approval ~~shall~~ must bear the designer's valid Washington State Low Voltage Specialty Electrical Contractor's License number or ~~shall~~ must be stamped by a registered fire protection or electrical engineer.

B. Plans. All digital fire alarm system plans ~~shall~~ must be submitted to the city for review and ~~shall~~ must 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~~ must 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~~ must be submitted to the City of Olympia for review and approval prior to commencement of work.

10. ~~Submit d~~Digital plans and component specifications. Plans must show locations and type of each device in the system. Said plans ~~shall~~ must include accurate measurements.

11. A plan check fee calculated under OMC Section 4.36.010 ~~shall~~ must 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~~ must 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~~ must have fixed temperature detection. Automatic detection ~~shall~~ must 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~~ must be low voltage direct current and compatible with the remainder of the system.

14. All components and wiring ~~shall~~ must 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~~ must be listed by a national testing agency for the use intended.

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

17. All systems ~~shall~~ must 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~~ must have the fire alarm control panel be readily visible for arriving personnel or be provided with a remote annunciator. Such equipment ~~shall~~ must 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~~ must 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~~ must 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~~ must be U.L., F.M., or NFPA listed for commercial fire.

20. All systems ~~shall~~ must have local audible trouble and audio/visual alarm signal devices. Audio/visual devices ~~shall~~ must be sufficient in number and type to provide a minimum of 60 db in the most remote area. In commercial structures, audibility ~~shall~~must 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~~must, 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~~must 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~~must include a zone for master water flow and ~~shall~~must supervise all sprinkler controlling valves. When a structure is provided with a zoned sprinkler system, the alarm ~~shall~~must be zoned in accordance with the sprinkler coverage zones.

23. All systems ~~shall~~must 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~~is 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~~ may be granted for the structure until satisfactory acceptance tests are accomplished.

25. Apartment buildings and townhomes ~~shall~~must have a single station smoke/carbon monoxide alarm in every unit and strobe centrally located in accessible units. There ~~shall~~must 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 must serve as the required initiating device. Smoke detection must 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~~must be provided within six feet of fire alarm panel and other fire alarm control equipment which are in unattended locations.

C. Alterations and/or additions to existing systems must comply with the requirements of B above.

D. A maintenance testing agreement, signed by the building owner, ~~shall~~ must be on record with the fire department prior to scheduling of final acceptance test.

E. Plan ~~Check~~ Review Fee. At the time of submittal of plans, the applicant shall pay ~~A~~ a Plan Review ~~fee~~ Fee equal to 65 percent of the ~~permit~~ Permit ~~f~~Fee ~~shall be forfeited to the city at the time of submittal of plans~~; the Plan Review Fee is in addition to the Permit Fee.

F. Permit Fee. Following plan approval, the applicant shall pay ~~A~~ a ~~fee~~ Permit Fee as set forth in~~equal to~~ OMC 4.36.010(H)(1), Fee Table – Building Permit Fees, with regional modifiers.

G. Reinspection Fees. A $175.00 reinspection fee ~~shall~~ will be assessed and is due and owing when an inspector is requested to make an inspection or witness a test on a fire alarm or sprinkler system, and upon arrival finds the work is not ready for inspection, or the test fails.

The chief of the fire department or the chief of the fire department's designee may, in writing, suspend or revoke any permit issued pursuant to this section whenever the chief finds that the permit was issued on the basis of error, deception, or fraud on the part of the applicant or upon discovery of a violation of any of the applicable codes or ordinances of the city including the provisions of this article, or work conducted outside of 180 days from the permitted date without an approved permit extension.

Section 6. Olympia Municipal Code. Copies of the Olympia Municipal Code are and must be retained on file with the office of the City Clerk.

Section 7. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and/or any references thereto.

Section 8. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or application of the provisions to other persons or circumstances remains unaffected.

Section 9. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 10. Effective Date. This Ordinance takes effect five days after publication as provided by law.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

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 18.06.1000(G) Large Scale Retail Uses. EXCEPTION: Section 18.06.1000(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.

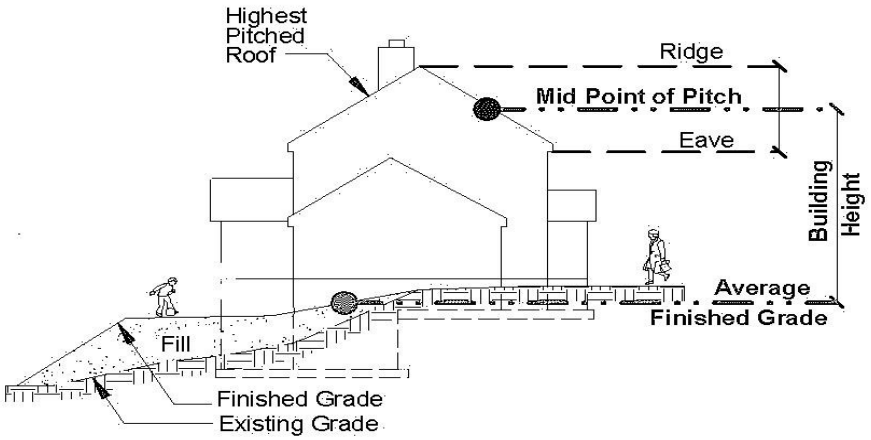


FIGURE 6-1A

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.



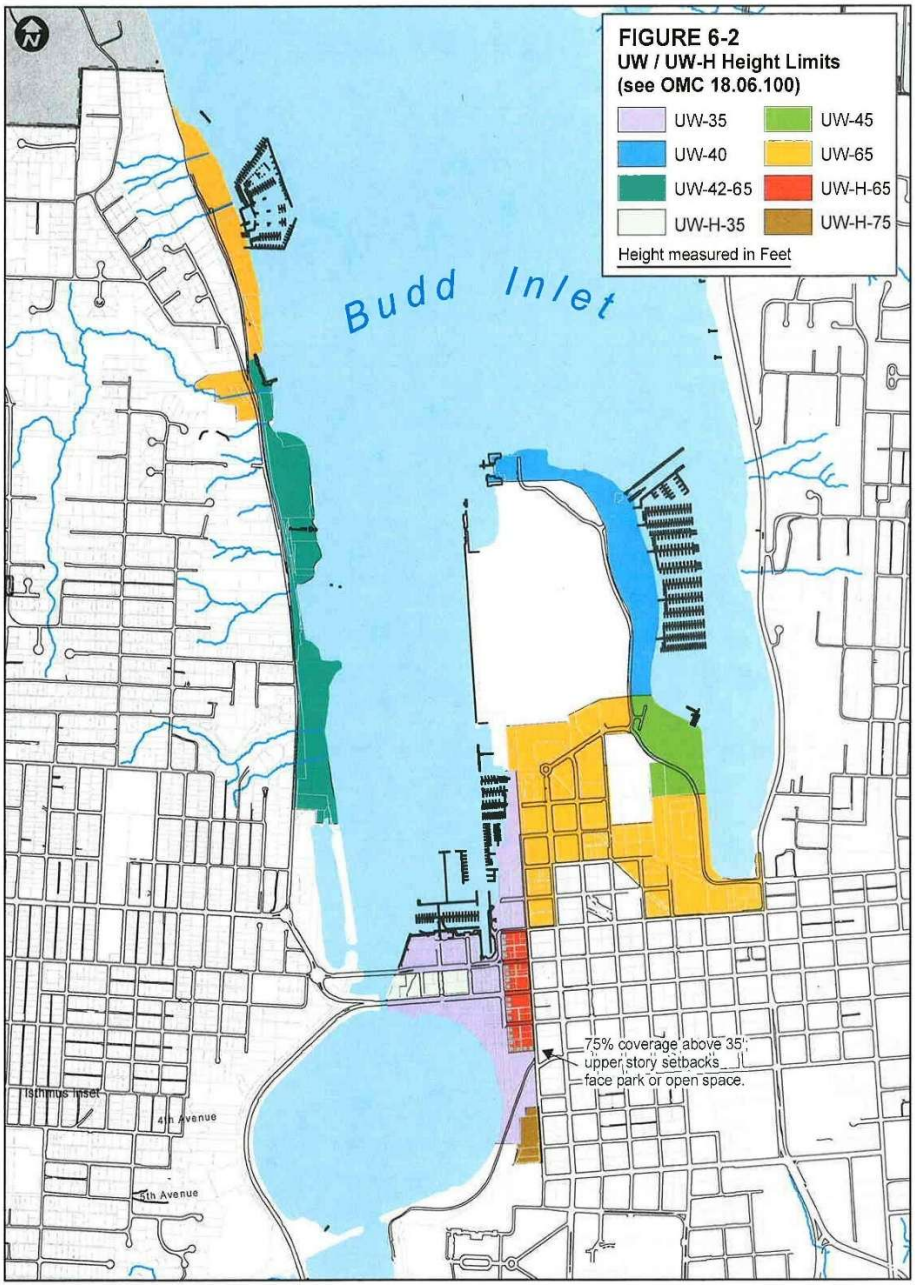
iii. Block 122: Height bonus is limited to one additional story, up to a maximum height of 75 feet. Block 122 is bounded by Olympia Ave, Jefferson Street, and Marine Drive.



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.

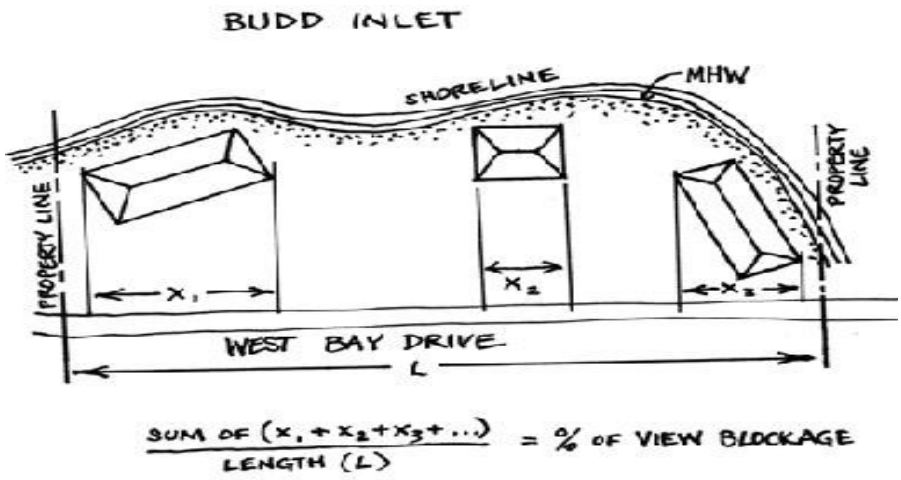


FIGURE 6-2A
Calculating View Blockage in a portion of the Urban Waterfront District along West Bay Drive.

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.

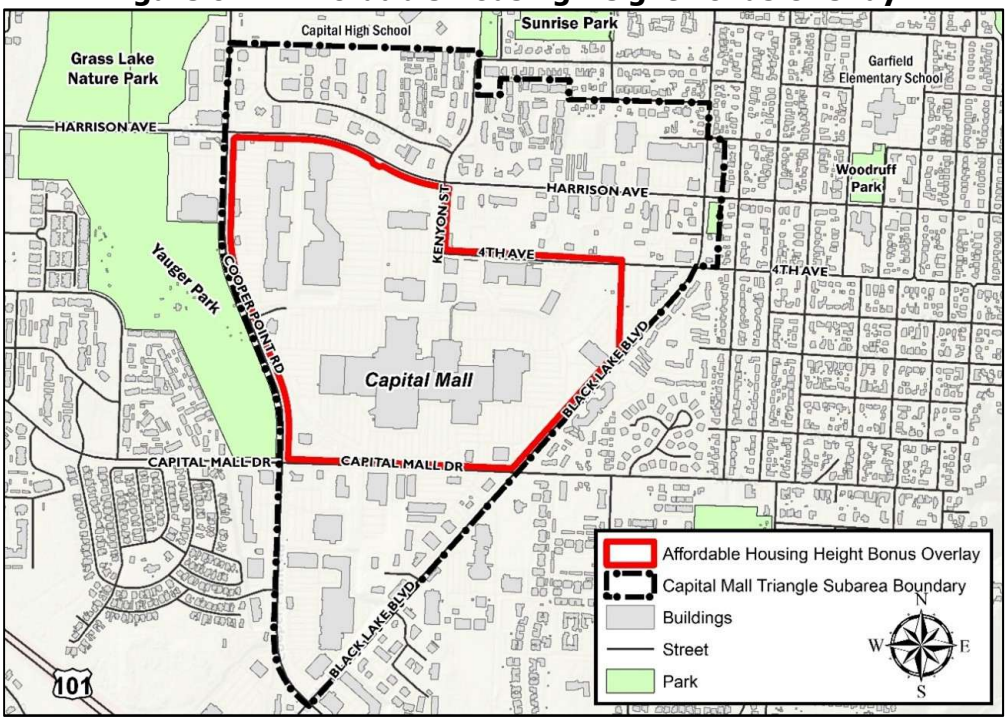
c. Maximum building height is 130 feet for development that meet all of the following requirements:

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).

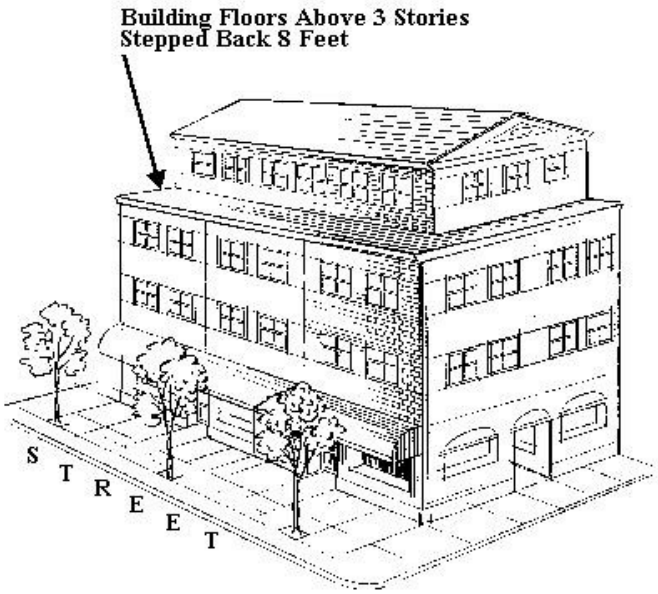


FIGURE 6-3

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.

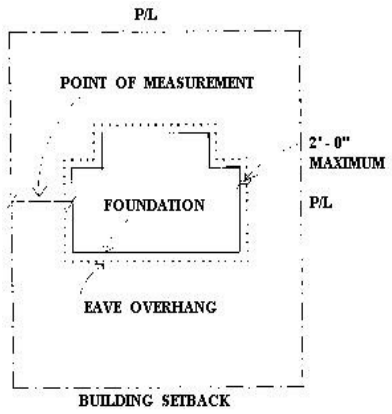


FIGURE 40-4

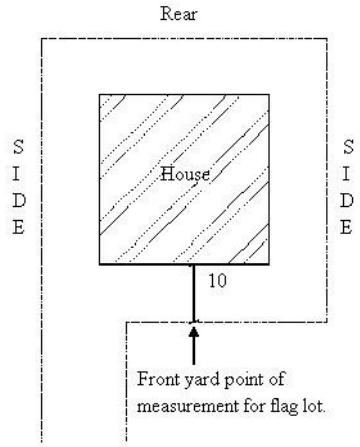


FIGURE 40-5

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.

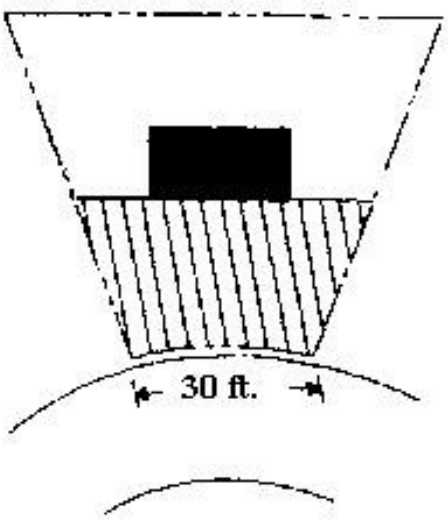


FIGURE 4-2

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~~ 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

2026 Proposed Code Amendments
City of Olympia

The City of Olympia is proposing amendments to the Olympia Municipal Code (OMC). This document is a companion to the proposed amendments, intended to provide information about each of the 47 requested amendments and the outcome, if approved. Page numbers provided correspond to the first public draft of the proposal.

For more information, please contact Joyce Phillips at jphillip@ci.olympia.wa.us or 360.570.3722.

#	Page #	Request by:	Purpose	Outcome
1	Page 1	CPED	Treat all residential zoning districts the same regarding parking. Acknowledge there are more than 3 residential zoning districts.	Treat all residential neighborhoods the same way for parking enforcement.
2	Page 2	OFD	Remove definition of bulk storage	Remove definition.
3	Pages 2-3	OFD	Remove an exception related to access roadways	Remove an exception that was causing "gray" areas and instead rely on access standards.
4	Page 3	OFD	Clarify that Section 16.32.053 – Chapter 9 refers to Commercial Type Hoods.	Section title renamed to Commercial Type Hoods. Helps make it easier for people to find code language related to commercial type hoods.
5	Page 3	OFD	Clarify which parts of the International Fire Code are not adopted by Olympia.	Clarify that Appendix A, Appendix C, and Appendix J are not applicable in Olympia.
6	Pages 3-5	OFD	Clarify when fire alarms are required.	Remove a specific requirement that states that manual fire alarm stations shall be located within 5 feet of all required exits on each floor level and from the structure; add language that applies when certain types of automatic fire sprinkler systems are present in some building types (Group R).
7	Pages 6-8	State Required (HB1096)	Add provisions to the subdivision code to allow "lot splitting"	Add provisions to the subdivision code to allow lot splitting as a type of subdivision.

#	Page #	Request by:	Purpose	Outcome
8	Page 8	CPED	Expand the purpose statement of Title 18 to include renewable energy systems and the reduction of greenhouse gas emissions.	Add provisions to the purpose statement of Title 18 regarding renewable energy systems and the reduction of greenhouse gas emissions.
9	Page 9	CPED	Clarify that "shall" and "must" are requirements within the code; remove the year (1986) in regard to the official dictionary used when considering ordinarily accepted meanings	Clarify that "shall" and "must" are requirements within the code; remove the year (1986) in regard to the official dictionary used when considering ordinarily accepted meanings
10	Pages 9-10	CPED	Clean up language in the code about how to address properties that are divided into more than one zoning district.	The property will be reviewed based on a consolidated site plan that uses one of the two zones for development.
11	Pages 10-11	CPED	Add new definitions	Definitions for adjacent, floor area ratio, solar energy system, solar photovoltaic system, grid-connected solar energy system, roof-mounted solar energy system, Ground-mounted solar energy system as accessory and primary uses, and revisions to property line definitions are provided.
12a	Page 12	CPED	Address "large multifamily" as a permitted use, but one that is different than other housing types given the number of units allowed per lot.	Clarify that large multifamily developments are only allowed in higher density zones. This closes an unintended loophole that may have been construed to allow more than 6 units per lot on larger lots in lower density residential zoning districts.
12b	Page 13	State Required (SB 5509)	Address where child day care centers are allowed.	Allow child day care centers in all residential zoning districts.
13	Page 18	CPED	Remove limitation of the number of people cared for in a Hospice Care Center in two zoning districts.	Remove the limitation of the number of people cared for in a Hospice Care Center. Rely on state license.
14	Pages 18-19	State Required (See RCW 35A.21.440)	Address new state requirements for adding housing units in existing buildings.	Address new state requirements for adding housing units in existing buildings. Affects 18.04 – Residential Districts and 18.06 – Commercial Districts.

#	Page #	Request by:	Purpose	Outcome
15	Page 19	CPED	Address temporary surface parking lot language to add clarity.	Clarify that provisions for temporary surface parking areas are applicable to such lots only when they were previously approved/permitted.
16	Pages 23-24	CPED	Clarify that Hard Surface bonus is available to projects that meet applicability of 18.04.080.k.1.b, not all of 18.04.080.K.1; and that land areas that are submerged for all or part of the year do not count toward the developable land area of the lot.	Clarify that Hard Surface bonus is available to projects that meet applicability of 18.04.080.k.1.b, not all of 18.04.080.K.1; and that land areas that are submerged all or part of the year do not count toward the developable land area of the lot.
17	Pages 25-38	CPED	Clean up the table to increase readability, address new category of "large multifamily", and make changes to match format of the related table in the residential districts chapter.	Clean up the table to increase readability, address new category of "large multifamily", and make changes to match format of the related table in the residential districts chapter. One example: Building coverage is removed and impervious surface and hard surface limits will determine coverage allowed.
18	Page 39, 49-50	State Required (See RCW 36.70A.813 and RCW 36.70A.815)	Address when maximum building height can be exceeded to allow for roof-mounted solar energy panels and when upper story stepbacks and façade modulation cannot be required.	Address when maximum building height can be exceeded to allow for roof-mounted solar energy panels and when upper story stepbacks and façade modulation cannot be required.
19	Pages 50-51	CPED	Provide Hard Surface Coverage allowances currently provided for in residential areas in commercial areas when certain requirements are met.	Provide Hard Surface Coverage allowances currently provided for in residential areas in commercial areas when certain requirements are met.
20	Page 51	CPED	Require the 10 foot maximum front yard setback only along design review corridors or on streets designated as arterials.	Removes the 10 foot maximum setback from lower intensity streets that carry lower traffic volumes. The intention is to have buildings oriented to and close to sidewalks for high traffic streets, but currently the provision applies to all streets.
21	Pages 51-52	Historic Pres.	Update the purpose and intent language.	Update the purpose and intent language to better match the inclusive values of the City.

#	Page #	Request by:	Purpose	Outcome
22	Page 52	Historic Pres.	To update Heritage Commission requirements in code to reflect how the commission operates in order to be uniform with the City's Advisory Body requirements.	Reduce the number of members on the Heritage Commission from 11 to 9 members. This is similar to other advisory committees and may help make it easier to keep the positions filled.
23	Page 52	Historic Pres.	Modify the language about the composition of Commission members in order to reduce the commission's potential for being out of compliance in the case that recruitment is not able to bring in specific subject matter experts.	Reduce the requirement for 4 of the members (down to 2 members) to have specific professional requirements. This may help make it easier to keep the commission positions filled.
24	Page 53	Historic Pres.	Route the reader to the general rules that the heritage commission follows as one of the many advisory bodies of the City to provide more information on terms of appointment.	Add citation to advisory committee code language.
25	Pages 53-54	Historic Pres.	Clarify that the Olympia Heritage Commission must maintain the local Olympia Heritage Register, but does not maintain the State or National register. Alter language to add clarity on process. Remove mentions of references that are no longer applicable..	Add clarifying language about the Heritage Commission powers and duties.
26	Page 54-55	Historic Pres.	Correct code to reflect the City's advisory body procedures that are in practice to be in compliance with City's standards at a larger level.	Add citation to policy on Community-Member Advisory Boards, Commissions and Committees (See OMC 2.100.040).
27	Page 55	Historic Pres.	Amend section name	Amend section name to clarify applicability to the Olympia Heritage Register.
28	Page 55-57	Historic Pres.	Amend section title and add clarification to code language to clarify that the City only maintains our local register, but does not have jurisdiction to maintain or regulate the state or national registers.	Amend language to apply to the Olympia Heritage Register and local historic districts.

#	Page #	Request by:	Purpose	Outcome
29	Page 57	Historic Pres.	Update language to remove reference to obsolete policy.	Remove reference to SEPA Mitigation Policy for Olympia Historic Resources.
30	Pages 57-58	Historic Pres.	Update language	Update language to better align with OMC 18.70, which identifies administration of various permit types, and current terminology.
31	Page 58	Historic Pres.	Update language	Update language to better align with OMC 18.70, current terminology, and current processes.
32	Pages 59-60	CPED	Require that landscaping plans include the location of underground utility lines and equipment; and irrigation plans, if applicable for the project.	Require that landscaping plans include the location of underground utility lines and equipment; and irrigation plans, if applicable for the project.
33	Page 60	CPED	Address parking exemptions in OMC 18.38.	Address parking exemptions in OMC 18.38.
34	Pages 61-62	State Required (See RCW 36.70A.622)	Address certain parking provisions.	Add residential parking provisions as required by Washington State.
35	Page 62	CPED	Address commercial parking provisions in the Downtown Parking Exemption Area.	All structures and uses shall be exempt from the vehicle parking standards but new buildings over 3,000 sq. ft. of gross leasable area shall provide bicycle parking.
36	Page 62	CPED	Clarify that if bicycle or vehicle parking is provided, even if it is not required, that it shall meet standards.	Clarify that if bicycle or vehicle parking is provided, even if it is not required, that it shall meet standards.
37	Pages 63-68	CPED	Address fence and hedge standards to point out additional provisions that apply to some properties.	Add that for properties located in the Downtown Design Review District to see OMC 18.120.370. For other properties that may have a Master Plan approval, such as Briggs Village, to see adopted regulations.
38a	Page 69	CPED	Clarify that some mechanical equipment is allowed in side yard setbacks.	Clarify that mechanical equipment is allowed in side yard areas and may exceed 30 inches in height.

#	Page #	Request by:	Purpose	Outcome
38b	Page 70	State Required (See RCW 35A.21.440, RCW 35.21.990, HB 1042, & HB 1757)	Add provisions for the retrofit of existing buildings when changing to add new housing units.	Clarify when certain energy efficiency measures are allowed to extend into setback areas when existing buildings are being converted into residential units.
39	Pages 70-71	CPED	Add clarifying language to noise standards regarding construction activity.	Add clarifying language to noise standards regarding construction activity.
40	Pages 71-72	CPED	Identify the City's preference for each lot to have at least some street frontage, such as by creating a "flag lot".	Identify the City's preference for each lot to have at least some street frontage.
41	Pages 72-73	CPED	Clarify that signs painted on the side of a building do not require a building permit.	Clarify that signs painted on the side of a building do not require a building permit.
42	Pages 73-74	CPED	Allow multifamily complexes to have two signs.	Allow up to 2 signs when there is frontage on 2 public rights of way.
43	Page 75	CPED	Clarify that design review applies to "large multifamily" projects and to all residential projects in the Infill Design Review District. Clarify that design review is not required for projects that are not visible from a street.	Clarify that design review applies to "large multifamily" projects and to all residential projects in the Infill Design Review District. Clarify that design review is not required for projects that are not visible from a street.
44	Pages 76-77	CPED	Provide language clarifying when design review standards apply to development proposals.	Provide language clarifying when design review standards apply to development proposals.
45	Page 77	CPED	Clarify that when land use review 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.	Clarify that when land use review 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.
46	Page 77	CPED	Clarify that when Board Level design review is required, the administration of the project will be processed in accordance with the timelines associated with the land use permit per OMC 18.70 (Administration).	Clarify that when Board Level design review is required, the administration of the project will be processed in accordance with the timelines associated with the land use permit per OMC 18.70 (Administration).

#	Page #	Request by:	Purpose	Outcome
47	Pages 77-91	State Required (See RCW 35A.21.440)	Allow child day care centers in all zoning districts except industrial zones.	Allow child day care centers in all zoning districts except industrial zones.

Olympia Planning Commission

April 6, 2026

Olympia City Council
PO Box 1967 Olympia
WA 98507-1967

SUBJECT: 2026 Code Amendments

Dear Mayor Payne and Councilmembers:

The Planning Commission recommends approval of the 2026 Code Amendments. The Commission had a briefing on the proposal on March 2, 2026. A public hearing was conducted on April 6, 2026, so the Commission could consider input from the public on the proposal as we completed deliberations.

The Commission voted to recommend approval of the Code Amendments. The commission would like to highlight the following suggestion for future consideration:

- Proposal #14F: During deliberations we discussed striking the "except ground floor commercial or retail that is along a pedestrian street". Removing this restriction would allow for more housing, while vacancies suggest that the city has sufficient commercial space. However, we concluded that removing the clause would require further study as it interacts with other goals (e.g. ground floor interaction on pedestrian streets). **We recommend that the clause be revisited this year during implementation of SB 6026 and other upcoming state requirements that also constrain the requirements of ground floor commercial and be informed by the recent vacancy study.**

Thank you for the opportunity to provide input for your consideration.

Sincerely,

Gregory R. Quetin

Greg Quetin
Chair

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

City Council

Approval of an Ordinance to Adopt Code Amendments Related to Title 17 - Subdivisions

Agenda Date: 6/23/2026
Agenda Item Number: 4.M
File Number:26-0431

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title
Approval of an Ordinance to Adopt Code Amendments Related to Title 17 - Subdivisions

Recommended Action
Committee Recommendation:
The Land Use and Environment Committee recommend approval of an ordinance adopting Code Amendments related to Title 17 - Subdivisions.

City Manager Recommendation:
Move to approve on to second reading an ordinance to adopt Code Amendments related to Title 17 - Subdivisions.

Report
Issue:
Whether to approve on second reading an ordinance to adopt Code Amendments related to Title 17 - Subdivisions.

Staff Contact:
Casey Schaufler, Associate Planner, Community Planning and Economic Development, 360.753.8254

Presenter(s):
None - Consent Calendar Item.

Background and Analysis:
Background and analysis has not changed from first to second reading.

Staff regularly proposes amendments to the Olympia Municipal Code (OMC) to make updates, corrections, and clarifications, including amendments necessary to comply with new state requirements. During the multi-year Comprehensive Plan update process, staff identified several areas of the code that warranted future amendment but deferred work on those items until completion of the Comprehensive Plan update.

During that same timeframe, the Washington State Legislature adopted new laws requiring local code

amendments. Due to statutory timelines included in some of the legislation, several of the required amendments are highly specific and must be adopted within six months of the Comprehensive Plan update. As a result, some of the proposed code amendments must be completed by the end of June of this year.

This set of proposed amendments affects several different Titles within the OMC. The amendments originate from a variety of sources and operational needs. Some were requested by the Olympia Fire Department and relate to Title 16 (Buildings and Construction). Others were proposed by the City's Historic Preservation Planner and development review planners within the Community Planning and Development Department, affecting Title 10 (Vehicles and Traffic) and Title 18 (Unified Development Code). Additional amendments are necessary to comply with new state requirements and affect Title 17 (Subdivisions) and Title 18 (Unified Development Code).

Because several years passed without a comprehensive package of code amendments, and due to the need to address both accumulated updates and new state mandates, the 2026 amendment package is relatively extensive. In total, the package includes more than 40 proposed amendments that would modify four Titles in the OMC.

To improve organization and readability, staff arranged the amendments generally in the order in which they appear in the OMC. Each proposal is identified by number and includes the relevant code citation and topic area. Amendments are grouped by Title, and within each Title, proposals are organized by chapter and section order. To reduce the overall length of the document, only the specific subsections proposed for amendment are included.

To assist members of the public in understanding the purpose of each proposal and identifying which amendments are required by state law, staff also prepared a companion review document.

Planning Commission
The Planning Commission received a briefing on the proposed amendments in March and held a public hearing in April. No written comments were submitted, and no members of the public provided testimony during the hearing.

Following deliberation, the Planning Commission recommended approval of the amendments as proposed. During discussion, the Commission considered issues related to ground-floor retail requirements and the limitations those requirements may create for housing development in certain areas of Downtown Olympia. This language was not specifically proposed for amendment, but Commissioners are aware of it, the City's vacancy study work, and upcoming requirements for allowing ground-floor residential units in most of the City.

Ultimately, the Commission recommended revisiting the issue later this year as part of the implementation of SB 6026 and other forthcoming state requirements that may further limit local ground-floor commercial requirements. The Commission also recommended that future discussion be informed by the findings of the recent commercial vacancy study.

Land Use and Environment Committee
The Committee considered the proposed amendments at its meeting in May. The Committee recommends approval of the code amendments as proposed and understands the issues raised by the Planning Commission. Planning Commission Chair, Greg Quetin, was present to summarize the

Commission's deliberations and answer questions.

Climate Analysis:
These proposed amendments are relatively minor or additions to the code to address new state requirements. Staff do not believe these amendments will have a significant impact on climate related issues, either positively or negatively. Some of the amendments to implement new requirements do support urban land uses and the retrofitting of existing buildings being converted to residential uses that meet newer, more stringent, energy code requirements. These measures will provide some support for our community's efforts to reduce emission of greenhouse gases.

Equity Analysis:
These amendments are likely to only have a minimal effect on equity issues. Some of the amendments will provide support for the conversion of existing structures into residential uses. This could provide greater housing supply, which may help slow, or potentially reduce, the cost of housing for renters. If such projects are taken in areas where other incentives for multifamily housing exist, this could make housing projects more likely to occur.

Neighborhood/Community Interests (if known):
Staff received some questions regarding the proposed amendments when they were first issued in late February. Those questions led to the development of the review companion document and appear to have answered those questions. No additional inquiries were made and no public comments were received.

Financial Impact:
Funding for this work was supported through the department's existing base budget.

Options:
1. Move to approve on to second reading an ordinance to adopt Code Amendments related to Title 17 - Subdivisions.
2. Move to approve on second reading, an ordinance to adopt Code Amendments related to Title 17 - Subdivisions, with revisions.
3. Do not adopt an ordinance for Code Amendments related to Title 17 - Subdivisions.

Attachments:
Ordinance
Proposed Code Amendments
Companion Review Document
Planning Commission Recommendation Letter

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING TITLE 17, SUBDIVISIONS, OF THE OLYMPIA MUNICIPAL CODE, RELATED TO LOT SPLITTING

WHEREAS, HB 1096, passed by the Legislature in the 2025 Legislative session, created new law requiring cities to allow for lot splits of residential lots, under certain specified conditions; passage of this legislation necessitates an update to Olympia's municipal code to allow for such lot splits where consistent with the newly enacted state law;

WHEREAS, on February 23, 2026, the City of Olympia Community Planning and Economic Development Department proposed multiple minor amendments to various chapters in the Olympia Municipal Code, including Title 17, Subdivisions, of the Olympia Municipal Code (OMC) (the Proposed Amendments); and

WHEREAS, Notice of Application for the Proposed Amendments was routed to all Recognized Neighborhood Associations within the City of Olympia and to the Council of Neighborhoods Association on February 23, 2026; and

WHEREAS, on February 23, 2026, the Proposed Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt Development Regulation amendments as required by RCW 36.70A.106 and no comments were received from state agencies during the comment period; and

WHEREAS, on March 2, 2026, the Olympia Planning Commission received a briefing on the Proposed Amendments; and

WHEREAS, on March 11, 2026, the City of Olympia issued a Determination of Non-Significance pursuant to the State Environmental Policy Act (SEPA) on the Proposed Amendments; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Recognized Neighborhood Associations with the City of Olympia pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Parties of Record pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 27, 2006, a legal notice was published in *The Olympian* newspaper regarding the date of the Olympia Planning Commission's public hearing on the Proposed Amendments; and

WHEREAS, on April 6, 2026, the Olympia Planning Commission received a briefing, held a public hearing, and deliberated the Proposed Amendments; and

WHEREAS, there were no written or oral public comments or testimony received on the Proposed Amendments; and

WHEREAS, following the public hearing and deliberations, on April 6, 2026, the Planning Commission provided to the City Council its recommendation to amend Title 17, Subdivisions, of the Olympia Municipal Code (OMC), as proposed; and

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

WHEREAS, the Proposed Amendments have been reviewed pursuant to the Rezones and Text Amendments process outlined in Chapter 18.70 OMC; and

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

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

Section 1. Addition of OMC 17.31. A new Chapter is added to Olympia Municipal Code. Chapter 17.31 is hereby added to read as follows:

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 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 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 the 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 or designee 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 and regulations, 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 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 the City's development regulations including 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 City minimum density requirements.

I. The City 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 and this section, 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 Thurston 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.

Section 2. Olympia Municipal Code. Copies of the Olympia Municipal Code are and must be retained on file with the office of the City Clerk.

Section 3. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and/or any references thereto.

Section 4. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or application of the provisions to other persons or circumstances remains unaffected.

Section 5. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 6. Effective Date. This Ordinance takes effect five days after publication, as provided by law.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

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.

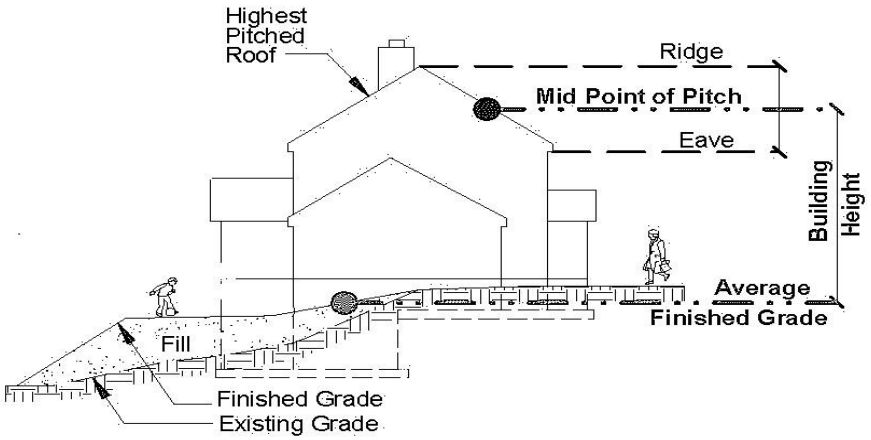


FIGURE 6-1A

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.



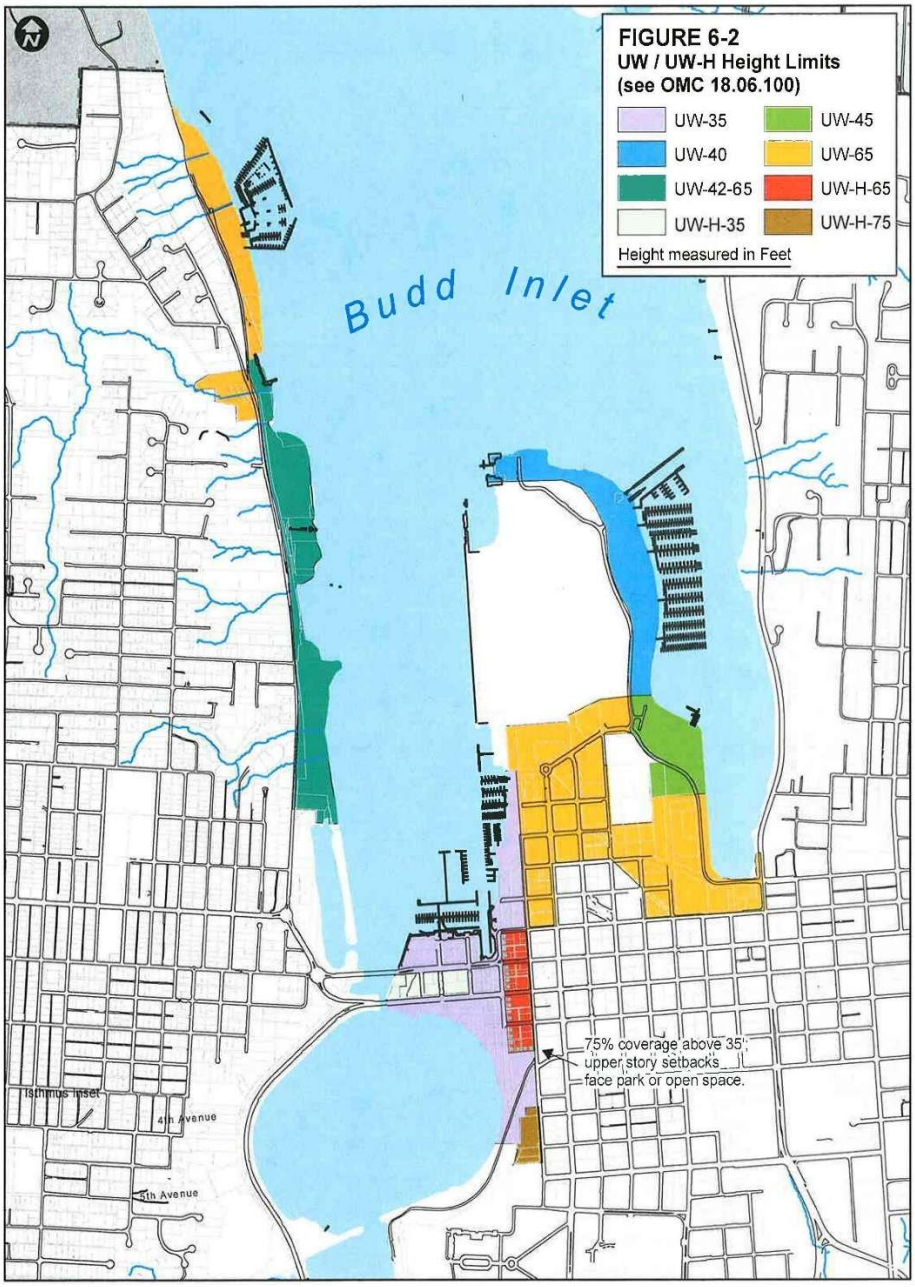
iii. Block 122: Height bonus is limited to one additional story, up to a maximum height of 75 feet. Block 122 is bounded by Olympia Ave, Jefferson Street, and Marine Drive.



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.

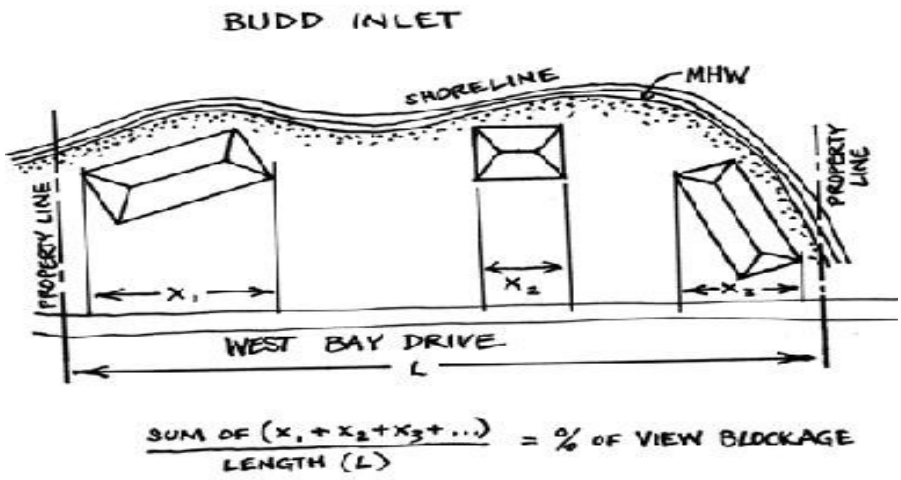


FIGURE 6-2A
Calculating View Blockage in a portion of the Urban Waterfront District along West Bay Drive.

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.

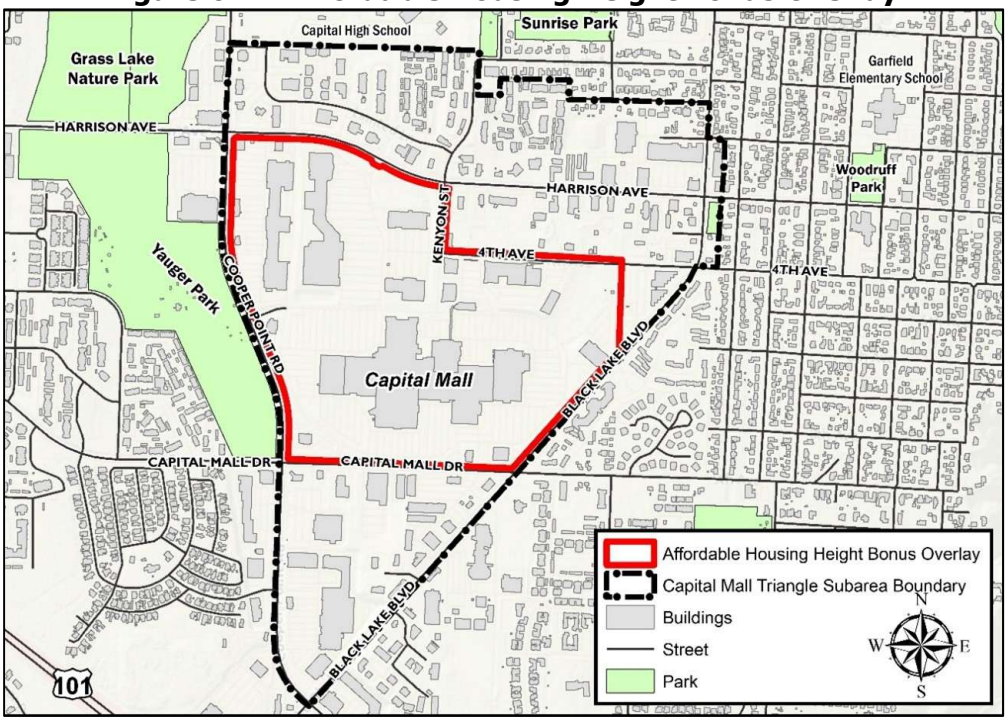
c. Maximum building height is 130 feet for development that meet all of the following requirements:

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).

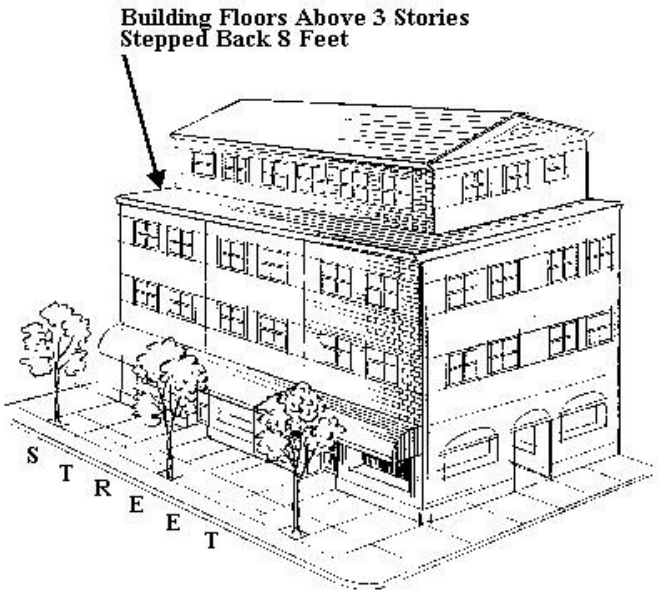


FIGURE 6-3

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.

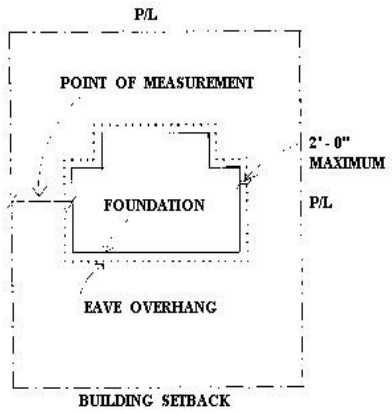


FIGURE 40-4

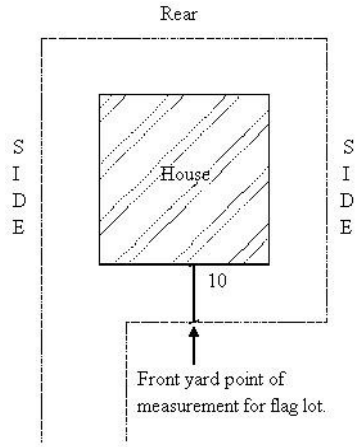


FIGURE 40-5

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.

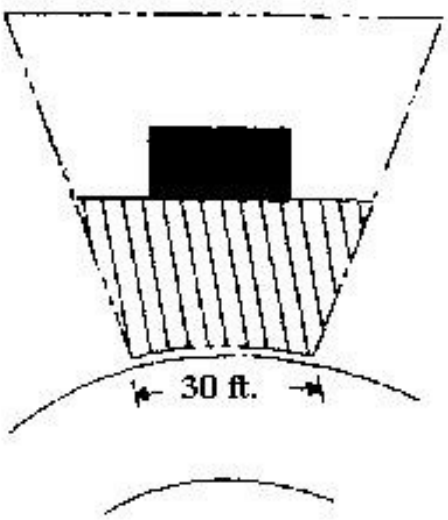


FIGURE 4-2

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~~ 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

2026 Proposed Code Amendments
City of Olympia

The City of Olympia is proposing amendments to the Olympia Municipal Code (OMC). This document is a companion to the proposed amendments, intended to provide information about each of the 47 requested amendments and the outcome, if approved. Page numbers provided correspond to the first public draft of the proposal.

For more information, please contact Joyce Phillips at jphillip@ci.olympia.wa.us or 360.570.3722.

#	Page #	Request by:	Purpose	Outcome
1	Page 1	CPED	Treat all residential zoning districts the same regarding parking. Acknowledge there are more than 3 residential zoning districts.	Treat all residential neighborhoods the same way for parking enforcement.
2	Page 2	OFD	Remove definition of bulk storage	Remove definition.
3	Pages 2-3	OFD	Remove an exception related to access roadways	Remove an exception that was causing "gray" areas and instead rely on access standards.
4	Page 3	OFD	Clarify that Section 16.32.053 – Chapter 9 refers to Commercial Type Hoods.	Section title renamed to Commercial Type Hoods. Helps make it easier for people to find code language related to commercial type hoods.
5	Page 3	OFD	Clarify which parts of the International Fire Code are not adopted by Olympia.	Clarify that Appendix A, Appendix C, and Appendix J are not applicable in Olympia.
6	Pages 3-5	OFD	Clarify when fire alarms are required.	Remove a specific requirement that states that manual fire alarm stations shall be located within 5 feet of all required exits on each floor level and from the structure; add language that applies when certain types of automatic fire sprinkler systems are present in some building types (Group R).
7	Pages 6-8	State Required (HB1096)	Add provisions to the subdivision code to allow "lot splitting"	Add provisions to the subdivision code to allow lot splitting as a type of subdivision.

#	Page #	Request by:	Purpose	Outcome
8	Page 8	CPED	Expand the purpose statement of Title 18 to include renewable energy systems and the reduction of greenhouse gas emissions.	Add provisions to the purpose statement of Title 18 regarding renewable energy systems and the reduction of greenhouse gas emissions.
9	Page 9	CPED	Clarify that "shall" and "must" are requirements within the code; remove the year (1986) in regard to the official dictionary used when considering ordinarily accepted meanings	Clarify that "shall" and "must" are requirements within the code; remove the year (1986) in regard to the official dictionary used when considering ordinarily accepted meanings
10	Pages 9-10	CPED	Clean up language in the code about how to address properties that are divided into more than one zoning district.	The property will be reviewed based on a consolidated site plan that uses one of the two zones for development.
11	Pages 10-11	CPED	Add new definitions	Definitions for adjacent, floor area ratio, solar energy system, solar photovoltaic system, grid-connected solar energy system, roof-mounted solar energy system, Ground-mounted solar energy system as accessory and primary uses, and revisions to property line definitions are provided.
12a	Page 12	CPED	Address "large multifamily" as a permitted use, but one that is different than other housing types given the number of units allowed per lot.	Clarify that large multifamily developments are only allowed in higher density zones. This closes an unintended loophole that may have been construed to allow more than 6 units per lot on larger lots in lower density residential zoning districts.
12b	Page 13	State Required (SB 5509)	Address where child day care centers are allowed.	Allow child day care centers in all residential zoning districts.
13	Page 18	CPED	Remove limitation of the number of people cared for in a Hospice Care Center in two zoning districts.	Remove the limitation of the number of people cared for in a Hospice Care Center. Rely on state license.
14	Pages 18-19	State Required (See RCW 35A.21.440)	Address new state requirements for adding housing units in existing buildings.	Address new state requirements for adding housing units in existing buildings. Affects 18.04 – Residential Districts and 18.06 – Commercial Districts.

#	Page #	Request by:	Purpose	Outcome
15	Page 19	CPED	Address temporary surface parking lot language to add clarity.	Clarify that provisions for temporary surface parking areas are applicable to such lots only when they were previously approved/permitted.
16	Pages 23-24	CPED	Clarify that Hard Surface bonus is available to projects that meet applicability of 18.04.080.k.1.b, not all of 18.04.080.K.1; and that land areas that are submerged for all or part of the year do not count toward the developable land area of the lot.	Clarify that Hard Surface bonus is available to projects that meet applicability of 18.04.080.k.1.b, not all of 18.04.080.K.1; and that land areas that are submerged all or part of the year do not count toward the developable land area of the lot.
17	Pages 25-38	CPED	Clean up the table to increase readability, address new category of "large multifamily", and make changes to match format of the related table in the residential districts chapter.	Clean up the table to increase readability, address new category of "large multifamily", and make changes to match format of the related table in the residential districts chapter. One example: Building coverage is removed and impervious surface and hard surface limits will determine coverage allowed.
18	Page 39, 49-50	State Required (See RCW 36.70A.813 and RCW 36.70A.815)	Address when maximum building height can be exceeded to allow for roof-mounted solar energy panels and when upper story stepbacks and façade modulation cannot be required.	Address when maximum building height can be exceeded to allow for roof-mounted solar energy panels and when upper story stepbacks and façade modulation cannot be required.
19	Pages 50-51	CPED	Provide Hard Surface Coverage allowances currently provided for in residential areas in commercial areas when certain requirements are met.	Provide Hard Surface Coverage allowances currently provided for in residential areas in commercial areas when certain requirements are met.
20	Page 51	CPED	Require the 10 foot maximum front yard setback only along design review corridors or on streets designated as arterials.	Removes the 10 foot maximum setback from lower intensity streets that carry lower traffic volumes. The intention is to have buildings oriented to and close to sidewalks for high traffic streets, but currently the provision applies to all streets.
21	Pages 51-52	Historic Pres.	Update the purpose and intent language.	Update the purpose and intent language to better match the inclusive values of the City.

#	Page #	Request by:	Purpose	Outcome
22	Page 52	Historic Pres.	To update Heritage Commission requirements in code to reflect how the commission operates in order to be uniform with the City's Advisory Body requirements.	Reduce the number of members on the Heritage Commission from 11 to 9 members. This is similar to other advisory committees and may help make it easier to keep the positions filled.
23	Page 52	Historic Pres.	Modify the language about the composition of Commission members in order to reduce the commission's potential for being out of compliance in the case that recruitment is not able to bring in specific subject matter experts.	Reduce the requirement for 4 of the members (down to 2 members) to have specific professional requirements. This may help make it easier to keep the commission positions filled.
24	Page 53	Historic Pres.	Route the reader to the general rules that the heritage commission follows as one of the many advisory bodies of the City to provide more information on terms of appointment.	Add citation to advisory committee code language.
25	Pages 53-54	Historic Pres.	Clarify that the Olympia Heritage Commission must maintain the local Olympia Heritage Register, but does not maintain the State or National register. Alter language to add clarity on process. Remove mentions of references that are no longer applicable..	Add clarifying language about the Heritage Commission powers and duties.
26	Page 54-55	Historic Pres.	Correct code to reflect the City's advisory body procedures that are in practice to be in compliance with City's standards at a larger level.	Add citation to policy on Community-Member Advisory Boards, Commissions and Committees (See OMC 2.100.040).
27	Page 55	Historic Pres.	Amend section name	Amend section name to clarify applicability to the Olympia Heritage Register.
28	Page 55-57	Historic Pres.	Amend section title and add clarification to code language to clarify that the City only maintains our local register, but does not have jurisdiction to maintain or regulate the state or national registers.	Amend language to apply to the Olympia Heritage Register and local historic districts.

#	Page #	Request by:	Purpose	Outcome
29	Page 57	Historic Pres.	Update language to remove reference to obsolete policy.	Remove reference to SEPA Mitigation Policy for Olympia Historic Resources.
30	Pages 57-58	Historic Pres.	Update language	Update language to better align with OMC 18.70, which identifies administration of various permit types, and current terminology.
31	Page 58	Historic Pres.	Update language	Update language to better align with OMC 18.70, current terminology, and current processes.
32	Pages 59-60	CPED	Require that landscaping plans include the location of underground utility lines and equipment; and irrigation plans, if applicable for the project.	Require that landscaping plans include the location of underground utility lines and equipment; and irrigation plans, if applicable for the project.
33	Page 60	CPED	Address parking exemptions in OMC 18.38.	Address parking exemptions in OMC 18.38.
34	Pages 61-62	State Required (See RCW 36.70A.622)	Address certain parking provisions.	Add residential parking provisions as required by Washington State.
35	Page 62	CPED	Address commercial parking provisions in the Downtown Parking Exemption Area.	All structures and uses shall be exempt from the vehicle parking standards but new buildings over 3,000 sq. ft. of gross leasable area shall provide bicycle parking.
36	Page 62	CPED	Clarify that if bicycle or vehicle parking is provided, even if it is not required, that it shall meet standards.	Clarify that if bicycle or vehicle parking is provided, even if it is not required, that it shall meet standards.
37	Pages 63-68	CPED	Address fence and hedge standards to point out additional provisions that apply to some properties.	Add that for properties located in the Downtown Design Review District to see OMC 18.120.370. For other properties that may have a Master Plan approval, such as Briggs Village, to see adopted regulations.
38a	Page 69	CPED	Clarify that some mechanical equipment is allowed in side yard setbacks.	Clarify that mechanical equipment is allowed in side yard areas and may exceed 30 inches in height.

#	Page #	Request by:	Purpose	Outcome
38b	Page 70	State Required (See RCW 35A.21.440, RCW 35.21.990, HB 1042, & HB 1757)	Add provisions for the retrofit of existing buildings when changing to add new housing units.	Clarify when certain energy efficiency measures are allowed to extend into setback areas when existing buildings are being converted into residential units.
39	Pages 70-71	CPED	Add clarifying language to noise standards regarding construction activity.	Add clarifying language to noise standards regarding construction activity.
40	Pages 71-72	CPED	Identify the City's preference for each lot to have at least some street frontage, such as by creating a "flag lot".	Identify the City's preference for each lot to have at least some street frontage.
41	Pages 72-73	CPED	Clarify that signs painted on the side of a building do not require a building permit.	Clarify that signs painted on the side of a building do not require a building permit.
42	Pages 73-74	CPED	Allow multifamily complexes to have two signs.	Allow up to 2 signs when there is frontage on 2 public rights of way.
43	Page 75	CPED	Clarify that design review applies to "large multifamily" projects and to all residential projects in the Infill Design Review District. Clarify that design review is not required for projects that are not visible from a street.	Clarify that design review applies to "large multifamily" projects and to all residential projects in the Infill Design Review District. Clarify that design review is not required for projects that are not visible from a street.
44	Pages 76-77	CPED	Provide language clarifying when design review standards apply to development proposals.	Provide language clarifying when design review standards apply to development proposals.
45	Page 77	CPED	Clarify that when land use review 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.	Clarify that when land use review 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.
46	Page 77	CPED	Clarify that when Board Level design review is required, the administration of the project will be processed in accordance with the timelines associated with the land use permit per OMC 18.70 (Administration).	Clarify that when Board Level design review is required, the administration of the project will be processed in accordance with the timelines associated with the land use permit per OMC 18.70 (Administration).

#	Page #	Request by:	Purpose	Outcome
47	Pages 77-91	State Required (See RCW 35A.21.440)	Allow child day care centers in all zoning districts except industrial zones.	Allow child day care centers in all zoning districts except industrial zones.

Olympia Planning Commission

April 6, 2026

Olympia City Council
PO Box 1967 Olympia
WA 98507-1967

SUBJECT: 2026 Code Amendments

Dear Mayor Payne and Councilmembers:

The Planning Commission recommends approval of the 2026 Code Amendments. The Commission had a briefing on the proposal on March 2, 2026. A public hearing was conducted on April 6, 2026, so the Commission could consider input from the public on the proposal as we completed deliberations.

The Commission voted to recommend approval of the Code Amendments. The commission would like to highlight the following suggestion for future consideration:

- Proposal #14F: During deliberations we discussed striking the "except ground floor commercial or retail that is along a pedestrian street". Removing this restriction would allow for more housing, while vacancies suggest that the city has sufficient commercial space. However, we concluded that removing the clause would require further study as it interacts with other goals (e.g. ground floor interaction on pedestrian streets). **We recommend that the clause be revisited this year during implementation of SB 6026 and other upcoming state requirements that also constrain the requirements of ground floor commercial and be informed by the recent vacancy study.**

Thank you for the opportunity to provide input for your consideration.

Sincerely,

Gregory R. Quetin

Greg Quetin
Chair

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

City Council

Approval of an Ordinance to Adopt Code Amendments Related to Title 18 - Unified Development Code

Agenda Date: 6/23/2026
Agenda Item Number: 4.N
File Number:26-0432

Type: ordinance **Version:** 2 **Status:** 2d Reading-Consent

Title
Approval of an Ordinance to Adopt Code Amendments Related to Title 18 - Unified Development Code

Recommended Action
Committee Recommendation:
The Land Use and Environment Committee recommend approval of an Ordinance adopting Code Amendments related to Title 18 - Unified Development Code.

City Manager Recommendation:
Move to approve on second reading, an ordinance to adopt Code Amendments related to Title 18 - Unified Development Code.

Report
Issue:
Whether to approve on second reading, an ordinance to adopt Code Amendments related to Title 18 - Unified Development Code.

Staff Contact:
Casey Schaufler, Associate Planner, Community Planning and Economic Development, 360.753.8254

Presenter(s):
None - Consent Calendar Item.

Background and Analysis:
Background and analysis has not changed from first to second reading.

Staff regularly proposes amendments to the Olympia Municipal Code (OMC) to make updates, corrections, and clarifications, including amendments necessary to comply with new state requirements. During the multi-year Comprehensive Plan update process, staff identified several areas of the code that warranted future amendment but deferred work on those items until completion of the Comprehensive Plan update.

During that same timeframe, the Washington State Legislature adopted new laws requiring local code amendments. Due to statutory timelines included in some of the legislation, several of the required amendments are highly specific and must be adopted within six months of the Comprehensive Plan update. As a result, some of the proposed code amendments must be completed by the end of June of this year.

This set of proposed amendments affects several different Titles within the OMC. The amendments originate from a variety of sources and operational needs. Some were requested by the Olympia Fire Department and relate to Title 16 (Buildings and Construction). Others were proposed by the City's Historic Preservation Planner and development review planners within the Community Planning and Development Department, affecting Title 10 (Vehicles and Traffic) and Title 18 (Unified Development Code). Additional amendments are necessary to comply with new state requirements and affect Title 17 (Subdivisions) and Title 18 (Unified Development Code).

Because several years passed without a comprehensive package of code amendments, and due to the need to address both accumulated updates and new state mandates, the 2026 amendment package is relatively extensive. In total, the package includes more than 40 proposed amendments that would modify four Titles in the OMC.

To improve organization and readability, staff arranged the amendments generally in the order in which they appear in the OMC. Each proposal is identified by number and includes the relevant code citation and topic area. Amendments are grouped by Title, and within each Title, proposals are organized by chapter and section order. To reduce the overall length of the document, only the specific subsections proposed for amendment are included.

To assist members of the public in understanding the purpose of each proposal and identifying which amendments are required by state law, staff also prepared a companion review document.

Planning Commission

The Planning Commission received a briefing on the proposed amendments in March and held a public hearing in April. No written comments were submitted, and no members of the public provided testimony during the hearing.

Following deliberation, the Planning Commission recommended approval of the amendments as proposed. During discussion, the Commission considered issues related to ground-floor retail requirements and the limitations those requirements may create for housing development in certain areas of Downtown Olympia. This language was not specifically proposed for amendment, but Commissioners are aware of it, the City's vacancy study work, and upcoming requirements for allowing ground-floor residential units in most of the City.

Ultimately, the Commission recommended revisiting the issue later this year as part of the implementation of SB 6026 and other forthcoming state requirements that may further limit local ground-floor commercial requirements. The Commission also recommended that future discussion be informed by the findings of the recent commercial vacancy study.

Land Use and Environment Committee

The Committee considered the proposed amendments at its meeting in May. The Committee

recommends approval of the code amendments as proposed and understands the issues raised by the Planning Commission. Planning Commission Chair, Greg Quetin, was present to summarize the Commission's deliberations and answer questions.

Climate Analysis:
These proposed amendments are relatively minor or additions to the code to address new state requirements. Staff do not believe these amendments will have a significant impact on climate related issues, either positively or negatively. Some of the amendments to implement new requirements do support urban land uses and the retrofitting of existing buildings being converted to residential uses that meet newer, more stringent, energy code requirements. These measures will provide some support for our community's efforts to reduce emission of greenhouse gases.

Equity Analysis:
These amendments are likely to only have a minimal effect on equity issues. Some of the amendments will provide support for the conversion of existing structures into residential uses. This could provide greater housing supply, which may help slow, or potentially reduce, the cost of housing for renters. If such projects are taken in areas where other incentives for multifamily housing exist, this could make housing projects more likely to occur.

Neighborhood/Community Interests (if known):
Staff received some questions regarding the proposed amendments when they were first issued in late February. Those questions led to the development of the review companion document and appear to have answered those questions. No additional inquiries were made and no public comments were received.

Financial Impact:
Funding for this work was supported through the department's existing base budget.

Options:
1. Move to approve on second reading, an ordinance to adopt Code Amendments related to Title 18 - Unified Development Code.
2. Move to approve on second reading, an ordinance to adopt Code Amendments related to Title 18 - Unified Development Code, with revisions.
3. Do not adopt an ordinance for Code Amendments related to Title 18 - Unified Development Code.

Attachments:
Ordinance
Proposed Code Amendments
Companion Review Document
Planning Commission Recommendation Letter

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING TITLE 18, UNIFIED DEVELOPMENT CODE, OF THE OLYMPIA MUNICIPAL CODE, TO EFFECTUATE MISCELLANEOUS CODE AMENDMENTS

WHEREAS, on February 23, 2026, the City of Olympia Community Planning and Economic Development Department proposed multiple minor amendments to various chapters in the Olympia Municipal Code, including in Title 18, Unified Development Code, of the OMC (the Proposed Amendments); and

WHEREAS, the Proposed Amendments were developed, in part, to address changes in state law adopted by the Legislature in the 2024 and 2025 Legislative sessions, and also to address technical issues identified by City Staff; and

WHEREAS, Notice of Application for the Proposed Amendments was routed to all Recognized Neighborhood Associations within the City of Olympia and to the Council of Neighborhoods Association on February 23, 2026; and

WHEREAS, on February 23, 2026, the Proposed Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt Development Regulation amendments as required by RCW 36.70A.106 and no comments were received from state agencies during the comment period; and

WHEREAS, on March 2, 2026, the Olympia Planning Commission received a briefing on the Proposed Amendments; and

WHEREAS, on March 11, 2026, the City of Olympia issued a Determination of Non-Significance pursuant to the State Environmental Policy Act (SEPA) on the Proposed Amendments; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Recognized Neighborhood Associations with the City of Olympia pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Parties of Record pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 27, 2006, a legal notice was published in *The Olympian* newspaper regarding the date of the Olympia Planning Commission's public hearing on the Proposed Amendments; and

WHEREAS, on April 6, 2026, the Olympia Planning Commission received a briefing, held a public hearing, and deliberated the Proposed Amendments; and

WHEREAS, there were no written or oral public comments or testimony received on the Proposed Amendments; and

WHEREAS, following the public hearing and deliberations, on April 6, 2026, the Planning Commission provided to the City Council its recommendation to amend multiple chapters in Title 18, Unified Development Code, of the Olympia Municipal Code (OMC), as proposed; and

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

WHEREAS, the Proposed Amendments have been reviewed pursuant to the Rezones and Text Amendments process outlined in Chapter 18.70 OMC; and

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

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

Section 1. Amendment of OMC 18.02.040. Olympia Municipal Code Section 18.02.040 is hereby amended to read as follows:

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~~appropriately concentrate ~~concentration of~~ population consistent with state law and the Comprehensive Plan, and facilitate adequate provisions for transportation, utilities, schools, parks, and other public needs.

Section 2. Amendment of OMC 18.02.160(C). Olympia Municipal Code Subsection 18.02.160(C) is hereby amended to read as follows:

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~~ must 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 regulations from one of the zones applicable to the parcel apply to the entirety of~~all~~ such ~~property~~ parcel ~~shall~~must 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~~ parcel ~~is~~ must be developed with a consolidated site plan unless all proposed development is clearly and wholly located on the portion of the parcel 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 1,500 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~~ must have the use and development standards of the General Commercial (GC) zoning district.

Section 3. Amendment of OMC 18.02.170(C). Olympia Municipal Code Subsection 18.02.170(C) is hereby amended to read as follows:

B. 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~~ must 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.~~

Section 4. Amendment of OMC 18.02.180(A). Olympia Municipal Code Subsection 18.02.180(A) is hereby amended to read as follows:

A. DEFINITIONS - SPECIFIC.

Abandon. To cease or suspend from developing or maintaining a building or use for a definite period of time.

Abandoned Activity. A business or activity with no reported sales or activity for a period of ~~twelve (~~12~~)~~ months, except temporary closures for repairs, alterations, or other similar situations. Land and/or buildings not in use for such period are considered vacant and unoccupied and may be subject to review including land use approval prior to renewal of use.

Abutting. Two or more parcels or buildings sharing a common boundary of at least one point.

Access. Safe, adequate, and usable ingress/egress (entrance/exit) to a property or use.

Accessory Dwelling Unit. See Dwelling, Conventional.

Accessory Structure. A structure detached from the principal building located on the same lot and customarily incidental and subordinate to the principal building. Any part of the main building ~~which~~ that shares a common wall and roof is considered a part of that building. A building or portion thereof is not considered attached if the attachment is by a covered breezeway. (See also Subordinate.) Examples of accessory structures include garages, sheds, and ground-mounted solar photovoltaic systems.

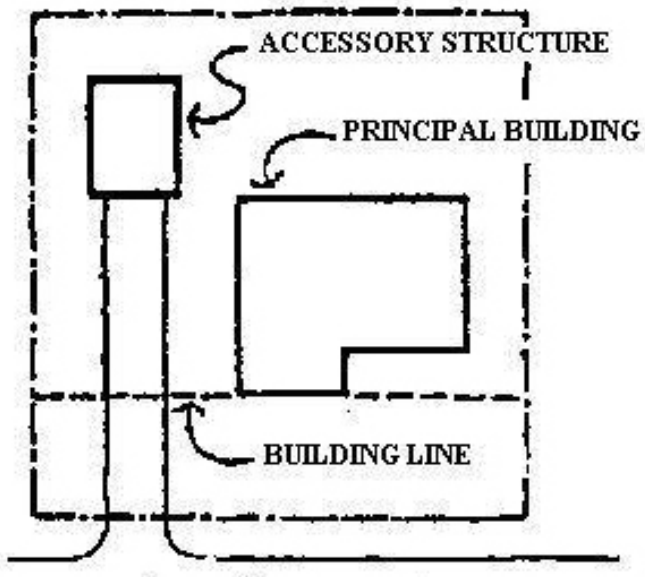


FIGURE 2-1

Accessory Use. A use of land or a portion thereof customarily incidental and subordinate to the principal use of the land and located on the same lot with the principal use, such as: garage sales; merchandise displays outside of a business; community oriented outdoor activity associated with schools, churches, and other non-profit organizations; and temporary contractor offices on a construction site. Accessory uses may also include uses subordinate to the primary use, such as rooftop solar PV on an existing structure.

Action. A decision made by the review authority(s) on a land use application, including any findings, environmental determination, and conditions of approval.

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

Adult Day Care Home. See Dwelling, Assisted Living.

Adult Entertainment.

a. Any exhibition, performance, or dance of any type conducted in a premises where such exhibition, performance, or dance involves a person who is unclothed or in such costume, attire, or clothing as to expose any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals, or human male genitals in a discernibly turgid state, or wearing any device or covering exposed to view ~~which~~ that simulates the appearance of any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals, or human male genitals in a discernibly turgid state, even if completely opaquely covered; or

b. Any exhibition, performance, or dance of any type conducted in a premises where such exhibition, performance, or dance is distinguished or characterized by a predominant emphasis on the depiction, description, simulation of, or relation to, the following specified sexual activities:

    i. Human genitals in a state of sexual stimulation or arousal;

    ii. Acts of human masturbation, sexual intercourse, or sodomy; or

iii. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast; provided, adult entertainment and specifically the "depiction, description, simulation of, or relation to" sexual activities described above, ~~shall~~ may not be construed to include any form of actual sexual conduct as defined in this section.

c. Any exhibition, performance, or dance intended to sexually stimulate any patron and conducted in a premises where such exhibition, performance, or dance is performed for, arranged with, or engaged in with fewer than all patrons on the premises at that time, with separate consideration paid, either directly or indirectly, for such performance exhibition or dance. For purposes of example and not limitation, such exhibitions, performances, or dances are commonly referred to as table dancing, couch dancing, taxi dancing, lap dancing, private dancing, or straddle dancing.

Adult-Oriented Business. ~~Shall mean~~ Means the following businesses:

a. Adult arcade. An establishment containing any individual viewing areas or booths, where, for any form of consideration, including a membership fee, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines are used to show films, motion pictures, video cassettes, slides, or other photographic reproduction of sexual conduct, or adult entertainment.

b. Adult cabaret. A night club, bar, restaurant, theater, or auditorium, or similar commercial establishment, whether or not alcoholic beverages are served, which presents adult entertainment.

c. Adult motel. A hotel, motel, or similar commercial establishment which:

i. Offers sleeping accommodation to the public for any form of consideration and, as a significant purpose of its business, provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction of or description of sexual conduct or adult entertainment and are not rated G, PG, PG-13, NC-13, NC-17, or R by the Motion Picture Association of America; or

ii. Offers a sleeping room for rent for a period of time that is less than ~~ten (~~10~~)~~ hours; or

iii. Allows a tenant or occupant of a sleeping room to sub rent the room for a period time that is less than ~~ten (~~10~~)~~ hours.

d. Adult motion picture theater. A commercial establishment or drive-in theater where a significant portion of the films, motion pictures, video cassettes, slides, or similar photographic reproductions are characterized by the depiction or description of adult entertainment or sexual conduct and are not rated G, PG, PG-13, NC-13, NC-17, or R by the Motion Picture Association of America and are shown for any form of consideration.

e. Adult book store. A business having as a significant portion of its volume of trade the display, barter, rental and/or sale of books, printed matter, video tapes, discs or cassettes, films, pictures or other material or paraphernalia distinguished or characterized by an emphasis on matters depicting, describing or relating to sexual conduct or adult entertainment, as defined herein. For purposes of this ordinance, "portion of its volume or trade" means that portion of the store's display space devoted to such material, or that portion of its gross receipts received from the sale of such material, whichever is greater.

f. Other adult entertainment facility. Any commercial establishment to which any patron is invited or admitted and where adult entertainment is presented as a substantial part of the premises' activity, including but not limited to escort agencies, seminude or nude modeling studios, or similar establishments.

Affected Party. Any individual, partnership, corporation, association, or public or private organization of any character, significantly affected by or interested in an action before the Review Authority, including any party in a contested case.

Affordable Housing. Housing affordable to households with an income not greater than 80 percent of the median income for Thurston County as determined by the U.S. Department of Housing and Urban Development. Affordable housing should cost no more than 30 percent of gross household income (including utilities).

Agriculture. The use of land for farming, dairying, pasturing and grazing, horticulture, floriculture, viticulture, apiaries, animal and poultry husbandry, and accessory activities, including, but not limited to, storage, harvesting, feeding or maintenance of equipment and onsite sales of agricultural products, but excluding stockyards, slaughtering or commercial food processing.

Airport or Heliport. Any area of land or structure designated and set aside for the landing and taking off of any aircraft regulated by the Federal Aviation Administration.

Alley. A public or private way, at the rear or side of property, permanently reserved as a means of vehicular or pedestrian access to a property.

Alteration. Any change, addition or modification in construction or occupancy.

Alteration, Critical Area. Any change to, addition to, or modification of an existing use, including any human activity that results or is likely to result in an adverse impact on the existing condition of a critical area or its buffer. "Alteration" does not include passive recreation such as walking, fishing or similar low impact activities.

Amendment. The action whereby the content of this title is revised, including additions, deletions, or clarification of language, maps, or diagrams.

Amusement Activity. An indoor, covered or outdoor facility or building that contains various devices for entertainment, including coin or token-operated machines, rides, booths to conduct games or the sale of souvenir items.

Ancillary Structure, WCF. Any form of development associated with a wireless communications facility, including but not limited to: foundations, concrete slabs on grade, guy anchors, generators, and transmission cable supports; however, specifically excluding equipment cabinets.

Animals. Any living organism except a plant, fungus, virus, or bacterium. (See also Pet, Traditional.)

Animal Hospital. A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment, including the accessory use of the premises as a kennel or a place where animals or pets are boarded for compensation.

Animal Kennel. See Kennel.

Animal Unit. One thousand pounds of live weight of any given livestock species or any combination of livestock species. For additional information, see the U.S. Department of Agriculture Natural Resources Conservation Service Animal Waste Field Handbook.

Antenna. Any apparatus designed for the transmitting and/or receiving of electromagnetic waves, including but not limited to: telephonic, radio or television communications. Types of elements include, but are not limited to: omni-directional (whip) antennas, sectionalized (panel) antennas, multi or single bay (FM and TV), yagi, or parabolic (dish) antennas.

Antenna Array. A single or group of antenna elements and associated mounting hardware, transmission lines, or other appurtenances which share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

Antenna Element. Any antenna or antenna array.

Antenna Support Structure. A vertical projection composed of metal or other material with or without a foundation that is designed for the express purpose of accommodating antennas at a desired height. Antenna support structures do not include any device used to attach antennas to an existing building. Types of support structures include the following:

Guyed Structure. A style of antenna support structure consisting of a single truss assembly composed of sections with bracing incorporated. The sections are attached to each other, and the assembly is attached to a foundation and supported by a series of wires that are connected to anchors placed in the ground or on a building.

Lattice Structure. A tapered style of antenna support structure that consists of vertical and horizontal supports with multiple legs and cross bracing, and metal crossed strips or bars to support antennas.

Monopole Structure. A style of freestanding antenna support structure consisting of a single shaft usually composed of two or more hollow sections that are in turn attached to a foundation. This type of antenna support structure is designed to support itself without the use of guy wires or other stabilization devices. These facilities are mounted to a foundation that rests on or in the ground or on a building’s roof.

Anti-Climbing Device. A piece or pieces of equipment, which are either attached to an antenna support structure, or which are freestanding and are designed to prevent people from climbing the structure. These devices may include but are not limited to fine mesh wrap around structure legs, "squirrel-cones," or other approved devices, but excluding the use of barbed or razor wire.

Apartment. See Dwelling, Conventional.

Apparel and Accessory Stores. Stores primarily engaged in selling new or used clothing, shoes, jewelry, and related articles for personal wear and adornment and stores which rent clothing such as costumes or formal wear.

Applicant. Owner(s) or lessee(s) of property, including their agent(s) who submit an application for development, including person(s) who have contracted to purchase property.

Arcade. A covered walk with shops along one side and a line of arches or columns on the other side.
Archaeological Sites. Any site or location of prehistoric or historic significance including, but not limited to, burial sites, camp sites, rock shelters, caves and their artifacts, implements and remains of preexisting native Americans.

Architectural Elements. Components that are part of a building, such as windows, doors, materials, details, and structural membrane.

Articulation. The giving of emphasis to architectural elements of a building (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces.

Ash, Incinerator. Particulate or solid residues resulting from the operation of incinerator or energy recovery facilities managing municipal solid waste, including solid waste from residential, commercial and industrial establishments, if the ash residues:

a. Would otherwise be regulated as hazardous wastes under RCW 70.105; and

b. Are not regulated as a hazardous waste under the Federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6910, et seq.

ASR. The Antenna Structure Registration Number as required by the FAA and FCC.

Attached Structure. Any structure that has an enclosed interior wall(s) and covered roof in common with another structure sufficient to constitute an occupiable room (i.e., seven feet wide or more). A structure connected to another structure only by a covered passageway is not considered attached. (See Detached Structure; note that structures conforming with neither definition must conform with requirements of this title for both types of structures.)

Auction. See Swap Meet.

Auditor. The Auditor of Thurston County, Washington.

Automobile Rental Agencies. This includes businesses primarily engaged in short-term rental or extended-term leasing of passenger cars, hearses, limousines, and the like, without drivers. Finance (equity or full-payout) leasing of automobiles is classified with Motor Vehicle Sales.

Automobile Wrecking. The wrecking, dismantling, or salvage of motor vehicles or trailers, or the storage of, sale of or recycling or disposal of dismantled, partly dismantled, or wrecked motor vehicles or their parts. (See also Junk or Salvage Facility.)

Awning. A structure affixed to a building which extends over windows, sidewalks or doors, principally as protection from sun and rain.

Section 5. Amendment of OMC 18.02.180(C). Olympia Municipal Code Subsection 18.02.180(C) is hereby amended to read as follows:

C. DEFINITIONS—SPECIFIC.

Caliper. The American Association of Nurserymen standard trunk measurement of nursery stock. Caliper of the trunk is the trunk diameter measured six inches above the ground for up to and including four inch caliper size, and twelve inches above the ground for larger sizes.

Canopy. A permanent flat roof-like structure attached to and supported by a building, used principally as protection from sun and rain. The structure may or may not incorporate a sign.

Carport. A roofed structure providing space for the parking of motor vehicles, boats, recreational vehicles, or other equipment, and enclosed on no more than three sides.

Cemetery. Property used for the interment of the dead.

Certificate of Appropriateness. A letter or other document stating that proposed changes will not adversely affect the historic characteristics of the property that contribute to its designation.

Certificate of Occupancy. A permit issued by the Community Planning and Development Department prior to occupancy of a structure when the structure is ready for occupancy.

Change of Occupancy. A change in the existing occupancy classification of a building, structure, or land, or portion thereof, as established and defined by the Uniform Building Code then in effect. Land use approval by appropriate authority and a certificate of occupancy issued by the building official may be required for any such change.

Change of Use. A change in the use of a building or land that results in a different classification of use under this Development Code. If a particular land use is undefined by this Development Code, the most similar use listed in the Standard Industrial Classification (SIC) Manual must be used. A change of ownership may not be considered a change of use. (See also Thurston County Assessor SIC land use classifications.)

Child Day Care. The provision of supplemental parental care and supervision:

a. For an unrelated child or children,

b. On a regular basis,

c. For less than 24 hours a day, and

d. Under license by the Washington State Department of Social and Health Services.

As used in this Development Code, the term is not intended to include babysitting services of a casual, non-recurring nature or in the child's own home. Likewise, the term is not intended to include cooperative, reciprocative child care by a group of parents in their respective domiciles.

Child Care Home, Family. A facility in the residence of the licensee providing regular scheduled care for twelve or fewer children, within a birth through eleven-years-of-age range exclusively, for periods of less than 24 hours.

Child Day Care Center. A facility providing regularly scheduled care for a group of children one month of age through 12 years of age for periods less than 24 hours.

Church. A building or structure, or groups of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses, not including bingo or games of chance, nor schools which exceed normal religious service hours.

City. The City of Olympia.

City Council. The duly elected Mayor and Council Members of the City of Olympia.

Clear Sight Triangle. A triangular-shaped portion of land at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the vision of vehicle operators entering or exiting the intersection. (See also chapter 18.40 OMC.)

Clearing. The destruction or removal of vegetation from a site by physical, mechanical, chemical, or other means, not including landscape maintenance or pruning consistent with accepted horticultural practices which does not impair the health or survival of trees and vegetation.

Clinic. A place for outpatient medical services to human patients.

Closed Record Appeal. An administrative appeal following an open record hearing on a project permit application when the appeal is on the record with no new evidence or information allowed to be submitted and only appeal argument allowed. [See RCW 36.70B.020(1)].

Club. An association of persons (whether or not incorporated) organized for some common purpose, not including a group organized primarily to render a service customarily carried on as a business. Retail warehouse buying clubs are not included in this definition. (See also Health Club and Country Club.)

Clustered Subdivision. A subdivision development in which building lots are sized to conform to the "footprint" of the structures and placed closer together than conventional development (usually in groups or clusters). The remaining undeveloped land is generally preserved as open space and/or recreation land. Private development easements around the structures are permitted for private landscaping, pools, spas, yards, and similar uses.

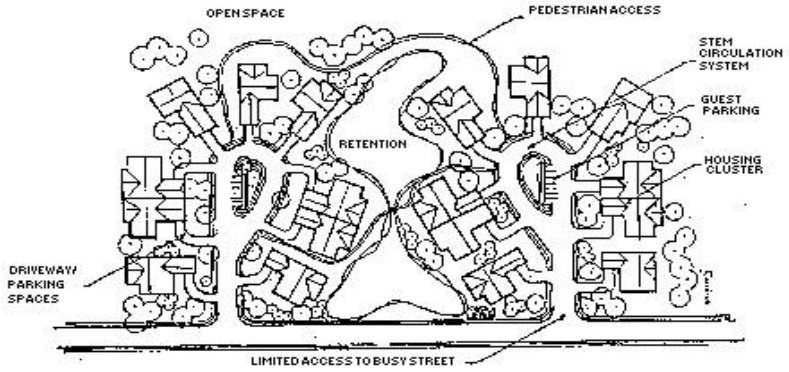


FIGURE 2-2

Cocktail Lounge. See Drinking Establishments.

Co-Living Housing. See Dwelling, Conventional.

Collegiate Greek System Residence. A building which is occupied by unrelated members of a private educational organization, and which contains sleeping rooms, bathrooms, common rooms, and a central kitchen and dining room. (See Dormitory.)

Collocation. The practice of installing and operating multiple wireless carriers, service providers, and/or radio common carrier licensees on the same antenna support structure or attached wireless communication facility using different and separate antenna, feed lines and radio frequency generating equipment.

Combined Antenna. An antenna or an antenna array designed and utilized to provide services for more than one wireless provider for the same or similar type of services.

Commercial Vehicle. A vehicle customarily used as part of a business for the transportation of goods or people.

Commission. The Planning Commission of the City of Olympia.

Common Structure. A commonly owned structure intended for the common use of all residents of the development which meets the requirements of OMC 18.04.060(F)(1).

Community Clubhouse. A privately owned structure in which inhabitants of a neighborhood or subdivision, or members of a neighborhood association, gather for meetings and other activities.

Community Park. An area intended for use by the community for active and/or passive recreation activities. Such parks may contain large areas such as lake fronts, parkways, forest areas, picnic areas, arts facilities, and regulation size athletic fields designed for organized competitive sports such as softball, baseball, or soccer.

Compensation. Types of compensation include, but are not limited to the following:

In-Kind. Replacement of a habitat type with substitute habitat whose characteristics closely approximate those destroyed or degraded by an allowable use or activity.

Off-Site. Replacement of a specific habitat type away from the site on which a habitat type has been impacted by an allowable use or activity.

On-Site. Replacement of a habitat type at or within 500 feet of the site on which the habitat type has been impacted by an allowable use or activity.

Out-of-Kind. Replacement of a habitat type with a substitute habitat type whose characteristics do not closely approximate those destroyed or degraded by an allowable use or activity.

Compensation Project. Actions necessary to replace project-induced losses to the functional values of a critical area, including land acquisition, planning, construction plans, monitoring and contingency actions.

Comprehensive Plan. The plan adopted by the City Council to guide the physical growth and improvement of the city, including any future amendments and revisions.

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

Conditional Use Permit. A discretionary permit granted under the provisions of this Development Code and which, when granted, authorizes a specific use to be made of a specific property, subject to compliance with all terms and conditions imposed on the permit.

Condominium. See Dwelling, Conventional.

Conference Center. A facility used for seminars, conventions, symposiums and similar uses, with meeting rooms and possibly food preparation and eating facilities.

Confidential Shelter. See Dwelling, Assisted Living.

Conforming Use. A land use consistent with the list of permitted uses for the district in which it is located, or otherwise designated as a conforming use in that district.
Congregate Care Senior Housing. See Dwelling, Assisted Living.

Consistency with Comprehensive Plan. Performance in accordance with and complying and conforming with state law and the Olympia Comprehensive Plan as determined by consideration of the type of land use, the level of development, infrastructure, and the character of the development. [See RCW 36.70B.040].

Construction Permit, SEPA-exempt. A construction permit or license exempt from the threshold determination and environmental impact statement requirements of the State Environmental Policy Act, such as an electrical, mechanical, plumbing or single-family building permit, and installation permits for lateral utility lines.

Contiguous Land. Parcels adjoining and touching other land and having the same owner regardless of whether or not portions of the parcels have separate tax lot numbers, were purchased at different times, lie in different sections, are different government lots or are separated from each other by private roads or private rights-of-way.

Contributing Historic Property. A property within a designated historic district listed as having enough historic significance to have been listed as a "contributing" property during the historic district approval process.

Convalescent Home. See Dwelling, Assisted Living.

Cornice. Any ornamental molding which protrudes along the top of a building.

Cooperative Housing. See Dwelling, Conventional.

Cottage Housing. See Dwelling, Conventional.

Country Club. A private or public membership facility designed for tennis, swim and other recreational activities except riding stables. Such uses and activities may be grouped around a clubhouse containing a restaurant, banquet and meeting room facilities. (See also Golf Course.)

County. Thurston County.

Courtyard. An open, unoccupied space, other than a yard, on the same lot with a building and bounded on two or more sides by the walls of a building.

Covenant. See Restrictive Covenant.

Coverage, Building. The portion of a lot covered by the principal and accessory building floor area including all areas covered by a weather-tight roof, excluding two feet of eaves.

Coverage, Impervious. The area which is occupied or covered by all impervious surfaces including the total horizontal surface of all buildings, except two feet of eaves. (See Net Site Area and Impervious Surface definitions.)

Crematorium. A facility that uses heat or fire to reduce human or animal remains to ashes.

Creek. See Stream.

Crisis Intervention Service. A mental health agency that offers 24 hour counseling, instruction and referral to persons in critical situations. This service is provided by telephone only and not in-person. Crisis intervention services are defined and regulated in Chapter 275-56-350 of the Washington Administrative

Code. Such facilities may be characterized by a need for location confidentiality. This is not defined as a Business Office nor a Government Office.

Critical Area. Any of the following areas and ecosystems:

a. Wellhead Protection Areas,

b. Important Habitats and Species,

c. Streams and Priority Riparian Areas,

d. Wetlands, and

e. Geological Hazard Areas.

Critical Area Tract. An area containing a critical area and/or buffer and that is subject to a recorded critical area protection restriction. (See Tract)

Culvert. A conveyance device (e.g., concrete box, pipe) which conveys water under (usually across) a roadway or embankment.

Section 6. <u>Amendment of OMC 18.02.180(F)</u>. Olympia Municipal Code Subsection 18.02.180(F) is hereby amended to read as follows:

F. DEFINITIONS - SPECIFIC.

FAA. The Federal Aviation Administration.

Facade. The vertical side or sides of a building facing city streets or pedestrian plazas.

Family. An individual, or two or more persons, living in a dwelling unit or a foster family home, or an adult family home, as defined under Washington State law or administrative code.

Farmers Market. See Swap Meet.

FCC. The Federal Communications Commission.

Feed Lines. Cables used as the interconnecting media between the transmission/receiving base station and the antenna of a WCF.

Fence. A physical barrier used to prevent entrance or exit, or to mark a boundary.

Filling or Fill. Any depositing or stockpiling of earth materials.

Final Approval. The final official action taken by the Review Authority on a proposed subdivision, short subdivision, binding site plan, large lot subdivision, dedication, or other application requiring City approval.

Flashing Sign. See Sign, Animated.

Flea Market. See Swap Meet.

Flood Hazard Area. Those lands having a one percent or greater chance of flooding in any one year.

Floor Area. See Gross Floor Area.

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. 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.

Flush-Mounted Antenna. Any antenna or antenna array attached directly to the face of the support structure or building such that no portion of the antenna extends above the height of the support structure or building. Where a maximum flush-mounting distance is given, that distance ~~shall~~ must be measured from the outside edge of the support structure or building to the inside edge of the antenna.

Food Stores. Stores primarily engaged in selling food and beverages for home preparation and consumption. It includes grocery stores; meat and fish markets, including freezer provisioners; fruit and vegetable markets; candy, nut, and confectionery stores; dairy products stores; retail bakeries; wine and beer shops; liquor stores; and miscellaneous stores specializing in items such as spices, coffee, or health foods. As an accessory use, a food store may also sell prepared products for on-site or off-site consumption.

Frequent Transit Routes. Transit routes for which the majority of bus stops have service four or more times per hour, for a minimum of 12 or more hours per day, for at least five days per week.

Front Wall. The wall of a structure nearest to the street upon which the structure faces, excluding cornices, canopies, eaves, or any other architectural embellishments.

Front Yard. See Yard, Front.

Frontage. The side(s) of a lot abutting a public rights-of-way.

Frontage Improvements. See Improvements.

Functions, beneficial functions or functions and values. The beneficial roles served by critical areas including, but not limited to: water quality protection and enhancement; fish and wildlife habitat; food chain support; flood storage, conveyance and attenuation, groundwater recharge and discharge; erosion control; wave attenuation; historical and archaeological value protection; and aesthetic value and recreation.

Funeral Parlors and Mortuaries. Businesses primarily engaged in conducting funerals and preparing the dead for burial, but not including crematoriums.

Furniture, Home Furnishings, and Appliance Stores. Businesses primarily engaged in the retail sale of goods used for furnishing the home, such as furniture, floor coverings, draperies, lighting fixtures, woodstoves, domestic cookstoves, refrigerators, and other household electrical and gas appliances. This category also includes rental of furniture, appliances, and the like. Consumer electronics such as televisions, stereo equipment, and personal computers are classified under Specialty Stores. Mini-computers and mainframe computers are classified under Office Supplies and Equipment Stores. (See also Specialty Stores.)

Section 7. Amendment of OMC 18.02.180(G). Olympia Municipal Code Subsection 18.02.180(G) is hereby amended to read as follows:

G. DEFINITIONS - SPECIFIC.

Gambling Establishment. A business primarily engaged in Class E and F (fee-charged and enhanced card room activities) and house-banked card games and similar activities as defined and regulated by the Washington State Gambling Commission.

Garage. An enclosed detached or attached accessory building which is primarily used for the parking of vehicles. (See also Parking Facility.)

Garage, Commercial. A structure, or portion thereof, used primarily for the parking and storage of motor vehicles and available to the general public. (See also Parking Facility, Commercial.)

Garage, Private. Any building or portion thereof accessory to, or within, the principal building, and which is used or intended to be used by persons residing on the premises for the storage or parking of motor vehicles, boats and other permitted uses. (See also Carport.)

Gas Station. See Service Station.

General Merchandise Stores. Stores which sell a number of lines of merchandise in one store, such as department stores, warehouse buying clubs, variety stores, country general stores, drug stores, and the like. A store which primarily sells only prescription and over-the-counter drugs is defined as a Pharmacy.

Geographic Search Ring. An area designated by a wireless provider or operator for a new base station, produced in accordance with generally accepted principles of wireless engineering.

Geologist. A person who has earned a degree in geology from an accredited college or university, or a person who has equivalent educational training and has experience as a practicing geologist.

Golf Course. A private or public facility with extensive outdoor grounds designed for playing golf (typically 9 or 18 holes). Accessory uses may include a clubhouse, tennis and swim activities, and a driving range, but not to include riding stables. (See also Country Club).

Grade. The finished ground level adjoining the building at the exterior walls.

Grade Plane. A reference plane representing the average of the finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane must be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building between the structure and a point six feet from the building.

Grading. Any excavating or filling of earth materials or any combination thereof.

Greenhouse. A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity may be regulated for the cultivation of delicate or out-of-season plants for sale or personal enjoyment. (See also Nursery.)

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

Grocery Store. A subcategory of food store which is primarily engaged in the retail sale of a wide variety of fresh foods, packaged foods and household supplies for preparation and consumption in the home. Commonly known as a supermarket, grocery store, or minimarket, this type of store sells such goods as tea, coffee, spices, sugar, flour and packaged foods; fresh and/or frozen fruits and vegetables; fresh and/or prepared meats, fish, and poultry; domestic cleaning products and paper goods; and miscellaneous small items for home use. See also "Food Stores." A store which also sells a wide variety of non-grocery items (such as automotive supplies, consumer electronics, hardware, building materials, apparel, sporting goods or the like) as a major part of its sales (i.e., 30 percent or more of its display area) is classified as a "general merchandise store."

Gross Acreage. The total area within the lot lines of a lot or parcel of land before public streets, easements or other areas to be dedicated or reserved for public use are deducted from such lot or parcel.

Gross Floor Area for non-Accessory Dwelling Units. The area included within the surrounding exterior finished wall surface of a building or portion thereof, exclusive of courtyards.

Gross Floor Area for Accessory Dwelling Unit(s). The interior habitable area of an accessory dwelling unit, including basements and attics, but not including a garage or accessory structure.

Ground Area. See Gross Acreage.

Ground Cover. A variety of grasses or other low growing plants often cultivated to reduce soil and wind erosion.

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.

Groundwater. Water in a saturated zone or stratum beneath the surface of land or below a surface water body.

Group Home. See Dwelling, Assisted Living.

Guest House. See Dwelling, Conventional.

Section 8. Amendment of OMC 18.02.180(P). Olympia Municipal Code Subsection 18.02.180(P) is hereby amended to read as follows:

P. DEFINITIONS – SPECIFIC.

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.

Park, Neighborhood. An area suited for passive and/or active family activities and play which may include facilities such as picnic table and shelters, barbecue pits, playground equipment, basketball backboards, small sized playfields, volleyball courts and tennis courts. Neighborhood parks can serve an urban design as well as recreational function and are a core feature of neighborhood centers.

Park, Public. A park, playground, swimming pool, beach, pier, reservoir, golf course or athletic field which is under the control, operation or management of the City, county, state, or federal government.

Parking, Combined. Two or more land uses or a multi-tenant building which merge parking needs to gain a higher efficiency in vehicular and pedestrian circulation.

Parking Facility or Lot. A land area, building or structure that is for the temporary parking or storage of vehicles for which a fee may or may not be charged, and where no service or repairs of any kind are furnished.

Parking Facility, Commercial. A parking facility available to the general public, for which a fee is charged on an hourly, daily, weekly, monthly, or other similar basis.

Parking, Shared. Two or more land uses or a multi-tenant building which merge parking needs based on different operating hours to gain a higher efficiency in vehicular and pedestrian circulation, economize space, reduce impervious surface and provide a superior grouping of building(s).

Parking Space. An area which is primarily intended for the temporary storage of vehicles and which meets the design requirements of this code.

Party of Record. The applicant and any person who prior to a decision has requested notice of the decision or submitted substantive comments on an application.

Passive Recreation. See Recreation, Passive.

Pedestrian-Oriented Business. A commercial enterprise whose customers commonly arrive at a business on foot, or whose signage, advertising, window display and entry ways are oriented toward pedestrian traffic. Pedestrian-oriented business may include restaurants, retail shops, personal service businesses, travel services, banks, (except drive-through windows), and similar establishments.

Pedestrian Plaza. An area between a building and a public street which promotes visual and pedestrian access onto the site and which provides pedestrian-oriented amenities and landscaping to enhance the public's use of the space for activities such as resting, gathering, reading and picnicking.

Pedestrian Street. Street devoted to uses and amenities which stimulate and reinforce pedestrian activities and visually interesting features at the pedestrian level. Uses are typically sidewalk oriented and physically and visually accessed by pedestrians from the sidewalks, are open during established shopping hours, generate walk-in pedestrian clientele and contribute to a high level of pedestrian activity. Such uses include, but are not limited to, retail shops, restaurants, personal services, day care facilities, banks, travel agencies, cinemas, theaters, amusement establishments, galleries, museums, public display spaces, drug stores, shoe repair shops, floral shops, hair shops, department stores, small hardware stores, and apparel shops. Visually interesting features include, but are not limited to, sculptures, display cases, landscaping, vendor stalls and carts, and architectural detailing.

Percolation. The downward flow or infiltration of water through the pores or spaces of rock or soil. (See also Impervious Surface.)

Performance Guarantee. A financial guarantee acceptable to the City Attorney to ensure all improvements, facilities, or work required by this ordinance will be completed in compliance with this ordinance, regulations, and approved plans and specifications.

Perimeter. The boundaries or borders of a lot, tract, or parcel of land.

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

Permitted Use. A use allowed by law in a use district and subject to the provisions applicable in that district.

Person. Any individual, firm, co-partnership, joint venture, association, social club, social organization, company, joint stock association, corporation, estate, trust, organization, business, business trust, public agency, school district, state or its political subdivisions or instrumentalities, syndicate or any group or combination thereof, acting as a unit, including any trustee, receiver or assignee.

Personal Services. A business primarily engaged in providing services generally involving the maintenance of the human body, or other services to one's person or household pets. Such businesses include, but are not limited to, barber and beauty shops, photographic studios, tanning parlors, pet grooming, and obedience training. This does not include Medical Offices, Kennels or Veterinary Clinics. (See also Health Fitness Centers and Dance Studios.)

Personal Wireless Service. Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, as defined in the Telecommunications Act of 1996 and 47 U.S.C. 332 and future amendments thereof.

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

Pesticide. Any chemical that is used to kill pests, especially insects and rodents.

Pet, Traditional. Animals which can be house-broken, walked on a leash, are frequently, but not necessarily, housed within the residence, or as a class judged neither obnoxious nor to pose a public safety or health threat. Traditional pet birds include song birds and parrots.

Pharmacies and Medical Supply Stores. Businesses primarily engaged in the sale of prescription and over-the-counter drugs, plus perhaps vitamins, first-aid supplies, and other health-related products. It also includes firms primarily engaged in the sale of medical equipment such as orthopedic or prosthetic devices, or equipment for home health testing. Pharmacies which also sell a wide variety of other types of merchandise, such as beauty products, camera equipment, small consumer electronics, giftware, food items, greeting cards, toys, housewares, and/or cleaning supplies are commonly known as "drug stores," and are classified as General Merchandise Stores.

Pigeons, Performing and Racing. Pigeons which are raised and used in the sport, hobby or competition of performing or racing; which require being released for freedom of flight for purposes of training, maintaining physical conditioning or competitive performance; and which are identified by a leg band containing the name or initials of the owner, or with an identification or registration number stamped on said band. Specifically included in this category are flying tipplers, tumblers, rollers and homing or racing pigeons.

Plat. A map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions or dedications.

Plat, Final. The final drawing or map of a subdivision and dedication, prepared for recordation with the County Auditor and containing all elements and requirements set forth in RCW Chapter 58.17 and in the City of Olympia Subdivision Ordinance.

Plat, Preliminary. A drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks and other elements of a subdivision consistent with the requirements of this code. The preliminary plat furnishes a basis for approval or disapproval of a general layout for a subdivision.

Plat, Preliminary Approval. The official action approving a proposed division of land, normally subject to the installation of improvements or fulfillment of conditions prior to final approval.

Plat, Short. The map or representation of a short subdivision containing all pertinent information required by Titles 17 and 18 OMC, and other applicable ordinances.

Portable Classroom. An accessory building/structure used for public, private or parochial education, and located on the same site as the principal building of instruction.

Principal unit. The single-family housing unit, duplex, triplex, townhome, or other housing unit located on the same lot as an accessory dwelling unit. If this unit meets the ADU size provisions in OMC 18.04, this unit can be reclassified as an ADU and a newly built unit can be designated as the principal unit during or after the building of that new unit.

Principal Use. The primary or predominant use of any lot, building or structure.

Printing, Commercial. This includes shops specializing in printing small jobs for business clients or the general public, such as photocopying, offset printing, or screen printing of documents, announcements, business cards, or the like. This also may include blueprinting, computer plotting, and similar business services. These shops may engage in typesetting, photoengraving, plate-making, and other printing functions incidental to their primary activity; however, if they are primarily engaged in these functions as a service to other printing businesses, they are classified under Industrial Printing. Businesses which print books, magazines, newspapers, or other periodicals for others are classified under Industrial Printing.

Printing, Industrial. Businesses which print books, magazines, newspapers, or other periodicals for others. It also includes printers of maps, posters, and the like; makers of business forms, looseleaf binders, and the like; and service industries for the printing trade, such as engraving, typesetting, photoengraving, electrotyping and stereotyping, lithographic platemaking, and related services.

Private School. See School, Private.

Private Utility. A privately owned enterprise that provides the public with electricity, gas, heat, steam, communication, transportation, water, sewage and garbage collection or other similar public services.

Prohibited Use. A use that is not permitted in a zoning or land use district.

Project. A change in occupancy or modification or improvement of real estate, whether done by clearing, grading, or structure creation or modification in any manner requiring approval, licensing, or permitting by the City of Olympia.

Project Permit. Any land use or environmental permit or approval required from the City for a project [See also RCW 36.70B.020(4)].

Project Permit Application. A formal written request to the City for a project permit or approval on forms provided by the City.

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.)

Public Access (Shoreline). The physical ability of the general public to reach and touch the water's edge and/or the ability to have a view of the water from upland locations. There are a variety of types of public access including picnic areas, pathways and trails (including handicapped accessible), floats and docks, promenades, viewing towers, bridges, boat launches, street ends, ingress and egress, parking, and others.

Public Art. Expressionistic forms, either human-made or natural, which are located for community view on private or public property.

Public Building. Any building, structure, facility, or complex used by the general public, whether constructed by any state, county, or municipal government agency or instrumentality or any private individual, partnership, association, or corporation, including, but not limited to, assembly buildings, such as auditoriums, libraries, public eating places, schools, and theaters; business buildings, such as offices; and factories and industrial buildings.

Public Facility. Land, buildings or structures operated by a municipal or other governmental agency to provide local protective, social, recreational, cultural, or mass transportation services directly to the general public. This includes police and fire stations, libraries, recreation facilities, bus transfer stations and park-and-ride lots. It also includes public land or buildings devoted solely to the storage of equipment and materials. It does not include facilities whose primary purpose is to provide administrative or judicial services, except as they may be incidental to the defined use, nor parking lots that are accessory to uses that would otherwise not be allowed in the underlying zone.

Public Hearing. A meeting announced and advertised in advance and for the express purpose of providing the public an opportunity to comment on a specific proposed action for adoption or approval by the City.

Public Meeting. An informal meeting, hearing, workshop or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the City's decision on the permit application. A public meeting may include a design review board meeting, a neighborhood association meeting, or a scoping meeting on a draft environmental impact statement. A public meeting is distinct from and does not include an open record hearing. [See RCW 36.70B.020(5)].
Public Project of Significant Importance. See OMC 18.66.090.

Public Safety Communications Equipment. All communications equipment utilized by a public entity for the purpose of ensuring the safety of the residents of the City and operating within the frequency range of 700 MHz and 1,000 MHz and any future spectrum allocations at the direction of the FCC.

Public Services. Fire protection and suppression, law enforcement, public health, education, recreation, environmental protection and other governmental services.

Public Use Area. An outdoor portion of a property that is dedicated to public use and which contains one or more of the following elements: benches, tables, lawns, public art, gardens, exercise or play equipment, or similar improvements or features. These elements are to provide the public with recreational activities in addition to the right to traverse or stand in this area.

Public Utility. An organization or government agency which provides the public with electricity, gas, heat, steam, communication, transportation, water, sewage or garbage collection or other essential public services.

Publishing. Businesses which publish and print on their premises books, magazines, newspapers, or other periodicals. If such establishments do not perform printing on their premises, they are classified as Business Offices.

Section 9. <u>Amendment of OMC 18.02.180(R)</u>. Olympia Municipal Code Subsection 18.02.180(R) is hereby amended to read as follows:

R. DEFINITIONS - SPECIFIC.

Radio Frequency Emissions. Any electromagnetic radiation or other communications signal emitted from an antenna or antenna-related equipment on the ground, antenna support structure, building, or other vertical projection.

Radio, Television, or Communication Tower. A vertical structure that is intended to send or receive radio, or other wireless communications and to serve more than one user or an enterprise whose principal business is such communications. See Antenna.

Ravine. A narrow gorge that normally contains steep slopes and is deeper than ten vertical feet as measured from the lowest point of the valley to the top of the slope.

Rear Yard. See Yard, Rear.

Reasonable Alternative. An activity that could feasibly attain or approximate a proposal's objectives, but with less environmental impact or decreased level of environmental degradation.

Recreation, Active. Leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites, or fields.

Recreation, Commercial. A facility operated as a business which is designed and equipped for leisure-time activities such as theaters, bowling alleys, museums, aquariums, public and private recreational concessions, miniature golf, archery ranges, and amusement activities such as coin or token-operated machines, rides, or booths to conduct games. (See also Health Fitness Centers and Dance Studios, Golf Courses, Country Clubs, and Riding Stables.)

Recreation, Passive. Activities that involve relatively inactive or less energetic activities, such as walking, sitting, picnicking, card games, chess, checkers, or similar table games and activities which may involve educating the user.

Recreation Facility. A place designed and equipped for the purpose of sports and leisure-time activities.

Recreational Vehicle. A vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. The term recreational vehicle includes, but is not limited to, travel trailers, pick-up campers, camping trailers, tiny-houses on wheels, motor coach homes, converted trucks, buses, or boats.

Recreational Vehicle Park. Any lot or parcel of land upon which two or more recreational vehicles sites are located, established, or maintained as temporary living quarters for recreation or vacation purposes, not to exceed 180 days in any one-year period.

Recycling. The process by which waste products are collected and reduced to raw materials and transformed into new products.

Recycling Facility. A facility for the collection and/or sorting and storage of recyclable materials generated from domestic or small business sources, such as bottles, cans, paper, cardboard, aluminum, and plastics. This definition does not include facilities for the processing of recyclable materials, which are classified as an industrial use. Recycling facilities are further divided into two categories: Type I Recycling Facilities include bins or other temporary or permanent facilities for the collection of small quantities of recyclable materials to be sorted and/or processed elsewhere. A Type I facility may be accessory to a primary use, such as a recycling bin at a grocery store parking lot. Type II Recycling Facilities include facilities primarily dedicated to the collection, sorting, or purchase and resale of recyclable materials.

Remodel. The alteration, restoration, reconstruction, addition to, structural modification, change of existing building footprint or internal floor plan that requires city approval or the issuance of any City permit.

Rental, Residence. The temporary rental of a single-family home for personal social events such as a wedding reception, private party or similar activity. (See also Temporary Uses.)

Replat. The further division of lots or the relocation of lot lines of any lot or lots within a subdivision previously approved and recorded according to law; or the alteration of any streets or the establishment of any new streets within any such subdivision, but not including conveyances, made so as to combine existing lots by deed or other instruction.

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.

Restoration. Measures taken to restore an altered or damaged natural feature including:

a. Active steps taken to restore damaged wetlands, streams, protected habitat, or their buffers to the functioning condition that existed prior to an unauthorized alteration; and

b. Actions performed to reestablish structural and functional characteristics of the critical area that have been lost by alteration, past management activities, or catastrophic events.

Restrictive Covenant. A restriction on the use of land usually set forth in the deed. [NOTE: Restrictive covenants usually run with the land and are binding upon subsequent owners of the property. However, some restrictive covenants run for specific periods of time.]

Retail Trade. The selling of goods or merchandise to the general public for personal, business, or household consumption. The retail sales establishment is usually a place of business and is engaged in activity to attract the general public to buy goods. The establishment may also buy and receive goods.

Retail sales includes services related to the retail goods. The establishment may process, repair, manufacture, and wholesale some of the products, such as jewelry, baked goods, beverages, apparel, pottery, or consumer electronics, but such processing, repair, or manufacturing must be associated with retail activities, be limited to rear or upper floor areas in the same building, and emit no loud noise or noxious odor. See Industry, Light.

Revision of Application, Minor. A change or correction by an applicant of a proposed project, either voluntarily or to conform with applicable standards and requirements, that does not, in the opinion of the Director, constitute a substantial change requiring reinitialization of the review process and period.

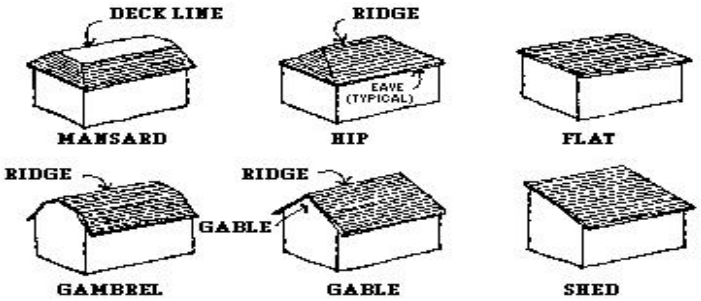
Revision of Application, Substantial. A change or correction by an applicant of a proposed project, either initiated voluntarily by the applicant or to conform with applicable standards and requirements, that in the opinion of the Director requires a new review process and period. For example, a change in a proposal which, as a result of changes in the proposed land use, substantially greater floor area or number of residential units, or substantial relocation of uses or structures, or the like, probably would result in significantly different impacts to the environment, upon public services or facilities, or to neighboring properties or land uses.

Revolving Sign. See Sign, Animated.

Rezone. A change in the land use classification of a specific area to another use classification.

Right-of-Way - Improved. All of the right-of-way where any portion of it is used for motor vehicle travel.

Rights-of-Way. The right of one to use or pass over the property of another.



ROOF TYPES

FIGURE 2-6

Roof. The outside top covering of a building.

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-mounted systems are accessory to the primary use.

Rooming House. See Lodging House.

ROW. Rights-of-ways of public easements, roadways, streets, or other so defined public access locations.

Rummage Sale. An occasional or periodic market held in an open area or structure which is sponsored by schools, places of worship or other nonprofit organizations.

Run With The Land. A covenant, benefit or restriction of the use of land binding on present and future owners of the property.

Section 10. Amendment of OMC 18.04.040, Table 4.01. Olympia Municipal Code Section 18.04.040, Table 4.01 is hereby amended to read as follows:

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~~seven 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)
Short Term Rentals	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
															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 Care, Elder Care	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
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)
Electric Vehicle Infrastructure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(GG)

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
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		
Greenhouses, Bulb Farms	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(G)

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
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)
Radio, Television and Other Communication Towers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.44.100

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
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		

Section 11. Amendment of OMC 18.04.060(D). Olympia Municipal Code Subsection 18.04.060(D) is hereby amended to read as follows:

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 must 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 (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 must 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 are 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.

Section 12. Amendment of OMC 18.04.060(M). Olympia Municipal Code Subsection 18.04.060(M) is hereby amended to read as follows:

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

Section 13. Amendment of OMC 18.04.060(AA). Olympia Municipal Code Subsection 18.04.060(AA) is hereby amended to read as follows:

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~~ are 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~~ are only ~~be~~ allowed in mixed use buildings and ~~shall~~ may not exceed ~~ten~~ 10 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.

Section 14. Addition of OMC 18.04.060(KK). Olympia Municipal Code Subsection 18.04.060(KK) is hereby added to read as follows:

Section 18.04.060.KK – New Housing in Existing Buildings

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

1. 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 building code standards and fire and life safety standards, can be met within the building; and

2. 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

3. 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;

4. 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;

5. 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

6. 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;

7. 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:

(a) 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;

(b) The building owner submits documentation, in a form acceptable to the Director, 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

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

8. 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 Director makes written findings that the nonconformity is causing a significant detriment to the surrounding area; or

9. 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.

Section 15. Amendment of OMC 18.04.080(K). Olympia Municipal Code Subsection 18.04.080(K) is hereby amended to read as follows:

K. Surface Coverage Limits:

1. Increased Impervious Coverage: Projects may be eligible for up to a 20~~%~~ percent 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 excluded from the total site area before calculating the coverage percentage. This does not include human-made stormwater retention ponds.

Section 16. Amendment of OMC 18.06.040, Table 6.01. Olympia Municipal Code Section 18.06.040, Table 6.01 is hereby amended to read as follows:

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~~ six or ~~less~~fewer)	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~~ seven 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~~ six or ~~less~~ fewer in ~~1~~ one year)	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(DD)
Residences Rented for Social Event (~~7~~ seven or more in ~~1~~ one 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.	P	P	P	P	

									060(I)					
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

Section 17. Amendment of OMC 18.06.060(Z). Olympia Municipal Code Subsection 18.06.060(Z) is hereby amended to read as follows:

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 ~~will be~~is allowed unless a temporary use permit is approved by the City as prescribed by this section. Each separately proposed activity or use ~~shall~~ requires a separate permit and payment of 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 must~~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~~will be~~are 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~~ exempts 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~~ are 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~~ must 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~~ including: 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~~is permitted per block face.

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

         (c). In no instance ~~shall~~ may 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~~ must locate their stands at the back of the sidewalk away from curb.

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

         (h). Mobile sidewalk vendors ~~shall~~ must 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 must be no~~may not be any obstruction of emergency exits, Fire Lanes, or other Emergency apparatus.

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

iv. Sales areas mustshall 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.

Section 18. Addition of OMC 18.06.060(JJ). Olympia Municipal Code Subsection 18.06.060(JJ) is hereby added to read as follows:

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):

1. 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 building code standards and fire and life safety standards, can be met within the building; and

2. 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

3. 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;

4. 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;

5. 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

6. 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;

7. 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:

   (a) 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;

   (b) The building owner submits documentation, in a form acceptable to the Director, 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

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

8. 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 Director makes written findings that the nonconformity is causing a significant detriment to the surrounding area; or

9. 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.

Section 19. Amendment of OMC 18.06.080, Table 6.02. Olympia Municipal Code Section 18.06.080, Table 6.02 is hereby amended to read as follows:

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. 2. Must comply with clear sight triangle

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
								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 + 5' for each bldg. floor	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' minimum + 5' for each bldg.	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' minimum + 5' for each bldg.	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 bldg. floor above 2 stories.	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 + 5' for each bldg. floor	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
			above 2 stories.	floor above 2 stories.	floor above 2 stories.		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 one side of zero lot.	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 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; 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.			
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 built for	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 built for	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 parking is	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 parking is	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. 5. If located within the

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
				residential development only.	residential development only.	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.	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 located within	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
							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 under the~~	~~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
							~~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 DEVELOP MENT 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)	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building Floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	For properties in the vicinity of Kaiser Road and Harrison Ave NE, also see Pedestrian Streets Overlay District, Chapter 18.16. For retail uses over 25,000

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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
		and Figure 6-3). In a Downtown Design Sub-District, see Chapter 18.120 for upper story stepbacks.	In a Downtown Design Sub-District, see Chapter 18.120 for upper story stepbacks.				If located within the 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.	square feet in gross floor area, see Section 18.06.100(G) Large Scale Retail Uses. EXCEPTION: Section 18.06.100(G) ~~shall~~ does 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	PO/RM = Professional Office/Residential Multifamily	HDC-1=High Density Corridor-1

LEGEND		
GC = General Commercial		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	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

TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
	story over 3 stories.						animals other than pets.
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~~ must 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	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	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	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
		Bay Drive with a 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).		Sylvester Park (see 18.100.080.)	Downtown Design 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

TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
performance based)							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	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 within 600 feet of Lilly	Street ends abutting the water ~~shall~~ must 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 Chapter 18.100 for Downtown design	Street ends abutting the water ~~shall~~ must 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~~ must 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. EXCEPTION: Section 18.06.100 (C) ~~shall~~ does not apply to motor vehicle sales.

TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
	Road except in upper stories of mixed use building; all other development standards are the same as for commercial uses.	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.					

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

Section 20. Amendment of OMC 18.06.100(A). Olympia Municipal Code Subsection 18.06.100(A) is hereby amended to read as follows:

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~~is allowed or may be 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~~ may be erected more than ~~eighteen (~~18~~)~~ feet above the height limit of the district, whether such structure is attached to it or free-standing.

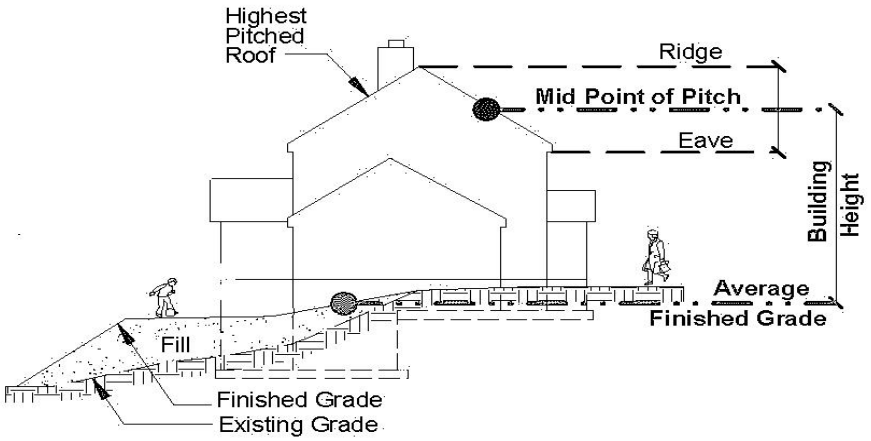


FIGURE 6-1A

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 must~~ may 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~~is 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~~is 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~~is 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~~is 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 must be~~is required to include a minimum of 20~~%~~ percent 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~~ must be dedicated to the City.

(2) The trail ~~shall~~ must 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~~ must design, build, and dedicate the facility to the City.

(4) An analysis of recreation needs ~~shall~~must 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 must~~shall~~ be approved by the Olympia Parks, Arts and Recreation Department but provided by the developer. All analysis must~~shall~~ be complete prior to approval.

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

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

(2) The expanded waterfront trail corridor facility or small park area must~~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 mustshall be approved by Olympia Parks, Arts and Recreation Department but provided by the developer. All analysis mustshall be complete prior to approval.

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

v. The view blockage rules mustshall 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 mustshall 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.



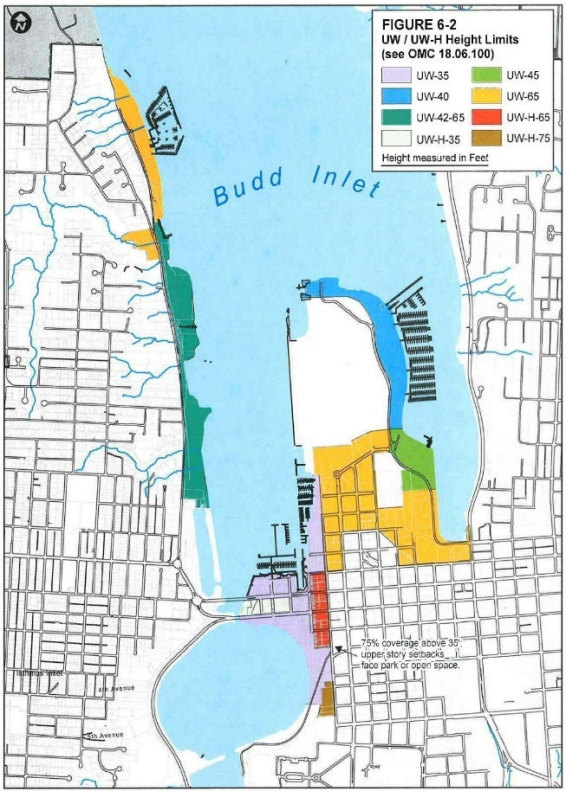
iii. Block 122: Height bonus is limited to one additional story, up to a maximum height of 75 feet. Block 122 is bounded by Olympia Ave, Jefferson Street, and Marine Drive.



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.

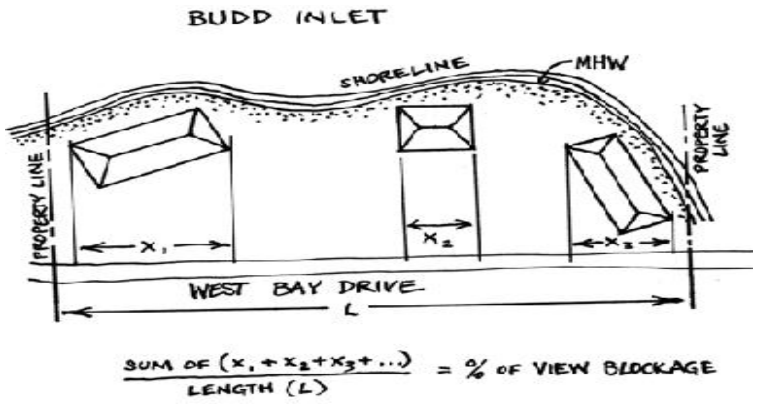


FIGURE 6-2A
Calculating View Blockage in a portion of the
Urban Waterfront District along West Bay Drive.

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~~ must meet the following criteria:

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

   c. Enhancement of public view access or direct public access to usable open space areas ~~shall~~ must 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~~ must 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 ~~must~~may~~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 ~~must~~may~~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.

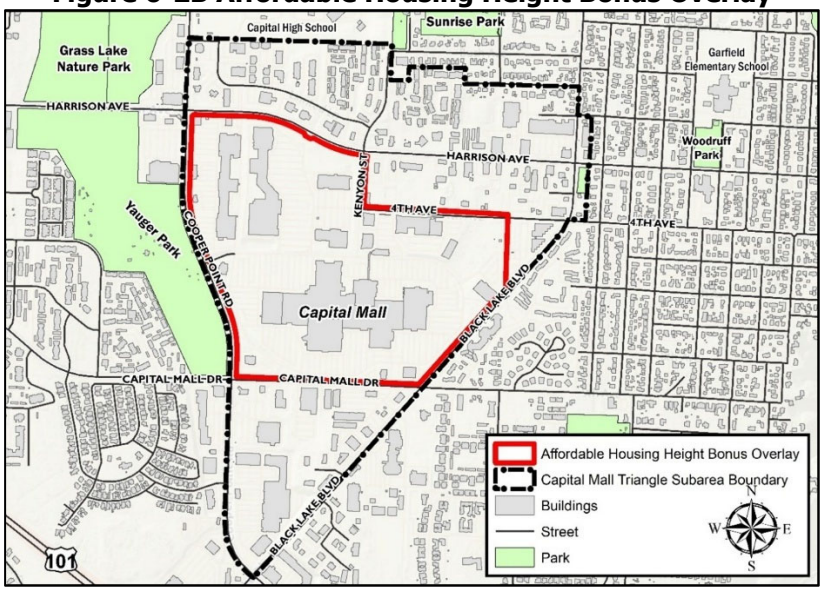
c. Maximum building height is 130 feet for development that meet all of the following requirements:

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



Section 21. <u>Amendment of OMC 18.06.100(B)</u>. Olympia Municipal Code Subsection 18.06.100(B) is hereby amended to read as follows:

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).

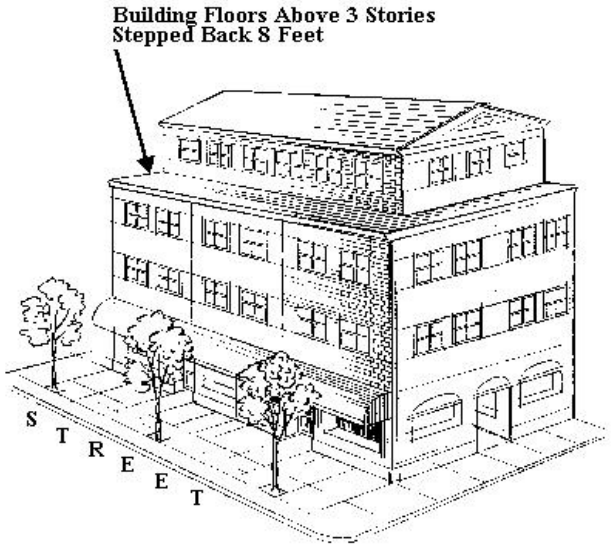


FIGURE 6-3

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 the 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.

Section 22. Amendment of OMC 18.06.100(D). Olympia Municipal Code Subsection 18.06.100(D) is hereby amended to read as follows:

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.

Section 23. Addition of OMC 18.06.100(E). Olympia Municipal Code Subsection 18.06.100(E) is hereby added to read as follows:

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.

Section 24. Amendment of OMC 18.12.020. Olympia Municipal Code Section 18.12.020 is hereby amended to read as follows:

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~~ that 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.

Section 25. Amendment of OMC 18.12.040. Olympia Municipal Code Section 18.12.040 is hereby amended to read as follows:

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

Section 26. Amendment of OMC 18.12.045(B), Olympia Municipal Code Subsection 18.12.045(B) is hereby amended to read as follows:

B. The Heritage Commission ~~shall~~ must always include at least two~~four (2~~4~~)~~ professionals who have experience in identifying, evaluating, and protecting historic resources and who 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~~ is 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. The City Council may grant an ~~Exception~~ exception to the residency requirement of Heritage Commission members ~~may be granted by the City Council~~ in order to obtain representatives from these disciplines.

Section 27. Amendment of OMC 18.12.050. Olympia Municipal Code Section 18.12.050 is hereby amended to read as follows:

Appointment of members to the Heritage Commission ~~shall be~~is 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)

Section 28. Amendment of OMC 18.12.055. Olympia Municipal Code Section 18.15.055 is hereby amended to read as follows:

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 mustshall 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 mustshall 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 mustshall 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 mustshall 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 online resources, 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, and 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.

Section 29. Amendment of OMC 18.12.065. Olympia Municipal Code Section 18.04.065 is hereby amended to read as follows:

All members of the Heritage Commission ~~must~~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.

Section 30. Amendment of OMC 18.12.080. Olympia Municipal Code Section 18.12.080 is hereby amended to read as follows:

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

Section 31. Amendment of OMC 18.12.085. Olympia Municipal Code Section 18.12.085 is hereby amended to read as follows:

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 mustshall 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 mustshall 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 must 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 mustshall 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 must be on forms and include information and documentation supporting the historic significance of the district.

3. The application shall must 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 pursuant to the procedures set forth in state law.

E. Properties listed within a local Historic District must~~shall~~ be noted on the official records of the City. Such properties ~~must~~shall be are 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~~ may 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.

Section 32. Amendment of OMC 18.12.100. Olympia Municipal Code Subsection 18.12.100 is hereby amended to read as follows:

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 must~~shall~~ apply to the Building Official who will request a review of the proposed demolition by the Heritage Commission. The Heritage Commission shall recommend to the Building Official the approval or denial of the proposed demolition. Recommendations may also include steps to mitigate the loss of the property ~~through, but not limited to, the procedures described in the SEPA Mitigation Policy for Olympia Historic Resources~~. The Building Official shall give substantial weight to these recommendations in establishing conditions of approval of the permits granted. If the structure is demolished, the Heritage Commission shall initiate the procedure for removal of the structure from the Heritage Register and may recommend designation as a historic site.

Section 33. Amendment of OMC 18.12.130. Olympia Municipal Code Section 18.12.130 is hereby amended to read as follows:

A. The City shall notify ~~Interested~~ interested Tribes and the State Department of Archaeology and Historic Preservation (DAHP) ~~mustshall 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~~ must be given substantial weight in decisions on land use or development permit approval and subsequent permit issuance.

Section 34. Amendment of OMC 18.12.140. Olympia Municipal Code Section 18.12.140 is hereby amended to read as follows:

A. Cultural Resources must~~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~~are 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 to have 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 must~~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.

Section 35. Amendment of OMC 18.36.080. Olympia Municipal Code Section 18.36.080 is hereby amended to read as follows:

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

A. Landscape Plan.

1. Plan Preparation.

a. Four (4) or Less fewer Multifamily Units and Commercial Development having less than 20,000 square feet of gross floor area. Landscape plans required by this section mustshall be prepared by a person experienced in the selection and installation of plant materials and landscape design. Plans mustshall 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 must be prepared by a Registered Landscape Architect or Certified Washington State Landscaper or Horticulturalist. Plans prepared by others shall must 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 must reflect the ultimate size of plant materials at maturity. All drawings shall must 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.

Section 36. Amendment of OMC 18.38.040. Olympia Municipal Code Subsection 18.38.040 is hereby amended to read as follows:

Unless specifically exempted in this chapter, every land use ~~shall~~ must 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.

Section 37. Amendment of OMC 18.38.100(C) Olympia Municipal Code Subsection 18.38.100(C) is hereby amended to read as follows:

C. Residential Provisions.

1. For a residential use, 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), the property owner 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 must provide at least one accessible parking space. Accessible parking must meet the location and dimensional standards in the adopted building codes.

3. For single family homes and middle housing units 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. A maximum of 0.25 off-street parking spaces per sleeping unit is required for co-living housing projects (see RCW 36.70A.535(3)(a)(ii)).

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

7. 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.

8. The existence of legally nonconforming gravel surfacing in existing designated parking areas is not 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.

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

10. 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.

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

12. 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.

Section 38. Amendment of OMC 18.38.160(C). Olympia Municipal Code Subsection 18.38.160(C) is hereby amended to read as follows:

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~~are exempt from the vehicle parking standards. However, a change of use within ~~such~~ existing structures must~~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 must~~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 must~~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~~ are 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.~~

Section 39. Addition of OMC 18.38.220. Olympia Municipal Code Section 18.38.220 is hereby amended to read as follows:

Off-street parking facilities must~~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.

a. General Requirements. Also see the specific zone district design standards of OMC 18.38.240.

1	2 SW	3 WP	4 VPW	5 VPi	6 AW	7 W2	8 W4
Parking Class	**Basic Stall Width (ft)**	**Stall Width Parallel to Aisle (ft)**	**Stall Depth to Wall (ft)**	**Stall Depth to Interlock (ft)**	**Aisle Width (ft)**	**Modules Wall-to-Wall (ft)**	**Modules Interlock to Interlock (ft)**
A	2-Way Aisle-90° 9.00	9.00	17.5	17.5	24	59	59
A	2-Way Aisle-60° 9.00	10.4	18.0	16.5	24	60	57
A	1-Way Aisle-75° 9.00	9.3	18.5	17.5	20	57	55
A	1-Way Aisle-60° 9.00	10.4	18.0	16.5	16	52	49
A	1-Way Aisle-45° 9.00	16.5	16.5	14.5	13	46	42

STANDARD PARKING DIMENSIONS
FIGURE 38-4

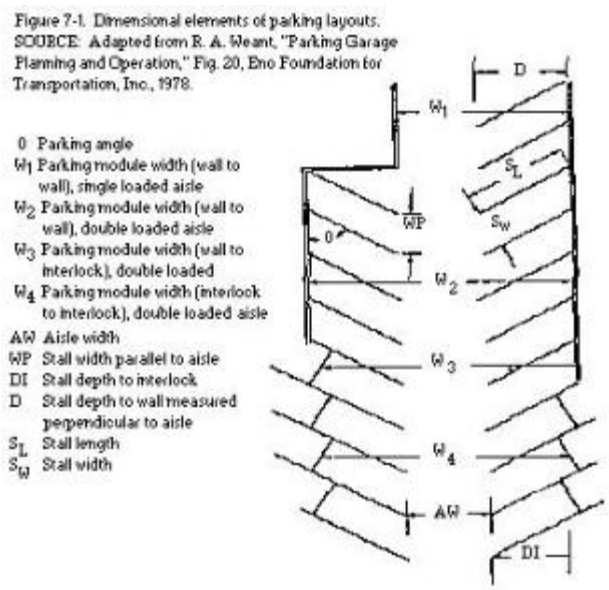


FIGURE 38-5

1. Driveways.

    a. Approaches. Driveway approaches and curb cuts within public rights-of-way ~~shall~~ must be located and designed in accordance with the City's current Engineering Design and Development Standards.

    b. For residential driveways once the driveway is outside of the public right of way, the provisions below apply.

        i. Setback. A driveway may be located within any required setback.

        ii. Width. All driveways ~~shall~~ must meet the access width requirements of the Fire Department (see OMC 16.32.050).

        iii. Surfacing. A gravel surface driveway may be allowed for a single-family residence for that portion of the driveway that is more than 75 feet from the right of way line where access is provided. Any driveway approved for a gravel surface ~~shall~~ must include a paved apron in front of the garage automobile door entrance extending a minimum depth of 18 feet and at least the width of the garage door.

2. Ingress/Egress Requirements.

    a. The Director, or designee, and after appropriate traffic study, including consideration of total parcel size, frontage on thoroughfares, uses proposed, and other vicinity characteristics, ~~shall have the authority to~~may fix the location, width, and manner of approach of a vehicular ingress and egress from a building or parking area to a public street and to alter existing ingress or egress as may be required to control street traffic in the interest of public safety and general welfare.

b. Generally, but not in all cases, the internal circulation system and the ingress and egress to commercial or multifamily developments from an access street ~~shall~~ must be so designed that the principal point of automobile cross-traffic on the street occurs at only one point--a point capable of being channelized for turning movements. Access ~~shall~~ must be shared with adjoining parcels by placing ingress/egress points on shared lot lines, wherever safe and practical. Where parcels are bounded by more than a single street, generally, but not in all cases, access ~~shall~~ must be provided only from the street having the lowest classification in the hierarchy of streets as established in the Engineering Design and Development Standards.

3. Maneuvering Areas.

   a. All maneuvering areas, ramps, access drives, etc. ~~shall~~ must be provided on the property on which the parking facility is located; however, if such facility adjoins an alley, such alley may be used as a maneuvering area. A garage or carport entered perpendicular to an alley must be located a minimum of 10 feet from the property line. A garage or carport entered parallel to an alley may be placed on the rear property line; provided sight distances are maintained.

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

4. Parking Surface. All parking, maneuvering, and driving areas must be paved and designed to meet drainage requirements. Approved pervious surfaces may be used.

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

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

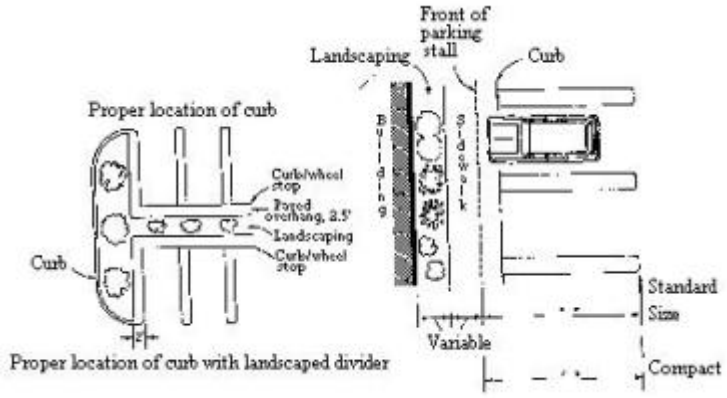


FIGURE 38-6

7. Contiguous parking lots ~~shall~~ may not exceed one ~~(1)~~ acre in size. Parking lots exceeding one ~~(1)~~ acre in size ~~shall~~ must be separated by a minimum ~~ten (~~10~~)~~ foot wide landscaped strip.

This strip is in addition to interior and perimeter landscaping and may be used for stormwater management or pedestrian access.

8. Structured Parking Dimensions. Structured parking facilities may be designed to the general design standards found in Figures 38-4 and 38-5 above, Figure 38-7 below, or to the following structured parking design standard. Within parking structures, small spaces ~~shall~~ may not exceed 30~~%~~ percent of spaces within each structure.

	Small Space Dimension	**Standard Dimensions**
Standard Stall Width	8-foot	9-foot
Standard Stall Depth	16-foot	16-foot
Standard Aisle Width	24-foot	24-foot
Standard Wall-to-Wall	57-foot	57-foot

B. Compact Car Dimensions, Layout and Circulation.

1. Parking Dimensions. No more than ~~thirty (~~30~~)~~ percent of spaces ~~shall~~ may be smaller than the standard sizes. (See Compact Parking Dimensions Table below.)

1	**2 SW**	**3 WP**	**4 VPW**	**5 VPi**	**6 AW**	**7 W2**	**8 W4**
Parking Class	**Basic Stall Width**	**Stall Width Parallel to Aisle (ft)**	**Stall Depth to Wall (ft)**	**Stall Depth to Interlock (ft)**	**Aisle Width (ft)**	**Modules Wall-to-Wall (ft)**	**Modules Interlock to Interlock (ft)**
2-Way Aisle-90° A	8.00	8.00	15.0	15.0	21.0	51.0	51.0
2-Way Aisle -60° A	8.00	9.3	15.4	14.0	21.0	52.0	50.0
1-Way Aisle-75° A	8.00	8.3	16.0	15.1	17.0	49.0	47.0
1-Way Aisle-60° A	8.00	9.3	15.4	14.0	15.0	46.0	43.0
1-Way Aisle-45° A	8.00	11.3	14.2	12.3	13.0	42.0	38.0

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

FIGURE 38-7

C. Bicycle Parking Design Standards.

1. A long-term bicycle parking facility ~~shall~~ must provide for secure extended and short-term use and ~~shall~~ must protect the entire bicycle and its components and accessories from theft

and weather. Acceptable examples include, in preferred order: bike lockers; bike check-in systems; in-building parking; and limited-access fenced areas with weather protection.

To discourage improper use, a bike locker door should include a see-through window or view hole. For in-building bike parking and limited access fenced areas, fixed structures for locking individual bikes, such as racks, must be provided within the facility. If such an area exceeds five ~~(5)~~ parking spaces, lockable clothing/gear storage lockers must also be provided within the facility. However, facilities such as factories and schools that provide personal lockers are not required to provide additional locker space for bicycle clothing/gear storage.

Exception: For retail uses under ~~five thousand (~~5,000~~)~~ square feet, long-term parking facilities exclusively for bicycles must only be provided only upon request of one or more employees. However, if permanent dedicated space is not provided, a sign must be posted at the primary employee entry reading "Secure Bicycle Parking Provided Upon Request - Olympia Municipal Code 18.38."

2. A short-term bicycle parking facility ~~shall~~ must provide convenient parking with some security and weather protection. Short-term bicycle parking facilities ~~shall~~ must include a covered stationary rack. These facilities may be shared among adjoining establishments.

   Short-term bicycle parking facilities ~~shall~~ must be located either: no further from a public entry than the nearest non-handicapped parking stall; or visible from and within ~~one hundred (~~100~~)~~ feet of the public entry; or within ~~fifty (~~50~~)~~ feet of the public entry to the building. A directional sign ~~shall~~ must be provided if the selected location is not clearly visible from the primary entrance.

3. Each bicycle parking area ~~shall~~ must be separated from motor vehicle parking and maneuvering areas by a barrier, post, or bollard, or by at least five ~~(5)~~ feet of open space. Bicycle parking spaces ~~shall~~ must be two ~~(2)~~ feet by six ~~(6)~~ feet each, with no less than a seven ~~(7)~~ foot overhead clearance. A five ~~(5)~~ foot maneuvering aisle ~~shall~~ muist separate rows of bicycle parking spaces. Bicycle parking facilities ~~shall~~ may not be solely accessible by stairs.

4. Bicycle racks ~~shall~~ must be covered in such a manner as to protect the entire bicycle from rain and installed to provide adequate maneuvering space and ensure that the requisite number of bicycle parking spaces remain accessible. The rack ~~shall~~ must be permanently affixed to the ground and support the bicycle at two ~~(2)~~ or more points, including at least one ~~(1)~~ point on the frame higher than two ~~(2)~~ feet from the ground. The user ~~shall~~ must be able to lock the bicycle with a U-shaped lock or cable lock. Bicycle racks which only support a bicycle front or rear wheel are not permitted.

5. Long-term bicycle parking facilities may be substituted for short-term bicycle facilities only if the design is consistent with the purpose of short-term facilities.

D. Pedestrian Routes. Notwithstanding pedestrian accessible route requirements addressed in the International Building Code, the applicant shall prepare and submit a pedestrian access plan ~~shall be prepared~~ for sites with more than 30 parking spaces, or where block sizing requirements are triggered. The plan ~~shall~~ must ~~examine~~ specify where people will walk into, out of, and through the development. The development ~~shall~~ must provide clear pedestrian pathways, in a manner that minimizes potential conflicts between moving vehicles and pedestrians. A pedestrian pathway, whether it be a required sidewalk or additional asphalt with a distinct line separating vehicles, ~~shall~~ must be located in areas likely to be used by a pedestrian, instead of the driveway or street.

Unless exempted by the City, the plan ~~shall~~ must be prepared by a transportation engineer hired by the developer, and the report ~~shall be~~is subject to the review and approval of the City Engineer or designee as well as the Director or designee. The report ~~shall~~ must ~~consider~~ address the pedestrian and bicycle use of the development and adjacent offsite parcel(s), in light of future growth and build out, and consistent with the goals and purposes of the Comprehensive Plan to mitigate long-term impacts of the development on multi-modal travel. Such pedestrian pathways should connect with other public pathways on property adjacent to the site.

Section 40. Amendment of OMC 18.40.060(C). Olympia Municipal Code Subsection 18.40.060(C) is hereby amended to read as follows:

C. Fences/Hedges, Walls and Site Perimeter Grading. It ~~shall be~~is 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~~ must have a front yard and a flanking side yard.

1. Fence Heights:

   a. Fences, when located within a required yard, ~~must~~may~~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 ~~must~~may~~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 must~~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 ~~must~~may~~shall~~ not be constructed of chain link or chicken wire.

For purposes of this section, a front yard ~~shall~~ may 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~~is 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~~ may 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~~ may exceed a height of 30 inches as measured from the lowest adjacent grade, nor ~~shall~~ may 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 must~~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~~A property owner or person in possession or control of any property may not 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~~ apply 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.

Section 41. Amendment of OMC 18.40.060(H). Olympia Municipal Code Subsection 18.40.060(H) is hereby amended to read as follows:

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~~ must be parallel to the structure requiring a setback. Setback width ~~shall be~~is 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~~ must meet all Uniform Building Code separation requirements. (See Figure 40-4.)

   b. A required yard area ~~shall~~ must be kept free of any building or structure taller than ~~thirty (30)~~ inches, except that a building or projection ~~shall be~~is 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 location of the unit 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 must~~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.

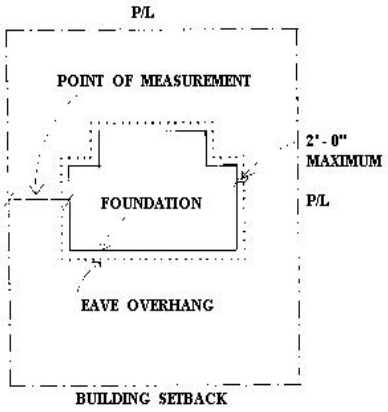


FIGURE 40-4

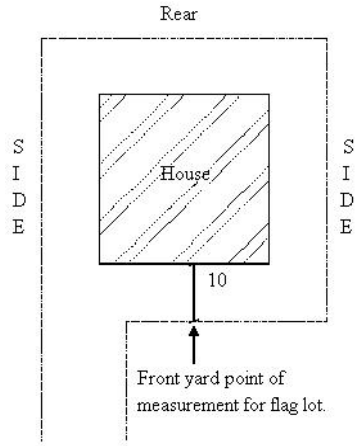


FIGURE 40-5

3. Use of Yard by Another Building. No yard or other open space required by this chapter for any building ~~shall~~ may be considered as a yard or other open space for any other building; nor ~~shall~~ may 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 the City 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.

Section 42. Amendment of OMC 18.40.080(C). Olympia Municipal Code Subsection 18.40.080(C) is hereby amended to read as follows:

C. Emissions.

1. ~~Air Pollution must~~~~shall be controlled by the~~ The operator and/or proprietor of any land use or activity permitted by this title shall control Air Pollution. 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~~ must 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~~ must be limited in accordance with the most current publication entitled Threshold Limit Values, of the American Conference of Governmental Hygienists.

3. Liquid Wastes ~~shall~~ must 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~~ must 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~~ must 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~~is subject to the regulatory jurisdiction and control of the ~~Radiation Control Agency of the Washington State Department of Social and Health Services~~ Office of Radiation Protection of the Washington State Department of Health, or its successor agency~~as amended~~.

7. No use ~~shall~~ may 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~~is restricted to the hours between 7:00 a.m. and 6:00 p.m.

Section 43. Amendment of OMC 18.40.080(I). Olympia Municipal Code Subsection 18.40.080(I) is hereby amended to read as follows:

I. Minimum Street Frontage.

1. Each lot, other than in townhouse, cottage, ~~and~~ or co-housing projects, ~~shall~~ must 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~~applies 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.

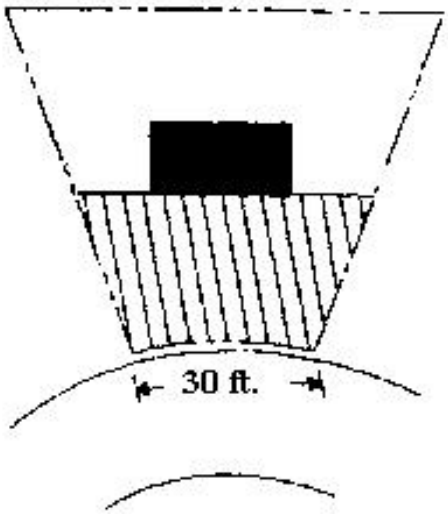


FIGURE 4-2

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~~ must be designed to minimize the creation of flag lots.

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

   c. All driveways accessing flag lots ~~shall~~ must 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 will~~is not ~~be~~ considered part of the minimum lot area required in Table 4.04.

Section 44. Amendment of OMC 18.43.040(B). Olympia Municipal Code Subsection 18.43.040(B) is hereby amended to read as follows:

B. No Permit Required. The following signs do not require a sign 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 will~~is 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 law or 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.

Section 45. Amendment of OMC 18.43.130, Table 43-8. Olympia Municipal Code Subsection 18.43.130, Table 43-8 is hereby amended to read as follows:

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 400 blocks of West Bay Drive NW	Up to five ~~(5)~~ square feet if flush mounted near entrance or up to five ~~(5)~~ square feet per side if freestanding	One ~~(1)~~ per licensed Home Occupation business only
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~~ One 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.

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

Permanent Signs – Residential Uses (Not Including Apartment Complexes)		
		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~~ One per use. Except multi-family uses ~~in RM-18, RM-24 & RMH~~: ~~2~~ two signs are permitted where there are entrances off ~~2~~ two 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~~ Five square feet total (2.5 square feet per side if double sided)	~~1~~ One per driveway
Directional	18.43.070	
Public Service	18.43.070	

Section 46. Amendment of OMC 18.100.060. Olympia Municipal Code Section 18.100.060 is hereby amended to read as follows:

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~~ seven 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~~ that 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~~ fewer than ~~twenty~~ (20) spaces, or minor repair or renovation of, or minor additions to, existing structures.

Section 47. Amendment of OMC 18.100.090. Olympia Municipal Code Section 18.100.090 is hereby amended to read as follows:

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 must~~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.

A. Projects subject to review by the Design Review Board or Joint Design Review Committee, as described in OMC 18.76.180:

1. Any proposed development project located within the following design districts:

   a. Downtown District; and,

   b. Residential Scale Design District.

2. Any proposed building development over 5,000 square feet in gross floor area, located within the following design districts and corridors:

   a. High Density Corridors;

   b. West Bay Drive District;

   c. Auto Mall District;

   d. Port Peninsula District;

   e. Freeway Corridor; and,

f. Design Review Corridors.

3. Any multifamily building with five units or more, any townhouse building with five units or more, and any multifamily development with 20 units or more.

4. All Master Planned Developments.

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

B. Projects subject to review by Staff:

1. Single family dwellings on lots within the area depicted on Figure 4-2a in chapter 18.04 OMC.

2. Minor additions or alterations to residential or commercial projects on a Heritage Register or within a Historic District.

3. Any proposed development of 5,000 square feet or less in gross floor area, and signs in the following design districts and corridors:

a. High Density Corridors;

b. West Bay Drive District;

c. Auto Mall District;

d. Port Peninsula District;

e. Freeway Corridor; and,

f. Design Review Corridors.

4. Duplexes, triplexes, or fourplexes and all apartment buildings with less than five units.

5. Any other project subject to design review not described in OMC 18.100.090(A) above.

Section 48. Amendment of OMC 18.100.100(C). Olympia Municipal Code Section 18.100.100(C) is hereby amended to read as follows:

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~~ 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. OMC 18.175.100 applies to cottage development.

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

Section 49. Amendment of OMC 18.100.110(D). Olympia Municipal Code Subsection 18.100.110(D) is hereby amended to read as follows:

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.

Section 50. Olympia Municipal Code. Copies of the Olympia Municipal Code are and must be retained on file with the office of the City Clerk.

Section 51. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and/or any references thereto.

Section 52. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or application of the provisions to other persons or circumstances remains unaffected.

Section 53. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 54. Effective Date. This Ordinance takes effect five days after passage and publication, as provided by law.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

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.

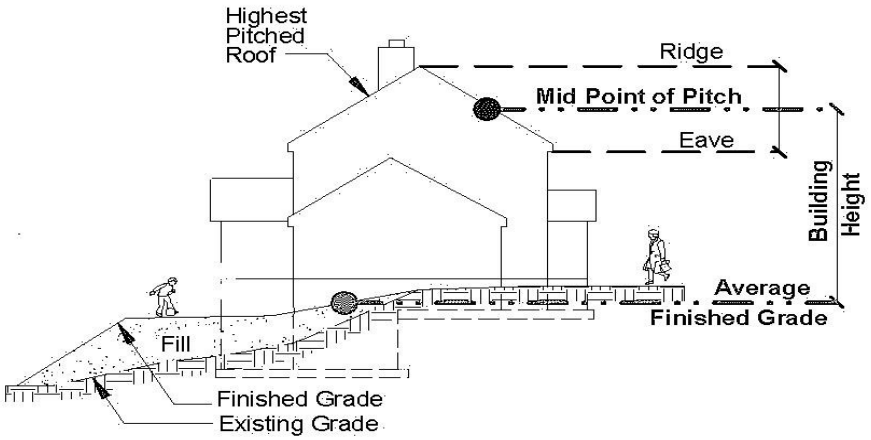


FIGURE 6-1A

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.



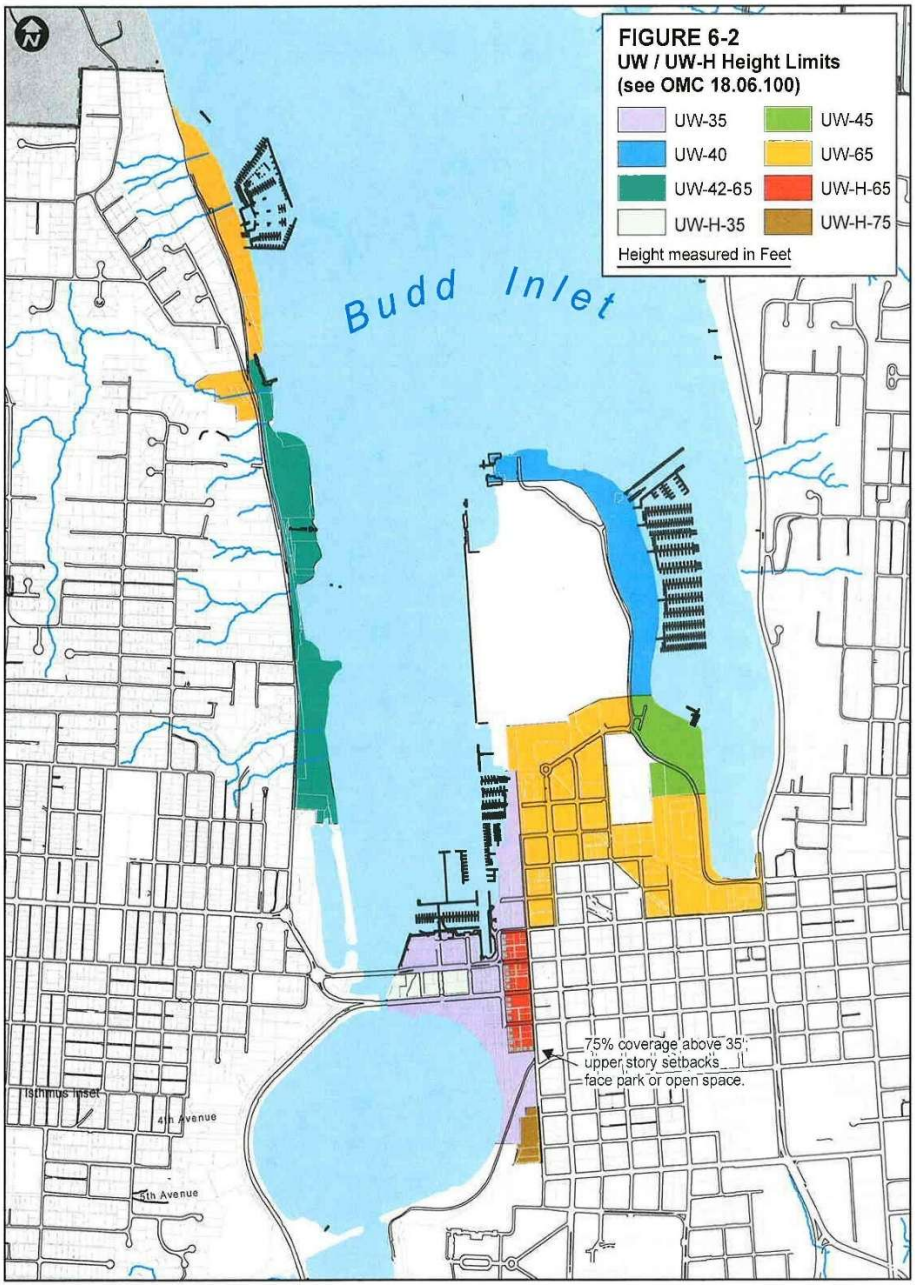
iii. Block 122: Height bonus is limited to one additional story, up to a maximum height of 75 feet. Block 122 is bounded by Olympia Ave, Jefferson Street, and Marine Drive.



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.

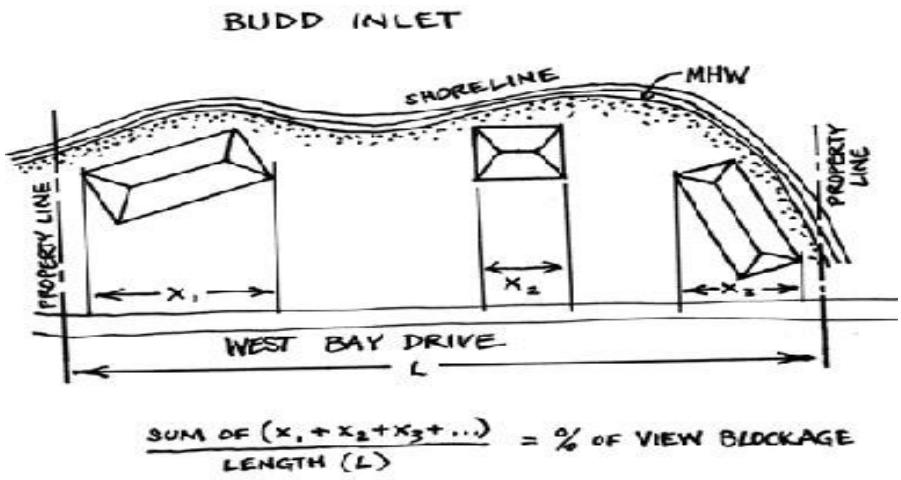


FIGURE 6-2A
Calculating View Blockage in a portion of the Urban Waterfront District along West Bay Drive.

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.

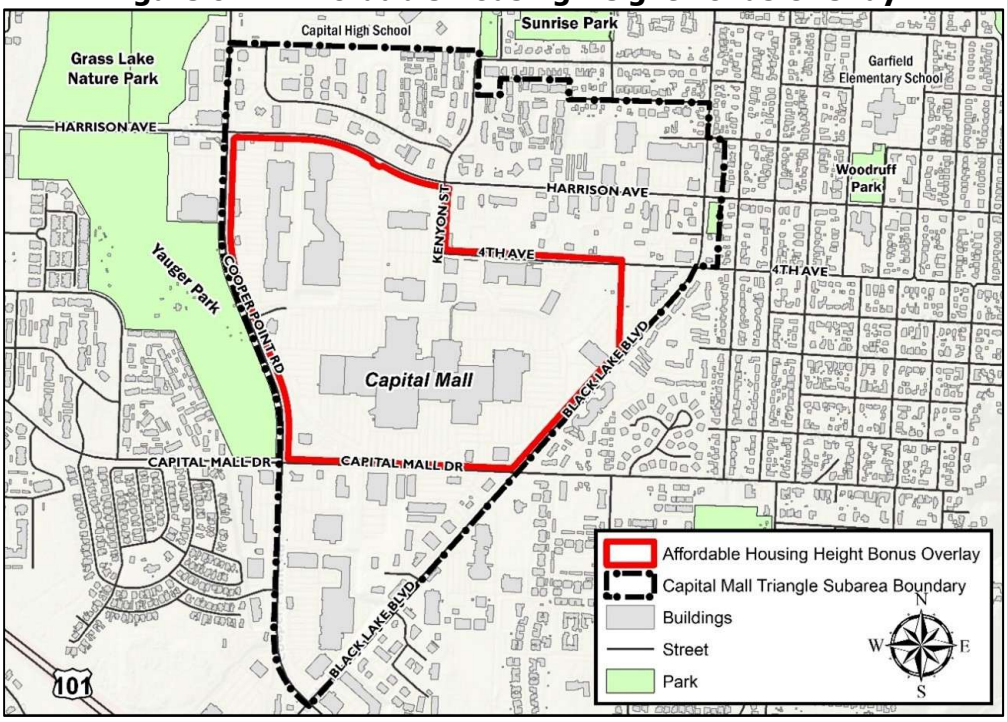
c. Maximum building height is 130 feet for development that meet all of the following requirements:

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).

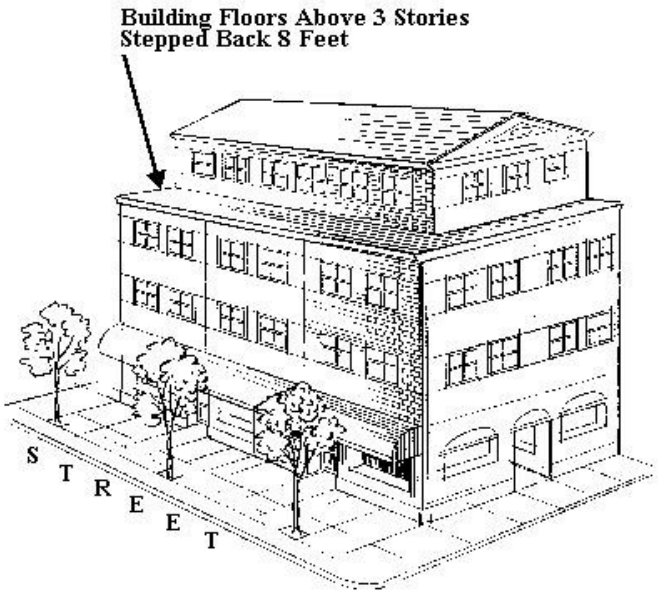


FIGURE 6-3

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.

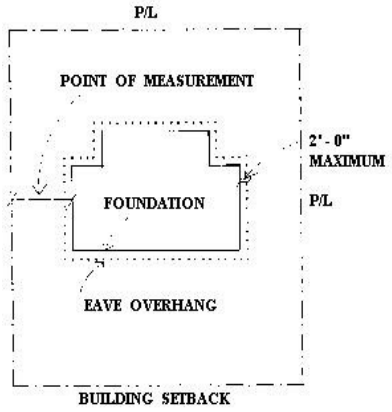


FIGURE 40-4

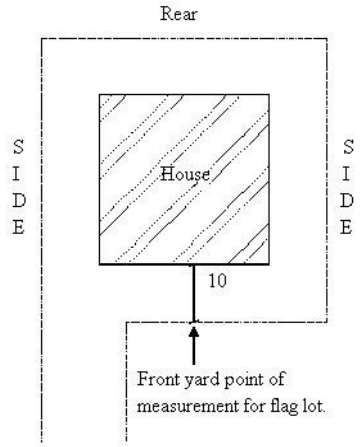


FIGURE 40-5

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.

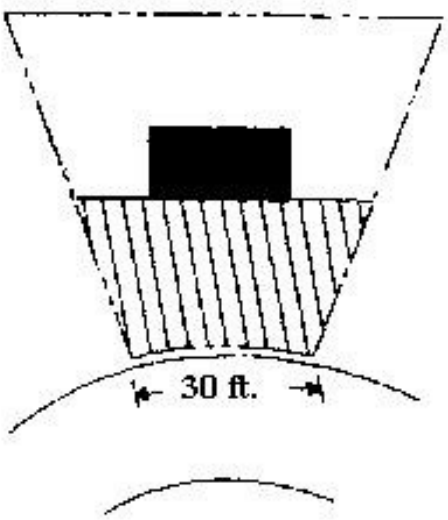


FIGURE 4-2

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~~ 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

2026 Proposed Code Amendments
City of Olympia

The City of Olympia is proposing amendments to the Olympia Municipal Code (OMC). This document is a companion to the proposed amendments, intended to provide information about each of the 47 requested amendments and the outcome, if approved. Page numbers provided correspond to the first public draft of the proposal.

For more information, please contact Joyce Phillips at jphillip@ci.olympia.wa.us or 360.570.3722.

#	Page #	Request by:	Purpose	Outcome
1	Page 1	CPED	Treat all residential zoning districts the same regarding parking. Acknowledge there are more than 3 residential zoning districts.	Treat all residential neighborhoods the same way for parking enforcement.
2	Page 2	OFD	Remove definition of bulk storage	Remove definition.
3	Pages 2-3	OFD	Remove an exception related to access roadways	Remove an exception that was causing "gray" areas and instead rely on access standards.
4	Page 3	OFD	Clarify that Section 16.32.053 – Chapter 9 refers to Commercial Type Hoods.	Section title renamed to Commercial Type Hoods. Helps make it easier for people to find code language related to commercial type hoods.
5	Page 3	OFD	Clarify which parts of the International Fire Code are not adopted by Olympia.	Clarify that Appendix A, Appendix C, and Appendix J are not applicable in Olympia.
6	Pages 3-5	OFD	Clarify when fire alarms are required.	Remove a specific requirement that states that manual fire alarm stations shall be located within 5 feet of all required exits on each floor level and from the structure; add language that applies when certain types of automatic fire sprinkler systems are present in some building types (Group R).
7	Pages 6-8	State Required (HB1096)	Add provisions to the subdivision code to allow "lot splitting"	Add provisions to the subdivision code to allow lot splitting as a type of subdivision.

#	Page #	Request by:	Purpose	Outcome
8	Page 8	CPED	Expand the purpose statement of Title 18 to include renewable energy systems and the reduction of greenhouse gas emissions.	Add provisions to the purpose statement of Title 18 regarding renewable energy systems and the reduction of greenhouse gas emissions.
9	Page 9	CPED	Clarify that "shall" and "must" are requirements within the code; remove the year (1986) in regard to the official dictionary used when considering ordinarily accepted meanings	Clarify that "shall" and "must" are requirements within the code; remove the year (1986) in regard to the official dictionary used when considering ordinarily accepted meanings
10	Pages 9-10	CPED	Clean up language in the code about how to address properties that are divided into more than one zoning district.	The property will be reviewed based on a consolidated site plan that uses one of the two zones for development.
11	Pages 10-11	CPED	Add new definitions	Definitions for adjacent, floor area ratio, solar energy system, solar photovoltaic system, grid-connected solar energy system, roof-mounted solar energy system, Ground-mounted solar energy system as accessory and primary uses, and revisions to property line definitions are provided.
12a	Page 12	CPED	Address "large multifamily" as a permitted use, but one that is different than other housing types given the number of units allowed per lot.	Clarify that large multifamily developments are only allowed in higher density zones. This closes an unintended loophole that may have been construed to allow more than 6 units per lot on larger lots in lower density residential zoning districts.
12b	Page 13	State Required (SB 5509)	Address where child day care centers are allowed.	Allow child day care centers in all residential zoning districts.
13	Page 18	CPED	Remove limitation of the number of people cared for in a Hospice Care Center in two zoning districts.	Remove the limitation of the number of people cared for in a Hospice Care Center. Rely on state license.
14	Pages 18-19	State Required (See RCW 35A.21.440)	Address new state requirements for adding housing units in existing buildings.	Address new state requirements for adding housing units in existing buildings. Affects 18.04 – Residential Districts and 18.06 – Commercial Districts.

#	Page #	Request by:	Purpose	Outcome
15	Page 19	CPED	Address temporary surface parking lot language to add clarity.	Clarify that provisions for temporary surface parking areas are applicable to such lots only when they were previously approved/permitted.
16	Pages 23-24	CPED	Clarify that Hard Surface bonus is available to projects that meet applicability of 18.04.080.k.1.b, not all of 18.04.080.K.1; and that land areas that are submerged for all or part of the year do not count toward the developable land area of the lot.	Clarify that Hard Surface bonus is available to projects that meet applicability of 18.04.080.k.1.b, not all of 18.04.080.K.1; and that land areas that are submerged all or part of the year do not count toward the developable land area of the lot.
17	Pages 25-38	CPED	Clean up the table to increase readability, address new category of "large multifamily", and make changes to match format of the related table in the residential districts chapter.	Clean up the table to increase readability, address new category of "large multifamily", and make changes to match format of the related table in the residential districts chapter. One example: Building coverage is removed and impervious surface and hard surface limits will determine coverage allowed.
18	Page 39, 49-50	State Required (See RCW 36.70A.813 and RCW 36.70A.815)	Address when maximum building height can be exceeded to allow for roof-mounted solar energy panels and when upper story stepbacks and façade modulation cannot be required.	Address when maximum building height can be exceeded to allow for roof-mounted solar energy panels and when upper story stepbacks and façade modulation cannot be required.
19	Pages 50-51	CPED	Provide Hard Surface Coverage allowances currently provided for in residential areas in commercial areas when certain requirements are met.	Provide Hard Surface Coverage allowances currently provided for in residential areas in commercial areas when certain requirements are met.
20	Page 51	CPED	Require the 10 foot maximum front yard setback only along design review corridors or on streets designated as arterials.	Removes the 10 foot maximum setback from lower intensity streets that carry lower traffic volumes. The intention is to have buildings oriented to and close to sidewalks for high traffic streets, but currently the provision applies to all streets.
21	Pages 51-52	Historic Pres.	Update the purpose and intent language.	Update the purpose and intent language to better match the inclusive values of the City.

#	Page #	Request by:	Purpose	Outcome
22	Page 52	Historic Pres.	To update Heritage Commission requirements in code to reflect how the commission operates in order to be uniform with the City's Advisory Body requirements.	Reduce the number of members on the Heritage Commission from 11 to 9 members. This is similar to other advisory committees and may help make it easier to keep the positions filled.
23	Page 52	Historic Pres.	Modify the language about the composition of Commission members in order to reduce the commission's potential for being out of compliance in the case that recruitment is not able to bring in specific subject matter experts.	Reduce the requirement for 4 of the members (down to 2 members) to have specific professional requirements. This may help make it easier to keep the commission positions filled.
24	Page 53	Historic Pres.	Route the reader to the general rules that the heritage commission follows as one of the many advisory bodies of the City to provide more information on terms of appointment.	Add citation to advisory committee code language.
25	Pages 53-54	Historic Pres.	Clarify that the Olympia Heritage Commission must maintain the local Olympia Heritage Register, but does not maintain the State or National register. Alter language to add clarity on process. Remove mentions of references that are no longer applicable..	Add clarifying language about the Heritage Commission powers and duties.
26	Page 54-55	Historic Pres.	Correct code to reflect the City's advisory body procedures that are in practice to be in compliance with City's standards at a larger level.	Add citation to policy on Community-Member Advisory Boards, Commissions and Committees (See OMC 2.100.040).
27	Page 55	Historic Pres.	Amend section name	Amend section name to clarify applicability to the Olympia Heritage Register.
28	Page 55-57	Historic Pres.	Amend section title and add clarification to code language to clarify that the City only maintains our local register, but does not have jurisdiction to maintain or regulate the state or national registers.	Amend language to apply to the Olympia Heritage Register and local historic districts.

#	Page #	Request by:	Purpose	Outcome
29	Page 57	Historic Pres.	Update language to remove reference to obsolete policy.	Remove reference to SEPA Mitigation Policy for Olympia Historic Resources.
30	Pages 57-58	Historic Pres.	Update language	Update language to better align with OMC 18.70, which identifies administration of various permit types, and current terminology.
31	Page 58	Historic Pres.	Update language	Update language to better align with OMC 18.70, current terminology, and current processes.
32	Pages 59-60	CPED	Require that landscaping plans include the location of underground utility lines and equipment; and irrigation plans, if applicable for the project.	Require that landscaping plans include the location of underground utility lines and equipment; and irrigation plans, if applicable for the project.
33	Page 60	CPED	Address parking exemptions in OMC 18.38.	Address parking exemptions in OMC 18.38.
34	Pages 61-62	State Required (See RCW 36.70A.622)	Address certain parking provisions.	Add residential parking provisions as required by Washington State.
35	Page 62	CPED	Address commercial parking provisions in the Downtown Parking Exemption Area.	All structures and uses shall be exempt from the vehicle parking standards but new buildings over 3,000 sq. ft. of gross leasable area shall provide bicycle parking.
36	Page 62	CPED	Clarify that if bicycle or vehicle parking is provided, even if it is not required, that it shall meet standards.	Clarify that if bicycle or vehicle parking is provided, even if it is not required, that it shall meet standards.
37	Pages 63-68	CPED	Address fence and hedge standards to point out additional provisions that apply to some properties.	Add that for properties located in the Downtown Design Review District to see OMC 18.120.370. For other properties that may have a Master Plan approval, such as Briggs Village, to see adopted regulations.
38a	Page 69	CPED	Clarify that some mechanical equipment is allowed in side yard setbacks.	Clarify that mechanical equipment is allowed in side yard areas and may exceed 30 inches in height.

#	Page #	Request by:	Purpose	Outcome
38b	Page 70	State Required (See RCW 35A.21.440, RCW 35.21.990, HB 1042, & HB 1757)	Add provisions for the retrofit of existing buildings when changing to add new housing units.	Clarify when certain energy efficiency measures are allowed to extend into setback areas when existing buildings are being converted into residential units.
39	Pages 70-71	CPED	Add clarifying language to noise standards regarding construction activity.	Add clarifying language to noise standards regarding construction activity.
40	Pages 71-72	CPED	Identify the City's preference for each lot to have at least some street frontage, such as by creating a "flag lot".	Identify the City's preference for each lot to have at least some street frontage.
41	Pages 72-73	CPED	Clarify that signs painted on the side of a building do not require a building permit.	Clarify that signs painted on the side of a building do not require a building permit.
42	Pages 73-74	CPED	Allow multifamily complexes to have two signs.	Allow up to 2 signs when there is frontage on 2 public rights of way.
43	Page 75	CPED	Clarify that design review applies to "large multifamily" projects and to all residential projects in the Infill Design Review District. Clarify that design review is not required for projects that are not visible from a street.	Clarify that design review applies to "large multifamily" projects and to all residential projects in the Infill Design Review District. Clarify that design review is not required for projects that are not visible from a street.
44	Pages 76-77	CPED	Provide language clarifying when design review standards apply to development proposals.	Provide language clarifying when design review standards apply to development proposals.
45	Page 77	CPED	Clarify that when land use review 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.	Clarify that when land use review 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.
46	Page 77	CPED	Clarify that when Board Level design review is required, the administration of the project will be processed in accordance with the timelines associated with the land use permit per OMC 18.70 (Administration).	Clarify that when Board Level design review is required, the administration of the project will be processed in accordance with the timelines associated with the land use permit per OMC 18.70 (Administration).

#	Page #	Request by:	Purpose	Outcome
47	Pages 77-91	State Required (See RCW 35A.21.440)	Allow child day care centers in all zoning districts except industrial zones.	Allow child day care centers in all zoning districts except industrial zones.

Olympia Planning Commission

April 6, 2026

Olympia City Council
PO Box 1967 Olympia
WA 98507-1967

SUBJECT: 2026 Code Amendments

Dear Mayor Payne and Councilmembers:

The Planning Commission recommends approval of the 2026 Code Amendments. The Commission had a briefing on the proposal on March 2, 2026. A public hearing was conducted on April 6, 2026, so the Commission could consider input from the public on the proposal as we completed deliberations.

The Commission voted to recommend approval of the Code Amendments. The commission would like to highlight the following suggestion for future consideration:

- Proposal #14F: During deliberations we discussed striking the "except ground floor commercial or retail that is along a pedestrian street". Removing this restriction would allow for more housing, while vacancies suggest that the city has sufficient commercial space. However, we concluded that removing the clause would require further study as it interacts with other goals (e.g. ground floor interaction on pedestrian streets). **We recommend that the clause be revisited this year during implementation of SB 6026 and other upcoming state requirements that also constrain the requirements of ground floor commercial and be informed by the recent vacancy study.**

Thank you for the opportunity to provide input for your consideration.

Sincerely,

Gregory R. Quetin

Greg Quetin
Chair

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

City Council

Approval of an Ordinance to Vacate a Right-of-Way along Garfield Avenue Abutting West Bay Drive

Agenda Date: 6/23/2026
Agenda Item Number: 4.O
File Number:26-0476

Type: ordinance **Version:** 1 **Status:** 1st Reading-Consent

Title
Approval of an Ordinance to Vacate a Right-of-Way along Garfield Avenue Abutting West Bay Drive

Recommended Action
Committee Recommendation:
Not referred to a committee.

City Manager Recommendation:
Move to approve on first reading, and forward to second reading, an Ordinance to Vacate a Right-of-Way along Garfield Avenue Abutting West Bay Drive.

Report
Issue:
Whether to approve on first reading, and forward to second reading, an Ordinance to Vacate a Right-of-Way along Garfield Avenue Abutting West Bay Drive.

Staff Contact:
Adam Dreller, PLS, City Surveyor, Public Works Engineering, 360.742.6489

Presenter(s):
None - Consent Calendar Item.

Background and Analysis:
A property owner adjacent to a right-of-way along Garfield Avenue abutting West Bay Drive has requested the City to initiate the process to abandon 10 feet of right-of-way adjacent to their property. The additional property will be used to provide additional site area for a planned single-family residence.

On November 10, 2025, Council adopted a resolution setting the date of December 9, 2025 for a public hearing to hear public comment regarding the request.

On December 9, 2025, Council held a public hearing where the public expressed concern over the walkability along Garfield Avenue. As a part of the development, the developer is required to add

frontage improvements which will include a 5-foot-wide sidewalk as proposed in Exhibit F.

City staff reviewed the request using criteria outlined in the Olympia Municipal Code Section 12.16.100. Staff recommends approval of the vacation with the requirement for the petitioner to provide an access and utility easement in lieu of payment of one-half the appraised right-of-way land value to the City. This would be of mutual benefit as follows:

Mutual Benefit Analysis:
Key points associated with the mutual benefit of the proposed land exchange include:

1. The City would gain more than 1,800 square feet of alley right-of-way for public access, supporting ingress, egress, and maintenance of public and private utilities, in exchange for vacating approximately 560 square feet along Garfield Avenue. This represents a net gain in usable public right-of-way (See Exhibit G).
2. Vacating 563 square feet of right-of-way along Garfield Avenue does not impact the City's ability to construct a public sidewalk along the Garfield frontage of 241 West Bay Drive. The vacation also does not further reduce available on-street parking along this segment of Garfield.
3. Obtaining the alley right-of-way would allow the City to legally access a portion of an existing sewer main that currently lies just outside of public right-of-way. Without this acquisition, the City would need to obtain an easement for legal access. While this action does not fully resolve access limitations along the entire alley, it significantly improves the situation and benefits surrounding property owners.
4. The alley right-of-way acquisition would allow the owner of 225 West Bay Drive to legally access their property by vehicle without relying solely on the alley's southern access point at Harrison Avenue. The existing Harrison entrance is posted with restrictions prohibiting alley access due to unsafe conditions. Maintaining access from Garfield is therefore important to ensuring reliable and safe vehicular access for 207, 219, and 225 West Bay Drive.
5. Residential solid waste service for 207, 219, and 225 West Bay Drive is currently provided from West Bay Drive, requiring bins to be placed on or along the public sidewalk. This creates a pedestrian obstruction and safety concern. Maintaining alley access from Garfield would support the option to provide solid waste services within the alley, which would be safer and would improve pedestrian conditions along West Bay Drive.

Together, these considerations demonstrate that the proposed vacation and associated right-of-way exchange provide mutual benefit to the City, the petitioner, and nearby residents. Improved legal access, better utility maintenance potential, and enhanced safety for both vehicular circulation and pedestrian movement support staff's recommendation to approve the vacation.

Given the mutual benefits associated with the proposed land exchange, staff recommends that the applicant not be required to pay one-half of the appraised value. Instead, staff recommends accepting the proposed access and utility easement in lieu of payment.

Climate Analysis:
This action is administrative in nature and does not have a direct impact on our climate goals. There are no known increases or decreases in greenhouse gas emissions with the proposed right-of-way vacation.

Equity Analysis:
This action is administrative in nature and there are no known equity implications with the proposed right-of-way vacation.

Neighborhood/Community Interests (if known):
The Public Hearing provided an opportunity for Council to hear comments from the community regarding the requested vacation. Public testimony was received during the hearing and addressed by ensuring a sidewalk will be installed along the property frontage.

Financial Impact:
There will not be a finical impact to the applicant as the access and utility easement will be provided to the public in exchange for the property to be vacated.

Options:
1. Move to approve on first reading, and forward to second reading, an Ordinance to Vacate a Right-of-Way along Garfield Avenue Abutting West Bay Drive. This option allows the vacation to occur.
2. Approve on first reading with additional conditions desired by Council, and forward to second reading, an Ordinance to Vacate a Right-of-Way along Garfield Avenue Abutting West Bay Drive. Staff will update the Ordinance with Council modifications prior to second reading.
3. Do not approve an Ordinance to Vacate a Right-of-Way along Garfield Avenue Abutting West Bay Drive. The City right-of-way will remain.

Attachments:
Ordinance
Vicinity Map
Exhibit “F”
Exhibit “G”

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON VACATING A RIGHT-OF-WAY ALONG GARFIELD AVENUE ABUTTING WEST BAY DRIVE

WHEREAS, the Olympia City Council adopted Resolution No. M-2666 on November 10, 2025, setting a public hearing to allow public comment relating to a petition to vacate a right-of-way along Garfield Avenue Abutting West Bay Drive as a public thoroughfare; and

WHEREAS, as required by OMC 12.16.050, written notice of the proposed vacation and public hearing was posted at Olympia City Hall, posted on site, and mailed to all property owners abutting and within 300 feet of the boundaries of the rights-of-way to be vacated; and

WHEREAS, a public hearing was held by the Olympia City Council on the petition on December 9, 2025, at the City Council's regular 6:00 p.m. business meeting; and

WHEREAS, the City has received no comments objecting to the vacation from any member of the public nor from any utility provider regarding this vacation; and

WHEREAS, in conjunction with and as compensation for the City's vacation of the subject right-of-way, the Applicant is granting the City an access and utility Easement; the provision of this access and utility easement is a necessary condition of the vacation of the subject right-of-way; and

WHEREAS, the Public Works Department has indicated the area to be vacated has no known current or foreseeable future use to the City as a right-of-way and any anticipated City need to utilize the vacated area will be addressed by the access and utility easement being granted to the City in conjunction with this right-of-way vacation; and

WHEREAS, the City Council determines it to be in the public interest to grant the petition to vacate a right-of-way along Garfield Avenue Abutting West Bay Drive as a public thoroughfare, subject to the requirements of OMC 12.16.080, OMC 12.16.090, and RCW 35.79.030;

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

Section 1. As recommended by the City of Olympia Public Works Department and as requested by the owner of the abutting parcel(s), the Olympia City Council, pursuant to OMC 12.16.050 and RCW 35.79.010, hereby vacates as a public thoroughfare the following described public thoroughfare situated in the City of Olympia, Thurston County, State of Washington, to wit:

THE SOUTH 10.00 FEET OF GARFIELD AVENUE ADJACENT TO THE FOLLOWING DESCRIBED PARCEL:

LOT 16 IN BLOCK 26 OF WOODRUFF'S ADDITION TO THE CITY OF OLYMPIA, WASHINGTON, AS RECORDED IN VOLUME 3 OF PLATS, PAGE 40 AND 41, TOGETHER WITH THE VACATED WEST 12.50 FEET OF WEST BAY DRIVE ADJOINING ON THE EAST.

SUBJECT TO EASEMENT OVER SAID SOUTH 10.00 FEET FOR ACCESS, REPAIR AND MAINTENANCE OF UTILITIES.

SITUATE IN THE COUNTY OF THURSTON, STATE OF WASHINGTON.

Section 2. The vacation meets the criteria set forth in OMC 12.16.100, which is summarized as follows:

- The proposed vacation will not be materially detrimental to other properties in the vicinity, nor will it endanger public health, safety, or welfare.

- The subject right-of-way is not needed for general access, emergency services, utility facilities, or other similar public purposes, nor is it necessary as part of a long-range circulation plan, pedestrian/bicycle pathway plan or street improvement plan. This criteria is met because the Applicant is granting the access and utility easement referenced in the recitals above.

- The subject vacation is consistent with the adopted Olympia Comprehensive Plan and all other related land use and circulation regulations and policies.

- The subject vacation would not directly or indirectly result in an adverse impact on historical or cultural resources, the natural environment, or otherwise negatively affect environmentally sensitive areas.

Section 3. Required Compensation. In lieu of any monetary compensation, the owner of the abutting property
shall grant to the City an access and utility easement that must, prior to acceptance by the City, be deemed acceptable by the Director of Public Works and the City Attorney, or their designees. Such easement must be recorded with the Thurston County Auditor at the property owner's expense after acceptance by the City's representatives.

Section 4. Effective Date. This Ordinance does not become effective until the owner of the abutting Property grants and records the easement required by Section 3, above.

Failure of the abutting property owner to grant and record the easement within 0 days of the passage of this Ordinance automatically (without further Council action) voids the petition and the vacation of right-of-way approved by this Ordinance.

PASSED BY THE OLYMPIA CITY COUNCIL this_____day of_____2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
DEPUTY CITY ATTORNEY

Certification of Receipt of Compensation. I, Sean Krier, City Clerk, hereby certify that the access and utility easement required to be granted by this Ordinance was __ was not __ received within the required timeframe.

_____
CITY CLERK

Garfield Avenue ROW Vacation

Permit Number 25-2765



Vicinity Map

0 50 100 Feet

1 inch = 100 feet

Map printed 11/3/2025

For more information, please contact:
Michael Kaminski, Engineering Technician II
mkaminsk@ci.olympia.wa.us

This map is intended for 8.5x11" portrait printing.

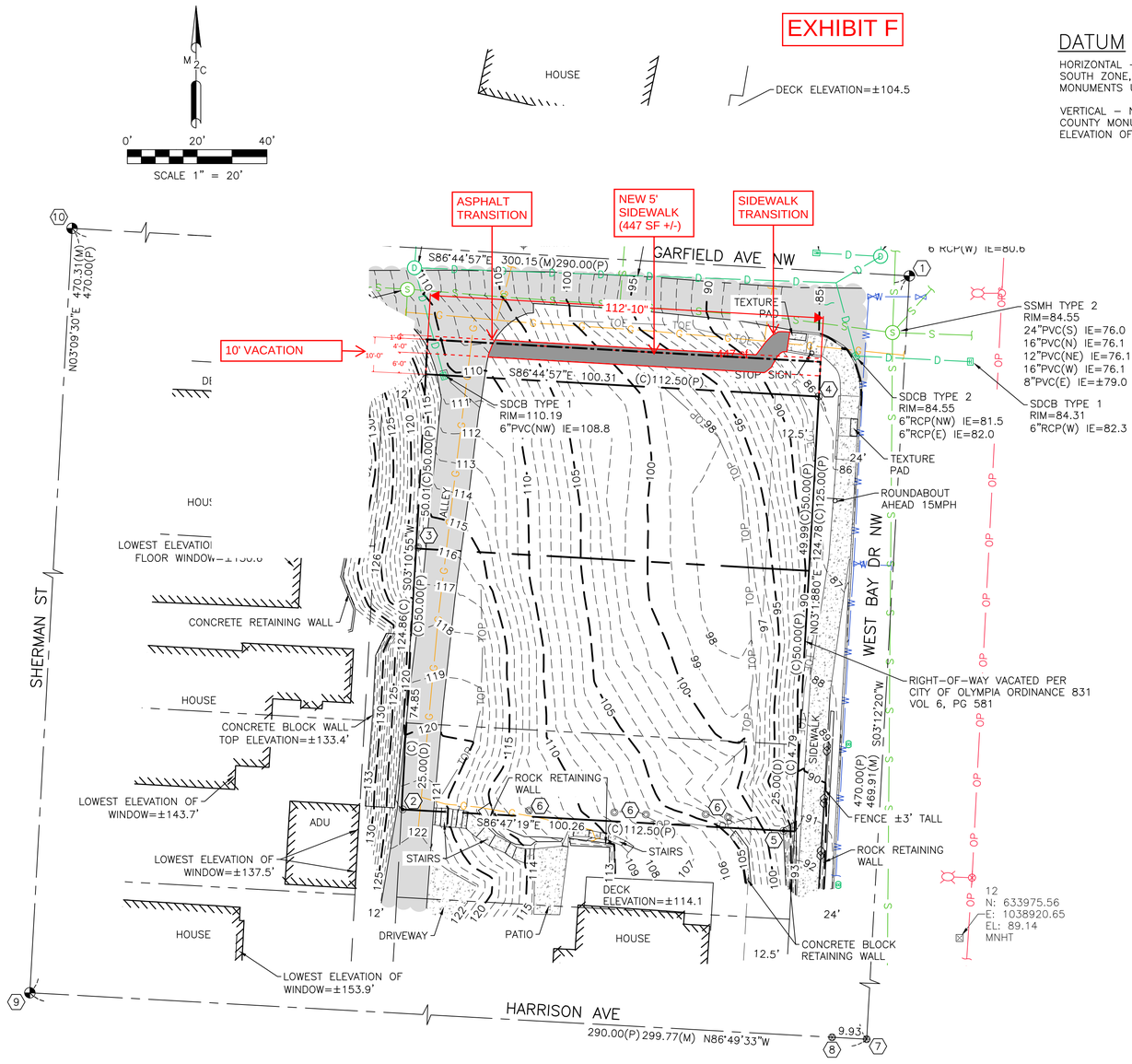
The City of Olympia and its personnel cannot assure the accuracy, completeness, reliability, or suitability of this information for any particular purpose. The parcels, right-of-ways, utilities and structures depicted hereon are based on record information and aerial photos only. It is recommended the recipient and or user field verify all information prior to use. The use of this data for purposes other than those for which they were created may yield inaccurate or misleading results. The recipient may not assert any proprietary rights to this information. The City of Olympia and its personnel neither accept or assume liability or responsibility, whatsoever, for any activity involving this information with respect to lost profits, lost savings or any other consequential damages.

N

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File name and path: \\cvapgisfs01\gisdesktop\ArcGISTemplates_Styles\Templates\Olympia\8.5x11Portrait.mxd

EXHIBIT F



DATUM

HORIZONTAL – WASHINGTON STATE PLANE COORDINATES, SOUTH ZONE, NAD 83/2011 BASED ON GPS TIES TO MONUMENTS USING WASHINGTON STATE REFERENCE NETWORK.

VERTICAL – NAVD 88 BASED ON GPS TIES TO THURSTON COUNTY MONUMENT "OLY BM" HOLDING A PUBLISHED ELEVATION OF 59.767.

EXHIBIT LEGEND

10' VACATION PROPERTY LINE
1,128.3 SF NEW PARCEL AREA

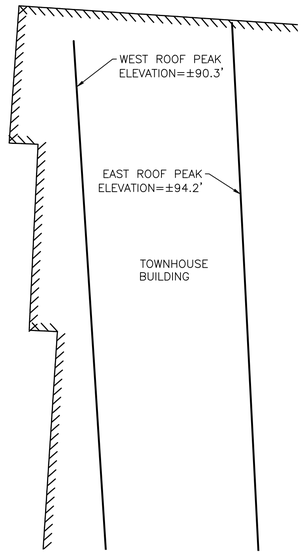
TOTAL SIDEWALK (ESTIMATE)
447 SF

UTILITY NOTE

UTILITIES SHOWN HEREON ARE FROM FIELD MAPPING VISIBLE SURFACE APPURTENANCES, AND MAPPING UTILITY PAINT MARKS FROM A UTILITY LOCATING SERVICE. BURIED UTILITIES ARE ONLY SHOWN AS APPROXIMATE AND SHOULD BE VERIFIED BEFORE CONSTRUCTION.

SURVEY NOTES

INSTRUMENT USED: SOKKIA IX 3" TOTAL STATION, TOPCON PS 3" TOTAL STATION, AND TOPCON VR GPS.
THIS SURVEY MEETS OR EXCEEDS THE STANDARDS OF WAC 332-130-090 AND 332-130-145.
SURVEY COMPLETED 7/2024.
ALL MONUMENTS SHOWN AS FOUND VISITED 7/2024.
PURPOSE OF TOPOGRAPHICAL MAPPING IS FOR FUTURE DEVELOPMENT OF SITE.
CONTOURS WERE ESTABLISHED FROM FIELD MAPPING, 1' CONTOURS SHOWN ON MAP.
MTN2COAST (M2C) WAS RETAINED BY THOMAS ARCHITECTURE STUDIOS TO COMPLETE A BOUNDARY AND TOPOGRAPHIC SURVEY OF THURSTON COUNTY TAX PARCELS 85002601600 AND 85002601400.
8. LOCATIONS OF BUILDINGS SHOWN ON ADJACENT PROPERTIES WERE ADDED BASED ON AERIAL PHOTOGRAPH AND SHOULD BE CONSIDERED APPROXIMATE.
9. M2C DETERMINED THAT THE PAVED DRIVE ACROSS THE WESTERN PORTION OF THE TAX PARCELS DOES NOT FALL WITHIN THE CALCULATED RIGHT-OF-WAY FOR THE ALLEY ACROSS BLOCK 26 OF WOODRUFF'S ADDITION. NO EVIDENCE WAS FOUND IN THE TITLE REPORTS PROVIDED BY THE CLIENT OR ADDITIONAL RESEARCH OF AN EASEMENT RELATED TO THE PAVED DRIVEWAY WHICH IS USED TO ACCESS PROPERTIES TO THE SOUTH.



REFERENCED DOCUMENTS

RD(X)

1. WOODRUFF'S ADDITION TO THE CITY OF OLYMPIA BOOK 3, PAGE 40, AFN 2700065.
2. CITY OF OLYMPIA BLA 08-0119-0L RECORDED 9/22/2008, AFN 4036478.
3. SURVEY RECORDED 2/21/2020, AFN 4738074.

MONUMENT NOTES

(X)

1. FOUND 2" DIAMETER BRASS SURFACE MONUMENT WITH PUNCH MARKED "LS 29268 2010", HELD FOR ALIGNMENT OF WEST BAY DRIVE AND GARFIELD AVE.
2. FOUND 1/2" DIAMETER REBAR WITHOUT CAP ±1.0' BELOW GRADE, HELD FOR ALIGNMENT OF THE SOUTH LINE OF THE NORTH 25 FEET OF LOT 14, S86°47'19"E, ±0.3' FROM EASTERLY RIGHT-OF-WAY MARGIN OF ALLEY.
3. FOUND 1" DIAMETER IRON PIPE N57°41'00"E, ±0.7' FROM CALCULATED POSITION.
4. FOUND 1/2" DIAMETER REBAR WITH PLASTIC CAP MARKED "LS 5154".
5. FOUND 1/2" DIAMETER REBAR WITHOUT CAP, HELD FOR ALIGNMENT OF SOUTH LINE OF THE NORTH 25 FEET OF LOT 14, N86°47'19"W, ±3.1' FROM WESTERLY RIGHT-OF-WAY MARGIN OF WEST BAY DRIVE.
6. 1" DIAMETER IRON PIPES PAINTED RED AND BLUE, EXPOSED UP TO ±0.5' FROM GRADE. HOMEOWNER TO SOUTH STATES THESE ARE POSTS FROM A PREVIOUSLY REMOVED FENCE. IRON PIPES NOT HELD FOR BOUNDARY CALCULATIONS.
7. FOUND 2" DIAMETER BRASS CAP IN MONUMENT CASE WITH PUNCH MARKED "LS 29266 2004", HELD FOR ALIGNMENT OF HARRISON AVE AND WEST BAY DRIVE.
8. FOUND 2" DIAMETER BRASS CAP IN MONUMENT CASE WITH PUNCH MARKED "LS 29266 2004".
9. FOUND 2" DIAMETER SURFACE MONUMENT WITH PUNCH MARKED "OLY LS 28242", HELD FOR ALIGNMENT OF HARRISON AVE AND SHERMAN ST.
10. FOUND 2" DIAMETER BRASS CAP WITH PUNCH MARKED "LS 29266 2010", HELD FOR ALIGNMENT OF SHERMAN ST AND GARFIELD AVE.

LEGAL DESCRIPTION

TPN 85002601400:

LOT 15 AND THE NORTH 25 FEET OF LOT 14 IN BLOCK 26 OF WOODRUFF'S ADDITION TO THE CITY OF OLYMPIA, WASHINGTON, AS RECORDED IN VOLUME 3 OF PLATS, PAGES 40 AND 41;

TOGETHER WITH THE VACATED WEST 12.5 FEET OF THE WEST BAY DRIVE ADJOINING TO THE EAST;

IN THURSTON COUNTY, WASHINGTON.

(PER OLD REPUBLIC TITLE REPORT TH35365, DATED 11/30/2021)

TPN:85002601600:

LOT 16 IN BLOCK 26 OF WOODRUFF'S ADDITION TO THE CITY OF OLYMPIA, WASHINGTON, AS RECORDED IN VOLUME 3 OF PLATS, PAGE 40 AND 41;

TOGETHER WITH THE VACATED WEST 12.5 FEET OF THE WEST BAY DRIVE ADJOINING ON THE EAST;

IN THURSTON COUNTY, WASHINGTON.

(PER OLD REPUBLIC TITLE REPORT TH35366, DATED 11/30/2021)

LINE TYPES

- CHAIN LINK FENCE
- EXTERIOR BUILDING
- BUILDING OVERHANG
- GROUND TOE
- GROUND TOP
- STORM LINE
- SANITARY SEWER LINE
- OVERHEAD POWER
- WATER LINE
- NATURAL GAS LINE
- MAJOR CONTOUR
- MINOR CONTOUR
- PROPERTY LINE
- RIGHT OF WAY
- ROAD CENTERLINE
- VACATED RIGHT-OF-WAY
- LOT LINES
- LOT LINES ORIGINAL PLAT

LEGEND

- SS CLEANOUT
- SS MANHOLE
- STORM CATCH BASIN
- STORM MANHOLE
- WATER VALVE
- STREET SIGN (AS DESCRIBED)
- (M) MEASURED DISTANCE
- (C) CALCULATED DISTANCE
- (P) DISTANCE PER PLAT
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- POWER POLE WITH LIGHT AND TRANSFORMER
- POWER POLE WITH LIGHT AND DROP
- FOUND BRASS CAP
- FOUND IRON PIPE
- FOUND MONUMENT IN CASE
- FOUND REBAR AND CAP
- FOUND REBAR WITHOUT CAP
- SET HUB AND TACK
- SET PK NAIL
- SET 5/8"X24" LONG REBAR AND YELLOW PLASTIC CAP MARKED "MTN2COAST LS 21013244"

HATCHING

- CONCRETE
- ASPHALT

8/7/2024

NW1/4 SE1/4, SEC 15, T18N, R2W, W.M.

DATE	8/7/2024
SCALE	1" = 20'
M2C PROJECT NO.:	24-166
DRAWN	GMB
CHECKED	TLM
APPROVED	SEP

SETH E. BRIGGE — STATE OF WASHINGTON — 21013244 — REGISTERED PROFESSIONAL LAND SURVEYOR

MTN 2 COAST LLC
PROFESSIONAL LAND SURVEYORS
2320 MOTTMAN RD SW, STE 106
TUMWATER, WA 98512
360.688.1949

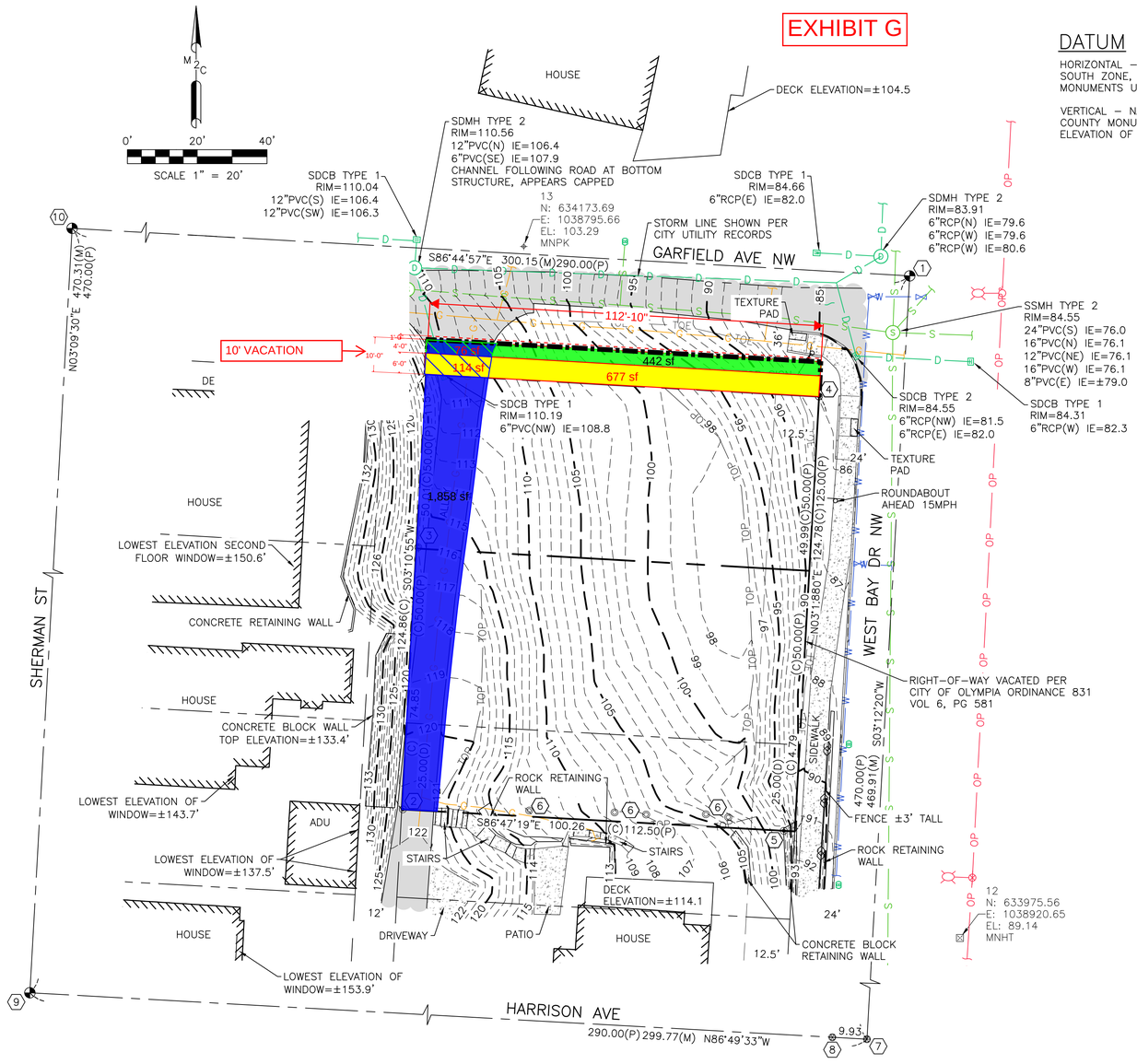
PROJECT NAME:
233 & 241 WEST BAY DRIVE TOPOGRAPHIC SURVEY

CLIENT NAME:
THOMAS ARCHITECTURE STUDIOS

SHEET NAME: SV-1

SHEET NO. 1 OF 1

EXHIBIT G



DATUM

HORIZONTAL – WASHINGTON STATE PLANE COORDINATES, SOUTH ZONE, NAD 83/2011 BASED ON GPS TIES TO MONUMENTS USING WASHINGTON STATE REFERENCE NETWORK.

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EXHIBIT LEGEND

10' VACATION PROPERTY LINE
1,128.3 SF NEW PARCEL AREA

EXISTING PRIVATE DRIVE: NEW EASEMENT FOR INGRESS EGRESS AND UTILITIES
1,858 SF

4' EASEMENT FOR INGRESS AND EGRESS AND UTILITIES
442 SF
-76 SF (OVERLAP WITH PRIVATE DRIVE EASEMENT)
366 SF EASEMENT FOR INGRESS AND EGRESS AND UTILITIES

TOTAL EASEMENT AREA
2,224 SF (1,858 SF + 366 SF)

6' VACATED AREA (10' VACATION - 4' SIDEWALK EASEMENT)
677 SF
-114 SF (EXISTING ALLEY DRIVEWAY EASEMENT)
563 SF OF NEW PARCEL AREA

SURVEY NOTES

- RUMENT USED: SOKKIA IX 3" TOTAL STATION, TOPCON PS 3" TOTAL STATION, AND CON VR GPS.
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IN THURSTON COUNTY, WASHINGTON.

(PER OLD REPUBLIC TITLE REPORT TH35365, DATED 11/30/2021)

TPN:85002601600:

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IN THURSTON COUNTY, WASHINGTON.

(PER OLD REPUBLIC TITLE REPORT TH35366, DATED 11/30/2021)

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- BUILDING OVERHANG
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HATCHING

- CONCRETE
- ASPHALT

8/7/2024

NW1/4 SE1/4, SEC 15, T18N, R2W, W.M.

DATE	8/7/2024
SCALE	1" = 20'
M2C PROJECT NO.:	24-166
DRAWN	GMB
CHECKED	TLM
APPROVED	SEP

SETH E. BRIGGE — STATE OF WASHINGTON — 21013244 — REGISTERED PROFESSIONAL LAND SURVEYOR

MTN 2 COAST LLC
PROFESSIONAL LAND SURVEYORS
2320 MOTTMAN RD SW, STE 106
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360.688.1949

PROJECT NAME:
233 & 241 WEST BAY DRIVE TOPOGRAPHIC SURVEY

CLIENT NAME:
THOMAS ARCHITECTURE STUDIOS

SHEET NAME: SV-1

SHEET NO. 1 OF 1

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

City Council

Public Hearing on Master Use Permit for Ezee Fiber

Agenda Date: 6/23/2026
Agenda Item Number: 5.A
File Number:26-0475

Type: public hearing **Version:** 1 **Status:** Public Hearing

Title
Public Hearing on Master Use Permit for Ezee Fiber

Recommended Action
Committee Recommendation:
Not referred to a committee.

City Manager Recommendation:
Hold a public hearing regarding Ezee Fiber's request for a Master Use Permit. After hearing public testimony, close the public hearing and direct staff to return to Council with a proposed ordinance granting a Master Use Permit to Ezee Fiber.

Report
Issue:
Whether to hold a public hearing on Ezee Fiber's request for a Master Use Permit.

Staff Contact:
Jeff Johnstone, P.E., City Engineer, Public Works Engineering, 360.753.8290

Presenter(s):
Jeff Johnstone, P.E., City Engineer

Background and Analysis:
Ezee Fiber submitted a request to obtain a Master Use Permit from the City to provide communication and telecommunication services within the City. Per their application, Ezee Fiber is a rapidly growing Houston-based fiber telecommunications company that provides affordable and reliable internet service to residential, business, and government customers through its fiber optic network. Their services will include telecommunications, private lines, and internet access.

Ezee Fiber is requesting that the franchise area encompass the entire City. They intend to construct their own entirely underground infrastructure and not rely on existing facilities of other providers for their system.

City staff have determined that Ezee Fiber has the technical ability, and general qualifications

outlined in Chapter 11.06 of the Olympia Municipal Code (OMC) necessary to provide telecommunication services meeting the requirements of a Master Use Permit. Per OMC 11.06, a public hearing is necessary before a decision is made whether to proceed with issuing a Master Use Permit or not.

Climate Analysis:
The focus of a Climate Framework Analysis for this Master Use Permit was on the construction of the necessary infrastructure associated with the services Ezee Fiber is proposing. Construction would be a combination of open trench and bored installation of communication conduit and cable. Individual service to customers is via an underground connection.

Climate impacts from this work will be temporary and include noise impacts and discharge of exhaust from gasoline and diesel-powered construction equipment.

Equity Analysis:
Ezee Fiber's expansion plan in the City will provide another telecommunications option. More options for service usually result in lower prices for the consumer of that service, which benefit economically disadvantaged groups in our community.

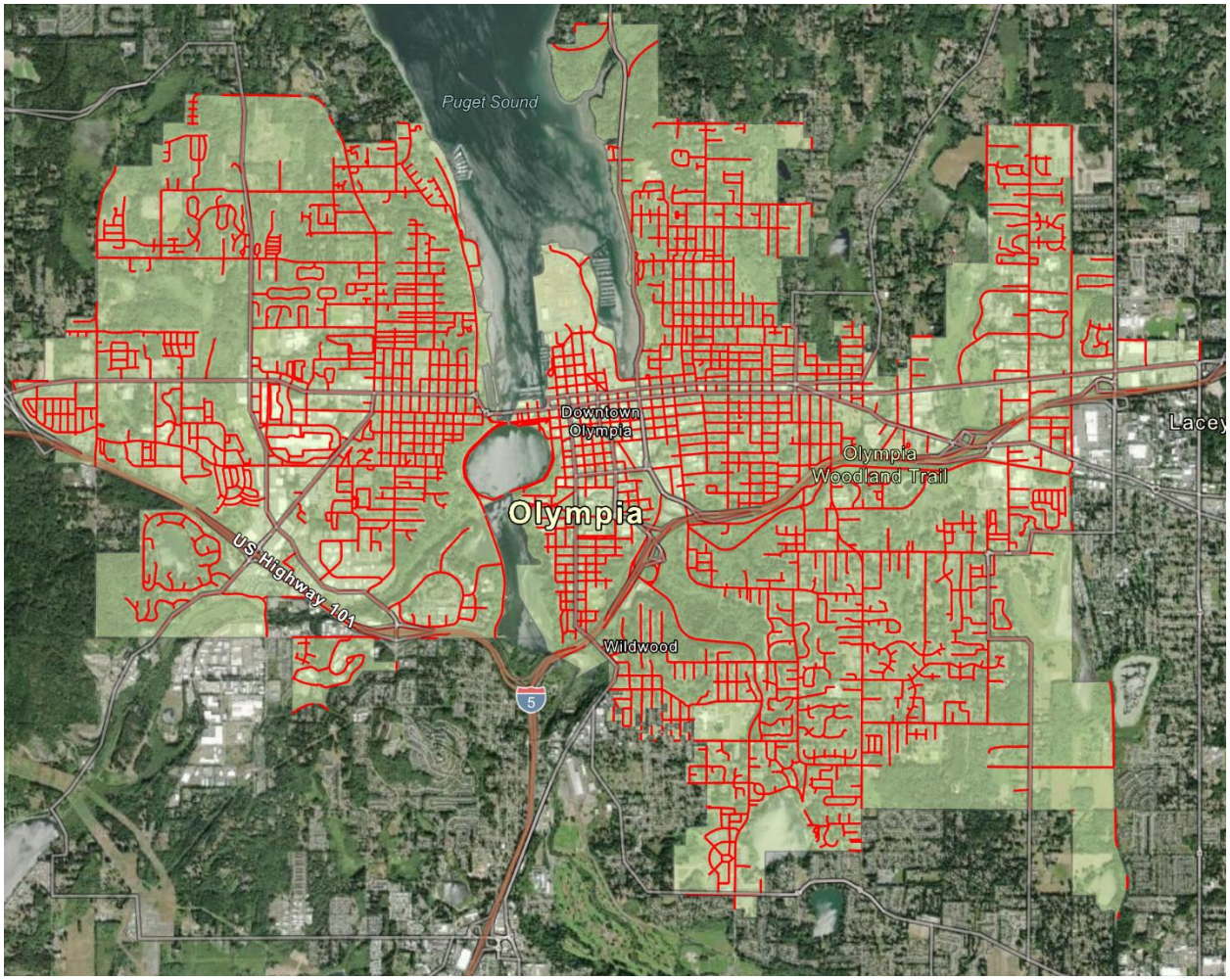
Neighborhood/Community Interests (if known):
Neighborhoods may be inconvenienced for short periods of time during construction of infrastructure associated with this proposed Master Use Permit but should welcome the availability of this telecommunications option. Service to existing telecommunication customers in neighborhoods will not be affected.

Financial Impact:
The applicant will be required to pay fees associated with permits to do work within the City right-of-way and adjacent easements under a Master Use Permit.

Options:
1. Hold a public hearing regarding Ezee Fiber's request for a Master Use Permit. After hearing public testimony, close the public hearing and direct staff to return to Council with a proposed ordinance granting a Master Use Permit to Ezee Fiber.
2. Hold a public hearing on Ezee Fiber's request to obtain a Master Use Permit. After hearing public testimony, if there are concerns direct staff to follow up and return at a later date.
3. Do not hold a public hearing and delay the approval of an ordinance granting a Master Use Permit until a later date.

Attachments:
Proposed Service Area Map

Ezee Fiber's Proposed Service Area Map



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

City Council

Public Hearing on a Substantial Amendment to the 2023-27 Community Development Block Grant Consolidated Plan

Agenda Date: 6/23/2026
Agenda Item Number: 5.B
File Number:26-0439

Type: public hearing **Version:** 1 **Status:** Public Hearing

Title
Public Hearing on a Substantial Amendment to the 2023-27 Community Development Block Grant Consolidated Plan

Recommended Action
Committee Recommendation:
The Community Livability and Public Safety Committee recommend holding a public hearing on a Substantial Amendment to the 2023-27 Community Development Block Grant Consolidated Plan.

City Manager Recommendation:
Hold a public hearing on a Substantial Amendment to the 2023-27 Community Development Block Grant Consolidated Plan.

Report
Issue:
Whether to hold a public hearing on a Substantial Amendment to the 2023-27 Community Development Block Grant Consolidated Plan.

Staff Contact:
Anastasia Everett, Senior Housing Program Specialist, Community Planning & Economic Development, 360.753.8277

Presenter(s):
Anastasia Everett, Senior Housing Program Specialist

Background and Analysis:
The City is required by our Public Participation Plan to hold a 30-day public comment period and public hearing for proposed Substantial Amendments to the Consolidated Plan. On May 27, staff presented the proposed Substantial Amendment to the Community Livability and Public Safety Committee. The Committee voted to recommend the dissolution of the Revolving Loan Fund and future projects to the Rental Rehabilitation Program due to constraints in staff capacity and low program impact. Since its establishment in 2021, two projects have been completed, and one is

underway.

The project currently underway is the rehabilitation of a 12-unit multifamily property rented at affordable rates to tenants, most of whose income is at least below 80% area median income. Funding already allocated to the project currently underway will be retained for the completion of that project. Dissolving the rental rehabilitation program will help the City ensure timely spend down of Community Development Block Grant funds. Staff have consulted with HUD on the process for dissolving the loan fund and are following the processes provided. Funds formerly routed to the Revolving Loan Fund are proposed to be reintegrated with Program Income to be spent on activities identified as Contingency Projects in each Annual Action Plan process.

Timeline and Next Steps
The public comment period for the Substantial Amendment is open from June 8 to July 9. Consideration of approval of the Substantial Amendment is scheduled for the July 14 regular City Council meeting.

Climate Analysis:
Dissolving the revolving loan fund will make program income available for contingency projects outlined in each year's Annual Action Plan. Examples of activities funded include Energize Thurston and weatherization completed by critical home repair programs.

Equity Analysis:
CDBG funds must primarily benefit 80% or under Area Median Income (AMI) persons. There are statistically major disparities in income that are tied to marginalized groups in our community. More information about disparities can be found in the City's Assessment of Fair Housing.

Neighborhood/Community Interests (if known):
CDBG funding is used to support Olympia residents with incomes at or below 80% of the Area Median Income. Supporting low- and moderate-income Olympia residents is a high priority for the community, and CDBG funded projects help meet many of the City's goals outlined in the One Community Plan.

Financial Impact:
The proposed reallocation of unspent RLF is $35,176. The CDBG program can anticipate collecting between $50,000 and $250,000 in Program Income during the program year, increasing the funding available for proposed contingency activities.

Options:
1. Hold a public hearing on a Substantial Amendment to the 2023-27 Community Development Block Grant Consolidated Plan.
2. Reschedule the public hearing for another Council meeting
3. Do not hold a public hearing.

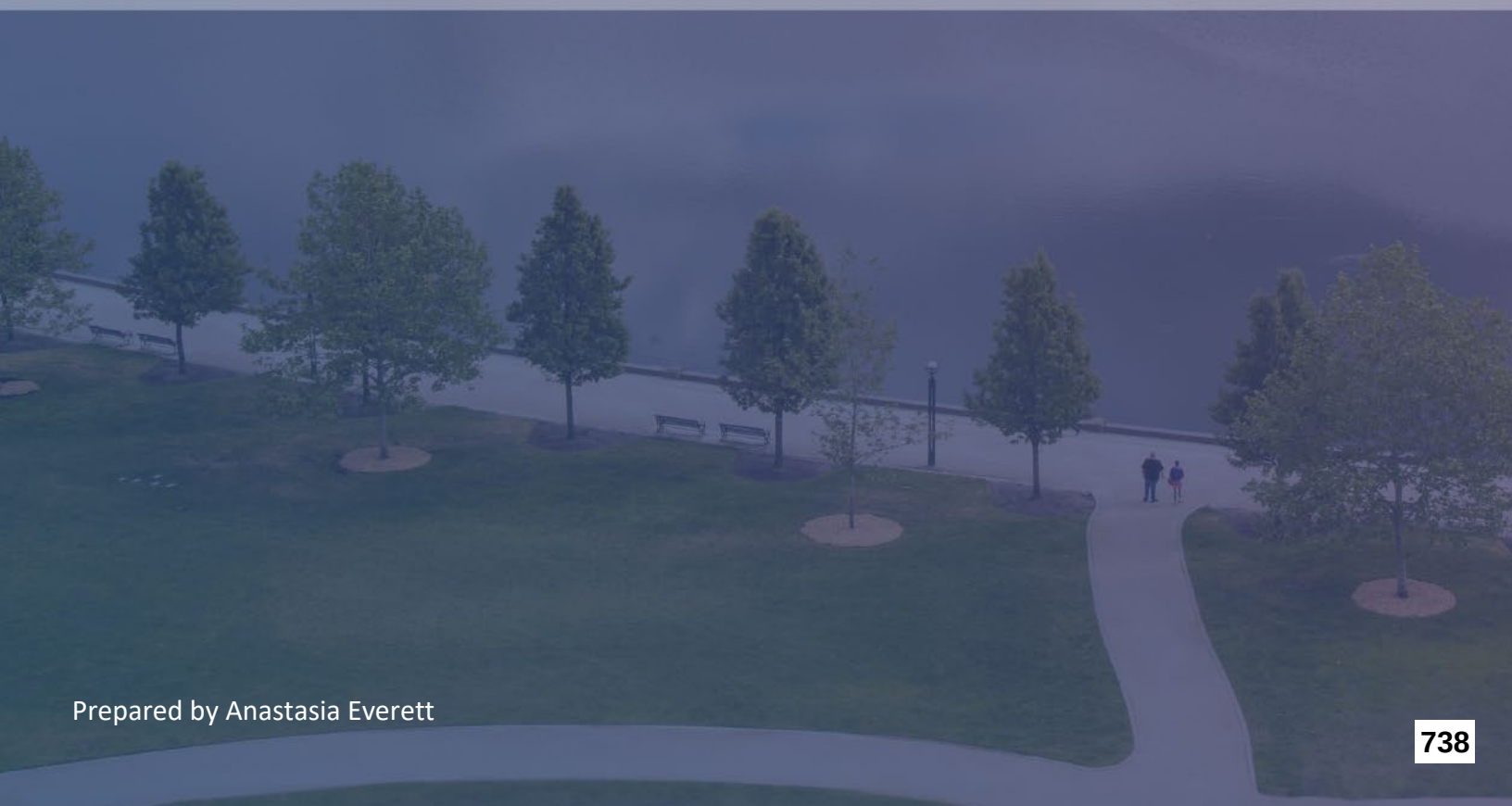
Attachments:
Substantial Amendment to the 2023-27 Consolidated Plan

Olympia

cdbg Community Development Block Grant

1st Substantial Amendment

2023-2027 Consolidated Plan



Prepared by Anastasia Everett

SUBSTANTIAL AMENDMENT – OLYMPIA CDBG 2023-2027 CONSOLIDATED PLAN

Overview: Staff recommend a *Substantial Amendment* to the current 2023-2027 Consolidated Plan to **dissolve the Revolving Loan Fund (RLF) and end the City's Rental Rehabilitation Program following the completion of the current project underway.** The City proposes all program income formerly directed to the RLF be reincorporated with regular program income for activities described in each Annual Action Plan once approved by City Council. RLF funding has been used for rental rehabilitation projects carried out by the City directly. The City proposes this Substantial Amendment due to limited staff capacity for facilitating the Rental Rehabilitation Program compliantly.

New program income receipted moving forward will no longer be routed to the RLF upon approval of the Substantial Amendment. In Program Year 2026, Program Income will be allocated to single family homeowner rehabilitation carried out by subrecipients South Puget Sound Habitat for Humanity and Rebuilding Together Thurston County. Each year the City will identify projects to be funded by Program Income.

Specific funding amounts to be allocated of existing RLF are outlined in the draft Annual Action Plan for Program Year 2026.

PUBLIC COMMENT

The 30-Day public comment period runs from **June 8, 2026 – July 9, 2026**, offering the following options:

- **Written comments**: Olympia City Council, 601 4th Ave E, Olympia, WA 98501 ATTN: CDBG
- **Emails**: cdbg@ci.olympia.wa.us,
- **Phone calls**: 360.753.8277
- **Public hearing**: June 23, 2026 at 6:00 p.m. at City Council
- **Council Approval:** July 14, 2026 at 6:00 p.m. at City Council

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For more information:
Anastasia Everett Sr. Housing Program Specialist
aeverett@ci.olympia.wa.us | 360.753.8277

DRAFT

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

City Council

Public Hearing on the Program Year 2026 Community Development Block Grant Annual Action Plan

Agenda Date: 6/23/2026
Agenda Item Number: 5.C
File Number:26-0440

Type: public hearing **Version:** 1 **Status:** Public Hearing

Title
Public Hearing on the Program Year 2026 Community Development Block Grant Annual Action Plan

Recommended Action
Committee Recommendation:
The Community Livability and Public Safety Committee recommends holding a public hearing on the Program Year 2026 Community Development Block Grant Annual Action Plan.

City Manager Recommendation:
Hold a public hearing on the Program Year 2026 Community Development Block Grant Annual Action Plan.

Report
Issue:
Whether to hold a public hearing on the Program Year 2026 Community Development Block Grant Annual Action Plan.

Staff Contact:
Anastasia Everett, Senior Housing Program Specialist, Community Planning & Economic Development, 360.753.8277

Presenter(s):
Anastasia Everett, Senior Housing Program Specialist

Background and Analysis:
The City of Olympia is an entitlement community for the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) Program. More information about the CDBG program is available as an attachment to this staff report, titled CDBG Program Information. Each year the City must prepare an Annual Action Plan to identify projects funded with available resources and associated goals.

Staff presented recommendations for the Program Year 2026 allocations at the Community Livability and Public Safety Committee on May 27th. The Committee voted to move the recommendations

forward to the full Council for consideration of approval. The City is required by our Public Participation Plan to hold a 30-day public comment period and public hearing for the Annual Action Plan prior to consideration of approval. A draft of the Program Year 2026 Annual Action Plan, including proposed subrecipients of CDBG funding and proposed award amounts, is attached as Draft Program Year 2026 Annual Action Plan.

Available resources for Program Year 2026 include an entitlement award of $376,415 proposed reallocation of $35,176 of revolving loan funds, and $250,000 of revolving loan funds allocated to the current rental rehabilitation project underway, bringing the total available resources to $661,591. Project descriptions are attached to this staff report, titled Public Summary of the Annual Action Plan. There are risks associated with the Program Year 2026 award. More information can be found in the attachment to this staff report titled Federal Funding Risks.

Timeline and Next Steps

The public comment period for the Annual Action Plan is open from June 8th to July 9th. Consideration of Council approval for the Annual Action Plan is scheduled for the July 14th regular City Council meeting. The plan is due to HUD no later than July 17th.

Climate Analysis:

CDBG is a flexible grant that can be used to support the City's climate goals. Activities proposed in the Program Year 2026 award such as Energize Thurston decrease carbon emissions. No activities presented are expected to increase carbon emissions.

Equity Analysis:

CDBG funds must primarily benefit 80% or under Area Median Income (AMI) persons. Most of the Program Year 2026 funding is dedicated to activities to help achieve housing preservation goals outlined in our Consolidated Plan, Housing Action Plan, and One Community Plan. Activities funded provide ways to keep low-income households stably housed in safe and healthy housing. Improvements funded by CDBG are free or very low cost to homeowners. There are statistically major disparities in income that are tied to marginalized groups in our community. More information about disparities can be found in the City's Assessment of Fair Housing.

Neighborhood/Community Interests (if known):

CDBG funding is used to support Olympia residents with incomes at or below 80% of the Area Median Income. Supporting low- and moderate-income Olympia residents is a high priority for the community, and CDBG funded projects help meet many of the City's goals outlined in the One Community Plan.

Financial Impact:

The PY26 entitlement award is $376,415 and the proposed reallocation of unspent Revolving Loan Fund (RLF) is $35,176. $250,000 of revolving loan funding is proposed to remain allocated for the current rental rehabilitation project underway. The CDBG program can anticipate collecting between $50,000 and $250,000 in Program Income during the program year, increasing the funding available for proposed contingency activities. Local funds are used to pay for approximately half of 1 FTE's salary and benefits.

Options:

1. Hold the public hearing
2. Reschedule the public hearing for another Council meeting and risk noncompliance with HUD regulations.
3. Do not hold a public hearing.

Attachments:

Draft Program Year 2026 Annual Action Plan

Public Summary of the Annual Action Plan

Federal Funding Risks

CDBG Program Information

Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

1. Introduction

In this fourth year of the 2023-2027 Consolidated Plan, the City continues to prioritize funding activities with the highest needs according to the data and outreach collected during the Consolidated Plan update process. The City's CDBG Program Annual Action Plan features a range of activities, each intended to respond to the City's needs through economic development and affordable housing preservation to support low- and moderate-income populations. The City has placed a special emphasis on supporting the needs of our community through committing the majority of our funding to housing preservation activities. The PY2026 projects are as follows:

Rebuilding Together Thurston County	Critical Home Repair	$84,077
Enterprise for Equity	Microenterprise Assistance	$84,077
South Puget Sound Habitat for Humanity	Critical Home Repair	$84,077
South Puget Sound Habitat for Humanity	Energize Thurston	$84,077
City of Olympia	Planning & Administration	$75,283
City of Olympia	Rental Rehabilitation Program	$250,000

Table 1 - Program Year 2026 Projects

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

CDBG funding for PY26 activities is estimated to achieve the following accomplishments:

- Rehabilitation of 20-30 single family homes for low- and moderate-income homeowners
- 15-30 small businesses receiving technical assistance

In accordance with the priorities identified in the Consolidated Plan, the majority of our programmatic funding available is being recommended for activities related to the creation and preservation of affordable housing.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City's CDBG program has made great strides to meet goals set up in past Annual Action Plans and Consolidated Plans.

The City's CDBG program is consistently timely with its spenddown and continues to provide technical assistance to subrecipients to build capacity in administering CDBG funding. Local service providers continue to expand capacity to reach more LMI households in the community. Performance measures related to housing activities have increased dramatically over the past five-year Consolidated Plan.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The City will present at the Regional Housing Council's Affordable Housing Advisory Board on June 18th. The City presented at the Community Livability and Public Safety Committee on May 27th. There is a 30-day public comment period open June 8th - July 9th. A public hearing will be held at the regular City Council meeting June 23rd.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

To be updated

6. Summary of comments or views not accepted and the reasons for not accepting them

To be updated

7. Summary

The City continues to target CDBG funding towards priorities set in the Consolidated Plan.

PR-05 Lead & Responsible Agencies - 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	Olympia	
CDBG Administrator	Olympia	Community Planning and Economic Development
HOPWA Administrator		
HOME Administrator		
HOPWA-C Administrator		

Table 2 – Responsible Agencies

Narrative

Consolidated Plan Public Contact Information

Anastasia Everett

aeverett@ci.olympia.wa.us

360.753.8277

AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

1. Introduction

The City consulted with a variety of stakeholders and constituents during the 2023-2027 Consolidated Plan update. Each Annual Action Plan during this period will reflect the findings of the outreach and research in the Consolidated Plan. In development of the Annual Action Plan, City housing staff regularly participate in Regional Housing Council meetings and discuss priority housing needs in the community. City staff also participate in the regional Housing Action Team, a group of housing providers and government employees to discuss capacity building and services needed for LMI residents.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

The City's participation in these coordinating bodies allowed the City to receive valuable input from a broad range of service providers.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Thurston County Continuum of Care (COC) is the body that addresses the needs of homeless people in all populations. The COC is also directly aligned with Coordinated Entry Team that engages in an ongoing system improvement work to seek, develop and adopt best practices for serving homeless people. City staff meets with the COC regularly to ensure goals are aligned and efforts to address homelessness are compounded but not duplicated. The housing projects funded this program year are directly targeted to prevent housing insecurity and meet the goals of the COC.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The Thurston Thrives Coordination Council works directly with the Regional Housing Council to develop recommendations on how best to invest all state and local funds including ESG funds. The TTCC also works closely with the Coordinated Entry Team to strengthen HMIS administration and reporting.

2. Agencies, groups, organizations and others who participated in the process and consultations

Table 3 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	Thurston County Continuum of Care
	Agency/Group/Organization Type	Housing PHA Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing Services - Victims Health Agency Child Welfare Agency Other government - Federal Other government - State Other government - County Other government - Local Regional organization Planning organization

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs HOPWA Strategy Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The City works closely with the continuum of care for priority needs in the community.

2	**Agency/Group/Organization**	Regional Housing Council
	Agency/Group/Organization Type	Housing PHA Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing Services - Victims Services - Broadband Internet Service Providers Services - Narrowing the Digital Divide Health Agency Child Welfare Agency Publicly Funded Institution/System of Care Other government - Federal Other government - State Other government - County Other government - Local Regional organization Planning organization Civic Leaders

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs HOPWA Strategy Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The City participated in strategic regional policy to help coordinate public funding.
3	**Agency/Group/Organization**	Thurston Regional Planning Council
	Agency/Group/Organization Type	Services - Broadband Internet Service Providers Services - Narrowing the Digital Divide Other government - State Other government - County Other government - Local
	What section of the Plan was addressed by Consultation?	Broadband service providers strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	TRPC was consulted during the Consolidated Plan process to strategize broadband services.

4	**Agency/Group/Organization**	HOUSING AUTHORITY OF THURSTON COUNTY
	Agency/Group/Organization Type	Housing PHA
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Housing Authority was consulted during the Consolidated Plan process to provide housing market data, public housing data, review of inventory and housing vouchers, and to help identify the priority needs and goals for the Consolidated Plan.

Identify any Agency Types not consulted and provide rationale for not consulting

N/A

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Thurston County	Each plan emphasizes the inter-relationship of housing, shelter, supportive services and economic opportunity for all low- and moderate-income people.

Table 4 - Other local / regional / federal planning efforts

Narrative

City staff continue to follow the priorities and needs identified in the Consolidated Plan. The consultation process for the Consolidated Plan update and creation of the Annual Action Plan has been extensive. City staff have worked alongside County staff and consultants in order to collect data that accurately reflects the needs of our community.

AP-12 Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal-setting

The Annual Action Plan has a 30-day public comment period, a Public Hearing, a briefing at the community Affordable Housing Advisory Board, and funding recommendations at the City's Community Livability and Public Safety committee. Goal-setting has been influenced by the Consolidated Plan update for 2023-2027.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)

Table 5 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

The City has made a great effort in expending prior program year unspent funds and is now timely in its expenditures and continues to meet performance measure timelines and project milestones with all subrecipients. The City is dissolving the Revolving Loan Fund to incorporate all Program Income to activities identified in the Annual Action Plan

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	376,415.00	285,176.00	0.00	661,591.00	376,415.00	The City's PY26 entitlement award is identified for projects as well as $35,176 in program income formerly attributed to the revolving loan fund. $250,000 of program income is for the remaining project funded by the revolving loan fund for a rental rehabilitation project.

Table 6 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

All housing related projects outlined in the Annual Action Plan are being partially funded with PY26 CDBG funding. The subrecipients will be contributing staff time, resources, and materials to complete the agreed upon projects. Neither the City nor the organizations could have completed these goals independently of one another. The partnering agencies will be seeking outside donations and/or other state and local funds to fill the budget gaps to serve low/mod income homeowners and renters. Additionally, CDBG funds are used to leverage state funding for the Energize Thurston campaign.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

N/A

Discussion

The City will pursue all potential leverage to ensure maximum leverage of local, state and federal funding sources.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Preserve and Improve Existing Affordable Housing	2023	2027	Affordable Housing Homeless Non-Homeless Special Needs	City of Olympia	Housing	CDBG: $502,231.00	Homeowner Housing Rehabilitated: 30 Household Housing Unit Rental housing rehabilitated: 12 household housing units
2	Improve Housing and Economic Outcomes	2023	2027	Homeless Non-Homeless Special Needs	City of Olympia	Community and Economic Development Services Special Needs	CDBG: $84,077.00	Businesses assisted: 30 Businesses Assisted

Table 7 – Goals Summary

Goal Descriptions

1	**Goal Name**	Preserve and Improve Existing Affordable Housing
	Goal Description	

2	**Goal Name**	Improve Housing and Economic Outcomes
	Goal Description	

AP-35 Projects - 91.420, 91.220(d)

Introduction

The City prioritizes housing rehabilitation and preservation. Additionally, the City is funding one economic development activity.

#	Project Name
1	Housing Preservation and Rehabilitation
2	Economic Development
3	Planning and Administration

Table 8 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Allocation priorities align with needs identified in the Consolidated Plan.

AP-38 Project Summary

Project Summary Information

#	Project Name
1	Housing Preservation and Rehabilitation
2	Economic Development
3	Planning and Administration

1	**Project Name**	Housing Preservation and Rehabilitation
	Target Area	City of Olympia
	Goals Supported	Preserve and Improve Existing Affordable Housing
	Needs Addressed	Housing Special Needs
	Funding	CDBG: $502,231.00
	Description	Rehabilitation and preservation activities carried out by subrecipient partners. Partners include Rebuilding Together Thurston County and South Puget Sound Habitat for Humanity. Rehabilitation also includes rental rehabilitation program by City of Olympia.
	Target Date	8/31/2027
	Estimate the number and type of families that will benefit from the proposed activities	An estimated 30-40 homeowner households will receive benefit from the proposed activities. 12 rental households will receive benefit from the rproposed activities.
	Location Description	Activities will take place throughout the City's jurisdiction.
	Planned Activities	Critical Home Repair programs administrated by Rebuilding Together Thurston County and South Puget Sound Habitat for Humanity. Energize Thurston administered by South Puget Sound Habitat for Humanity. Rental rehabilitation program administered by the City of Olympia.
2	**Project Name**	Economic Development
	Target Area	City of Olympia
	Goals Supported	Improve Housing and Economic Outcomes
	Needs Addressed	Community and Economic Development
	Funding	CDBG: $84,077.00
	Description	Economic development activities to support low- and moderate-income businessowners in Olympia.
	Target Date	8/31/2027
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 30-40 businesses will be assisted through Enterprise for Equity's microenterprise assistance programs.
	Location Description	Small businesses throughout the City's jurisdiction.

	Planned Activities	Enterprise for Equity's Microenterprise Assistance program
3	**Project Name**	Planning and Administration
	Target Area	City of Olympia
	Goals Supported	Preserve and Improve Existing Affordable Housing Improve Housing and Economic Outcomes
	Needs Addressed	Housing Community and Economic Development Services
	Funding	CDBG: $75,283.00
	Description	Planning and administration costs
	Target Date	8/31/2027
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	Olympia
	Planned Activities	Planning and administration costs for the CDBG program.

AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Geographic Distribution

Target Area	Percentage of Funds
City of Olympia	100

Table 9 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Services are provided throughout the entitlement community. Homeowner rehabilitation is prioritized in low-income census tracts and those with minority concentrations according to City and HUD GIS mapping tools.

Discussion

The City continues to work on updating GIS systems to reflect underserved and overrepresented communities in poverty. The City is considering undertaking a local income survey to collect better data on what census tracts are most vulnerable.

AP-75 Barriers to affordable housing -91.420, 91.220(j)

Introduction

The City of Olympia has made great strides in confronting barriers to producing and preserving multi-family rental units but more work is needed to produce homeownership units and to remove barriers that low-income households face in accessing those units. Increasing homeownership provides a unique opportunity to equitably provide affordable, sustainable, healthy and safe housing while assisting low and moderate-income households to begin building wealth and exiting poverty. The three key barriers to homeownership that still exist are the reduced organizational capacity of housing developers to create new homeownership housing, insufficient availability of financing and subsidies needed to produce new housing, and insufficient availability of resources needed to purchase a house. These barriers are present in Olympia but also seen statewide and have been called out in Homestead Community Land Trust's Closed Doors report, the Black Home Initiative, and the State's Homeownership Disparities Work Group study.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

In recent years the City of Olympia has taken several actions to address and mitigate barriers to affordable housing production and preservation. Some of these measures are briefly described below.

1. Dedicated Funding Source:

In 2018, voters approved a ballot measure that created the Home Fund, a local funding source that is solely used for the construction and preservation of housing units affordable to Olympia residents whose incomes do not exceed 60% of area median income by household size. The funding originates from the collection of one-tenth of one percent sales and use tax. Until 2023, funding awards were made by an Olympia Home Fund board comprised of residents with knowledge and expertise in the affordable housing field. From 2018 through 2022, Olympia's Home Fund supported the creation of approximately 130 permanent rental units.

In 2022, Thurston County adopted its own Home Fund and in 2023, the Olympia and Thurston County Home Funds were merged, thereby creating a local funding mechanism that offers an anticipated $8 million annually toward the construction and preservation of affordable

housing in Thurston County. In 2023, seven projects that will produce 137 new units of housing by 2027 were awarded funds.

Funding awards for the newly merged Home Fund are now recommended by a citizen advisory board known as the Thurston Affordable Housing Advisory Board. The board is comprised of residents of Olympia, Lacey, Tumwater, and Yelm. Board members have a wide range of expertise in the affordable housing field. In establishing the board, priority was placed on including board members with lived experience of homelessness or housing insecurity. Priority was also placed on individuals who represent a population which is overly represented in Thurston County's Homeless Crisis Response Plan. Examples of such populations are Black, Hispanic, and LGBTQIA+.

2. Housing Action Plan

The cities of Olympia, Lacey, and Tumwater partnered with Thurston Regional Planning Council (TRPC) in 2021 to create Housing Action Plans. Because the cities are so closely geographically located and operate within the same housing market constraints, the decision was made for each city's plan to include the same six strategies for increasing the production and preservation of affordable housing. The strategies are:

- Increase the supply of permanently affordable housing for households that make 80 percent or less of the area median income.
- Make it easier for households to access housing and stay housed.
- Expand the overall housing supply by making it easier to build all types of housing projects.
- Increase the variety of housing choices.
- Continually build on resources, collaboration, and public understanding to improve implementation of housing strategies.
- Establish a permanent source of funding for low-income housing.

Cities then individually identified several actions their jurisdiction would take to support these six broad strategies. The City of Olympia's Housing Action Plan includes 71 actions. Staff across the organization recognize the need for affordable housing and work collaboratively to carry out the Housing Action Plan.

The City applied for the PRO Housing grant opportunity from HUD in 2023 and 2024 to address barriers to affordable housing. While

unsuccessful in our application, we intend to apply for any future funding opportunities.

Discussion

The City of Olympia has extensively gathered and analyzed data and engaged our residents to assess the community's housing needs. The City pursued a Missing Middle Initiative, an effort to increase housing production and range of housing options by allowing more than one housing unit per lot. The City engaged Olympians on the issue of homelessness and from the engagement emerged the One Community plan, a roadmap for addressing homelessness. A Housing Needs Assessment identified, among other things, the need for more housing production and preservation and a need for a range of housing types to meet current and anticipated demand. The 2023-2027 Consolidated Plan deepened our knowledge about housing need and instability in Olympia. It provided data on the cost to produce and preserve housing as well as data on housing cost burden. The Assessment of Fair Housing highlighted populations of our community who experience barriers to accessing housing, housing insecurity, housing cost burden and ongoing disparities in homeownership.

AP-85 Other Actions - 91.420, 91.220(k)

Introduction

The City, through non-profit agencies supported with state funding will continue its outreach particularly to homeless individuals and families to connect them to employment and education opportunities through the variety of programs that are available in the community.

The City will continue its efforts in creating effective partnerships with service delivery agencies and other jurisdictions within its boundaries to implement countywide programs and activities that strengthen our capacity to address the needs of low-income households.

Actions planned to address obstacles to meeting underserved needs

The City through the funded non-profit agencies will continue its outreach particularly to homeless individuals and families to connect them to employment and education opportunities through the variety of programs that are available in the community. The City is also actively pursuing state and federal funding to address obstacles to affordable housing.

Actions planned to foster and maintain affordable housing

The City prioritizes using CDBG funding to preserve existing affordable housing. Staff are continuously looking for funding sources to leverage CDBG and create new affordable housing.

Actions planned to reduce lead-based paint hazards

The City will continue its efforts in creating effective partnerships with service delivery agencies and other jurisdictions within its boundaries to implement countywide programs and activities that strengthen our capacity to address the needs of low-income households.

The City, through the Housing Action Team and Regional Housing Council, will continue to create partnerships for the ongoing development of affordable housing in our community. A working group of the Housing Action Team is the Affordable Housing Team, which is comprised of local affordable housing providers, local jurisdiction staff, and other interested private sector parties. The group works to focus collaborative action to create, preserve and diversify affordable and equitable housing through advocacy, education, and leadership.

City staff are researching capacity and availability for a HUD lead reduction grant.

Actions planned to reduce the number of poverty-level families

The Regional Housing Council (RHC), representing the jurisdictions of Thurston County, Olympia, Lacey,

Tumwater, and Yelm all pledge a portion of local sales tax revenue collected by the jurisdictions to support health and human services agencies throughout the County. For the past several years, the RHC has directed these funds to be used to fund local non-profit agencies that address "basic needs" including food and meal programs, personal hygiene, childcare, and other emergency needs to support low-income households.

Actions planned to develop institutional structure

In January 2021, Thurston County and the Cities of Olympia, Lacey, Tumwater, and Yelm, signed an Interlocal Agreement to form the Regional Housing Council (RHC). The RHC replaces the Health and Human Services Council and creates a more intentional focus on addressing affordable housing and homelessness as a region. The primary purpose of the RHC is to leverage resources and partnerships through policies and projects that promote equitable access to safe and affordable housing.

The Thurston Thrives Housing Action Team and its sub teams, including Affordable Housing; Homeless Housing Hub; Affordable Rental Housing; Manufactured Housing Work Group; and Senior Housing, will continue to build new partnerships to enhance our planning environment. These teams provide valuable information to our local planning bodies regarding the development of affordable housing and needed public services.

Actions planned to enhance coordination between public and private housing and social service agencies

The Housing Action Team is again the key county focus on the activities in this area. The HAT forum brings together non-profits, government and private sector developers in a unique manner that solicits input for the greater community wellbeing.

Discussion

The City will continue to solicit the input from existing community members, local not for profit agencies and private sector businesses to create a stronger, healthier community.

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(l)(1,2,4)

Introduction

The City continues to use its CDBG funding to benefit low- and moderate-income community members. The City utilizes contingency projects to avoid program income not being allocated to any projects.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**0**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income.Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

Discussion

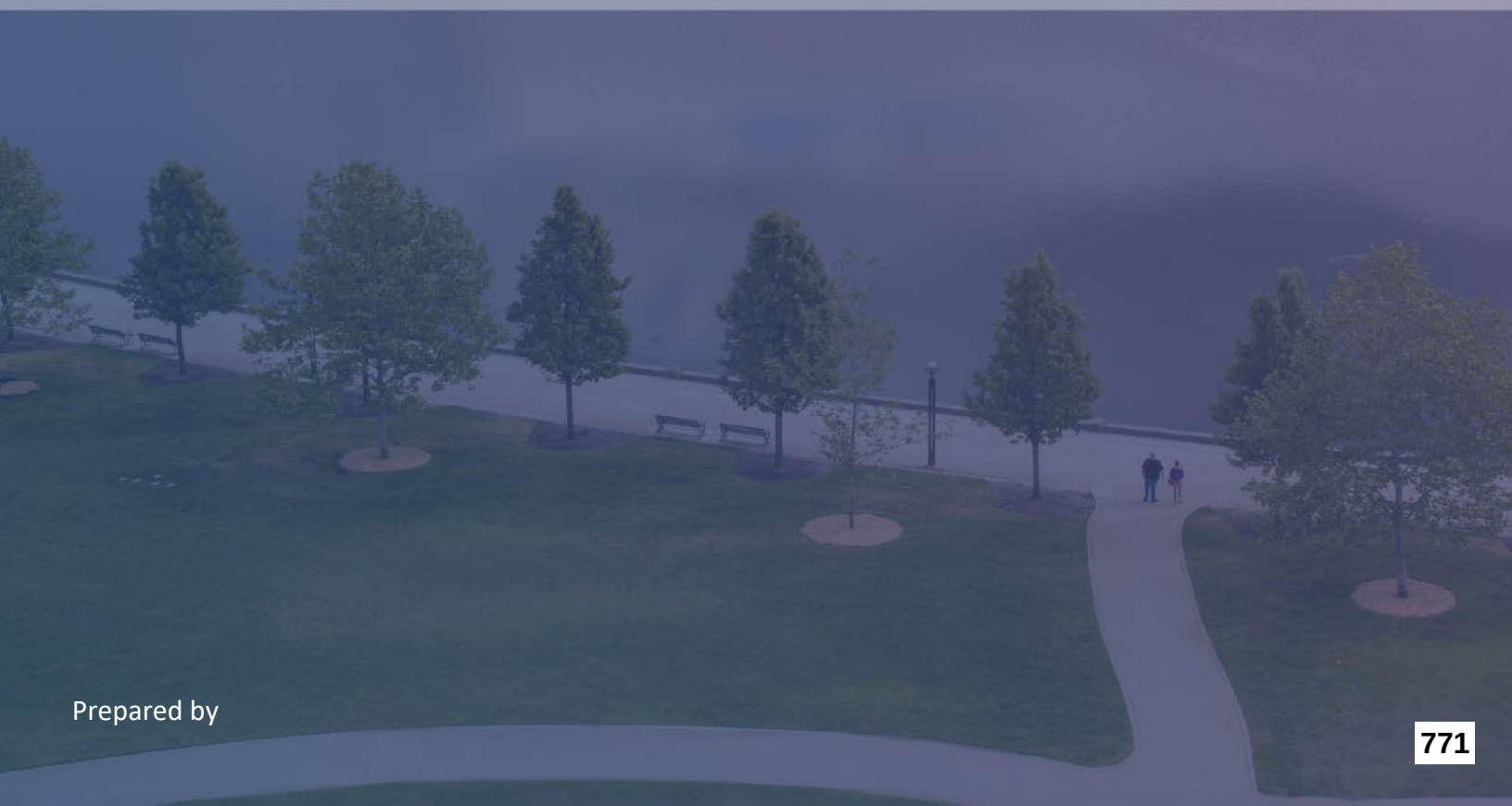
The overall benefit period for this Annual Action Plan is 2024, 2025, 2026.

Olympia™

cdbg Community Development Block Grant

Program Year 2026

Public Summary of the Annual Action Plan



Prepared by

Summary

The City of Olympia's Program Year 2026 Annual Action Plan is the fourth for the five-year Consolidated Plan (2023-2027).

Available resources for Program Year 2026 include an entitlement award of $376,415, proposed reallocation of $35,176 of revolving loan funds, and $250,000 in existing revolving loan funding allocated to a multifamily rehabilitation project bringing the total available resources to $661,591.

The projects listed below are proposed to be funded by this year's available resources:

Rebuilding Together Thurston County Critical Home Repair Program

$84,077

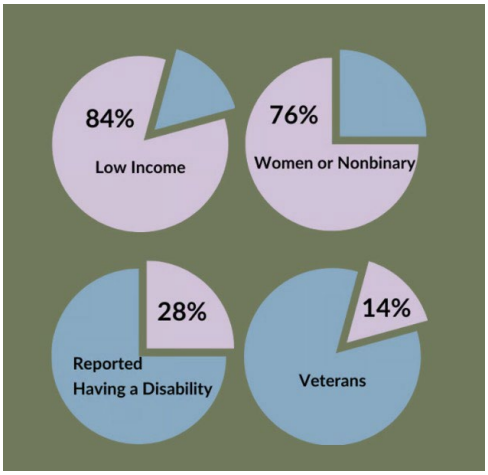
Funding will support their critical home repair program. The estimated accomplishment for this project is between 7-10 homes rehabilitated. Funding supporting Rebuilding Together Thurston County's Critical Home Repair program serves low-income homeowners with the following eligibility criteria: homeowners must live in Olympia, must meet income requirements, must be unable to do the work on their own, and must either have a disability, be a senior citizen, military veteran, or a family with young children.

The City has funded Rebuilding Together Thurston County for several years and City CDBG funding has supported many homeowners in our community.



Enterprise for Equity Microenterprise Assistance Program
$84,077

Funding will support for their Microbusiness Development Program. Enterprise for Equity is intending to provide specialized training for over 30 low- and moderate-income local entrepreneurs.



City CDBG funding has supported Enterprise for Equity's Microenterprise Assistance Programs for most of the decade and has made a large impact on microenterprises in Olympia.

South Puget Sound Habitat for Humanity
Critical Home Repair Program
$84,077

Funding is recommended for the Critical Home Repair program. Examples of home repairs include mold remediation, roof repair or replacement, and bathroom accessibility improvements. An estimated 7-10 low- and moderate-income households will participate in the Home Repair program in the upcoming program year. South Puget Sound Habitat for Humanity's Critical Home Repair Program is available for eligible low-income homeowners that meet program criteria, including a documented need, ability to contribute financially

towards a small percentage of their repair costs, and willingness to partner with sweat equity requirements.

South Puget Sound Habitat for Humanity
Energize Thurston Program
$84,077

Funding will go towards the fully subsidized installation of energy efficient heat pumps for low-income Olympia homeowners. The recommended funding for this project will install heat pumps in approximately 7-10 homes. Subsidized installations are managed by subrecipient South Puget Sound Habitat for Humanity.



City CDBG funding was one of the first grant sources available for the Energize Thurston program, beginning in Program Year 2022 with support for Energize Olympia.

Planning and Administration Costs
$75,283

Costs for City staff salary and benefits for administering the CDBG program. This is capped at 20% of the Program Year 2026 entitlement award.

Rental Rehabilitation Program
$250,000

Costs for the rehabilitation of a 12-unit multifamily housing structure rented to a majority of tenants at or below 80% area median income. Improvements include new energy-saving windows, replacement of siding and exterior painting, installation of ductless minisplit heat pumps and concrete repair.

Contingency Projects and Program Income

Contingency projects may be funded by cancelled projects identified in the Annual Action Plan or by receipt of Program Income during the Program Year.

Contingency Projects proposed for Program Year 2026 are critical home repair programs provided by subrecipients Rebuilding Together Thurston County and South Puget Sound Habitat for Humanity and the Energize Thurston program. Funding is to be awarded to projects based on demonstrated need and availability.

Federal Funding Risks

In 2025, the U.S. Department of Housing and Urban Development (HUD) provided the City with a grant agreement for the Program Year 2025 Community Development Block Grant (CDBG) award. The grant agreement contained new conditions which require compliance with Executive Orders related to DEI, cooperation with immigration enforcement, and other Administration policies. The City's CDBG Program Manager and legal staff found the new grant conditions to be in conflict with the City's values generally and City's Sanctuary Policy specifically, and otherwise unlawful.

The City joined a lawsuit, *King County v. Turner, et al.* in November 2025. More than 80 local government Grantees from around the state and country represented in the lawsuit received an injunction on new grant conditions added to federal funding awards such as CDBG. The injunction blocks HUD from requiring compliance with the new grant conditions. The City's upcoming Program Year 2026 grant agreement will be covered while the injunction is in place. This will permit the City to execute our CDBG Grant Agreement and access funds without complying with the new grant conditions introduced in 2025.

HUD has appealed the injunction. The appeal is active in the Ninth Circuit Court of Appeals. If the injunction is overturned, HUD would have the authority to issue the City a new grant agreement for Program Year 2025 and Program Year 2026 requiring compliance with the new conditions. In this event, the City would most likely not need to repay grant funding spent while protected by the injunction but would potentially not be able to spend any future grant funding requiring compliance with the new grant conditions.

If the injunction is overturned, so that the offending grant conditions are applicable, the City will not be able to accept any grant funds from HUD and doesn't have local funding capacity to fund unspent contracted awards. Staff have communicated the risks surrounding funding availability to subrecipients recommended for Program Year 2026 funding. Program Year 2026 subrecipient agreements will include language is approved by our legal staff and ensures the City is not obligated to fully fund contracts with local sources should the injunction be overturned and new grant agreements be issued by HUD.

The City is on track to receive and execute the Program Year 2026 grant agreement with HUD on time with the Program Year beginning September 1, 2026.

CDBG Program Information

Community Development Block Grant (CDBG) is a flexible grant that can be used for a variety of activities that primarily support low-income households. Olympia is a CDBG entitlement community, meaning we directly receive a formula-based grant allocation from the U.S. Department of Housing and Urban Development annually. Eligible activities include the acquisition of real property, public facilities and improvements, public services, homeowner and rental rehabilitation, code enforcement, special economic development activities, microenterprise assistance, planning and capacity building, and program administrative costs, among others. The authorizing statute of the CDBG program requires that each activity funded, except for program administration and planning activities, must meet one of three national objectives established by HUD:

- Benefit to low- and moderate-income (LMI) persons;
- Aid in the prevention or elimination of slums or blight; and
- Meet a need having a particular urgency (referred to as urgent need).

Every year the City must complete an Annual Action Plan (AAP) in accordance with the City's public participation plan outlining how CDBG funds will be used during the upcoming Program Year. The City's Program-Year begins September 1 and ends August 31 of the following year. Each AAP must reflect the priorities set in the Consolidated Plan which is updated in partnership with Thurston County every five years and outlines the priority needs in the region. Preparation of the Consolidated Plan includes extensive stakeholder and public engagement to set goals and objectives. In Program Year 2023, the City adopted its most recent Consolidated Plan update which was approved by HUD and will be implemented until Program Year 2027. The Consolidated Plan prioritizes activities that support affordable housing and economic development.

The City does not have the capacity or expertise to directly undertake the activities identified as priorities in the Consolidated Plan. The City typically subawards its CDBG to local nonprofit organizations, or subrecipients, to complete proposed activities. The relationship with subrecipients allows the City to compliantly fund a variety of activities and supports local nonprofit organizations.

City staff prepare the required annual report, the Consolidated Annual Performance and Evaluation Report, or CAPER following the end of each program year. The CAPER is presented to City Council and the public to show progress made towards goals identified in the Consolidated Plan, how CDBG funding is spent, and number of beneficiaries served. The CAPER is prepared in late fall and submitted to HUD in November.

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

City Council

Briefing on the October 2025 Critical Incident Review and Community Representative Role

Agenda Date: 6/23/2026
Agenda Item Number: 6.A
File Number:26-0426

Type: report **Version:** 1 **Status:** Other Business

Title
Briefing on the October 2025 Critical Incident Review and Community Representative Role

Recommended Action
Committee Recommendation:
Not referred a committee.

City Manager Recommendation:
Receive a briefing on the October 2025 Critical Incident Review and Community Representative role.

Report
Issue:
Whether to Receiving a briefing on the October 2025 Critical Incident Review and Community Representative role.

Staff Contact:
Ray Brady, Deputy Chief, Olympia Police Department, 360.753.8147

Presenter(s):
Ray Brady, Deputy Chief, Olympia Police Department
Lisa Ostler, Community Representative, Olympia Police Department
Use of Force Review Board
Robin Rosen-Evans, Community Representative, Olympia Police Department
Use of Force Review Board

Background and Analysis:
On October 21, 2025, Olympia Police Officers were dispatched to an “unknown trouble” call on 6th Avenue NW. Officers responded to the scene and located the subject of the 911 calls. The subject charged at officers with a weapon, and an officer-involved shooting occurred. Officers immediately provided medical aid, and the subject survived their injuries.

The Capital Metro Independent Investigative Team (CMIIT) responded to the scene and assumed the investigation. Per state law, policy and procedure, Olympia Police Department members did not participate in the investigation.

Two non-law enforcement Olympia Community Representatives responded to the scene and observed the investigation consistent with the direction put forth in Washington Administrative Code 139-12-030.

Involved officers were placed on administrative leave, per policy (the member who used deadly force remained on administrative leave/administrative duties until after the administrative review was completed).

The CMIIT completed the investigation in February 2026. The CMIIT forwarded the case to the Thurston County Prosecuting Attorney upon the completion of the investigation.

On March 8, 2026, the Thurston County Prosecuting Attorney provided their review of the case and concluded that the officer's actions were justified under Washington State law, and as such, no criminal charges would be filed.

The Olympia Police Department (OPD) objectively evaluates the use of force by its members to ensure that their authority is used lawfully, appropriately, and is consistent with training and policy. Per OPD Policy, a Use of Force Review Board was convened. The board's composition is dictated by policy and is comprised of the following members: a lieutenant in the involved member's chain of command, a training sergeant, a patrol sergeant, an officer selected by the involved officer, a sworn peace officer from an outside law enforcement agency, a department instructor, a patrol tactics instructor, and two community representatives.

The Use of Force Review Board is responsible for reviewing the circumstances surrounding any use of force that results in great bodily harm, death, or an officer's intentional discharge of a firearm.

The Use of Force Review Board was convened over the course of two days in April 2026. The board received a briefing from The Capital Metro Independent Investigation Team and interviewed the involved OPD members and witnesses. At the conclusion of the review, the board unanimously concluded the OPD sergeant's actions were within department policy and training. Members of the board offered ten recommendations regarding policy and procedure, training and equipment.

This briefing will provide an overview of the critical incident that occurred on October 21, 2025, review the Department's internal review process, present the board member's recommendations, explain the community representative's role on the review board, and discuss the community representatives' experience of the internal review process.

Climate Analysis:
This topic is not expected to have an impact on greenhouse gas emissions.

Equity Analysis:
The Use of Force Review Board process is designed to evaluate the officer's actions to ensure everyone was treated equitably and fairly during the use of force event.

Neighborhood/Community Interests (if known):
The community has an expectation of police transparency and accountability.

Type: report **Version:** 1 **Status:** Other Business

Financial Impact:
None

Options:
1. Receive a briefing on the October 2025 Critical Incident Review and Community Representative role.
2. Do not receive the briefing.
3. Receive the report at another time.

Attachments:
None

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON VACATING A RIGHT-OF-WAY ALONG GARFIELD AVENUE ABUTTING WEST BAY DRIVE

WHEREAS, the Olympia City Council adopted Resolution No. M-2666 on November 10, 2025, setting a public hearing to allow public comment relating to a petition to vacate a right-of-way along Garfield Avenue Abutting West Bay Drive as a public thoroughfare; and

WHEREAS, as required by OMC 12.16.050, written notice of the proposed vacation and public hearing was posted at Olympia City Hall, posted on site, and mailed to all property owners abutting and within 300 feet of the boundaries of the rights-of-way to be vacated; and

WHEREAS, a public hearing was held by the Olympia City Council on the petition on December 9, 2025, at the City Council's regular 6:00 p.m. business meeting; and

WHEREAS, the City has received no comments objecting to the vacation from any member of the public nor from any utility provider regarding this vacation; and

WHEREAS, in conjunction with and as compensation for the City's vacation of the subject right-of-way, the Applicant is granting the City an access and utility Easement; the provision of this access and utility easement is a necessary condition of the vacation of the subject right-of-way; and

WHEREAS, the Public Works Department has indicated the area to be vacated has no known current or foreseeable future use to the City as a right-of-way and any anticipated City need to utilize the vacated area will be addressed by the access and utility easement being granted to the City in conjunction with this right-of-way vacation; and

WHEREAS, the City Council determines it to be in the public interest to grant the petition to vacate a right-of-way along Garfield Avenue Abutting West Bay Drive as a public thoroughfare, subject to the requirements of OMC 12.16.080, OMC 12.16.090, and RCW 35.79.030;

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

Section 1. As recommended by the City of Olympia Public Works Department and as requested by the owner of the abutting parcel(s), the Olympia City Council, pursuant to OMC 12.16.050 and RCW 35.79.010, hereby vacates as a public thoroughfare the following described public thoroughfare situated in the City of Olympia, Thurston County, State of Washington, to wit:

THE SOUTH 10.00 FEET OF GARFIELD AVENUE ADJACENT TO THE FOLLOWING DESCRIBED PARCEL:

LOT 16 IN BLOCK 26 OF WOODRUFF'S ADDITION TO THE CITY OF OLYMPIA, WASHINGTON, AS RECORDED IN VOLUME 3 OF PLATS, PAGE 40 AND 41, TOGETHER WITH THE VACATED WEST 12.50 FEET OF WEST BAY DRIVE ADJOINING ON THE EAST.

SUBJECT TO EASEMENT OVER SAID SOUTH 10.00 FEET FOR ACCESS, REPAIR AND MAINTENANCE OF UTILITIES.

SITUATE IN THE COUNTY OF THURSTON, STATE OF WASHINGTON.

Section 2. The vacation meets the criteria set forth in OMC 12.16.100, which is summarized as follows:

- The proposed vacation will not be materially detrimental to other properties in the vicinity, nor will it endanger public health, safety, or welfare.

- The subject right-of-way is not needed for general access, emergency services, utility facilities, or other similar public purposes, nor is it necessary as part of a long-range circulation plan, pedestrian/bicycle pathway plan or street improvement plan. This criteria is met because the Applicant is granting the access and utility easement referenced in the recitals above.

- The subject vacation is consistent with the adopted Olympia Comprehensive Plan and all other related land use and circulation regulations and policies.

- The subject vacation would not directly or indirectly result in an adverse impact on historical or cultural resources, the natural environment, or otherwise negatively affect environmentally sensitive areas.

Section 3. Required Compensation. In lieu of any monetary compensation, the owner of the abutting property
shall grant to the City an access and utility easement that must, prior to acceptance by the City, be deemed acceptable by the Director of Public Works and the City Attorney, or their designees. Such easement must be recorded with the Thurston County Auditor at the property owner's expense after acceptance by the City's representatives.

Section 4. Effective Date. This Ordinance does not become effective until the owner of the abutting Property grants and records the easement required by Section 3, above.

Failure of the abutting property owner to grant and record the easement within 0 days of the passage of this Ordinance automatically (without further Council action) voids the petition and the vacation of right-of-way approved by this Ordinance.

PASSED BY THE OLYMPIA CITY COUNCIL this_____day of_____2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
DEPUTY CITY ATTORNEY

Certification of Receipt of Compensation. I, Sean Krier, City Clerk, hereby certify that the access and utility easement required to be granted by this Ordinance was __ was not __ received within the required timeframe.

_____
CITY CLERK

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING TITLE 18, UNIFIED DEVELOPMENT CODE, OF THE OLYMPIA MUNICIPAL CODE, TO EFFECTUATE MISCELLANEOUS CODE AMENDMENTS

WHEREAS, on February 23, 2026, the City of Olympia Community Planning and Economic Development Department proposed multiple minor amendments to various chapters in the Olympia Municipal Code, including in Title 18, Unified Development Code, of the OMC (the Proposed Amendments); and

WHEREAS, the Proposed Amendments were developed, in part, to address changes in state law adopted by the Legislature in the 2024 and 2025 Legislative sessions, and also to address technical issues identified by City Staff; and

WHEREAS, Notice of Application for the Proposed Amendments was routed to all Recognized Neighborhood Associations within the City of Olympia and to the Council of Neighborhoods Association on February 23, 2026; and

WHEREAS, on February 23, 2026, the Proposed Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt Development Regulation amendments as required by RCW 36.70A.106 and no comments were received from state agencies during the comment period; and

WHEREAS, on March 2, 2026, the Olympia Planning Commission received a briefing on the Proposed Amendments; and

WHEREAS, on March 11, 2026, the City of Olympia issued a Determination of Non-Significance pursuant to the State Environmental Policy Act (SEPA) on the Proposed Amendments; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Recognized Neighborhood Associations with the City of Olympia pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Parties of Record pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 27, 2006, a legal notice was published in *The Olympian* newspaper regarding the date of the Olympia Planning Commission's public hearing on the Proposed Amendments; and

WHEREAS, on April 6, 2026, the Olympia Planning Commission received a briefing, held a public hearing, and deliberated the Proposed Amendments; and

WHEREAS, there were no written or oral public comments or testimony received on the Proposed Amendments; and

WHEREAS, following the public hearing and deliberations, on April 6, 2026, the Planning Commission provided to the City Council its recommendation to amend multiple chapters in Title 18, Unified Development Code, of the Olympia Municipal Code (OMC), as proposed; and

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

WHEREAS, the Proposed Amendments have been reviewed pursuant to the Rezones and Text Amendments process outlined in Chapter 18.70 OMC; and

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

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

Section 1. Amendment of OMC 18.02.040. Olympia Municipal Code Section 18.02.040 is hereby amended to read as follows:

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~~appropriately concentrate ~~concentration of~~ population consistent with state law and the Comprehensive Plan, and facilitate adequate provisions for transportation, utilities, schools, parks, and other public needs.

Section 2. Amendment of OMC 18.02.160(C). Olympia Municipal Code Subsection 18.02.160(C) is hereby amended to read as follows:

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~~ must 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 regulations from one of the zones applicable to the parcel apply to the entirety of~~all~~ such ~~property~~ parcel ~~shall~~must 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~~ parcel ~~is~~ must be developed with a consolidated site plan unless all proposed development is clearly and wholly located on the portion of the parcel 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 1,500 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~~ must have the use and development standards of the General Commercial (GC) zoning district.

Section 3. Amendment of OMC 18.02.170(C). Olympia Municipal Code Subsection 18.02.170(C) is hereby amended to read as follows:

B. 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~~ must 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.~~

Section 4. Amendment of OMC 18.02.180(A). Olympia Municipal Code Subsection 18.02.180(A) is hereby amended to read as follows:

A. DEFINITIONS - SPECIFIC.

Abandon. To cease or suspend from developing or maintaining a building or use for a definite period of time.

Abandoned Activity. A business or activity with no reported sales or activity for a period of ~~twelve (~~12~~)~~ months, except temporary closures for repairs, alterations, or other similar situations. Land and/or buildings not in use for such period are considered vacant and unoccupied and may be subject to review including land use approval prior to renewal of use.

Abutting. Two or more parcels or buildings sharing a common boundary of at least one point.

Access. Safe, adequate, and usable ingress/egress (entrance/exit) to a property or use.

Accessory Dwelling Unit. See Dwelling, Conventional.

Accessory Structure. A structure detached from the principal building located on the same lot and customarily incidental and subordinate to the principal building. Any part of the main building ~~which~~ that shares a common wall and roof is considered a part of that building. A building or portion thereof is not considered attached if the attachment is by a covered breezeway. (See also Subordinate.) Examples of accessory structures include garages, sheds, and ground-mounted solar photovoltaic systems.

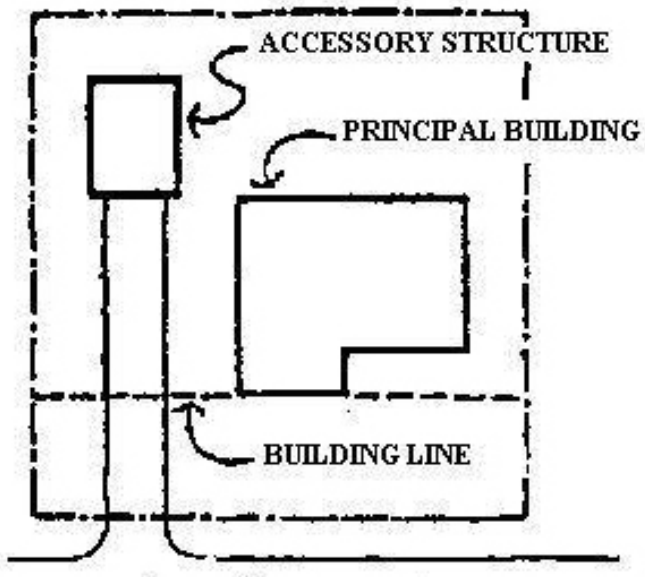


FIGURE 2-1

Accessory Use. A use of land or a portion thereof customarily incidental and subordinate to the principal use of the land and located on the same lot with the principal use, such as: garage sales; merchandise displays outside of a business; community oriented outdoor activity associated with schools, churches, and other non-profit organizations; and temporary contractor offices on a construction site. Accessory uses may also include uses subordinate to the primary use, such as rooftop solar PV on an existing structure.

Action. A decision made by the review authority(s) on a land use application, including any findings, environmental determination, and conditions of approval.

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

Adult Day Care Home. See Dwelling, Assisted Living.

Adult Entertainment.

a. Any exhibition, performance, or dance of any type conducted in a premises where such exhibition, performance, or dance involves a person who is unclothed or in such costume, attire, or clothing as to expose any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals, or human male genitals in a discernibly turgid state, or wearing any device or covering exposed to view ~~which~~ that simulates the appearance of any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals, or human male genitals in a discernibly turgid state, even if completely opaquely covered; or

b. Any exhibition, performance, or dance of any type conducted in a premises where such exhibition, performance, or dance is distinguished or characterized by a predominant emphasis on the depiction, description, simulation of, or relation to, the following specified sexual activities:

    i. Human genitals in a state of sexual stimulation or arousal;

    ii. Acts of human masturbation, sexual intercourse, or sodomy; or

iii. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast; provided, adult entertainment and specifically the "depiction, description, simulation of, or relation to" sexual activities described above, ~~shall~~ may not be construed to include any form of actual sexual conduct as defined in this section.

c. Any exhibition, performance, or dance intended to sexually stimulate any patron and conducted in a premises where such exhibition, performance, or dance is performed for, arranged with, or engaged in with fewer than all patrons on the premises at that time, with separate consideration paid, either directly or indirectly, for such performance exhibition or dance. For purposes of example and not limitation, such exhibitions, performances, or dances are commonly referred to as table dancing, couch dancing, taxi dancing, lap dancing, private dancing, or straddle dancing.

Adult-Oriented Business. ~~Shall mean~~ Means the following businesses:

a. Adult arcade. An establishment containing any individual viewing areas or booths, where, for any form of consideration, including a membership fee, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines are used to show films, motion pictures, video cassettes, slides, or other photographic reproduction of sexual conduct, or adult entertainment.

b. Adult cabaret. A night club, bar, restaurant, theater, or auditorium, or similar commercial establishment, whether or not alcoholic beverages are served, which presents adult entertainment.

c. Adult motel. A hotel, motel, or similar commercial establishment which:

i. Offers sleeping accommodation to the public for any form of consideration and, as a significant purpose of its business, provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction of or description of sexual conduct or adult entertainment and are not rated G, PG, PG-13, NC-13, NC-17, or R by the Motion Picture Association of America; or

ii. Offers a sleeping room for rent for a period of time that is less than ~~ten (~~10~~)~~ hours; or

iii. Allows a tenant or occupant of a sleeping room to sub rent the room for a period time that is less than ~~ten (~~10~~)~~ hours.

d. Adult motion picture theater. A commercial establishment or drive-in theater where a significant portion of the films, motion pictures, video cassettes, slides, or similar photographic reproductions are characterized by the depiction or description of adult entertainment or sexual conduct and are not rated G, PG, PG-13, NC-13, NC-17, or R by the Motion Picture Association of America and are shown for any form of consideration.

e. Adult book store. A business having as a significant portion of its volume of trade the display, barter, rental and/or sale of books, printed matter, video tapes, discs or cassettes, films, pictures or other material or paraphernalia distinguished or characterized by an emphasis on matters depicting, describing or relating to sexual conduct or adult entertainment, as defined herein. For purposes of this ordinance, "portion of its volume or trade" means that portion of the store's display space devoted to such material, or that portion of its gross receipts received from the sale of such material, whichever is greater.

f. Other adult entertainment facility. Any commercial establishment to which any patron is invited or admitted and where adult entertainment is presented as a substantial part of the premises' activity, including but not limited to escort agencies, seminude or nude modeling studios, or similar establishments.

Affected Party. Any individual, partnership, corporation, association, or public or private organization of any character, significantly affected by or interested in an action before the Review Authority, including any party in a contested case.

Affordable Housing. Housing affordable to households with an income not greater than 80 percent of the median income for Thurston County as determined by the U.S. Department of Housing and Urban Development. Affordable housing should cost no more than 30 percent of gross household income (including utilities).

Agriculture. The use of land for farming, dairying, pasturing and grazing, horticulture, floriculture, viticulture, apiaries, animal and poultry husbandry, and accessory activities, including, but not limited to, storage, harvesting, feeding or maintenance of equipment and onsite sales of agricultural products, but excluding stockyards, slaughtering or commercial food processing.

Airport or Heliport. Any area of land or structure designated and set aside for the landing and taking off of any aircraft regulated by the Federal Aviation Administration.

Alley. A public or private way, at the rear or side of property, permanently reserved as a means of vehicular or pedestrian access to a property.

Alteration. Any change, addition or modification in construction or occupancy.

Alteration, Critical Area. Any change to, addition to, or modification of an existing use, including any human activity that results or is likely to result in an adverse impact on the existing condition of a critical area or its buffer. "Alteration" does not include passive recreation such as walking, fishing or similar low impact activities.

Amendment. The action whereby the content of this title is revised, including additions, deletions, or clarification of language, maps, or diagrams.

Amusement Activity. An indoor, covered or outdoor facility or building that contains various devices for entertainment, including coin or token-operated machines, rides, booths to conduct games or the sale of souvenir items.

Ancillary Structure, WCF. Any form of development associated with a wireless communications facility, including but not limited to: foundations, concrete slabs on grade, guy anchors, generators, and transmission cable supports; however, specifically excluding equipment cabinets.

Animals. Any living organism except a plant, fungus, virus, or bacterium. (See also Pet, Traditional.)

Animal Hospital. A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment, including the accessory use of the premises as a kennel or a place where animals or pets are boarded for compensation.

Animal Kennel. See Kennel.

Animal Unit. One thousand pounds of live weight of any given livestock species or any combination of livestock species. For additional information, see the U.S. Department of Agriculture Natural Resources Conservation Service Animal Waste Field Handbook.

Antenna. Any apparatus designed for the transmitting and/or receiving of electromagnetic waves, including but not limited to: telephonic, radio or television communications. Types of elements include, but are not limited to: omni-directional (whip) antennas, sectionalized (panel) antennas, multi or single bay (FM and TV), yagi, or parabolic (dish) antennas.

Antenna Array. A single or group of antenna elements and associated mounting hardware, transmission lines, or other appurtenances which share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

Antenna Element. Any antenna or antenna array.

Antenna Support Structure. A vertical projection composed of metal or other material with or without a foundation that is designed for the express purpose of accommodating antennas at a desired height. Antenna support structures do not include any device used to attach antennas to an existing building. Types of support structures include the following:

Guyed Structure. A style of antenna support structure consisting of a single truss assembly composed of sections with bracing incorporated. The sections are attached to each other, and the assembly is attached to a foundation and supported by a series of wires that are connected to anchors placed in the ground or on a building.

Lattice Structure. A tapered style of antenna support structure that consists of vertical and horizontal supports with multiple legs and cross bracing, and metal crossed strips or bars to support antennas.

Monopole Structure. A style of freestanding antenna support structure consisting of a single shaft usually composed of two or more hollow sections that are in turn attached to a foundation. This type of antenna support structure is designed to support itself without the use of guy wires or other stabilization devices. These facilities are mounted to a foundation that rests on or in the ground or on a building’s roof.

Anti-Climbing Device. A piece or pieces of equipment, which are either attached to an antenna support structure, or which are freestanding and are designed to prevent people from climbing the structure. These devices may include but are not limited to fine mesh wrap around structure legs, "squirrel-cones," or other approved devices, but excluding the use of barbed or razor wire.

Apartment. See Dwelling, Conventional.

Apparel and Accessory Stores. Stores primarily engaged in selling new or used clothing, shoes, jewelry, and related articles for personal wear and adornment and stores which rent clothing such as costumes or formal wear.

Applicant. Owner(s) or lessee(s) of property, including their agent(s) who submit an application for development, including person(s) who have contracted to purchase property.

Arcade. A covered walk with shops along one side and a line of arches or columns on the other side.
Archaeological Sites. Any site or location of prehistoric or historic significance including, but not limited to, burial sites, camp sites, rock shelters, caves and their artifacts, implements and remains of preexisting native Americans.

Architectural Elements. Components that are part of a building, such as windows, doors, materials, details, and structural membrane.

Articulation. The giving of emphasis to architectural elements of a building (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces.

Ash, Incinerator. Particulate or solid residues resulting from the operation of incinerator or energy recovery facilities managing municipal solid waste, including solid waste from residential, commercial and industrial establishments, if the ash residues:

a. Would otherwise be regulated as hazardous wastes under RCW 70.105; and

b. Are not regulated as a hazardous waste under the Federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6910, et seq.

ASR. The Antenna Structure Registration Number as required by the FAA and FCC.

Attached Structure. Any structure that has an enclosed interior wall(s) and covered roof in common with another structure sufficient to constitute an occupiable room (i.e., seven feet wide or more). A structure connected to another structure only by a covered passageway is not considered attached. (See Detached Structure; note that structures conforming with neither definition must conform with requirements of this title for both types of structures.)

Auction. See Swap Meet.

Auditor. The Auditor of Thurston County, Washington.

Automobile Rental Agencies. This includes businesses primarily engaged in short-term rental or extended-term leasing of passenger cars, hearses, limousines, and the like, without drivers. Finance (equity or full-payout) leasing of automobiles is classified with Motor Vehicle Sales.

Automobile Wrecking. The wrecking, dismantling, or salvage of motor vehicles or trailers, or the storage of, sale of or recycling or disposal of dismantled, partly dismantled, or wrecked motor vehicles or their parts. (See also Junk or Salvage Facility.)

Awning. A structure affixed to a building which extends over windows, sidewalks or doors, principally as protection from sun and rain.

Section 5. Amendment of OMC 18.02.180(C). Olympia Municipal Code Subsection 18.02.180(C) is hereby amended to read as follows:

C. DEFINITIONS—SPECIFIC.

Caliper. The American Association of Nurserymen standard trunk measurement of nursery stock. Caliper of the trunk is the trunk diameter measured six inches above the ground for up to and including four inch caliper size, and twelve inches above the ground for larger sizes.

Canopy. A permanent flat roof-like structure attached to and supported by a building, used principally as protection from sun and rain. The structure may or may not incorporate a sign.

Carport. A roofed structure providing space for the parking of motor vehicles, boats, recreational vehicles, or other equipment, and enclosed on no more than three sides.

Cemetery. Property used for the interment of the dead.

Certificate of Appropriateness. A letter or other document stating that proposed changes will not adversely affect the historic characteristics of the property that contribute to its designation.

Certificate of Occupancy. A permit issued by the Community Planning and Development Department prior to occupancy of a structure when the structure is ready for occupancy.

Change of Occupancy. A change in the existing occupancy classification of a building, structure, or land, or portion thereof, as established and defined by the Uniform Building Code then in effect. Land use approval by appropriate authority and a certificate of occupancy issued by the building official may be required for any such change.

Change of Use. A change in the use of a building or land that results in a different classification of use under this Development Code. If a particular land use is undefined by this Development Code, the most similar use listed in the Standard Industrial Classification (SIC) Manual must be used. A change of ownership may not be considered a change of use. (See also Thurston County Assessor SIC land use classifications.)

Child Day Care. The provision of supplemental parental care and supervision:

a. For an unrelated child or children,

b. On a regular basis,

c. For less than 24 hours a day, and

d. Under license by the Washington State Department of Social and Health Services.

As used in this Development Code, the term is not intended to include babysitting services of a casual, non-recurring nature or in the child's own home. Likewise, the term is not intended to include cooperative, reciprocative child care by a group of parents in their respective domiciles.

Child Care Home, Family. A facility in the residence of the licensee providing regular scheduled care for twelve or fewer children, within a birth through eleven-years-of-age range exclusively, for periods of less than 24 hours.

Child Day Care Center. A facility providing regularly scheduled care for a group of children one month of age through 12 years of age for periods less than 24 hours.

Church. A building or structure, or groups of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses, not including bingo or games of chance, nor schools which exceed normal religious service hours.

City. The City of Olympia.

City Council. The duly elected Mayor and Council Members of the City of Olympia.

Clear Sight Triangle. A triangular-shaped portion of land at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the vision of vehicle operators entering or exiting the intersection. (See also chapter 18.40 OMC.)

Clearing. The destruction or removal of vegetation from a site by physical, mechanical, chemical, or other means, not including landscape maintenance or pruning consistent with accepted horticultural practices which does not impair the health or survival of trees and vegetation.

Clinic. A place for outpatient medical services to human patients.

Closed Record Appeal. An administrative appeal following an open record hearing on a project permit application when the appeal is on the record with no new evidence or information allowed to be submitted and only appeal argument allowed. [See RCW 36.70B.020(1)].

Club. An association of persons (whether or not incorporated) organized for some common purpose, not including a group organized primarily to render a service customarily carried on as a business. Retail warehouse buying clubs are not included in this definition. (See also Health Club and Country Club.)

Clustered Subdivision. A subdivision development in which building lots are sized to conform to the "footprint" of the structures and placed closer together than conventional development (usually in groups or clusters). The remaining undeveloped land is generally preserved as open space and/or recreation land. Private development easements around the structures are permitted for private landscaping, pools, spas, yards, and similar uses.

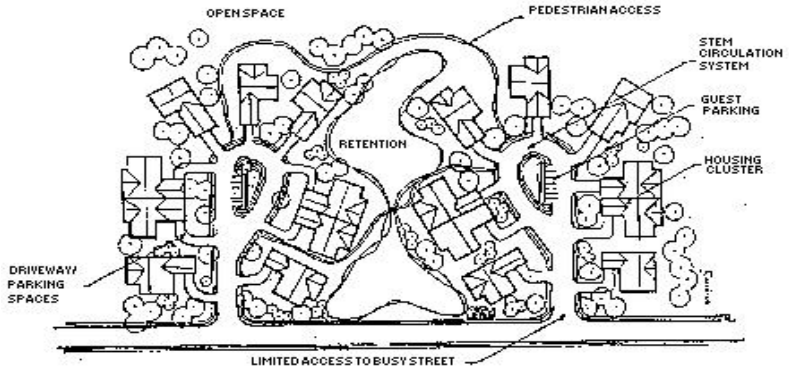


FIGURE 2-2

Cocktail Lounge. See Drinking Establishments.

Co-Living Housing. See Dwelling, Conventional.

Collegiate Greek System Residence. A building which is occupied by unrelated members of a private educational organization, and which contains sleeping rooms, bathrooms, common rooms, and a central kitchen and dining room. (See Dormitory.)

Collocation. The practice of installing and operating multiple wireless carriers, service providers, and/or radio common carrier licensees on the same antenna support structure or attached wireless communication facility using different and separate antenna, feed lines and radio frequency generating equipment.

Combined Antenna. An antenna or an antenna array designed and utilized to provide services for more than one wireless provider for the same or similar type of services.

Commercial Vehicle. A vehicle customarily used as part of a business for the transportation of goods or people.

Commission. The Planning Commission of the City of Olympia.

Common Structure. A commonly owned structure intended for the common use of all residents of the development which meets the requirements of OMC 18.04.060(F)(1).

Community Clubhouse. A privately owned structure in which inhabitants of a neighborhood or subdivision, or members of a neighborhood association, gather for meetings and other activities.

Community Park. An area intended for use by the community for active and/or passive recreation activities. Such parks may contain large areas such as lake fronts, parkways, forest areas, picnic areas, arts facilities, and regulation size athletic fields designed for organized competitive sports such as softball, baseball, or soccer.

Compensation. Types of compensation include, but are not limited to the following:

In-Kind. Replacement of a habitat type with substitute habitat whose characteristics closely approximate those destroyed or degraded by an allowable use or activity.

Off-Site. Replacement of a specific habitat type away from the site on which a habitat type has been impacted by an allowable use or activity.

On-Site. Replacement of a habitat type at or within 500 feet of the site on which the habitat type has been impacted by an allowable use or activity.

Out-of-Kind. Replacement of a habitat type with a substitute habitat type whose characteristics do not closely approximate those destroyed or degraded by an allowable use or activity.

Compensation Project. Actions necessary to replace project-induced losses to the functional values of a critical area, including land acquisition, planning, construction plans, monitoring and contingency actions.

Comprehensive Plan. The plan adopted by the City Council to guide the physical growth and improvement of the city, including any future amendments and revisions.

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

Conditional Use Permit. A discretionary permit granted under the provisions of this Development Code and which, when granted, authorizes a specific use to be made of a specific property, subject to compliance with all terms and conditions imposed on the permit.

Condominium. See Dwelling, Conventional.

Conference Center. A facility used for seminars, conventions, symposiums and similar uses, with meeting rooms and possibly food preparation and eating facilities.

Confidential Shelter. See Dwelling, Assisted Living.

Conforming Use. A land use consistent with the list of permitted uses for the district in which it is located, or otherwise designated as a conforming use in that district.
Congregate Care Senior Housing. See Dwelling, Assisted Living.

Consistency with Comprehensive Plan. Performance in accordance with and complying and conforming with state law and the Olympia Comprehensive Plan as determined by consideration of the type of land use, the level of development, infrastructure, and the character of the development. [See RCW 36.70B.040].

Construction Permit, SEPA-exempt. A construction permit or license exempt from the threshold determination and environmental impact statement requirements of the State Environmental Policy Act, such as an electrical, mechanical, plumbing or single-family building permit, and installation permits for lateral utility lines.

Contiguous Land. Parcels adjoining and touching other land and having the same owner regardless of whether or not portions of the parcels have separate tax lot numbers, were purchased at different times, lie in different sections, are different government lots or are separated from each other by private roads or private rights-of-way.

Contributing Historic Property. A property within a designated historic district listed as having enough historic significance to have been listed as a "contributing" property during the historic district approval process.

Convalescent Home. See Dwelling, Assisted Living.

Cornice. Any ornamental molding which protrudes along the top of a building.

Cooperative Housing. See Dwelling, Conventional.

Cottage Housing. See Dwelling, Conventional.

Country Club. A private or public membership facility designed for tennis, swim and other recreational activities except riding stables. Such uses and activities may be grouped around a clubhouse containing a restaurant, banquet and meeting room facilities. (See also Golf Course.)

County. Thurston County.

Courtyard. An open, unoccupied space, other than a yard, on the same lot with a building and bounded on two or more sides by the walls of a building.

Covenant. See Restrictive Covenant.

Coverage, Building. The portion of a lot covered by the principal and accessory building floor area including all areas covered by a weather-tight roof, excluding two feet of eaves.

Coverage, Impervious. The area which is occupied or covered by all impervious surfaces including the total horizontal surface of all buildings, except two feet of eaves. (See Net Site Area and Impervious Surface definitions.)

Crematorium. A facility that uses heat or fire to reduce human or animal remains to ashes.

Creek. See Stream.

Crisis Intervention Service. A mental health agency that offers 24 hour counseling, instruction and referral to persons in critical situations. This service is provided by telephone only and not in-person. Crisis intervention services are defined and regulated in Chapter 275-56-350 of the Washington Administrative

Code. Such facilities may be characterized by a need for location confidentiality. This is not defined as a Business Office nor a Government Office.

Critical Area. Any of the following areas and ecosystems:

a. Wellhead Protection Areas,

b. Important Habitats and Species,

c. Streams and Priority Riparian Areas,

d. Wetlands, and

e. Geological Hazard Areas.

Critical Area Tract. An area containing a critical area and/or buffer and that is subject to a recorded critical area protection restriction. (See Tract)

Culvert. A conveyance device (e.g., concrete box, pipe) which conveys water under (usually across) a roadway or embankment.

Section 6. <u>Amendment of OMC 18.02.180(F)</u>. Olympia Municipal Code Subsection 18.02.180(F) is hereby amended to read as follows:

F. DEFINITIONS - SPECIFIC.

FAA. The Federal Aviation Administration.

Facade. The vertical side or sides of a building facing city streets or pedestrian plazas.

Family. An individual, or two or more persons, living in a dwelling unit or a foster family home, or an adult family home, as defined under Washington State law or administrative code.

Farmers Market. See Swap Meet.

FCC. The Federal Communications Commission.

Feed Lines. Cables used as the interconnecting media between the transmission/receiving base station and the antenna of a WCF.

Fence. A physical barrier used to prevent entrance or exit, or to mark a boundary.

Filling or Fill. Any depositing or stockpiling of earth materials.

Final Approval. The final official action taken by the Review Authority on a proposed subdivision, short subdivision, binding site plan, large lot subdivision, dedication, or other application requiring City approval.

Flashing Sign. See Sign, Animated.

Flea Market. See Swap Meet.

Flood Hazard Area. Those lands having a one percent or greater chance of flooding in any one year.

Floor Area. See Gross Floor Area.

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. 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.

Flush-Mounted Antenna. Any antenna or antenna array attached directly to the face of the support structure or building such that no portion of the antenna extends above the height of the support structure or building. Where a maximum flush-mounting distance is given, that distance ~~shall~~ must be measured from the outside edge of the support structure or building to the inside edge of the antenna.

Food Stores. Stores primarily engaged in selling food and beverages for home preparation and consumption. It includes grocery stores; meat and fish markets, including freezer provisioners; fruit and vegetable markets; candy, nut, and confectionery stores; dairy products stores; retail bakeries; wine and beer shops; liquor stores; and miscellaneous stores specializing in items such as spices, coffee, or health foods. As an accessory use, a food store may also sell prepared products for on-site or off-site consumption.

Frequent Transit Routes. Transit routes for which the majority of bus stops have service four or more times per hour, for a minimum of 12 or more hours per day, for at least five days per week.

Front Wall. The wall of a structure nearest to the street upon which the structure faces, excluding cornices, canopies, eaves, or any other architectural embellishments.

Front Yard. See Yard, Front.

Frontage. The side(s) of a lot abutting a public rights-of-way.

Frontage Improvements. See Improvements.

Functions, beneficial functions or functions and values. The beneficial roles served by critical areas including, but not limited to: water quality protection and enhancement; fish and wildlife habitat; food chain support; flood storage, conveyance and attenuation, groundwater recharge and discharge; erosion control; wave attenuation; historical and archaeological value protection; and aesthetic value and recreation.

Funeral Parlors and Mortuaries. Businesses primarily engaged in conducting funerals and preparing the dead for burial, but not including crematoriums.

Furniture, Home Furnishings, and Appliance Stores. Businesses primarily engaged in the retail sale of goods used for furnishing the home, such as furniture, floor coverings, draperies, lighting fixtures, woodstoves, domestic cookstoves, refrigerators, and other household electrical and gas appliances. This category also includes rental of furniture, appliances, and the like. Consumer electronics such as televisions, stereo equipment, and personal computers are classified under Specialty Stores. Mini-computers and mainframe computers are classified under Office Supplies and Equipment Stores. (See also Specialty Stores.)

Section 7. Amendment of OMC 18.02.180(G). Olympia Municipal Code Subsection 18.02.180(G) is hereby amended to read as follows:

G. DEFINITIONS - SPECIFIC.

Gambling Establishment. A business primarily engaged in Class E and F (fee-charged and enhanced card room activities) and house-banked card games and similar activities as defined and regulated by the Washington State Gambling Commission.

Garage. An enclosed detached or attached accessory building which is primarily used for the parking of vehicles. (See also Parking Facility.)

Garage, Commercial. A structure, or portion thereof, used primarily for the parking and storage of motor vehicles and available to the general public. (See also Parking Facility, Commercial.)

Garage, Private. Any building or portion thereof accessory to, or within, the principal building, and which is used or intended to be used by persons residing on the premises for the storage or parking of motor vehicles, boats and other permitted uses. (See also Carport.)

Gas Station. See Service Station.

General Merchandise Stores. Stores which sell a number of lines of merchandise in one store, such as department stores, warehouse buying clubs, variety stores, country general stores, drug stores, and the like. A store which primarily sells only prescription and over-the-counter drugs is defined as a Pharmacy.

Geographic Search Ring. An area designated by a wireless provider or operator for a new base station, produced in accordance with generally accepted principles of wireless engineering.

Geologist. A person who has earned a degree in geology from an accredited college or university, or a person who has equivalent educational training and has experience as a practicing geologist.

Golf Course. A private or public facility with extensive outdoor grounds designed for playing golf (typically 9 or 18 holes). Accessory uses may include a clubhouse, tennis and swim activities, and a driving range, but not to include riding stables. (See also Country Club).

Grade. The finished ground level adjoining the building at the exterior walls.

Grade Plane. A reference plane representing the average of the finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane must be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building between the structure and a point six feet from the building.

Grading. Any excavating or filling of earth materials or any combination thereof.

Greenhouse. A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity may be regulated for the cultivation of delicate or out-of-season plants for sale or personal enjoyment. (See also Nursery.)

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

Grocery Store. A subcategory of food store which is primarily engaged in the retail sale of a wide variety of fresh foods, packaged foods and household supplies for preparation and consumption in the home. Commonly known as a supermarket, grocery store, or minimarket, this type of store sells such goods as tea, coffee, spices, sugar, flour and packaged foods; fresh and/or frozen fruits and vegetables; fresh and/or prepared meats, fish, and poultry; domestic cleaning products and paper goods; and miscellaneous small items for home use. See also "Food Stores." A store which also sells a wide variety of non-grocery items (such as automotive supplies, consumer electronics, hardware, building materials, apparel, sporting goods or the like) as a major part of its sales (i.e., 30 percent or more of its display area) is classified as a "general merchandise store."

Gross Acreage. The total area within the lot lines of a lot or parcel of land before public streets, easements or other areas to be dedicated or reserved for public use are deducted from such lot or parcel.

Gross Floor Area for non-Accessory Dwelling Units. The area included within the surrounding exterior finished wall surface of a building or portion thereof, exclusive of courtyards.

Gross Floor Area for Accessory Dwelling Unit(s). The interior habitable area of an accessory dwelling unit, including basements and attics, but not including a garage or accessory structure.

Ground Area. See Gross Acreage.

Ground Cover. A variety of grasses or other low growing plants often cultivated to reduce soil and wind erosion.

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.

Groundwater. Water in a saturated zone or stratum beneath the surface of land or below a surface water body.

Group Home. See Dwelling, Assisted Living.

Guest House. See Dwelling, Conventional.

Section 8. Amendment of OMC 18.02.180(P). Olympia Municipal Code Subsection 18.02.180(P) is hereby amended to read as follows:

P. DEFINITIONS – SPECIFIC.

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.

Park, Neighborhood. An area suited for passive and/or active family activities and play which may include facilities such as picnic table and shelters, barbecue pits, playground equipment, basketball backboards, small sized playfields, volleyball courts and tennis courts. Neighborhood parks can serve an urban design as well as recreational function and are a core feature of neighborhood centers.

Park, Public. A park, playground, swimming pool, beach, pier, reservoir, golf course or athletic field which is under the control, operation or management of the City, county, state, or federal government.

Parking, Combined. Two or more land uses or a multi-tenant building which merge parking needs to gain a higher efficiency in vehicular and pedestrian circulation.

Parking Facility or Lot. A land area, building or structure that is for the temporary parking or storage of vehicles for which a fee may or may not be charged, and where no service or repairs of any kind are furnished.

Parking Facility, Commercial. A parking facility available to the general public, for which a fee is charged on an hourly, daily, weekly, monthly, or other similar basis.

Parking, Shared. Two or more land uses or a multi-tenant building which merge parking needs based on different operating hours to gain a higher efficiency in vehicular and pedestrian circulation, economize space, reduce impervious surface and provide a superior grouping of building(s).

Parking Space. An area which is primarily intended for the temporary storage of vehicles and which meets the design requirements of this code.

Party of Record. The applicant and any person who prior to a decision has requested notice of the decision or submitted substantive comments on an application.

Passive Recreation. See Recreation, Passive.

Pedestrian-Oriented Business. A commercial enterprise whose customers commonly arrive at a business on foot, or whose signage, advertising, window display and entry ways are oriented toward pedestrian traffic. Pedestrian-oriented business may include restaurants, retail shops, personal service businesses, travel services, banks, (except drive-through windows), and similar establishments.

Pedestrian Plaza. An area between a building and a public street which promotes visual and pedestrian access onto the site and which provides pedestrian-oriented amenities and landscaping to enhance the public's use of the space for activities such as resting, gathering, reading and picnicking.

Pedestrian Street. Street devoted to uses and amenities which stimulate and reinforce pedestrian activities and visually interesting features at the pedestrian level. Uses are typically sidewalk oriented and physically and visually accessed by pedestrians from the sidewalks, are open during established shopping hours, generate walk-in pedestrian clientele and contribute to a high level of pedestrian activity. Such uses include, but are not limited to, retail shops, restaurants, personal services, day care facilities, banks, travel agencies, cinemas, theaters, amusement establishments, galleries, museums, public display spaces, drug stores, shoe repair shops, floral shops, hair shops, department stores, small hardware stores, and apparel shops. Visually interesting features include, but are not limited to, sculptures, display cases, landscaping, vendor stalls and carts, and architectural detailing.

Percolation. The downward flow or infiltration of water through the pores or spaces of rock or soil. (See also Impervious Surface.)

Performance Guarantee. A financial guarantee acceptable to the City Attorney to ensure all improvements, facilities, or work required by this ordinance will be completed in compliance with this ordinance, regulations, and approved plans and specifications.

Perimeter. The boundaries or borders of a lot, tract, or parcel of land.

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

Permitted Use. A use allowed by law in a use district and subject to the provisions applicable in that district.

Person. Any individual, firm, co-partnership, joint venture, association, social club, social organization, company, joint stock association, corporation, estate, trust, organization, business, business trust, public agency, school district, state or its political subdivisions or instrumentalities, syndicate or any group or combination thereof, acting as a unit, including any trustee, receiver or assignee.

Personal Services. A business primarily engaged in providing services generally involving the maintenance of the human body, or other services to one's person or household pets. Such businesses include, but are not limited to, barber and beauty shops, photographic studios, tanning parlors, pet grooming, and obedience training. This does not include Medical Offices, Kennels or Veterinary Clinics. (See also Health Fitness Centers and Dance Studios.)

Personal Wireless Service. Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, as defined in the Telecommunications Act of 1996 and 47 U.S.C. 332 and future amendments thereof.

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

Pesticide. Any chemical that is used to kill pests, especially insects and rodents.

Pet, Traditional. Animals which can be house-broken, walked on a leash, are frequently, but not necessarily, housed within the residence, or as a class judged neither obnoxious nor to pose a public safety or health threat. Traditional pet birds include song birds and parrots.

Pharmacies and Medical Supply Stores. Businesses primarily engaged in the sale of prescription and over-the-counter drugs, plus perhaps vitamins, first-aid supplies, and other health-related products. It also includes firms primarily engaged in the sale of medical equipment such as orthopedic or prosthetic devices, or equipment for home health testing. Pharmacies which also sell a wide variety of other types of merchandise, such as beauty products, camera equipment, small consumer electronics, giftware, food items, greeting cards, toys, housewares, and/or cleaning supplies are commonly known as "drug stores," and are classified as General Merchandise Stores.

Pigeons, Performing and Racing. Pigeons which are raised and used in the sport, hobby or competition of performing or racing; which require being released for freedom of flight for purposes of training, maintaining physical conditioning or competitive performance; and which are identified by a leg band containing the name or initials of the owner, or with an identification or registration number stamped on said band. Specifically included in this category are flying tipplers, tumblers, rollers and homing or racing pigeons.

Plat. A map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions or dedications.

Plat, Final. The final drawing or map of a subdivision and dedication, prepared for recordation with the County Auditor and containing all elements and requirements set forth in RCW Chapter 58.17 and in the City of Olympia Subdivision Ordinance.

Plat, Preliminary. A drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks and other elements of a subdivision consistent with the requirements of this code. The preliminary plat furnishes a basis for approval or disapproval of a general layout for a subdivision.

Plat, Preliminary Approval. The official action approving a proposed division of land, normally subject to the installation of improvements or fulfillment of conditions prior to final approval.

Plat, Short. The map or representation of a short subdivision containing all pertinent information required by Titles 17 and 18 OMC, and other applicable ordinances.

Portable Classroom. An accessory building/structure used for public, private or parochial education, and located on the same site as the principal building of instruction.

Principal unit. The single-family housing unit, duplex, triplex, townhome, or other housing unit located on the same lot as an accessory dwelling unit. If this unit meets the ADU size provisions in OMC 18.04, this unit can be reclassified as an ADU and a newly built unit can be designated as the principal unit during or after the building of that new unit.

Principal Use. The primary or predominant use of any lot, building or structure.

Printing, Commercial. This includes shops specializing in printing small jobs for business clients or the general public, such as photocopying, offset printing, or screen printing of documents, announcements, business cards, or the like. This also may include blueprinting, computer plotting, and similar business services. These shops may engage in typesetting, photoengraving, plate-making, and other printing functions incidental to their primary activity; however, if they are primarily engaged in these functions as a service to other printing businesses, they are classified under Industrial Printing. Businesses which print books, magazines, newspapers, or other periodicals for others are classified under Industrial Printing.

Printing, Industrial. Businesses which print books, magazines, newspapers, or other periodicals for others. It also includes printers of maps, posters, and the like; makers of business forms, looseleaf binders, and the like; and service industries for the printing trade, such as engraving, typesetting, photoengraving, electrotyping and stereotyping, lithographic platemaking, and related services.

Private School. See School, Private.

Private Utility. A privately owned enterprise that provides the public with electricity, gas, heat, steam, communication, transportation, water, sewage and garbage collection or other similar public services.

Prohibited Use. A use that is not permitted in a zoning or land use district.

Project. A change in occupancy or modification or improvement of real estate, whether done by clearing, grading, or structure creation or modification in any manner requiring approval, licensing, or permitting by the City of Olympia.

Project Permit. Any land use or environmental permit or approval required from the City for a project [See also RCW 36.70B.020(4)].

Project Permit Application. A formal written request to the City for a project permit or approval on forms provided by the City.

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.)

Public Access (Shoreline). The physical ability of the general public to reach and touch the water's edge and/or the ability to have a view of the water from upland locations. There are a variety of types of public access including picnic areas, pathways and trails (including handicapped accessible), floats and docks, promenades, viewing towers, bridges, boat launches, street ends, ingress and egress, parking, and others.

Public Art. Expressionistic forms, either human-made or natural, which are located for community view on private or public property.

Public Building. Any building, structure, facility, or complex used by the general public, whether constructed by any state, county, or municipal government agency or instrumentality or any private individual, partnership, association, or corporation, including, but not limited to, assembly buildings, such as auditoriums, libraries, public eating places, schools, and theaters; business buildings, such as offices; and factories and industrial buildings.

Public Facility. Land, buildings or structures operated by a municipal or other governmental agency to provide local protective, social, recreational, cultural, or mass transportation services directly to the general public. This includes police and fire stations, libraries, recreation facilities, bus transfer stations and park-and-ride lots. It also includes public land or buildings devoted solely to the storage of equipment and materials. It does not include facilities whose primary purpose is to provide administrative or judicial services, except as they may be incidental to the defined use, nor parking lots that are accessory to uses that would otherwise not be allowed in the underlying zone.

Public Hearing. A meeting announced and advertised in advance and for the express purpose of providing the public an opportunity to comment on a specific proposed action for adoption or approval by the City.

Public Meeting. An informal meeting, hearing, workshop or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the City's decision on the permit application. A public meeting may include a design review board meeting, a neighborhood association meeting, or a scoping meeting on a draft environmental impact statement. A public meeting is distinct from and does not include an open record hearing. [See RCW 36.70B.020(5)].
Public Project of Significant Importance. See OMC 18.66.090.

Public Safety Communications Equipment. All communications equipment utilized by a public entity for the purpose of ensuring the safety of the residents of the City and operating within the frequency range of 700 MHz and 1,000 MHz and any future spectrum allocations at the direction of the FCC.

Public Services. Fire protection and suppression, law enforcement, public health, education, recreation, environmental protection and other governmental services.

Public Use Area. An outdoor portion of a property that is dedicated to public use and which contains one or more of the following elements: benches, tables, lawns, public art, gardens, exercise or play equipment, or similar improvements or features. These elements are to provide the public with recreational activities in addition to the right to traverse or stand in this area.

Public Utility. An organization or government agency which provides the public with electricity, gas, heat, steam, communication, transportation, water, sewage or garbage collection or other essential public services.

Publishing. Businesses which publish and print on their premises books, magazines, newspapers, or other periodicals. If such establishments do not perform printing on their premises, they are classified as Business Offices.

Section 9. <u>Amendment of OMC 18.02.180(R)</u>. Olympia Municipal Code Subsection 18.02.180(R) is hereby amended to read as follows:

R. DEFINITIONS - SPECIFIC.

Radio Frequency Emissions. Any electromagnetic radiation or other communications signal emitted from an antenna or antenna-related equipment on the ground, antenna support structure, building, or other vertical projection.

Radio, Television, or Communication Tower. A vertical structure that is intended to send or receive radio, or other wireless communications and to serve more than one user or an enterprise whose principal business is such communications. See Antenna.

Ravine. A narrow gorge that normally contains steep slopes and is deeper than ten vertical feet as measured from the lowest point of the valley to the top of the slope.

Rear Yard. See Yard, Rear.

Reasonable Alternative. An activity that could feasibly attain or approximate a proposal's objectives, but with less environmental impact or decreased level of environmental degradation.

Recreation, Active. Leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites, or fields.

Recreation, Commercial. A facility operated as a business which is designed and equipped for leisure-time activities such as theaters, bowling alleys, museums, aquariums, public and private recreational concessions, miniature golf, archery ranges, and amusement activities such as coin or token-operated machines, rides, or booths to conduct games. (See also Health Fitness Centers and Dance Studios, Golf Courses, Country Clubs, and Riding Stables.)

Recreation, Passive. Activities that involve relatively inactive or less energetic activities, such as walking, sitting, picnicking, card games, chess, checkers, or similar table games and activities which may involve educating the user.

Recreation Facility. A place designed and equipped for the purpose of sports and leisure-time activities.

Recreational Vehicle. A vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. The term recreational vehicle includes, but is not limited to, travel trailers, pick-up campers, camping trailers, tiny-houses on wheels, motor coach homes, converted trucks, buses, or boats.

Recreational Vehicle Park. Any lot or parcel of land upon which two or more recreational vehicles sites are located, established, or maintained as temporary living quarters for recreation or vacation purposes, not to exceed 180 days in any one-year period.

Recycling. The process by which waste products are collected and reduced to raw materials and transformed into new products.

Recycling Facility. A facility for the collection and/or sorting and storage of recyclable materials generated from domestic or small business sources, such as bottles, cans, paper, cardboard, aluminum, and plastics. This definition does not include facilities for the processing of recyclable materials, which are classified as an industrial use. Recycling facilities are further divided into two categories: Type I Recycling Facilities include bins or other temporary or permanent facilities for the collection of small quantities of recyclable materials to be sorted and/or processed elsewhere. A Type I facility may be accessory to a primary use, such as a recycling bin at a grocery store parking lot. Type II Recycling Facilities include facilities primarily dedicated to the collection, sorting, or purchase and resale of recyclable materials.

Remodel. The alteration, restoration, reconstruction, addition to, structural modification, change of existing building footprint or internal floor plan that requires city approval or the issuance of any City permit.

Rental, Residence. The temporary rental of a single-family home for personal social events such as a wedding reception, private party or similar activity. (See also Temporary Uses.)

Replat. The further division of lots or the relocation of lot lines of any lot or lots within a subdivision previously approved and recorded according to law; or the alteration of any streets or the establishment of any new streets within any such subdivision, but not including conveyances, made so as to combine existing lots by deed or other instruction.

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.

Restoration. Measures taken to restore an altered or damaged natural feature including:

a. Active steps taken to restore damaged wetlands, streams, protected habitat, or their buffers to the functioning condition that existed prior to an unauthorized alteration; and

b. Actions performed to reestablish structural and functional characteristics of the critical area that have been lost by alteration, past management activities, or catastrophic events.

Restrictive Covenant. A restriction on the use of land usually set forth in the deed. [NOTE: Restrictive covenants usually run with the land and are binding upon subsequent owners of the property. However, some restrictive covenants run for specific periods of time.]

Retail Trade. The selling of goods or merchandise to the general public for personal, business, or household consumption. The retail sales establishment is usually a place of business and is engaged in activity to attract the general public to buy goods. The establishment may also buy and receive goods.

Retail sales includes services related to the retail goods. The establishment may process, repair, manufacture, and wholesale some of the products, such as jewelry, baked goods, beverages, apparel, pottery, or consumer electronics, but such processing, repair, or manufacturing must be associated with retail activities, be limited to rear or upper floor areas in the same building, and emit no loud noise or noxious odor. See Industry, Light.

Revision of Application, Minor. A change or correction by an applicant of a proposed project, either voluntarily or to conform with applicable standards and requirements, that does not, in the opinion of the Director, constitute a substantial change requiring reinitialization of the review process and period.

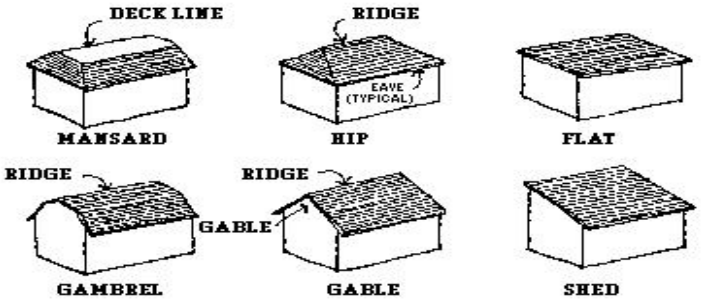
Revision of Application, Substantial. A change or correction by an applicant of a proposed project, either initiated voluntarily by the applicant or to conform with applicable standards and requirements, that in the opinion of the Director requires a new review process and period. For example, a change in a proposal which, as a result of changes in the proposed land use, substantially greater floor area or number of residential units, or substantial relocation of uses or structures, or the like, probably would result in significantly different impacts to the environment, upon public services or facilities, or to neighboring properties or land uses.

Revolving Sign. See Sign, Animated.

Rezone. A change in the land use classification of a specific area to another use classification.

Right-of-Way - Improved. All of the right-of-way where any portion of it is used for motor vehicle travel.

Rights-of-Way. The right of one to use or pass over the property of another.



ROOF TYPES

FIGURE 2-6

Roof. The outside top covering of a building.

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-mounted systems are accessory to the primary use.

Rooming House. See Lodging House.

ROW. Rights-of-ways of public easements, roadways, streets, or other so defined public access locations.

Rummage Sale. An occasional or periodic market held in an open area or structure which is sponsored by schools, places of worship or other nonprofit organizations.

Run With The Land. A covenant, benefit or restriction of the use of land binding on present and future owners of the property.

Section 10. Amendment of OMC 18.04.040, Table 4.01. Olympia Municipal Code Section 18.04.040, Table 4.01 is hereby amended to read as follows:

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~~seven 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)
Short Term Rentals	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
															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 Care, Elder Care	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
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)
Electric Vehicle Infrastructure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	18.04.060(GG)

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
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		
Greenhouses, Bulb Farms	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.04.060(G)

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
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)
Radio, Television and Other Communication Towers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	18.44.100

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
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		

Section 11. Amendment of OMC 18.04.060(D). Olympia Municipal Code Subsection 18.04.060(D) is hereby amended to read as follows:

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 must 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 (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 must 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 are 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.

Section 12. Amendment of OMC 18.04.060(M). Olympia Municipal Code Subsection 18.04.060(M) is hereby amended to read as follows:

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

Section 13. Amendment of OMC 18.04.060(AA). Olympia Municipal Code Subsection 18.04.060(AA) is hereby amended to read as follows:

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~~ are 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~~ are only ~~be~~ allowed in mixed use buildings and ~~shall~~ may not exceed ~~ten~~ 10 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.

Section 14. Addition of OMC 18.04.060(KK). Olympia Municipal Code Subsection 18.04.060(KK) is hereby added to read as follows:

Section 18.04.060.KK – New Housing in Existing Buildings

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

1. 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 building code standards and fire and life safety standards, can be met within the building; and

2. 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

3. 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;

4. 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;

5. 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

6. 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;

7. 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:

(a) 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;

(b) The building owner submits documentation, in a form acceptable to the Director, 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

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

8. 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 Director makes written findings that the nonconformity is causing a significant detriment to the surrounding area; or

9. 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.

Section 15. Amendment of OMC 18.04.080(K). Olympia Municipal Code Subsection 18.04.080(K) is hereby amended to read as follows:

K. Surface Coverage Limits:

1. Increased Impervious Coverage: Projects may be eligible for up to a 20~~%~~ percent 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 excluded from the total site area before calculating the coverage percentage. This does not include human-made stormwater retention ponds.

Section 16. Amendment of OMC 18.06.040, Table 6.01. Olympia Municipal Code Section 18.06.040, Table 6.01 is hereby amended to read as follows:

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~~ six or ~~less~~fewer)	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~~ seven 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~~ six or ~~less~~ fewer in ~~1~~ one year)	P	P	P	P	P	P	P		P	P	P	P	P	18.04.060(DD)
Residences Rented for Social Event (~~7~~ seven or more in ~~1~~ one 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.	P	P	P	P	

									060(I)					
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

Section 17. Amendment of OMC 18.06.060(Z). Olympia Municipal Code Subsection 18.06.060(Z) is hereby amended to read as follows:

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 ~~will be~~is allowed unless a temporary use permit is approved by the City as prescribed by this section. Each separately proposed activity or use ~~shall~~ requires a separate permit and payment of 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 must~~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~~will be~~are 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~~ exempts 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~~ are 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~~ must 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~~ including: 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~~is permitted per block face.

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

         (c). In no instance ~~shall~~ may 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~~ must locate their stands at the back of the sidewalk away from curb.

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

         (h). Mobile sidewalk vendors ~~shall~~ must 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 must be no~~may not be any obstruction of emergency exits, Fire Lanes, or other Emergency apparatus.

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

iv. Sales areas mustshall 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.

Section 18. Addition of OMC 18.06.060(JJ). Olympia Municipal Code Subsection 18.06.060(JJ) is hereby added to read as follows:

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):

1. 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 building code standards and fire and life safety standards, can be met within the building; and

2. 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

3. 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;

4. 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;

5. 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

6. 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;

7. 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:

   (a) 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;

   (b) The building owner submits documentation, in a form acceptable to the Director, 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

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

8. 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 Director makes written findings that the nonconformity is causing a significant detriment to the surrounding area; or

9. 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.

Section 19. Amendment of OMC 18.06.080, Table 6.02. Olympia Municipal Code Section 18.06.080, Table 6.02 is hereby amended to read as follows:

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. 2. Must comply with clear sight triangle

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
								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 + 5' for each bldg. floor	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' minimum + 5' for each bldg.	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' minimum + 5' for each bldg.	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 bldg. floor above 2 stories.	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 + 5' for each bldg. floor	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
			above 2 stories.	floor above 2 stories.	floor above 2 stories.		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 one side of zero lot.	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 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; 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.			
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 built for	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 built for	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 parking is	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 parking is	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. 5. If located within the

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
				residential development only.	residential development only.	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.	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 located within	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
							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 under the~~	~~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
							~~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 DEVELOP MENT 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)	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building Floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	Building floors above 3 stories which abut a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(B)).	For properties in the vicinity of Kaiser Road and Harrison Ave NE, also see Pedestrian Streets Overlay District, Chapter 18.16. For retail uses over 25,000

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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
		and Figure 6-3). In a Downtown Design Sub-District, see Chapter 18.120 for upper story stepbacks.	In a Downtown Design Sub-District, see Chapter 18.120 for upper story stepbacks.				If located within the 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.	square feet in gross floor area, see Section 18.06.100(G) Large Scale Retail Uses. EXCEPTION: Section 18.06.100(G) ~~shall~~ does 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	PO/RM = Professional Office/Residential Multifamily	HDC-1=High Density Corridor-1

LEGEND		
GC = General Commercial		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	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

TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
	story over 3 stories.						animals other than pets.
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~~ must 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	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	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	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
		Bay Drive with a 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).		Sylvester Park (see 18.100.080.)	Downtown Design 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

TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
performance based)							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	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 within 600 feet of Lilly	Street ends abutting the water ~~shall~~ must 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 Chapter 18.100 for Downtown design	Street ends abutting the water ~~shall~~ must 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~~ must 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. EXCEPTION: Section 18.06.100 (C) ~~shall~~ does not apply to motor vehicle sales.

TABLE 6.02
COMMERCIAL DEVELOPMENT STANDARDS

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
	Road except in upper stories of mixed use building; all other development standards are the same as for commercial uses.	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.					

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

Section 20. Amendment of OMC 18.06.100(A). Olympia Municipal Code Subsection 18.06.100(A) is hereby amended to read as follows:

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~~is allowed or may be 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~~ may be erected more than ~~eighteen (~~18~~)~~ feet above the height limit of the district, whether such structure is attached to it or free-standing.

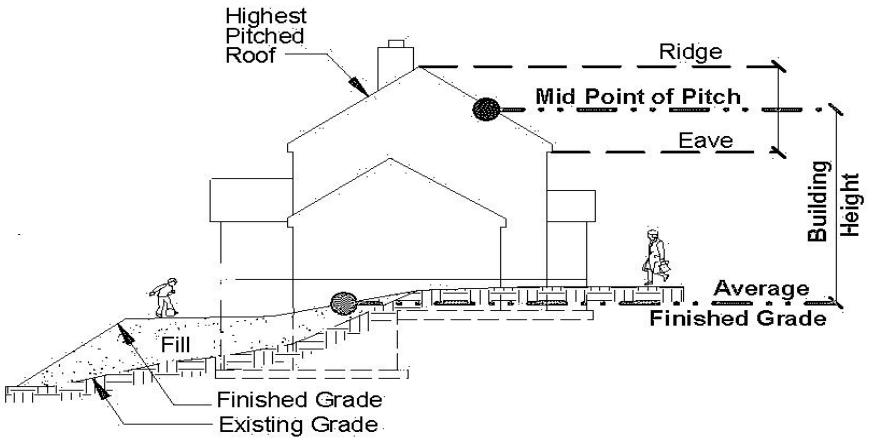


FIGURE 6-1A

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 must~~ may 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~~is 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~~is 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~~is 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~~is 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 must be~~is required to include a minimum of 20~~%~~ percent 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~~ must be dedicated to the City.

(2) The trail ~~shall~~ must 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~~ must design, build, and dedicate the facility to the City.

(4) An analysis of recreation needs ~~shall~~must 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 must~~shall~~ be approved by the Olympia Parks, Arts and Recreation Department but provided by the developer. All analysis must~~shall~~ be complete prior to approval.

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

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

(2) The expanded waterfront trail corridor facility or small park area must~~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 mustshall be approved by Olympia Parks, Arts and Recreation Department but provided by the developer. All analysis mustshall be complete prior to approval.

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

v. The view blockage rules mustshall 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 mustshall 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.



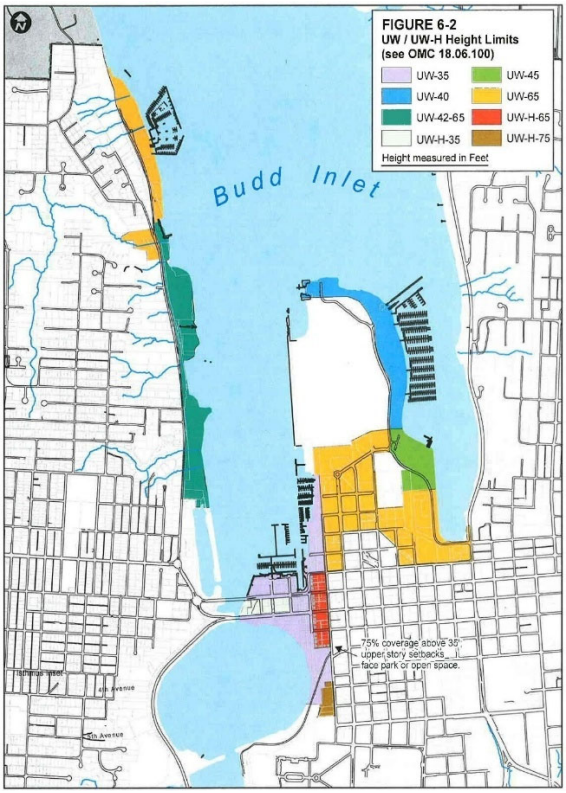
iii. Block 122: Height bonus is limited to one additional story, up to a maximum height of 75 feet. Block 122 is bounded by Olympia Ave, Jefferson Street, and Marine Drive.



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.

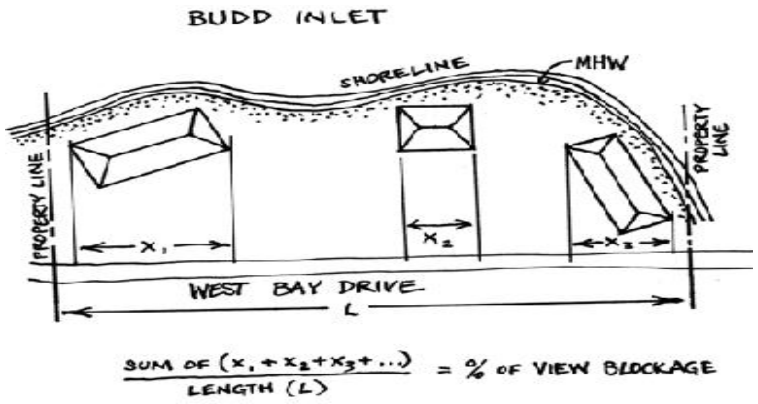


FIGURE 6-2A
Calculating View Blockage in a portion of the
Urban Waterfront District along West Bay Drive.

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~~ must meet the following criteria:

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

   c. Enhancement of public view access or direct public access to usable open space areas ~~shall~~ must 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~~ must 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 ~~must~~may~~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 ~~must~~may~~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.

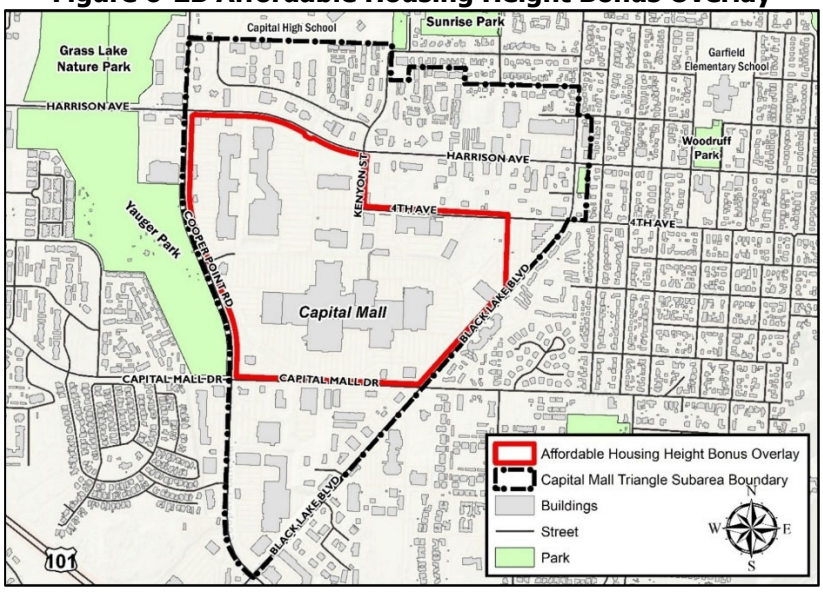
c. Maximum building height is 130 feet for development that meet all of the following requirements:

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



Section 21. <u>Amendment of OMC 18.06.100(B)</u>. Olympia Municipal Code Subsection 18.06.100(B) is hereby amended to read as follows:

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).

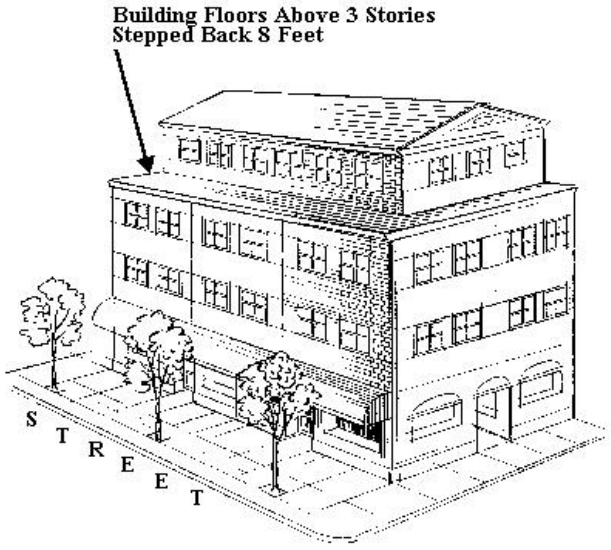


FIGURE 6-3

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 the 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.

Section 22. Amendment of OMC 18.06.100(D). Olympia Municipal Code Subsection 18.06.100(D) is hereby amended to read as follows:

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.

Section 23. Addition of OMC 18.06.100(E). Olympia Municipal Code Subsection 18.06.100(E) is hereby added to read as follows:

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.

Section 24. Amendment of OMC 18.12.020. Olympia Municipal Code Section 18.12.020 is hereby amended to read as follows:

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~~ that 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.

Section 25. Amendment of OMC 18.12.040. Olympia Municipal Code Section 18.12.040 is hereby amended to read as follows:

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

Section 26. Amendment of OMC 18.12.045(B), Olympia Municipal Code Subsection 18.12.045(B) is hereby amended to read as follows:

B. The Heritage Commission ~~shall~~ must always include at least two~~four (2~~4~~)~~ professionals who have experience in identifying, evaluating, and protecting historic resources and who 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~~ is 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. The City Council may grant an ~~Exception~~ exception to the residency requirement of Heritage Commission members ~~may be granted by the City Council~~ in order to obtain representatives from these disciplines.

Section 27. Amendment of OMC 18.12.050. Olympia Municipal Code Section 18.12.050 is hereby amended to read as follows:

Appointment of members to the Heritage Commission ~~shall be~~is 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)

Section 28. Amendment of OMC 18.12.055. Olympia Municipal Code Section 18.15.055 is hereby amended to read as follows:

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 mustshall 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 mustshall 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 mustshall 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 mustshall 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 online resources, 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, and 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.

Section 29. Amendment of OMC 18.12.065. Olympia Municipal Code Section 18.04.065 is hereby amended to read as follows:

All members of the Heritage Commission ~~must~~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.

Section 30. Amendment of OMC 18.12.080. Olympia Municipal Code Section 18.12.080 is hereby amended to read as follows:

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

Section 31. Amendment of OMC 18.12.085. Olympia Municipal Code Section 18.12.085 is hereby amended to read as follows:

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 mustshall 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 mustshall 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 must 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 mustshall 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 must be on forms and include information and documentation supporting the historic significance of the district.

3. The application shall must 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 pursuant to the procedures set forth in state law.

E. Properties listed within a local Historic District must~~shall~~ be noted on the official records of the City. Such properties ~~must~~shall be are 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~~ may 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.

Section 32. Amendment of OMC 18.12.100. Olympia Municipal Code Subsection 18.12.100 is hereby amended to read as follows:

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 must~~shall~~ apply to the Building Official who will request a review of the proposed demolition by the Heritage Commission. The Heritage Commission shall recommend to the Building Official the approval or denial of the proposed demolition. Recommendations may also include steps to mitigate the loss of the property ~~through, but not limited to, the procedures described in the SEPA Mitigation Policy for Olympia Historic Resources~~. The Building Official shall give substantial weight to these recommendations in establishing conditions of approval of the permits granted. If the structure is demolished, the Heritage Commission shall initiate the procedure for removal of the structure from the Heritage Register and may recommend designation as a historic site.

Section 33. Amendment of OMC 18.12.130. Olympia Municipal Code Section 18.12.130 is hereby amended to read as follows:

A. The City shall notify ~~Interested~~ interested Tribes and the State Department of Archaeology and Historic Preservation (DAHP) ~~mustshall 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~~ must be given substantial weight in decisions on land use or development permit approval and subsequent permit issuance.

Section 34. Amendment of OMC 18.12.140. Olympia Municipal Code Section 18.12.140 is hereby amended to read as follows:

A. Cultural Resources must~~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~~are 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 to have 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 must~~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.

Section 35. Amendment of OMC 18.36.080. Olympia Municipal Code Section 18.36.080 is hereby amended to read as follows:

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

A. Landscape Plan.

1. Plan Preparation.

a. Four (4) or Less fewer Multifamily Units and Commercial Development having less than 20,000 square feet of gross floor area. Landscape plans required by this section mustshall be prepared by a person experienced in the selection and installation of plant materials and landscape design. Plans mustshall 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 must be prepared by a Registered Landscape Architect or Certified Washington State Landscaper or Horticulturalist. Plans prepared by others shall must 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 must reflect the ultimate size of plant materials at maturity. All drawings shall must 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.

Section 36. Amendment of OMC 18.38.040. Olympia Municipal Code Subsection 18.38.040 is hereby amended to read as follows:

Unless specifically exempted in this chapter, every land use ~~shall~~ must 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.

Section 37. Amendment of OMC 18.38.100(C) Olympia Municipal Code Subsection 18.38.100(C) is hereby amended to read as follows:

C. Residential Provisions.

1. For a residential use, 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), the property owner 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 must provide at least one accessible parking space. Accessible parking must meet the location and dimensional standards in the adopted building codes.

3. For single family homes and middle housing units 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. A maximum of 0.25 off-street parking spaces per sleeping unit is required for co-living housing projects (see RCW 36.70A.535(3)(a)(ii)).

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

7. 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.

8. The existence of legally nonconforming gravel surfacing in existing designated parking areas is not 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.

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

10. 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.

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

12. 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.

Section 38. Amendment of OMC 18.38.160(C). Olympia Municipal Code Subsection 18.38.160(C) is hereby amended to read as follows:

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~~are exempt from the vehicle parking standards. However, a change of use within ~~such~~ existing structures must~~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 must~~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 must~~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~~ are 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.~~

Section 39. Addition of OMC 18.38.220. Olympia Municipal Code Section 18.38.220 is hereby amended to read as follows:

Off-street parking facilities must~~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.

a. General Requirements. Also see the specific zone district design standards of OMC 18.38.240.

1	2 SW	3 WP	4 VPW	5 VPi	6 AW	7 W2	8 W4
Parking Class	**Basic Stall Width (ft)**	**Stall Width Parallel to Aisle (ft)**	**Stall Depth to Wall (ft)**	**Stall Depth to Interlock (ft)**	**Aisle Width (ft)**	**Modules Wall-to-Wall (ft)**	**Modules Interlock to Interlock (ft)**
A	2-Way Aisle-90° 9.00	9.00	17.5	17.5	24	59	59
A	2-Way Aisle-60° 9.00	10.4	18.0	16.5	24	60	57
A	1-Way Aisle-75° 9.00	9.3	18.5	17.5	20	57	55
A	1-Way Aisle-60° 9.00	10.4	18.0	16.5	16	52	49
A	1-Way Aisle-45° 9.00	16.5	16.5	14.5	13	46	42

STANDARD PARKING DIMENSIONS
FIGURE 38-4

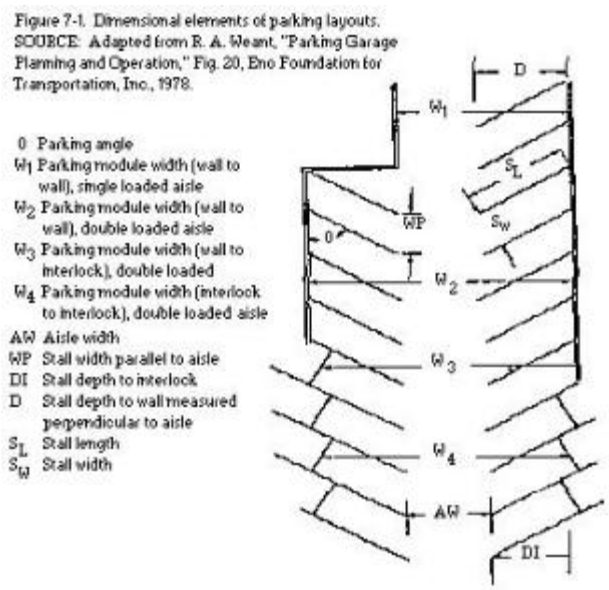


FIGURE 38-5

1. Driveways.

    a. Approaches. Driveway approaches and curb cuts within public rights-of-way ~~shall~~ must be located and designed in accordance with the City's current Engineering Design and Development Standards.

    b. For residential driveways once the driveway is outside of the public right of way, the provisions below apply.

        i. Setback. A driveway may be located within any required setback.

        ii. Width. All driveways ~~shall~~ must meet the access width requirements of the Fire Department (see OMC 16.32.050).

        iii. Surfacing. A gravel surface driveway may be allowed for a single-family residence for that portion of the driveway that is more than 75 feet from the right of way line where access is provided. Any driveway approved for a gravel surface ~~shall~~ must include a paved apron in front of the garage automobile door entrance extending a minimum depth of 18 feet and at least the width of the garage door.

2. Ingress/Egress Requirements.

    a. The Director, or designee, and after appropriate traffic study, including consideration of total parcel size, frontage on thoroughfares, uses proposed, and other vicinity characteristics, ~~shall have the authority to~~may fix the location, width, and manner of approach of a vehicular ingress and egress from a building or parking area to a public street and to alter existing ingress or egress as may be required to control street traffic in the interest of public safety and general welfare.

b. Generally, but not in all cases, the internal circulation system and the ingress and egress to commercial or multifamily developments from an access street ~~shall~~ must be so designed that the principal point of automobile cross-traffic on the street occurs at only one point--a point capable of being channelized for turning movements. Access ~~shall~~ must be shared with adjoining parcels by placing ingress/egress points on shared lot lines, wherever safe and practical. Where parcels are bounded by more than a single street, generally, but not in all cases, access ~~shall~~ must be provided only from the street having the lowest classification in the hierarchy of streets as established in the Engineering Design and Development Standards.

3. Maneuvering Areas.

   a. All maneuvering areas, ramps, access drives, etc. ~~shall~~ must be provided on the property on which the parking facility is located; however, if such facility adjoins an alley, such alley may be used as a maneuvering area. A garage or carport entered perpendicular to an alley must be located a minimum of 10 feet from the property line. A garage or carport entered parallel to an alley may be placed on the rear property line; provided sight distances are maintained.

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

4. Parking Surface. All parking, maneuvering, and driving areas must be paved and designed to meet drainage requirements. Approved pervious surfaces may be used.

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

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

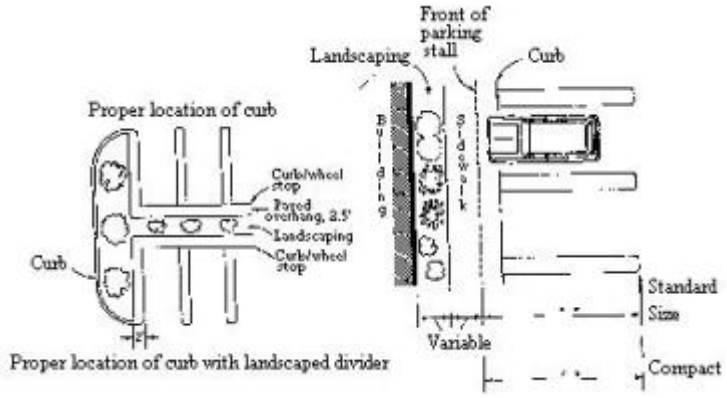


FIGURE 38-6

7. Contiguous parking lots ~~shall~~ may not exceed one ~~(1)~~ acre in size. Parking lots exceeding one ~~(1)~~ acre in size ~~shall~~ must be separated by a minimum ~~ten (~~10~~)~~ foot wide landscaped strip.

This strip is in addition to interior and perimeter landscaping and may be used for stormwater management or pedestrian access.

8. Structured Parking Dimensions. Structured parking facilities may be designed to the general design standards found in Figures 38-4 and 38-5 above, Figure 38-7 below, or to the following structured parking design standard. Within parking structures, small spaces ~~shall~~ may not exceed 30~~%~~ percent of spaces within each structure.

	Small Space Dimension	**Standard Dimensions**
Standard Stall Width	8-foot	9-foot
Standard Stall Depth	16-foot	16-foot
Standard Aisle Width	24-foot	24-foot
Standard Wall-to-Wall	57-foot	57-foot

B. Compact Car Dimensions, Layout and Circulation.

1. Parking Dimensions. No more than ~~thirty (~~30~~)~~ percent of spaces ~~shall~~ may be smaller than the standard sizes. (See Compact Parking Dimensions Table below.)

1	**2 SW**	**3 WP**	**4 VPW**	**5 VPi**	**6 AW**	**7 W2**	**8 W4**
Parking Class	**Basic Stall Width**	**Stall Width Parallel to Aisle (ft)**	**Stall Depth to Wall (ft)**	**Stall Depth to Interlock (ft)**	**Aisle Width (ft)**	**Modules Wall-to-Wall (ft)**	**Modules Interlock to Interlock (ft)**
2-Way Aisle-90° A	8.00	8.00	15.0	15.0	21.0	51.0	51.0
2-Way Aisle -60° A	8.00	9.3	15.4	14.0	21.0	52.0	50.0
1-Way Aisle-75° A	8.00	8.3	16.0	15.1	17.0	49.0	47.0
1-Way Aisle-60° A	8.00	9.3	15.4	14.0	15.0	46.0	43.0
1-Way Aisle-45° A	8.00	11.3	14.2	12.3	13.0	42.0	38.0

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

FIGURE 38-7

C. Bicycle Parking Design Standards.

1. A long-term bicycle parking facility ~~shall~~ must provide for secure extended and short-term use and ~~shall~~ must protect the entire bicycle and its components and accessories from theft

and weather. Acceptable examples include, in preferred order: bike lockers; bike check-in systems; in-building parking; and limited-access fenced areas with weather protection.

To discourage improper use, a bike locker door should include a see-through window or view hole. For in-building bike parking and limited access fenced areas, fixed structures for locking individual bikes, such as racks, must be provided within the facility. If such an area exceeds five ~~(5)~~ parking spaces, lockable clothing/gear storage lockers must also be provided within the facility. However, facilities such as factories and schools that provide personal lockers are not required to provide additional locker space for bicycle clothing/gear storage.

Exception: For retail uses under ~~five thousand (~~5,000~~)~~ square feet, long-term parking facilities exclusively for bicycles must only be provided only upon request of one or more employees. However, if permanent dedicated space is not provided, a sign must be posted at the primary employee entry reading "Secure Bicycle Parking Provided Upon Request - Olympia Municipal Code 18.38."

2. A short-term bicycle parking facility ~~shall~~ must provide convenient parking with some security and weather protection. Short-term bicycle parking facilities ~~shall~~ must include a covered stationary rack. These facilities may be shared among adjoining establishments.

   Short-term bicycle parking facilities ~~shall~~ must be located either: no further from a public entry than the nearest non-handicapped parking stall; or visible from and within ~~one hundred (~~100~~)~~ feet of the public entry; or within ~~fifty (~~50~~)~~ feet of the public entry to the building. A directional sign ~~shall~~ must be provided if the selected location is not clearly visible from the primary entrance.

3. Each bicycle parking area ~~shall~~ must be separated from motor vehicle parking and maneuvering areas by a barrier, post, or bollard, or by at least five ~~(5)~~ feet of open space. Bicycle parking spaces ~~shall~~ must be two ~~(2)~~ feet by six ~~(6)~~ feet each, with no less than a seven ~~(7)~~ foot overhead clearance. A five ~~(5)~~ foot maneuvering aisle ~~shall~~ muist separate rows of bicycle parking spaces. Bicycle parking facilities ~~shall~~ may not be solely accessible by stairs.

4. Bicycle racks ~~shall~~ must be covered in such a manner as to protect the entire bicycle from rain and installed to provide adequate maneuvering space and ensure that the requisite number of bicycle parking spaces remain accessible. The rack ~~shall~~ must be permanently affixed to the ground and support the bicycle at two ~~(2)~~ or more points, including at least one ~~(1)~~ point on the frame higher than two ~~(2)~~ feet from the ground. The user ~~shall~~ must be able to lock the bicycle with a U-shaped lock or cable lock. Bicycle racks which only support a bicycle front or rear wheel are not permitted.

5. Long-term bicycle parking facilities may be substituted for short-term bicycle facilities only if the design is consistent with the purpose of short-term facilities.

D. Pedestrian Routes. Notwithstanding pedestrian accessible route requirements addressed in the International Building Code, the applicant shall prepare and submit a pedestrian access plan ~~shall be prepared~~ for sites with more than 30 parking spaces, or where block sizing requirements are triggered. The plan ~~shall~~ must ~~examine~~ specify where people will walk into, out of, and through the development. The development ~~shall~~ must provide clear pedestrian pathways, in a manner that minimizes potential conflicts between moving vehicles and pedestrians. A pedestrian pathway, whether it be a required sidewalk or additional asphalt with a distinct line separating vehicles, ~~shall~~ must be located in areas likely to be used by a pedestrian, instead of the driveway or street.

Unless exempted by the City, the plan ~~shall~~ must be prepared by a transportation engineer hired by the developer, and the report ~~shall be~~is subject to the review and approval of the City Engineer or designee as well as the Director or designee. The report ~~shall~~ must ~~consider~~ address the pedestrian and bicycle use of the development and adjacent offsite parcel(s), in light of future growth and build out, and consistent with the goals and purposes of the Comprehensive Plan to mitigate long-term impacts of the development on multi-modal travel. Such pedestrian pathways should connect with other public pathways on property adjacent to the site.

Section 40. Amendment of OMC 18.40.060(C). Olympia Municipal Code Subsection 18.40.060(C) is hereby amended to read as follows:

C. Fences/Hedges, Walls and Site Perimeter Grading. It ~~shall be~~is 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~~ must have a front yard and a flanking side yard.

1. Fence Heights:

   a. Fences, when located within a required yard, ~~must~~may~~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 ~~must~~may~~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 must~~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 ~~must~~may~~shall~~ not be constructed of chain link or chicken wire.

For purposes of this section, a front yard ~~shall~~ may 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~~is 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~~ may 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~~ may exceed a height of 30 inches as measured from the lowest adjacent grade, nor ~~shall~~ may 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 must~~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~~A property owner or person in possession or control of any property may not 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~~ apply 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.

Section 41. Amendment of OMC 18.40.060(H). Olympia Municipal Code Subsection 18.40.060(H) is hereby amended to read as follows:

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~~ must be parallel to the structure requiring a setback. Setback width ~~shall be~~is 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~~ must meet all Uniform Building Code separation requirements. (See Figure 40-4.)

   b. A required yard area ~~shall~~ must be kept free of any building or structure taller than ~~thirty (30)~~ inches, except that a building or projection ~~shall be~~is 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 location of the unit 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 must~~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.

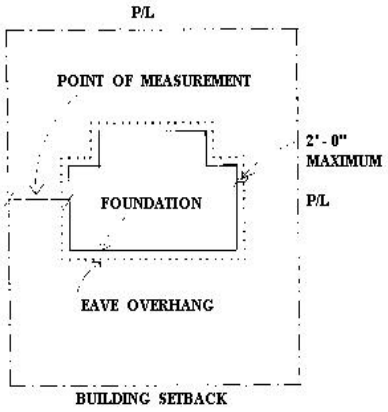


FIGURE 40-4

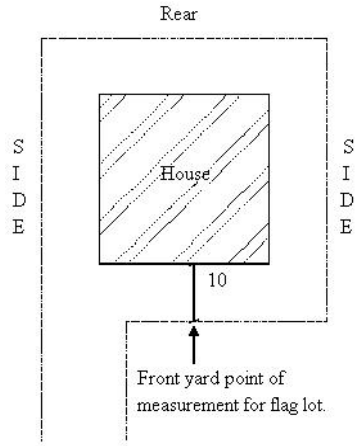


FIGURE 40-5

3. Use of Yard by Another Building. No yard or other open space required by this chapter for any building ~~shall~~ may be considered as a yard or other open space for any other building; nor ~~shall~~ may 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 the City 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.

Section 42. Amendment of OMC 18.40.080(C). Olympia Municipal Code Subsection 18.40.080(C) is hereby amended to read as follows:

C. Emissions.

1. ~~Air Pollution must~~~~shall be controlled by the~~ The operator and/or proprietor of any land use or activity permitted by this title shall control Air Pollution. 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~~ must 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~~ must be limited in accordance with the most current publication entitled Threshold Limit Values, of the American Conference of Governmental Hygienists.

3. Liquid Wastes ~~shall~~ must 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~~ must 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~~ must 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~~is subject to the regulatory jurisdiction and control of the ~~Radiation Control Agency of the Washington State Department of Social and Health Services~~ Office of Radiation Protection of the Washington State Department of Health, or its successor agency~~as amended~~.

7. No use ~~shall~~ may 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~~is restricted to the hours between 7:00 a.m. and 6:00 p.m.

Section 43. Amendment of OMC 18.40.080(I). Olympia Municipal Code Subsection 18.40.080(I) is hereby amended to read as follows:

I. Minimum Street Frontage.

1. Each lot, other than in townhouse, cottage, ~~and~~ or co-housing projects, ~~shall~~ must 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~~applies 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.

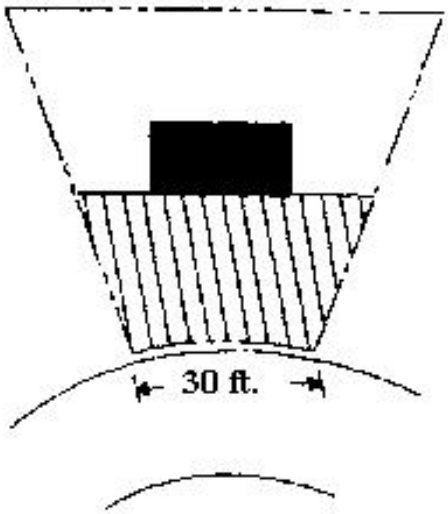


FIGURE 4-2

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~~ must be designed to minimize the creation of flag lots.

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

   c. All driveways accessing flag lots ~~shall~~ must 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 will~~is not ~~be~~ considered part of the minimum lot area required in Table 4.04.

Section 44. Amendment of OMC 18.43.040(B). Olympia Municipal Code Subsection 18.43.040(B) is hereby amended to read as follows:

B. No Permit Required. The following signs do not require a sign 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 will~~is 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 law or 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.

Section 45. Amendment of OMC 18.43.130, Table 43-8. Olympia Municipal Code Subsection 18.43.130, Table 43-8 is hereby amended to read as follows:

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 400 blocks of West Bay Drive NW	Up to five ~~(5)~~ square feet if flush mounted near entrance or up to five ~~(5)~~ square feet per side if freestanding	One ~~(1)~~ per licensed Home Occupation business only
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~~ One 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.

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

Permanent Signs – Residential Uses (Not Including Apartment Complexes)		
		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~~ One per use. Except multi-family uses ~~in RM-18, RM-24 & RMH~~: ~~2~~ two signs are permitted where there are entrances off ~~2~~ two 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~~ Five square feet total (2.5 square feet per side if double sided)	~~1~~ One per driveway
Directional	18.43.070	
Public Service	18.43.070	

Section 46. Amendment of OMC 18.100.060. Olympia Municipal Code Section 18.100.060 is hereby amended to read as follows:

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~~ seven 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~~ that 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~~ fewer than ~~twenty~~ (20) spaces, or minor repair or renovation of, or minor additions to, existing structures.

Section 47. Amendment of OMC 18.100.090. Olympia Municipal Code Section 18.100.090 is hereby amended to read as follows:

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 must~~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.

A. Projects subject to review by the Design Review Board or Joint Design Review Committee, as described in OMC 18.76.180:

1. Any proposed development project located within the following design districts:

   a. Downtown District; and,

   b. Residential Scale Design District.

2. Any proposed building development over 5,000 square feet in gross floor area, located within the following design districts and corridors:

   a. High Density Corridors;

   b. West Bay Drive District;

   c. Auto Mall District;

   d. Port Peninsula District;

   e. Freeway Corridor; and,

f. Design Review Corridors.

3. Any multifamily building with five units or more, any townhouse building with five units or more, and any multifamily development with 20 units or more.

4. All Master Planned Developments.

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

B. Projects subject to review by Staff:

1. Single family dwellings on lots within the area depicted on Figure 4-2a in chapter 18.04 OMC.

2. Minor additions or alterations to residential or commercial projects on a Heritage Register or within a Historic District.

3. Any proposed development of 5,000 square feet or less in gross floor area, and signs in the following design districts and corridors:

a. High Density Corridors;

b. West Bay Drive District;

c. Auto Mall District;

d. Port Peninsula District;

e. Freeway Corridor; and,

f. Design Review Corridors.

4. Duplexes, triplexes, or fourplexes and all apartment buildings with less than five units.

5. Any other project subject to design review not described in OMC 18.100.090(A) above.

Section 48. Amendment of OMC 18.100.100(C). Olympia Municipal Code Section 18.100.100(C) is hereby amended to read as follows:

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~~ 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. OMC 18.175.100 applies to cottage development.

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

Section 49. Amendment of OMC 18.100.110(D). Olympia Municipal Code Subsection 18.100.110(D) is hereby amended to read as follows:

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.

Section 50. Olympia Municipal Code. Copies of the Olympia Municipal Code are and must be retained on file with the office of the City Clerk.

Section 51. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and/or any references thereto.

Section 52. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or application of the provisions to other persons or circumstances remains unaffected.

Section 53. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 54. Effective Date. This Ordinance takes effect five days after passage and publication, as provided by law.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING TITLE 17, SUBDIVISIONS, OF THE OLYMPIA MUNICIPAL CODE, RELATED TO LOT SPLITTING

WHEREAS, HB 1096, passed by the Legislature in the 2025 Legislative session, created new law requiring cities to allow for lot splits of residential lots, under certain specified conditions; passage of this legislation necessitates an update to Olympia's municipal code to allow for such lot splits where consistent with the newly enacted state law;

WHEREAS, on February 23, 2026, the City of Olympia Community Planning and Economic Development Department proposed multiple minor amendments to various chapters in the Olympia Municipal Code, including Title 17, Subdivisions, of the Olympia Municipal Code (OMC) (the Proposed Amendments); and

WHEREAS, Notice of Application for the Proposed Amendments was routed to all Recognized Neighborhood Associations within the City of Olympia and to the Council of Neighborhoods Association on February 23, 2026; and

WHEREAS, on February 23, 2026, the Proposed Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt Development Regulation amendments as required by RCW 36.70A.106 and no comments were received from state agencies during the comment period; and

WHEREAS, on March 2, 2026, the Olympia Planning Commission received a briefing on the Proposed Amendments; and

WHEREAS, on March 11, 2026, the City of Olympia issued a Determination of Non-Significance pursuant to the State Environmental Policy Act (SEPA) on the Proposed Amendments; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Recognized Neighborhood Associations with the City of Olympia pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Parties of Record pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 27, 2006, a legal notice was published in *The Olympian* newspaper regarding the date of the Olympia Planning Commission's public hearing on the Proposed Amendments; and

WHEREAS, on April 6, 2026, the Olympia Planning Commission received a briefing, held a public hearing, and deliberated the Proposed Amendments; and

WHEREAS, there were no written or oral public comments or testimony received on the Proposed Amendments; and

WHEREAS, following the public hearing and deliberations, on April 6, 2026, the Planning Commission provided to the City Council its recommendation to amend Title 17, Subdivisions, of the Olympia Municipal Code (OMC), as proposed; and

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

WHEREAS, the Proposed Amendments have been reviewed pursuant to the Rezones and Text Amendments process outlined in Chapter 18.70 OMC; and

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

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

Section 1. Addition of OMC 17.31. A new Chapter is added to Olympia Municipal Code. Chapter 17.31 is hereby added to read as follows:

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 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 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 the 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 or designee 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 and regulations, 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 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 the City's development regulations including 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 City minimum density requirements.

I. The City 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 and this section, 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 Thurston 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.

Section 2. Olympia Municipal Code. Copies of the Olympia Municipal Code are and must be retained on file with the office of the City Clerk.

Section 3. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and/or any references thereto.

Section 4. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or application of the provisions to other persons or circumstances remains unaffected.

Section 5. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 6. Effective Date. This Ordinance takes effect five days after publication, as provided by law.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING TITLE 16, BUILDINGS AND CONSTRUCTION OF THE OLYMPIA MUNICIPAL CODE, RELATED TO MISCELLANEOUS CODE AMENDMENTS

WHEREAS, City staff identified necessary minor corrections to certain sections of Title 16 of the Olympia Municipal Code for the clarification and updating of code language related to fire department access and fire alarm provisions; and

WHEREAS, on February 23, 2026, the City of Olympia Community Planning and Economic Development Department proposed multiple minor amendments to various chapters in the Olympia Municipal Code, including in Title 16, Buildings and Construction; and

WHEREAS, Notice of Application for the Proposed Amendments was routed to all Recognized Neighborhood Associations within the City of Olympia and to the Council of Neighborhoods Association on February 23, 2026; and

WHEREAS, on February 23, 2026, the Proposed Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt Development Regulation amendments as required by RCW 36.70A.106 and no comments were received from state agencies during the comment period; and

WHEREAS, on March 2, 2026, the Olympia Planning Commission received a briefing on the Proposed Amendments; and

WHEREAS, on March 11, 2026, the City of Olympia issued a Determination of Non-Significance pursuant to the State Environmental Policy Act (SEPA) on the Proposed Amendments; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Recognized Neighborhood Associations with the City of Olympia pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Parties of Record pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 27, 2006, a legal notice was published in *The Olympian* newspaper regarding the date of the Olympia Planning Commission's public hearing on the Proposed Amendments; and

WHEREAS, on April 6, 2026, the Olympia Planning Commission received a briefing, held a public hearing, and deliberated the Proposed Amendments; and

WHEREAS, there were no written or oral public comments or testimony received on the Proposed Amendments; and

WHEREAS, following the public hearing and deliberations, on April 6, 2026, the Planning Commission provided to the City Council its recommendation to amend multiple chapters including in Title 16, Buildings and Construction; of the Olympia Municipal Code (OMC), as proposed; and

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

WHEREAS, the Proposed Amendments have been reviewed pursuant to the Rezones and Text Amendments process outlined in Chapter 18.70 OMC; and

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

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

Section 1. Amendment of OMC 16.32.020. Olympia Municipal Code Chapter Section 16.32.020 is hereby amended to read as follows:

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.~~

Section 2. Amendment of OMC 16.32.050(A). Olympia Municipal Code Subsection 16.32.050 is hereby amended to read as follows:

A. Every building hereafter constructed ~~shall~~ must 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~~ must 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~~ must conform to the following:

1. Positive transition grades ~~shall~~ must be no greater than ~~ten~~ 10 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~~ may 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~~ must 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.~~

B. The required width of access roadways ~~shall~~ may not be obstructed in any manner, including parking vehicles, NO PARKING/FIRE LANE signs, and/or other appropriate notice prohibiting obstructions may be required and ~~shall~~ must be maintained.

C. The access roadway ~~shall~~ must be extended to within 150~~'~~ feet of all portions of the exterior walls of the first story of any building. Where the access roadway cannot be provided, approved fire protection system or systems ~~shall~~ must be provided as required and approved by the chief.

D. Where fire protection systems approved by the chief are provided, the clearances required in this section may be modified.

E. The chief ~~shall have the authority to~~may require an increase in the minimum access widths where such width is not adequate for fire or rescue operations.

F. Access width requirements:

1. ~~Twenty (~~20~~)~~ feet:

a. All commercial development - no exceptions.

b. Three or more single family.

c. More than two duplexes.

d. Apartment buildings.

2. ~~Fifteen (~~15~~)~~ feet:

a. Two or fewer single family or two duplexes.

3. ~~Twelve (~~12~~)~~ feet:

a. Under certain conditions, the Olympia Fire Department, at its discretion, ~~will~~ may allow a reduction in access.

4. Turn-around required:

a. When required:

i. Three single family dwellings or more.

ii. Three duplex structures or more.

iii. Apartment buildings.

b. ~~Thirty~~30 -foot inside radius with 20-foot minimum width for streets/driveways in excess of 150 feet.

Where their standards cannot be met due to impracticality, the Fire Chief may allow fixed fire protective systems to substitute for required roadways and turn-arounds.

Section 3. Amendment of OMC 16.32.053. Olympia Municipal Code Section 16.32.053 is hereby amended to read as follows:

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

Section 4. Amendment of OMC 16.32.090. Olympia Municipal Code Subsection 16.32.090 is hereby amended to read as follows:

The following sections of the current adopted International Fire Code are not a 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.

Section 5. Amendment of OMC 16.44.060. Olympia Municipal Code Subsection 16.44.060 is hereby amended to read as follows:

A. Design. All fire alarm plans submitted for approval ~~shall~~ must bear the designer's valid Washington State Low Voltage Specialty Electrical Contractor's License number or ~~shall~~ must be stamped by a registered fire protection or electrical engineer.

B. Plans. All digital fire alarm system plans ~~shall~~ must be submitted to the city for review and ~~shall~~ must 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~~ must 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~~ must be submitted to the City of Olympia for review and approval prior to commencement of work.

10. ~~Submit d~~Digital plans and component specifications. Plans must show locations and type of each device in the system. Said plans ~~shall~~ must include accurate measurements.

11. A plan check fee calculated under OMC Section 4.36.010 ~~shall~~ must 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~~ must 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~~ must have fixed temperature detection. Automatic detection ~~shall~~ must 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~~ must be low voltage direct current and compatible with the remainder of the system.

14. All components and wiring ~~shall~~ must 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~~ must be listed by a national testing agency for the use intended.

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

17. All systems ~~shall~~ must 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~~ must have the fire alarm control panel be readily visible for arriving personnel or be provided with a remote annunciator. Such equipment ~~shall~~ must 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~~ must 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~~ must 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~~ must be U.L., F.M., or NFPA listed for commercial fire.

20. All systems ~~shall~~ must have local audible trouble and audio/visual alarm signal devices. Audio/visual devices ~~shall~~ must be sufficient in number and type to provide a minimum of 60 db in the most remote area. In commercial structures, audibility ~~shall~~must 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~~must, 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~~must 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~~must include a zone for master water flow and ~~shall~~must supervise all sprinkler controlling valves. When a structure is provided with a zoned sprinkler system, the alarm ~~shall~~must be zoned in accordance with the sprinkler coverage zones.

23. All systems ~~shall~~must 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~~is 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~~ may be granted for the structure until satisfactory acceptance tests are accomplished.

25. Apartment buildings and townhomes ~~shall~~must have a single station smoke/carbon monoxide alarm in every unit and strobe centrally located in accessible units. There ~~shall~~must 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 must serve as the required initiating device. Smoke detection must 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~~must be provided within six feet of fire alarm panel and other fire alarm control equipment which are in unattended locations.

C. Alterations and/or additions to existing systems must comply with the requirements of B above.

D. A maintenance testing agreement, signed by the building owner, ~~shall~~ must be on record with the fire department prior to scheduling of final acceptance test.

E. Plan ~~Check~~ Review Fee. At the time of submittal of plans, the applicant shall pay ~~A~~ a Plan Review ~~fee~~ Fee equal to 65 percent of the ~~permit~~ Permit ~~f~~Fee ~~shall be forfeited to the city at the time of submittal of plans~~; the Plan Review Fee is in addition to the Permit Fee.

F. Permit Fee. Following plan approval, the applicant shall pay ~~A~~ a ~~fee~~ Permit Fee as set forth in~~equal to~~ OMC 4.36.010(H)(1), Fee Table – Building Permit Fees, with regional modifiers.

G. Reinspection Fees. A $175.00 reinspection fee ~~shall~~ will be assessed and is due and owing when an inspector is requested to make an inspection or witness a test on a fire alarm or sprinkler system, and upon arrival finds the work is not ready for inspection, or the test fails.

The chief of the fire department or the chief of the fire department's designee may, in writing, suspend or revoke any permit issued pursuant to this section whenever the chief finds that the permit was issued on the basis of error, deception, or fraud on the part of the applicant or upon discovery of a violation of any of the applicable codes or ordinances of the city including the provisions of this article, or work conducted outside of 180 days from the permitted date without an approved permit extension.

Section 6. Olympia Municipal Code. Copies of the Olympia Municipal Code are and must be retained on file with the office of the City Clerk.

Section 7. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and/or any references thereto.

Section 8. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or application of the provisions to other persons or circumstances remains unaffected.

Section 9. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 10. Effective Date. This Ordinance takes effect five days after publication as provided by law.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING TITLE 10, VEHICLES AND TRAFFIC, OF THE OLYMPIA MUNICIPAL CODE, RELATED TO MISCELLANEOUS CODE AMENDMENTS

WHEREAS, on February 23, 2026, the City of Olympia Community Planning and Economic Development Department proposed multiple minor amendments to various chapters of the Olympia Municipal Code, including in Title 10, Vehicles and Traffic (the Proposed Amendments); and

WHEREAS, Notice of Application for the Proposed Amendments was routed to all Recognized Neighborhood Associations within the City of Olympia and to the Council of Neighborhoods Association on February 23, 2026; and

WHEREAS, on February 23, 2026, the Proposed Amendments were sent to the Washington State Department of Commerce Growth Management Services with the Notice of Intent to Adopt Development Regulation amendments as required by RCW 36.70A.106 and no comments were received from state agencies during the comment period; and

WHEREAS, on March 2, 2026, the Olympia Planning Commission received a briefing on the Proposed Amendments; and

WHEREAS, on March 11, 2026, the City of Olympia issued a Determination of Non-Significance pursuant to the State Environmental Policy Act (SEPA) on the Proposed Amendments; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Recognized Neighborhood Associations with the City of Olympia pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 25, 2026, notice of the public hearing for the Proposed Amendments was provided to all Parties of Record pursuant to Chapter 18.70 OMC, Public Notification; and

WHEREAS, on March 27, 2006, a legal notice was published in *The Olympian* newspaper regarding the date of the Olympia Planning Commission's public hearing on the Proposed Amendments; and

WHEREAS, on April 6, 2026, the Olympia Planning Commission received a briefing, held a public hearing, and deliberated the Proposed Amendments; and

WHEREAS, there were no written or oral public comments or testimony received on the Proposed Amendments; and

WHEREAS, following the public hearing and deliberations, on April 6, 2026, the Planning Commission provided to the City Council its recommendation to amend multiple chapters in the Olympia Municipal Code (OMC), including in Title 10, Vehicles and Traffic; and

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

WHEREAS, the Proposed Amendments have been reviewed pursuant to the Rezones and Text Amendments process outlined in Chapter 18.70 OMC; and

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

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

Section 1. Amendment of OMC 10.18.010. Olympia Municipal Code Subsection 10.18.010 is hereby amended to read as follows:

10.18.010 Definitions

For purposes of this chapter, the following terms ~~shall be~~are 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~~ does not include recreational vehicles such as travel trailers.

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

Section 2. Olympia Municipal Code. Copies of the Olympia Municipal Code are and must be retained on file with the office of the City Clerk.

Section 3. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and/or any references thereto.

Section 4. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or application of the provisions to other persons or circumstances remains unaffected.

Section 5. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 6. Effective Date. This Ordinance takes effect five days after passage and publication, as provided by law.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON IMPLEMENTING THE REQUIREMENTS OF SENATE BILL 5258 FOR IMPACT FEES; AMENDING OLYMPIA MUNICIPAL CODE SECTIONS 15.04.020, 15.04.040, 15.08.010, AND 15.16.010, RELATING TO IMPACT FEES TO ENSURE CONSISTENCY WITH STATE LAW

WHEREAS, in 2023, the Washington State Legislature passed Senate Bill 5258, amending RCW 82.02.060(1) to require cities to set impact fees based on "the square footage, number bedrooms, or trips generated" in the housing unit in order to produce a proportionally lower impact fee for smaller housing units and that such proportional fees be in effect six months after the City's next periodic comprehensive plan update; and

WHEREAS, the changes adopted in SB 5258 necessitate updates to Olympia Municipal Code (OMC) to ensure consistency; and

WHEREAS, the City adopted the Comprehensive Plan update by Ordinance 7453 on December 16, 2025 and took effect on January 1, 2026; and

WHEREAS, the City Council determined at their Council meeting held on June 2, 2026, that the methodology to set park impact fee rates should be based on residential unit square footage; and

WHEREAS, this Ordinance is adopted pursuant to Article 11, Section 11, of the Washington Constitution;

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

Section 1. Amendment of OMC 15.04.020. Olympia Municipal Code Section 15.04.020 is hereby amended to read as follows:

15.04.020 Definitions

The following words and terms have the following meanings for the purposes of this title, unless the context clearly requires otherwise. Terms ~~otherwise~~ not defined ~~herein~~ in this section are defined pursuant to RCW 82.02.090 or given their usual and customary meaning.

A. "Accessory Dwelling Unit" means ~~a dwelling unit that has been added onto, created within, or separated from a single-family detached dwelling for use as a complete independent living unit with provisions for cooking, eating, sanitation, and sleeping~~a dwelling unit located on the same lot as a principal unit (as defined in OMC 18.02.180(P)). ADUs can be attached to, within, or detached from the principal unit.

B. "Building Permit" means an official document or certification which is issued by the Building Official and which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, demolition, moving, or repair of a building or structure.

C. "Capital Facilities" means the facilities or improvements included in a capital budget or capital facilities plan.

D. "Capital Facilities Plan" means the capital facilities plan element of a comprehensive plan adopted by the City of Olympia pursuant to chapter 36.70A RCW, and such plan as amended.

E. "City" means the City of Olympia.

F. "Council" means the City Council of the City of Olympia.

G. "Concurrent" or "Concurrency" means that the improvements are in place at the time the impacts of development occur, or that the necessary financial commitments are in place, which include the impact fees anticipated to be generated by the development, to complete the improvements necessary to meet the specified standards of service defined in the Parks Study, the Transportation Study, the Olympia School District Schools Study, and the North Thurston School District Capital Facilities Plan within 10 years of the time the impacts of development occur.

H. "Department" means the Department of Community Planning and Economic Development.

I. "Development Activity" means any construction, expansion, or change in the use of a building or structure that creates additional demand and need for public facilities.

J. "Development Approval" means any written authorization from the City of Olympia which authorizes the commencement of a development activity.

K. "Director" means the Director of the Department of Community Planning and Economic Development or the Director's designee.

L. "Downtown" means all properties located within the downtown area, which is currently bounded by: Budd Inlet on the north; Budd Inlet and Capitol Lake on the west; along 14th Avenue extending between Capitol Lake and Capitol Way, then east on 14th Avenue extending to Interstate 5 on the south; Eastside Street on the east; and along Olympia Avenue in a westerly direction reconnecting with the Budd Inlet on the north, including properties owned by the Port of Olympia, as shown in Figure 15-04-1.

M. "Dwelling Unit" means ~~a single unit providing complete and independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking, and sanitation needs~~a residential living unit that independently provides complete living facilities for one or more persons and that includes permanent provisions for living, sleeping, eating, cooking, and sanitation.

N. "Encumbered" means to reserve, set aside, or otherwise earmark the impact fees in order to pay for commitments, contractual obligations, or other liabilities incurred for public facilities.

O. "Feepayer" is a person, collection of persons, corporation, partnership, an incorporated association, or any other similar entity, or department or bureau of any governmental entity or municipal corporation commencing a land development activity which creates the demand for additional capital facilities, and which requires the issuance of a building permit. "Feepayer" includes an applicant for an impact fee credit.

P. "Gross Floor Area" or "GFA" means the total square footage of any building, structure, or use, including accessory uses.

Q. "Gross Leasable Area" or "GLA" means the total square footage of leasable space in any building, structure, or use, including accessory uses. This does not include common spaces like lobbies, elevator shafts, stairwells, etc.

R. "Hearing Examiner" means the Examiner who acts on behalf of the Council in considering and applying land use regulatory codes as provided under chapter 18.82 OMC. Where appropriate, "Hearing Examiner" also refers to the office of the hearing examiner.

S. "High Density Corridor" or "HDC" only includes HDC-1, HDC-2, HDC-3 land use zoning areas and has the same meaning as set forth in OMC 18.06.020(B)(10), (11), and (12).

T. "Impact fee" means a payment of money imposed by the City of Olympia on development activity pursuant to this title as a condition of granting development approval in order to pay for the public facilities needed to serve new growth and development. "Impact fee" does not include a reasonable permit fee, an application fee, the administrative fee for collecting and handling school impact fees, the cost of reviewing independent fee calculations, or the fee for deferring payment of impact fees.

U. "Impact Fee Account" or "Account" means the account(s) established for each type of public facility for which impact fees are collected. The Accounts are established pursuant to OMC 15.04.100 and OMC 15.04.110 and must comply with the requirements of RCW 82.02.070.

V. "Alternative and Independent Fee Calculation" means the park impact calculation, the school impact calculation, the transportation impact calculation, or economic documentation prepared by a feepayer, to support the assessment of an impact fee other than by the use of schedules in chapter 15.16 OMC, or the calculations prepared by the Director or the Olympia School District or the North Thurston School District where none of the fee categories or fee amounts in the schedules in chapter 15.16 OMC accurately describe or capture the impacts of the new development on public facilities.

W. "Interest" means the average interest rate earned by the City of Olympia, or the Olympia School District, or the North Thurston School District with respect to school fees, in the last fiscal year, if not otherwise defined.

X. "Interlocal Agreement" or "Agreement" means the school interlocal agreement by and between the City of Olympia and the Olympia School District and the school interlocal agreement by and between the City of Olympia and the North Thurston School District, as authorized in OMC 15.04.110 herein.

Y. "Living Space" means the total square footage of a ~~residential~~ dwelling unit, excluding garages and accessory structures.

~~Y~~Z. "Low-income housing" means housing for which the ~~with a~~ monthly housing expense of the occupant(s), ~~that~~ is no greater than thirty percent of eighty percent of the median family income, adjusted for family size, for ~~the county where the project is located~~Thurston County, as reported by the United States department of housing and urban development.

~~Z~~AA. "North Thurston School District" means the North Thurston School District No. 3.

~~AA~~BB. "North Thurston School District Capital Facilities Plan" means the North Thurston School District No. 3's capital facilities plan, as the same may be amended or updated.

~~BB~~CC. "Occupancy Permit" means the permit issued by the City of Olympia where a development activity results in a change in use of a pre-existing structure.

~~CC~~DD. "Olympia School District" means the Olympia School District No. 111, Thurston County, Washington.

~~DD~~EE. "Open Space" means for the purposes of this title undeveloped public land that is permanently protected from development (except for the development of trails or other passive public access or use).

~~EE~~FF. "Owner" means the owner of record of real property, or a person with an unrestricted written option to purchase property; provided that, if the real property is being purchased under a recorded real estate contract, the purchaser is considered the owner of the real property.

~~FF~~GG. "Parks" means parks, open space, and recreational facilities, including ball fields, golf courses, athletic fields, soccer fields, swimming pools, tennis courts, volleyball courts, neighborhood parks, community parks, special use parks, trails, and open space.

~~GG~~HH. "Parks Study" means the City of Olympia Park Impact Fee Study dated October 2022, and as amended.

~~HH~~II. "Planned Residential Development" or "PRD" has the same meaning as set forth in chapter 18.56 OMC.

~~II~~JJ. "Project Improvements" means site improvements and facilities that are planned and designed to provide service for a particular development or users of the project and are not system improvements. No improvement or facility included in a capital facilities plan adopted by the Council may be considered a project improvement.

~~JJ~~KK. "Proportionate share" means that portion of the cost of public facility improvements and facilities that are reasonably related to the service demands and needs of new development. The proportionate share will be calculated by the methods required by RCW 82.02.060, and as set forth in the Park Rate Study.

~~JJ~~LL. "Public Facilities" means the following capital facilities owned or operated by the City of Olympia or other governmental entities: (1) publicly owned parks, open space, and recreational facilities; (2) public streets and roads; and (3) public school facilities.

~~KK~~MM. "Residential" or "Residential Development" means all types of construction intended for human habitation. This includes single-family, duplex, triplex, and other multifamily development.

~~LL~~NN. "Olympia School District Schools Study" means the "Olympia School District - Rate Study for Impact Fees for School Facilities, 1994," and as amended.

~~MM~~OO. "Senior Housing Development" means a residential development of 10 units or more that is occupied exclusively by residents 55 years of age or older. In order to qualify for the "Senior Development" impact fee rate, a restrictive covenant is required to be placed on the deed limiting the development to residents 55 years of age or older.

~~NN~~PP. "Single Room Occupancy ~~Dwelling~~Unit" means a housing type consisting of one room, with private or shared bathroom facilities and cooking facilities that are either in the room or shared.

~~OO~~QQ. "Square Footage" means the square footage of the gross floor area of the development.

~~PP~~RR. "State" means the State of Washington.

~~QQ~~SS. "System Improvement" means a public facility that is included in the City of Olympia's capital facilities plan, the Olympia School Study, or the North Thurston School District Capital Facilities Plan and that ~~are~~ is

designed to provide service to service areas within the community at large, in contrast to project improvements.

~~RR~~TT. "Transportation Study" means the City of Olympia Multimodal Transportation Impact Fee Rate Study dated October 2020, and as amended.

Section 2. Amendment of OMC 15.04.040. Olympia Municipal Code Section 15.04.040 is hereby amended to read as follows:

15.04.040 Assessment of impact fees

A. The City shall impose and collect impact fees, based on the schedules in chapter 15.16 OMC, or an alternate fee calculation as provided for in OMC 15.04.050, and the applicable interlocal agreements pursuant to OMC 15.04.110, from any applicant seeking development approval from the City for any development activity within the City, where such development activity requires the issuance of a building or occupancy permit. This includes the development of residential, commercial, retail, office, and industrial land, and includes the expansion of existing uses that creates a demand for additional public facilities, as well as a change in existing use that creates a demand for additional public facilities. Per RCW 36.70A, for each category of impact fees, the impact fees imposed on Accessory Dwelling Units may not exceed 50 percent of those assessed for a single-family residence or principal unit on the same lot.

B. The Director shall determine whether a particular development activity is subject to impact fees under this chapter. The Director shall make such determination in writing and such determination is subject to appeal under the procedures set forth in OMC 18.70.170.

C. The following development activities are not subject to some or all impact fees:

1. Alteration of an existing nonresidential structure that does not expand the usable space or add any residential units is not subject to transportation, park, or school impact fees.

2. Miscellaneous improvement, including fences, walls, swimming pools, mining, dredging, filling, grading, paving, excavation or drilling operations, and signs is not subject to transportation, park, or school impact fees.

3. Demolition or moving of a structure is not subject to transportation, park, or school impact fees.

4. Expansion of an existing structure that results in the addition of 120 square feet or less of gross floor area, or in the case of park impact fee calculation, living space, is not subject to transportation, park, or school impact fees.

5. Replacement of a structure with a new structure of the same size and use at the same site or lot when such replacement occurs within 72 months of the demolition or destruction of the prior structure is not subject to transportation, park, or school impact fees. Replacement of a structure with a new structure of the same size must be interpreted to include any structure for which the gross square footage of the building will not be increased by more than 120 square feet. However, any additional residential unit that is created in the replacement is subject to park, transportation, and school impact fees, and any additional gross floor area greater than 120 square feet added in the replacement is subject to transportation impact fees.

6. The creation of an accessory dwelling unit is not subject to school impact fees.

7. A single room occupancy dwelling is not subject to school impact fees.

8. A change in use where the increase in trip generation is less than the threshold stated in OMC 15.04.040(E) is not subject to transportation impact fees.

9. Expansion of an existing residential structure that does not increase the number of residential units is not subject to school impact fees.

D. Applicants seeking development approval from the City for residential developments where the property is located outside the boundaries of the Olympia School District are not required to pay the school impact fee set forth in OMC 15.16.030. Applicants seeking development approval from the City for residential developments where the property is located outside the boundaries of the North Thurston School District are not required to pay the school impact fee set forth in OMC 15.16.030.

E. Where a change in use triggers review under the State Environmental Policy Act or increases the trip generation by more than five percent or 10 peak hour person trips, whichever is less, the Director shall calculate a transportation impact fee based on the increases in the trip generation rate.

F. The Director shall assess impact fees at the time the complete building permit application is submitted for each unit in the development, using either the impact fee schedules then in effect or an independent fee calculation, at the election of the applicant and pursuant to the requirements set forth in OMC 15.04.050.

G. An applicant that has been awarded credits prior to the submittal of the complete building permit application pursuant to OMC 15.04.070, shall submit, along with the complete building permit application, a copy of the letter or certificate prepared by the Director pursuant to OMC 15.04.070 setting forth the dollar amount of the credit awarded. Impact fees, as determined after the application of appropriate credits, are collected from the feepayer at the time the building permit is issued or prior to final building inspection as set forth in subsection (H) of this section.

H. Where the impact fees imposed are determined by the square footage of the development, the impact fee is based on the size and type of structure proposed to be constructed on the property. If the final square footage of the development is in excess of the initial square footage set forth in the building permit, any difference will be adjusted at the time that a certificate of occupancy is issued or the time that the building is occupied, using the rate schedule in effect at the time of permit application.

I. Except as provided in subsection (J) of this section, the Department shall not issue a building permit unless and until the impact fees required by this chapter, less any permitted exemptions, credits, or deductions, have been paid.

J. Impact fee payments may be deferred until prior to the City conducting a final building inspection. An applicant or legal owner of the property upon which the development activity allowed by the building permit is to occur must sign an Impact Fee Deferral Agreement in a form acceptable to the city attorney. The applicant shall pay a $50 administrative fee, along with fees necessary for recording the agreement in the office of the Thurston County Auditor.

K. In the event that the fees are not paid within the time provided in this section, the City may institute foreclosure proceedings under the process set forth in chapter 61.12 RCW, except as revised herein. The then-present owner shall also pay the City's reasonable attorney fees and costs incurred in the foreclosure process. Notwithstanding the foregoing, the City may not commence foreclosure proceedings less than 30 calendar days

prior to providing written notification to the then-present owner of the property via certified mail with return receipt requested advising of its intent to commence foreclosure proceedings. If the then-present owner cures the default within the 30-day cure period, no attorney fees or costs will be owed. In addition, the City retains its full authority to withhold inspections and to suspend, revoke, or refuse to issue occupancy and other building permits and to commence enforcement actions due to non-payment of impact fees.

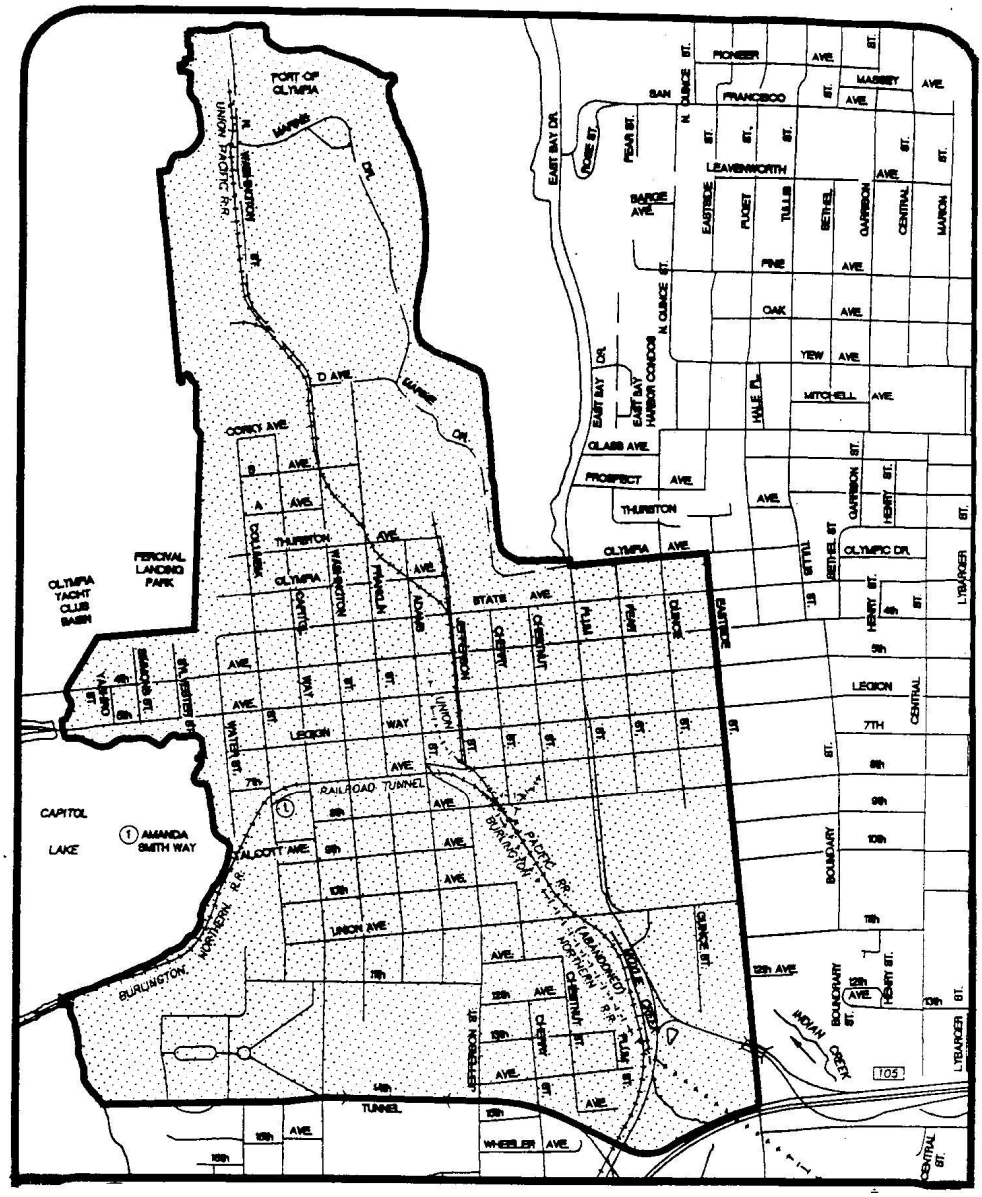


FIGURE 15-04-1

Downtown Deferred Impact Fee Payment Option Area

(Grey Shaded Area Only)

Note: This map is for illustrative purposes only.

For exact description of area, see Section 15.04.020 Definitions.

Section 3. Amendment of OMC 15.08.010. Olympia Municipal Code Section 15.08.010 is hereby amended to read as follows:

15.08.010 Park impact fee

A. The park impact fee set forth in Schedule A (Section 15.16.010), attached to this title, is generated from the formula for calculating impact fees set forth in RCW 82.02.060 and the Parks Study, which is incorporated ~~herein~~ into this title by reference. Except as otherwise provided in Sections 15.04.050, 15.04.060, and 15.04.070, all new residential developments in the City will be charged the park impact fee in Schedule A (Section 15.16.010).

B. The park impact fees in Schedule A will be reviewed annually to consider adjustments to the fees to account for increased costs of labor, construction materials and real property. The City Council intends that such review should occur concurrently with the annual review of the Capital Facilities Plan element of the City's Comprehensive Plan.

Section 4. Amendment of OMC 15.16.010. Olympia Municipal Code Section 15.16.010 is hereby amended to read as follows:

15.16.010 Schedule A, Park Impact Fees

For the purposes of calculating park impact fees, ~~For complete building permit applications,~~ "~~L~~living s~~S~~pace" means the total square footage of a ~~residential~~ dwelling unit, excluding garages and accessory structures. Per RCW 36.70A, for each category of impact fees, the impact fees imposed on Accessory Dwelling Units may not exceed 50 percent of those assessed for a ~~single-family residence t or~~ principal unit on the same lot. ~~T~~The following schedule applies to residential development:

Land Use	Unit of Measure	Rate
Residential Unit	~~Habitable~~ Living Space square footage~~t~~	$3.92 with minimum fee/unit $3,187.93 and maximum fee/unit $13,720.00

~~Housing Type:~~

~~TYPE OF DWELLING UNIT~~

~~Single Family including Manufactured Homes on individual lots, Townhouses $6,995~~

~~Multi Family including Apartments, Duplex, Triplex, Fourplex, Cottage Housing, and Courtyard Apartments $5,991~~

~~Units in Senior Housing Developments (including single family units) $5,991~~

~~Mobile Home in Mobile Home Parks $5,230~~

~~Single Room Occupancy Units, Studios, Accessory Dwelling Units $2,991~~

~~Downtown Multi Family (including apartments, Duplex, Triplex, Fourplex, Cottage Housing, Courtyard Apartments) and Townhouses $4,709~~

Section 5. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Section 6. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances remains unaffected.

Section 7. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 8. Effective Date. This Ordinance takes effect July 1, 2026, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
SENIOR DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A FUNDING AGREEMENT BETWEEN THE CITY OF OLYMPIA AND VALEO VOCATION FOR THE OPERATION, MANAGEMENT, AND MAINTENANCE OF A TINY HOUSE/SHELTER VILLAGE AT 528 FRANZ ANDERSON ROAD

WHEREAS, the City of Olympia declared a public health emergency related to homelessness on July 17, 2018; and

WHEREAS, the City has worked since then to find solutions that will assist in alleviating the homeless crisis in Olympia; and

WHEREAS, Valeo Vocation is experienced in building relationships with unhoused community members through engagement and education, and by offering health, safety, self-management, self-advocacy, and survival support to those living outdoors; and

WHEREAS, between in 2024, until its closure, Valeo operated the Plum Street Village tiny home village under a lease and a funding agreement with the City; since June 30, 2025, Valeo has operated Calyx@Franz Anderson, also referred to as Franz-Anderson Tiny House Village, located at 528 Franz Anderson Road; and

WHEREAS, the City and Valeo have negotiated terms and conditions of a Funding Agreement whereby the City provides funding to Valeo to enable Valeo to operate, manage, and maintain a tiny house/shelter facility at the Franz Anderson site for the purpose of providing temporary shelter and housing formerly unhoused persons in tiny houses/shelters; and

WHEREAS, the City and Valeo are entering into a separate Lease Agreement which governs Valeo's lease of the Franz Anderson Village property for purposes of carrying out the operation, management, and maintenance of the tiny house/shelter facility as provided in the Funding Agreement; and

WHEREAS, the City Council determines it to be in the best interest of the residents of the City of Olympia to provide funding to Valeo to enable Valeo to operate, manage, and maintain a tiny house/shelter village in Olympia at 528 Franz Anderson Road;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL HEREBY RESOLVES as follows:

1. The Olympia City Council hereby approves the form of Funding Agreement between the City and Valeo Vocation to provide funding to Valeo for the establishment, operation, management, and maintenance of a tiny house/shelter village at 528Franz Anderson Road in Olympia under the terms and conditions contained therein.

2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Funding Agreement, and any other documents necessary to execute that Agreement, and to make any minor amendments or modifications as may be required and are consistent with the intent of the Agreement, and to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF OLYMPIA AND VALEO VOCATION FOR CERTAIN PROPERTY LOCATED AT 528 FRANZ ANDERSON ROAD FOR A TINY HOUSE/SHELTER VILLAGE

WHEREAS, the City of Olympia declared a public health emergency related to homelessness on July 17, 2018; and

WHEREAS, the City has worked since then to find solutions that will assist in alleviating the homeless crisis in Olympia and reduce human suffering; and

WHEREAS, the City owns certain real property commonly located at 528 Franz Anderson Road, Olympia, Washington, consisting of approximately 1.48 acres (64,902square feet) Parcel Number 41701000100, more or less (the "Property") that has suitability for use as a tiny house/shelter village; and

WHEREAS, the City and Valeo Vocation are entering into a Funding Agreement that governs the City of Olympia's provision of funding to Valeo in exchange for Valeo's operation, management, and maintenance of a tiny house/shelter facility on the Property serving formerly unhoused residents, as specified in that separate Funding Agreement.

WHEREAS, as part of Valeo's operation, management, and maintenance of the tiny house facility on the Property, Valeo wants to lease a portion of the Property from the City for the sole purpose of using it for a tiny house/shelter village to provide temporary shelter and housing for formerly unhoused persons, including a community eating and meeting facility, and areas for sanitary shower, toilet, laundry facilities, solid waste collection, and for other related case management and site support services for the temporary residents of the tiny house/shelter facility; and

WHEREAS, the City and VALEO have negotiated terms and conditions for Valeo's lease of a portion of the Property; and

WHEREAS, the City Council determines it to be in the best interest of the residents of the City of Olympia to lease to Valeo, a portion of the Property for the sole purpose of using it for a tiny house/shelter village;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL HEREBY RESOLVES as follows:

1. The Olympia City Council hereby approves the form of Lease Agreement between the City and Valeo Vocation to lease to Valeo a portion of the property commonly located off Franz Anderson Road, in Olympia, Washington, for a tiny house/shelter village upon the terms and conditions contained therein.

2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Lease Agreement, and any other documents necessary to execute said Agreement, and to make any minor amendments or modifications as may be required and are consistent with the intent of the Agreement, or to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A FUNDING AGREEMENT BETWEEN THE CITY OF OLYMPIA AND CATHOLIC COMMUNITY SERVICES OF WESTERN WASHINGTON FOR THE ESTABLISHMENT, OPERATION, MANAGEMENT, AND MAINTENANCE OF A TINY HOUSE/SHELTER VILLAGE AT 1215 QUINCE STREET SE

WHEREAS, the City of Olympia declared a public health emergency related to homelessness on July 17, 2018; and

WHEREAS, the City has worked since then to find solutions that will assist in alleviating the homeless crisis in Olympia; and

WHEREAS, Catholic Community Services of Western Washington (CCS) has experience assisting persons who are homeless by managing and operating the City's former downtown tiny house/shelter facility and managing and operating a tiny house village at 1215 Quince Street SE, known as Quince Street Village. CCS is experienced in providing this type of transitional housing and providing homeless persons with essential services including hygiene, trash collection, utilities, and security to allow for the best chance for success in transitioning to permanent housing; and

WHEREAS, the City and CCS have negotiated terms and conditions whereby the City provides funding to CCS to enable CCS to establish, operate, manage, and maintain the Quince Street Village for the purpose of providing temporary shelter for homeless persons in tiny houses/shelters; and

WHEREAS, the City and CCS are entering into a separate Lease Agreement which governs CCS's lease of the Quince Street Village property for purposes of carrying out the operation, management, and maintenance of the tiny house/shelter facility as provided in the Funding Agreement.

WHEREAS, the City Council determines it to be in the best interest of the residents of the City of Olympia to provide funding to CCS to establish, operate, manage, and maintain a tiny house/shelter village in Olympia;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL RESOLVES as follows:

1. The Olympia City Council hereby approves the form of Funding Agreement between the City and Catholic Community Services of Western Washington to provide funding to Catholic Community Services for the establishment, operation, management, and maintenance of a tiny house/shelter village in Olympia upon the terms and conditions contained therein.

2. The City Manager is hereby authorized and directed to execute on behalf of the City of Olympia the Funding Agreement, and any other documents necessary to execute that

Agreement, and to make any minor amendments or modifications as may be required and are consistent with the intent of the Agreement, and to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF OLYMPIA AND CATHOLIC COMMUNITY SERVICES OF WESTERN WASHINGTON FOR A TINY HOUSE/SHELTER VILLAGE AT 1215 QUINCE STREET SE

WHEREAS, the City of Olympia declared a public health emergency related to homelessness on July 17, 2018; and

WHEREAS, the City has worked since then to find solutions that will assist in alleviating the homeless crisis in Olympia and reduce human suffering; and

WHEREAS, the City owns certain real property at 1215 Quince Street SE, Olympia, Washington, consisting of approximately 1.41 acres (the Property) that has suitability for use as a tiny house/shelter village; and

WHEREAS, the City and Catholic Community Services of Western Washington (CCS) are entering into a Funding Agreement that governs the City of Olympia's provision of funding to CCS in exchange for CCS's operation, management, and maintenance of a tiny house/shelter facility on the Property serving formerly unhoused residents, as specified in that separate Funding Agreement; and

WHEREAS, as part of CCS's operation, management, and maintenance of the tiny house facility on the Property, CCS wants to lease a portion of the Property from the City for the sole purpose of using it for a tiny house/shelter village to provide temporary shelter and housing for formerly unhoused persons in tiny houses/shelters, including a community kitchen, administrative offices, and areas for sanitary shower, toilet, laundry facilities, solid waste collection, and for other related case management services for the temporary residents of the tiny houses/shelters village; and

WHEREAS, the City and CCS have negotiated terms and conditions for CCS's lease of a portion of the Property; and

WHEREAS, the City Council determines it to be in the best interest of the residents of the City of Olympia to lease to CCS a portion of the property commonly located at 1215 Quince Street SE, Olympia, for the sole purpose of using it for a tiny house/shelter village;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL RESOLVES as follows:

1. The Olympia City Council hereby approves the form of Lease Agreement between the City and Catholic Community Services of Western Washington to lease to Catholic Community Services a portion of the property located at 1215 Quince Street SE, Olympia, Washington, for a tiny house/shelter village upon the terms and conditions contained therein.

2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Lease Agreement, and any other documents necessary to execute said Agreement, and to make any minor amendments or modifications as may be required and are consistent with the intent of the Agreement, and to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____day of _____ 2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY

WILDFIRE

FORESTLAND RESPONSE AGREEMENT
DEPARTMENT OF NATURAL RESOURCES (DNR)
NO. 90-110837

PI: 221, 222, 223, 224
Funding Source: State
Grant Funded: No
DES Supplier Diversity: Not Applicable
Procurement Method: Exempt per DES Policy
Exemption Type: RCW 39.26.125(10) Intergovernmental agreements awarded to any governmental entity, whether federal, state, or local and any department, division, or subdivision thereof.

This Agreement is entered into between the state of Washington, Department of Natural Resources, South Puget Sound Region, hereinafter referred to as "DNR or AGENCY", and the below named Fire Protection District/Department, hereinafter referred to as "District/Department."

CITY OF OLYMPIA; DBA -
OLYMPIA FIRE DEPARTMENT
601 4th Avenue East
Olympia, WA 98507

Phone: 360.753.8348
Email: fire@ci.olympia.wa.us
Washington State UBI #: 342-000-433
Statewide Vendor (SWV) #: SWV0008653

Authority: This Agreement is entered into by DNR under the authority of RCW 76.04.015, RCW 76.04.135 and RCW 76.04.610(3); and by the District/Department under the authority of RCW 52.12.031, RCW 52.12.125 and RCW 35.21.010; and DNR and District/Department in conformity with RCW 39.34, the Interlocal Cooperation Act.

In consideration of the terms, conditions and covenants contained herein, or attached and incorporated and made a part hereof, the Parties mutually agree as follows:

1. **Purpose:** The purpose of this Agreement is to (1) provide for mutual assistance and cooperation in the control and suppression of forestland fire and therefore to contract for the District/Department to provide fire protection services to an area within the jurisdiction of DNR and located in, or adjacent to, the District/Department and to contract for the DNR to assist in fire protection services on forestland within District/Department jurisdiction; and (2) dispatch and pay for fire service resources outside the fire service District/Department jurisdictional boundaries for wildfire dispatch.

2. **Scope:** This Agreement pertains to forestland fire incidents within or adjacent to the District/Department boundaries and to District/Department resources ordered through the DNR Region or Division for dispatch outside of District/Department boundaries for support provided by DNR as outlined in Attachment A – Operational Guidelines for Resources ordered through the DNR Region or Division for dispatch outside of District/Department boundaries.

3. **Term.** The term of this agreement is _____, or date of execution, whichever is later, through May 31, 2030.

4. **Jurisdictional Responsibility:** Within or adjacent to the District/Department boundaries, the statutory jurisdictional responsibility for fire control on forestland varies. It may be:

   (1) **Sole DNR Jurisdiction:** Land subject to Forest Fire Protection Assessment and District/Department is NOT collecting fire protection levy.

   (2) **Sole District/Department Jurisdiction:** Land subject to District/Department fire protection levy and not subject to Forest Fire Protection Assessment.

   (3) **Joint Jurisdiction:** Land subject to Forest Fire Protection Assessment and the District/Department is collecting fire protection levy.

5. **Mutual Aid Fire Incident Response:**

   (1) **Sole DNR Jurisdiction:** In the event of a fire emergency in a sole DNR jurisdiction area, the DNR will respond. The District/Department may respond to provide immediate control action, minimize fire loss, and thereby indirectly protect its own jurisdiction area. DNR may request response from the District/Department to gain timely initial attack and control action, or to supplement DNR resources.

   (2) **Sole District/Department Jurisdiction:** In the event of a fire emergency in a sole District/Department jurisdiction area, the District/Department will respond. DNR may respond to provide immediate control action, minimize fire loss, and thereby indirectly protect its own jurisdiction area. The District/Department may request that DNR provide supplemental resources for fire emergency operations and support.

   (3) **Joint Jurisdiction:** In the event of a fire emergency in a joint jurisdiction area, both DNR and the District/Department will respond, subject to the availability of resources.

6. **Off-Season Incidents:** For this Agreement, no incident will be considered off-season. Fire season will be January 1-December 31 each year.

7. Command:

(1) **Sole DNR Jurisdiction Incidents:** When the District/Department is the first arriving agency, the District/Department on-site initial responders shall establish command until released by a representative of DNR.

(2) **Sole District/Department Jurisdictional Incidents:** When DNR is the first arriving agency, the DNR on-site initial responders shall establish command until released by a representative of the District/Department.

(3) **Joint Jurisdiction Incidents:** The first arriving agency initial responders shall establish command and, upon the arrival of the other agency, unified command will be established and used for incident management.

8. Fire Control and Suppression Definitions:

(1) **Forestland:** As the term is defined by RCW 76.04.005.

(2) **Ordering:** Prior to the arrival of DNR at the incident, the initial attack incident commander may order special resources through DNR. That decision shall be documented and payment authorized (see Section 11 and 12 of this Agreement) by DNR prior to the mobilization of special resources.

(3) **Special Resources:** Air resources, dozers, heavy equipment, or other resources deemed necessary to contain and control the fire.

9. Operation Guidelines:

(1) **Forestland Response:** Representatives of the District/Department and DNR may mutually develop operation guidelines that provide principles, direction and guidance for the conduct of fire control operations related to forest land response. The operation guidelines shall be reviewed at least annually, and revised as necessary to achieve cooperation and understanding.

(2) **DNR Dispatch:** See Attachment A - Operation Guidelines for resources ordered through the DNR Region or Division for dispatch outside of the District/Department jurisdictional boundaries; which is incorporated by reference herein.

10. Fire Investigation: The District/Department and DNR agree to protect the origin area of any fire to the best of its ability. Fires will be jointly investigated when an incident originated in a joint jurisdiction area. A DNR fire investigator may investigate fires originating on, spreading to or threatening land subject to Forest Fire Protection Assessment (i.e., sole DNR or joint jurisdiction areas).

11. Costs:

(1) **Charges Not Required:** One purpose of this Agreement is mutual assistance and cooperation in the control and suppression of fires (see Section 1 - Purpose). In most instances, resource costs will not be charged to the other party. However, there may be circumstances or conditions where the District/Department or DNR desires or is

required to charge, or request reimbursement, for resource costs as described in Subsections (2), (3), (4), and (5) below.

(2) **Sole DNR Jurisdiction:** If the District/Department responds, DNR will pay for District/Department personnel and equipment costs outside of mutual aid unless otherwise negotiated.

(3) **Sole District/Department Jurisdiction:** If DNR responds, the District/Department will pay for DNR personnel and equipment costs outside of mutual aid unless otherwise negotiated.

(4) **Joint Jurisdiction:** Initial attack through complete extinguishment of the fire, each party will pay its own costs.

(5) **DNR Dispatch:** If District/Department personnel is dispatched by DNR outside of District/Department jurisdictional boundaries, DNR will pay for District/Department personnel and equipment costs.

12. Cost Reimbursement Procedures:

(1) **Forestland Response:** Provisions within this Agreement for reimbursement of costs related to forest land response are subject to the following conditions:

(a) Notice: Prior to costs being incurred as allowed by this Agreement (other than DNR Dispatch), notice of such expenditure must be given to DNR of the requesting agency prior to the expenditure or commitment of funds.

(b) Invoice: Any resource provider costs, which are to be billed, must be invoiced within sixty (60) business days of the last date of incurred expense for the incident.

(2) **DNR Dispatch:** Provisions within this Agreement for reimbursement of costs related to DNR dispatch are outlined in Attachment A - Operation Guidelines for resources ordered through the DNR Region or Division for dispatch outside of the District/Department jurisdictional boundaries; which is incorporated by reference herein.

13. Cost Reimbursement Rates:

(1) Forestland Response:

(a) Equipment costs shall be paid to the resource provider at the DNR Wage and Equipment Rates or as otherwise agreed to in writing by the respective authorized agency representatives.

(b) Career/permanent and seasonal personnel costs will be reimbursed to the resource provider at the resource provider's actual total cost. This will include backfill costs as outlined in the State Mobilization Plan.

(2) DNR Dispatch:
Cost reimbursement rates related to DNR dispatch are outlined in Attachment A - Operation Guidelines for resources ordered through the DNR Region or Division for dispatch outside of the District/Department boundaries.

14. Insurance: DNR is an agency of the state of Washington and is therefore self-insured under the State's Self-Insurance Liability Program. The District/Department shall, at all times during the term of this Agreement at its sole cost and expense, buy and maintain insurance of the types and amounts listed below. Failure to buy and maintain the required insurance may result in the termination of the Agreement at DNR's option. If the District/Department is self-insured, evidence of its status as self-insured will be provided to DNR, and if deemed acceptable by DNR, shall satisfy the insurance requirements specified by this Section. The limits of insurance to be bought and maintained by the District/Department shall not be less than as follows:

Minimum Coverage Requirements: These limits may not be sufficient to cover all liability losses and related claim settlement expenses. Purchase of these minimum limits of coverage does not relieve the District/Department from liability for losses and settlement expenses greater than these amounts. DNR shall not be charged for the cost for insurance coverage(s).

District/Department is required to purchase insurance for a period of 36 months after completion of this Agreement. This requirement may be satisfied by the continuous purchase of an extended agreement. This requirement may be satisfied by the continuous purchase of an extended reporting period. During the term of the Agreement, District/Department must purchase and maintain the insurance coverage and limits specified below:

(1) **Commercial General Liability (CGL) Insurance or District/Department Equivalent.** District/Department must purchase and maintain CGL on an Insurance Services Office (ISO) form CG 00 01 or equivalent form, covering liability arising from premises, operations, independent contractors, personal injury, products-completed operations, and liability assumed under an insured contract. Such insurance must be provided on an occurrence basis. If insurance is written on a "claims made" basis, the policy shall provide full coverage for prior acts or include a retroactive date that precedes the effective date of this Agreement. Insurance must include liability coverage with limits not less than those specified below:

Description	Dollar Amount
General Aggregate Limit (Other than products-completed operations)	$2,000,000
Each Occurrence Limit	$2,000,000

(2) **Employer's liability ("Stop Gap") Insurance:** District/Department shall purchase and maintain employer's liability insurance and if necessary, commercial umbrella liability insurance with limits not less than $1,000,000 each accident for bodily injury by accident or $1,000,000 each employee for bodily injury by disease.

(3) **Business Auto Policy (BAP) Insurance:** If activities pursuant to this Agreement involve the use of vehicles, to include FEPP vehicles, the District/Department must

purchase and maintain a BAP on an Insurance Services Office (ISO) form CA 00 01 or equivalent form. The Description of Covered Autos must include one or more of the following:

a. "Any Auto" (Symbol 1).

b. If District/Department-owned personal vehicles are used, the BAP must cover "Owned Autos Only" (Symbol 2).

c. If District/Department hires autos, the BAP must cover "Hired Autos Only" (Symbol 8).

d. If District/Department employee's vehicles are used, the BAP must cover "Non-Owned Autos Only" (Symbol 9).

Such insurance must be provided on an occurrence basis. The BAP insurance must include liability coverage with limits not less than those specified below. The District/Department is responsible for any deductible.

Description	Each Accident
Bodily Injury and Property Damage	$1,000,000

(4) **Workers Compensation Insurance or Equivalent:** The District/Department shall comply with all state of Washington workers compensation statutes and regulations. Coverage shall be provided for all employees and volunteers of the District/Department and shall include bodily injury (including death) that arises out of or in connection with the performance of this Agreement.

15. Service Limitations. The responses and fire suppression services provided for under this Agreement are intended to be rendered on the same basis as such services are rendered to other areas within the District/Department or DNR jurisdictions and neither party assumes liability for failure to provide services by reason of any circumstances beyond the party's control. In the event of simultaneous fires or medical aid calls within the areas covered by this Agreement whereby facilities of either party are taxed beyond the party's ability to render equal protection, the officers and agents of the party shall have sole discretion as to which call shall be answered first. The responding party shall have sole discretion to determine the manner and method of responding to and handling emergencies under this Agreement consistent with Section 7 - Command of this Agreement.

16. Benefits. This agreement is entered into for the benefit of the parties to this agreement only and shall confer no benefits, direct or implied, on any third persons.

17. Renegotiation and Modification: The terms and conditions of this Agreement may be renegotiated at the request of either Party between the dates of January 1 and March 1 of any year. Any modification or amendment of this Agreement must be in writing and must be signed by duly authorized agents of the Parties.

18. Assignment and Delegation: This Agreement, or any right or interest therein, may not be assigned or otherwise transferred by either Party without the prior written consent of the other Party. Any attempted assignment shall be void unless made in strict conformity with this section.

Either Party may perform its duty through a delegate or agent, but shall not be thereby relieved of any duty to perform or any liability for breach of this Agreement.

19. **Remedies:** Any remedy exercised by either Party shall not be deemed exclusive and either Party may pursue any and all other remedies available to it under the law.

20. **Compliance with Laws:** Parties shall comply with all applicable federal, state, and local laws, rules and regulations that govern each component of this Agreement.

21. **Non–Waiver:** Waiver by either Party of strict performance of any provision of this Agreement shall not act as a waiver of the right of the other Party to require future strict performance of the same provision or any other provision.

22. **Harassment.** Per RCW 43.01.135, Sexual harassment in the workplace, Agency Contractors hereby have access to DNR Policy PO01-052 Sexual Harassment: https://www.dnr.wa.gov/publications/em_harassment_prevention_policy.pdf

23. **Interpretation and Venue:** This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington. The venue of any action brought under this Agreement shall be in the Superior Court of Thurston County.

24. **Severability:** If any provision of this Agreement is held to be invalid, such invalidity shall not affect the other provisions of this Agreement that can be given effect without the invalid provision(s), and to this end the provisions of this Agreement are declared severable.

25. **Termination:** This Agreement may be terminated by either Party by the provision of ninety (90) days written notice, provided that neither Party may terminate this Agreement at any time between April 15 and October 15 of any year due to the fire danger during this period.

26. **Agreement Managers:**

DISTRICT/DEPARTMENT AGREEMENT MANAGER	DNR AGREEMENT MANAGER
Hillory Flowers *City of Olympia; DBA –* *Olympia Fire Department* 601 4th Avenue East Olympia, WA 98507 Phone: 360-753-8348 Email: fire@ci.olympia.wa.us	Daniel Eide *Department of Natural Resources* 950 Farman Avenue North Enumclaw, WA 98022 Phone: 360-802-7030 Email address: daniel.eide@dnr.wa.gov

This Agreement supersedes all previous agreements.

By signature below, the Agencies certify that the individuals listed in this document, as representatives of the Agencies, are authorized to act in their respective areas for matters related to this instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement.

CITY OF OLYMPIA; DBA - OLYMPIA FIRE DEPARTMENT

Signature Date

Steven J. Burney
Name

City Manager
Title

601 4th Avenue East
Olympia, WA 98507
Address

360-753-8348
Telephone

06/16/2026
Signature Date

Senior Deputy City Attorney

STATE OF WASHINGTON DEPARTMENT OF NATURAL RESOURCES – SOUTH PUGET SOUND REGION

Signature Date

Don Melton
Name

Region Manager
Title

950 Farman Avenue North
Enumclaw, WA 98022
Address

360-825-1631
Telephone

Attachment A

Operation Guidelines

Resources ordered through the DNR Region or Division for Dispatch outside of District/Department jurisdictional boundaries

Department of Natural Resources (DNR) agrees to dispatch District/Department resources to incidents outside of the Districts/Department jurisdictional boundaries as needed to meet DNR responsibilities and as approved by the District/Department. Dispatches can include out of the state of Washington. Participation by a District/Department with incidents outside its jurisdiction is voluntary and separate from involvement in State Fire Mobilization.

This Agreement extends to all District/Department members:

- Washington Fire Service (WFS) paid members which District/Department allow to participate will be paid by the District/Department. DNR will reimburse district/department costs as outlined in this agreement.

- Members of Washington Fire Service who are volunteers will need to be hired by the DNR via the DNR casual hire process and paid directly by DNR. This may be completed pre-season or at the time of the incident. Your local DNR Region office will handle the casual hire process.

District/Department agrees:

1) All personnel dispatched outside of their jurisdictional boundaries will have a valid Incident Qualification Card (red card) stating current qualifications; and will adhere to qualifications and standards described in NWCG PMS 310-1;

2) To keep equipment and personnel status current in the Interagency Resource Ordering Capability (IROC) by selecting option a. or b. below. List available resources on the following resource list addendum. (Check one):

   a. ☐ With DNR Region approval, DNR Region will give Web-Status rights to IROC for district employees. It is the employee's responsibility to ensure that their status is accurate.
   b. ☒ DNR Region will status your employees. For this option, you would need to provide your local DNR Region Dispatch with the status of your employees every Monday by 1200 hours. Dispatch would then update their status in IROC for that week (0800 Tuesday to 0800 Tuesday).

   For dispatches outside of the DNR region, approval from DNR host region fire staff is required. Host region fire staff will coordinate with Wildland Fire Management Division in order to ensure statewide readiness.

3) To notify your local DNR Region of any changes in status of personnel/equipment (i.e.; dispatched/demobilized under State Fire Mobilization, demobilization & ETA home from incidents dispatched thru DNR, etc.);

4) All personnel and equipment dispatched will be paid by the District/Department; (except volunteers will follow payment procedures outlined in their individual agreement and be paid directly by DNR);

5) All Equipment and Personnel dispatched under this agreement will arrive at each incident with a copy of their current Forestland Response Agreement.

6) Invoice for personnel and equipment costs billed to DNR will include:

    a. Original Emergency Fire Time Report (OF-288); hourly wage rate (regular and OT) for personnel hours on the OF-288. This applies to paid district/department staff. Volunteers will be paid directly by DNR.
    b. Original shift ticket (OF-286) documenting mileage to/from incident as well as mileage incurred on the incident signed by the incident supervisor.
    c. Copy of Resource Order card.

7) Invoices requesting payment for equipment (engines/tenders) will be submitted to DNR within sixty (60) business days of the last date of the incurred expense for the incident and shall include Original Emergency Equipment Use Invoice Form (OF-286) and shift tickets (OF-297); and

8) Invoices requesting payment for other travel costs (meals, lodging not provided by the incident) must be submitted to DNR within sixty (60) business days of the last date of the incurred expense for the incident.

9) Only utilize agency owned vehicles or procured rental vehicles on the fireline or off-road.

DNR agrees to:

1) Assist the District/Department with updating status of IMT members in IROC;

2) Maintain IQS records for District/Department personnel with NWCG PMS 310-1 wildland fire qualifications, if red carded through the DNR;

3) Reimburse District/Department within 30 days of invoice receipt and documentation as required above;

4) Reimburse the Fire Service District/Department at the Total Cost of personnel. This includes, regular time, overtime, and District/Department backfill for that position as outlined in the State Mobilization Plan. The DNR will not pay for muster time, wildland premium pay, or other unspecified pay provisions.

Rental vehicles for Off-road use must be procured consistent with the National Emergency Rental Vehicle Blanket Purchase Agreement (NERV). Rental vehicles for non-fire line positions must be rented through alternative sources other than the USFS NERV rental vehicle agreement. Rental vehicle authorization must be documented on the resource order. Please speak with your local DNR Region for more specific information.

DISTRICT/DEPARTMENT RESOURCE LIST
OVERHEAD AND EQUIPMENT ADDENDUM

DNR will dispatch and process invoices for the following fire district members and equipment when dispatched by DNR outside of their fire district.

Overhead Resources

	Name	Career or Volunteer	Backfill Required	Position/Qualifications	Team Affiliation or Single Resource
1	Hall, Jerry	C	Y	REMS/FFT2	S
2	Henderson, Michael	C	Y	EngB	S
3	Kirk, Spencer	C	Y	FF1-T	S
4	Rasmus, Cameron	C	Y	FF2	S
5	Palzer, Nicholas	C	Y	FF2	S
6	Johnson, Derek	C	Y	FF2	S
7	Bottin, Tyler	C	Y	FF2	S
8	Konkright, Spencer	C	Y	FF2	S
9	Furr, Mitch	C	Y	FF2	S
10	Galloway, Brennan	C	Y	FF2	S
11	Gaylord, Tim	C	Y	FF2	S
12					
13					
14					
15					
16					
17					
18					
19					
20					

DISTRICT/DEPARTMENT RESOURCE LIST
OVERHEAD AND EQUIPMENT ADDENDUM

DNR will dispatch and process invoices for the following fire district members and equipment when dispatched by DNR outside of their fire district.

Equipment Resources

			Rate / Negotiated Rate*
1	2016 FORD F150, 5988OD, Command Vehicle	1FTF@1EG9GKD82337	OFM POV Rate
2	2002 FORD F550, 68709C, Brush O1	1FDAW57F22EC78166	OFM POV Rate
3	1995 Pierce Pumper, EO32, 05867D	4P1CT02545A000638	OFM POV Rate
4	1998 Pierce Pumper, EO12, 06264D	4P1CT02S0WA000822	OFM POV Rate
5	1998 Pierce Pumper, EO42, 06263D	4P1CT02S4WA000824	OFM POV Rate
6	2008 Pierce Pumper, Front Line Engine O3, 44256D	491CV01H78A008144	OFM POV Rate
7	2010 Pierce Pumper, Front Line Engine O4, 20342D	4P1CV01H9AA011102	OFM POV Rate
8	2010 Pierce Pumper, Front Line Engine O2, 52675D	4PICV01H7AA011101	OFM POV Rate
9	2016 Pierce Pumper, Front Line Engine O1, 61211D	4P1BAAGF9GA016392	OFM POV Rate
10			

* The negotiated rate must be agreed upon between the signing parties prior to dispatch.

CONTACT INFORMATION:

Chad Boulay, 360-570-3945, cboulay@ci.olympia.wa.us
Jeremy Fox, 360-709-2719, jfox@ci.olympia.wa.us

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF OLYMPIA AND WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES FOR FORESTLAND RESPONSE AND FIRE MUTUAL ASSISTANCE

WHEREAS, the Washington State Department of Natural Resources provides mutual assistance and cooperation in the control and suppression of forestland fire, and therefore to contract for the Olympia Fire Department to provide fire protection services to an area within the jurisdiction of DNR; and

WHEREAS, the Washington State Department of Natural Resources will dispatch and pay for fire service resources outside the Olympia Fire Department jurisdictional boundaries; and

WHEREAS, on March 12, 2020; the city and the Washington State Department of Natural Resources entered into an Interlocal Agreement for Forestland Response and Fire Mutual Assistance; and

WHEREAS, the parties desire to enter into a new Interlocal Agreement to allow for mutual aid until May 31, 2030;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE as follows:

1. The Olympia City Council hereby approves the form of Interlocal Agreements between the City of Olympia and Washington State Department of Natural Resources for reimbursement for the Fireland response and mutual aid and the terms and conditions contained therein.

2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Interlocal Agreement, and any other documents necessary to enter into said Agreement, and to make any minor modifications as may be required and are consistent with the intent of the Agreements, or to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____day of _____ 2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
SENIOR DEPUTY CITY ATTORNEY

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A PRIORITY AND SUBORDINATION AGREEMENT BETWEEN THE CITY OF OLYMPIA, VARIOUS OTHER PARTIES, AND BEHAVIORAL HEALTH RESOURCES FOR SUBORDINATING EXISTING CDBG LOANS

WHEREAS, The City of Olympia's Community Development Block Grant (CDBG) funding has supported the improvements of Behavioral Health Resources' B&B Apartments ; and

WHEREAS, the City has seven existing CDBG funded loans for the property; other parties also have made loans to Behavioral Health Resources for the B&B Apartments, including the State Department of Commerce and Thurston County; and

WHEREAS, Behavioral Health Resources provides affordable housing for individuals with incomes below 50 percent AMI who are struggling with mental health and substance abuse disorders; and

WHEREAS, Behavioral Health Resources is seeking funding to redevelop the B&B apartments to expand unit count; and

WHEREAS, Behavioral Health Resources has requested the City, and other entities holding liens, to subordinate their lien position on the B&B properties to secure funding for the redevelopment; Behavioral Health Resources has prepared a Priority and Subordination Agreement to effectuate this subordination; the parties to that Agreement are BHR B&B Building LLC, the State Department of Commerce, Thurston County, the City of Olympia, and the Federal Home Loan Bank of Des Moines; and

WHEREAS, per Olympia Municipal Code Subsection 3.16.020(B), it is necessary for the City Council to approve the Priority and Subordination Agreement and to authorize execution the City Manager to execute that Agreement.

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL RESOLVES as follows:

1. The Olympia City Council hereby approves the Subordination Agreement between the City of Olympia and Behavioral Health Resources for the B&B apartments redevelopment and the terms and conditions contained therein.

2. The City Manager is hereby directed and authorized to execute on behalf of the City of Olympia the subordination Agreement, and any other documents necessary to subordinate and to make any amendments or minor modifications as may be required and are consistent with the intent of the subordination Agreement, or to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____day of _____ 2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
SENIOR DEPUTY CITY ATTORNEY

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A GRANT AGREEMENT BETWEEN THE CITY OF OLYMPIA AND ROCKY MOUNTAIN INSTITUTE FOR A MULTIFAMILY EV CHARGING PROJECT

WHEREAS, climate change is an existential crisis posing one of the most serious threats to the existence of humanity and all species on the planet; a threat that intersects and compounds all other crises facing humanity and our earth; and

WHEREAS, in 2019, Olympia City Council passed a Resolution Expressing a Commitment to Protect the Youth of this Community from the Risks of Climate Destruction (Resolution No. M-2045) and to achieve net zero emissions by 2040; and

WHEREAS, transportation is one of the largest sources of greenhouse gas emissions in Olympia, making up more than 34% of inventoried emissions; and

WHEREAS, it will take many decades to achieve the land use and transportation infrastructure changes that will make walking, rolling, biking, or taking transit the best choice for most trips in Olympia. In the meantime, electric vehicles (EVs) and other types of electric micromobility, such as e-bikes, play an important role in reducing transportation-related GHG emissions; and

WHEREAS, adequate charging infrastructure is needed to support the transition to electric vehicles. Ensuring equitable access to low-cost charging stations for all community members, regardless of where they live or work, is a critical step to support the transition to electric vehicles; and

WHEREAS, renters and residents of multifamily housing face additional barriers to accessing low-cost EV charging at home, and the Olympia 2045 Comprehensive Plan includes Policy PT5.4, “Encourage and incentivize the provision of low-cost EV charging for multifamily housing”; and

WHEREAS, Rocky Mountain Institute, supported by a grant from General Motors, wishes to award a $25,000 subgrant to the City of Olympia and a $25,000 subgrant to the City of Tumwater, for a joint project to install EV charging stations to serve residents of affordable multi-family rental housing in the Cities of Olympia and Tumwater; and

WHEREAS, per Olympia Municipal Code Subsection 3.16.020.C, it is necessary for the City Council to approve the Grant Agreement and authorize the signature of all documents necessary to obligate funds for the Project;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL RESOLVES as follows:

1. The Olympia City Council hereby approves the Grant Agreement between the City of Olympia and Rocky Mountain Institute for a Multifamily EV Charging Project and the terms and conditions contained therein.

2. The City Manager is hereby directed and authorized to execute on behalf of the City of Olympia the Grant Agreement, and any other documents necessary to obligate funds for the Multifamily EV Charging Project, and to make any amendments or minor modifications as may be required and are consistent with the intent of the Grant Agreement, and to correct any scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____day of _____ 2022.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

Michael M. Young
_____
SENIOR DEPUTY CITY ATTORNEY