

Olympia 2045 – Periodic Update

Development Regulations

As part of the 10-year periodic update under the Growth Management Act (GMA), the City of Olympia is required to review, and revise if necessary, its Comprehensive Plan and Development Regulations. The proposed amendments below are proposed to address state requirements (numbers 1-7) and to maintain consistency between the Olympia 2045 Comprehensive Plan and the Olympia Municipal Code (letters A and B).

Proposed additions are shown in red underlined text (example). Proposed deletions are shown in red strikethrough text (~~example~~). As part of the periodic update, these proposed amendments to the Olympia Municipal Code (OMC) have a deadline for adoption of December 31, 2025.

Proposed Code Amendments to meet State Requirements:

- 1. Requirement: Regulations to assure that use of lands adjacent to natural resource lands does not interfere with natural resource production. RCW 36.70A.060(1)(a) and WAC 365-190-040. Regulations require notice on all development permits and plats within 500 feet of designated natural resource lands that the property is within or near a designated natural resource land on which a variety of commercial activities may occur that are regulations to implement comprehensive plan.**

City Response: There are no agricultural or forestry resource lands designated within 500 feet of the City Limits or the Urban Growth Area (UGA) of Olympia. There is a Sand and/or Gravel mineral resource lands designation south of the southern-most part of the Olympia UGA. When annexed, the notification requirement will apply to a portion of that UGA.

City Staff's proposed amendment:

TITLE 17 – SUBDIVISIONS

Chapter 17.04 – General Provisions

17.04.090 Regulations supplementary to state law

The regulations prescribed by this title shall be considered as supplementary to RCW Chapter 58.17. No map, plat, replat or plan of a proposed subdivision, short subdivision or large lot subdivision shall be recorded or have any validity unless it conforms with the requirements of RCW Chapter 58.17.

- All plats, short plats, and binding site plans issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forestlands, or mineral resource lands shall contain a notice that the subject property is within or near designated agricultural lands,

forestlands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. The notice for mineral resource lands shall also specify that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

TITLE 18 – UNIFIED DEVELOPMENT CODE

Chapter 18.40 – Property Development and Protection Standards

Section OMC 18.40.060(J) - General Standards

J. Resource Lands. All plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forestlands, or mineral resource lands shall contain a notice that the subject property is within or near designated agricultural lands, forestlands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. The notice for mineral resource lands shall also specify that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

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2. **Requirement to address Essential Public Facilities. The adopted Countywide Planning Policies include a process for siting essential public facilities.**

City Response: Staff proposes including reference to state law (Revised Code of Washington or RCW) in our local definition, to remain consistent with any listed facilities over time.

City Staff's proposed amendment:

TITLE 18 – UNIFIED DEVELOPMENT CODE

Chapter 18.02 – General Provisions

Section OMC 18.02.180 – Definitions - E Specific

Essential Public Facilities. Public facilities and privately owned or operated facilities serving a public purpose which are typically difficult to site. They include, but are not limited to, airports; state educational facilities; state or regional transportation facilities; prisons, jails, and other correctional facilities; solid waste handling facilities; inpatient facilities such as group homes and mental health facilities; sewage treatment facilities; ~~and~~ communication towers and antennas; and other facilities identified in RCW 36.70A.200.

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3. **In 2022, a new section ([RCW 36.70A.142](#)) was added to the Growth Management Act ([HB 1799](#)). It requires that development regulations newly developed, updated, or amended *after January 1, 2025*, allow for the siting of organic materials (OM) management facilities as identified in local solid waste management plans (SWMP) to meet OM reduction and diversion goals. Siting to meet criteria described in [RCW 70A.205.040\(3\)](#). See also [RCW 36.70.330](#). For applicability, see [RCW 70A.205.540](#)**

City Response: There are no proposed organic material management facilities identified in local solid waste management plans within the City of Olympia or its Urban Growth Area. It is not likely that this type of use would be proposed within the city limits or urban growth area. However, in case that is ever the case and to remain consistent with state law, a proposal to allow this in an industrial zoning district is proposed.

City Staff's proposed amendment:

TITLE 18 – UNIFIED DEVELOPMENT CODE

Chapter 18.08 – Industrial Districts

Section 18.08.040 Permitted, conditional and prohibited uses

A. PERMITTED AND CONDITIONAL USES.

Table 8.01 Permitted and Conditional Uses identifies land uses in the industrial districts which are permitted outright (P) or subject to a Conditional Use Permit (C). The applicable requirements for these uses and activities are identified by a number referencing the list of use regulations under Section [18.08.060](#) Use Standards, Light Industrial/Commercial District, or Section [18.08.080](#) Use Standards, Industrial District. Regulations that pertain only to a specific use in a specific district are identified by a number in the space corresponding to that use and district.

The siting of an organic materials (OM) management facility is only permitted upon approval of a conditional use permit and when identified in an adopted local solid waste management plan (SWMP) to meet OM reduction and diversion goals. Siting shall meet criteria described in the local SWMP and RCW 70A.205.040(3).

B. PROHIBITED AND UNSPECIFIED USES.

Land uses which are not listed as permitted or conditional uses are prohibited unless authorized by the Director consistent with Section [18.02.080](#), Interpretations.

NOTE: EXCERPT FROM TABLE 8.01 – Section 1 “INDUSTRIAL USES” Only:

TABLE 8.01 PERMITTED AND CONDITIONAL USES		
INDUSTRIAL DISTRICT	LI/C	I
Additional Regulations	18.08.060(A), 18.08.060(C) 18.44 18.04.060(C)	18.08.080(A), 18.08.080(C) 18.44 18.04.060(C)
1. INDUSTRIAL USES	LI/C	I
Food Processing		P
Manufacture, repair, or servicing of goods or products which can be performed with minimal adverse impact on, and pose no special hazard to, the environment and the community, such as: veterinary clinics, dry-cleaning plants, storage of mechanical equipment, auto and marine contractors/builders.	P	P

Manufacture, assembly, bulk storage, processing, repair, or servicing of goods or products which can be performed with minimal adverse impact on, and pose no special hazard to, the environment and community.		P
Off-site treatment & storage facilities for hazardous waste.		C 18.08.080(B)
On-site treatment & storage facilities for hazardous waste as an accessory use, subject to the State siting criteria Chapter 70.105 , RCW.	P	P
<u>Organic Management Maintenance Facilities</u>	<u>C</u> <u>18.08.040(A)</u>	<u>C</u> <u>18.08.040(A)</u>
Recycling Facilities	P	P

4. In 2018, the state revised its definition of “development activity” as used in regard to Impact Fees. See [RCW 82.02.090\(1\)\(b\)](#).

City Response: The City needs to update its definition of development activity, to be consistent with exemptions and changes in state law.

City Staff’s proposed amendment:

TITLE 15 – IMPACT FEES

Chapter 15.04 – General Provisions Governing the Assessment of Impact Fees

15.04.020 Definitions

I. "Development Activity" means any construction, expansion of a building, structure, or use, or any change in the use of a building or structure, or any changes in the use of the land, that creates additional demand and need for public facilities, with the exception of low-income and emergency housing development as provided for in RCW 82.02.060. "Development activity" does not include:
(a) Buildings or structures constructed by a regional transit authority; or
(b) Buildings or structures constructed as shelters that provide emergency housing for people experiencing homelessness, or emergency shelters for victims of domestic violence, as defined in RCW 70.123.020.

5. Requirement: Exempt “Highways of statewide significance (HSS)” from the concurrency ordinance. [RCW 36.70A.070\(6\)\(a\)\(iii\)\(C\)](#)

City Response: The concurrency requirements of the Transportation Concurrency code (OMC 15.20) do not apply to transportation facilities and services of statewide significance in the City. Staff suggests adding language to clearly state that is the case, although it is covered indirectly in OMC 15.20.010.

City Staff’s proposed amendment:

TITLE 15 – IMPACT FEES

Chapter 15.20 – Transportation Concurrency

Section 15.20.030 Transportation concurrency standards

The following transportation concurrency standards, established in the Olympia Comprehensive Plan, are hereby adopted for the purposes of this Chapter.

- A. Mobility units of supply, as measured by the proportion of the transportation concurrency project list identified in the Capital Facilities Plan, must exceed the number of mobility units of demand generated by approved developments in Olympia.
 - B. Mobility units of supply are considered available to support new development when the transportation improvement is fully funded, as identified in the Capital Facilities Plan.
 - C. Transportation improvements on the transportation concurrency project list may be phased and so long as those phases provide person trip capacity, the individual phases can count toward supply when they are funded.
 - D. In accordance with the Growth Management Act, highways of statewide significance are exempt from local government transportation concurrency.
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- 6. **Requirement: A federally recognized Indian tribe may voluntarily choose to participate in the county or regional planning process and coordinate with the City. In 2022, the state adopted provisions that apply (see RCW 36.70A.040(8)(a)), which addresses development of a mutually agreeable memorandum of agreement between local governments and tribes in regard to collaboration and participation in the planning process unless otherwise agreed at the end of a mediation period.**

City Response: It is not likely that the City of Olympia would be leading a “county or regional” planning process. However, we could acknowledge the state language, support the Accord between the Squaxin Island Tribe and the City of Olympia, and a commitment to seek tribal participation in Comprehensive Plan Amendment planning processes in the future.

City Staff’s proposed amendment:

TITLE 18 – UNIFIED DEVELOPMENT CODE

Chapter 18.59 – Olympia Comprehensive Plan Amendment Process

18.59.080 – Tribal Participation

18.59.080 Tribal Participation

- A. A federally recognized Indian tribe may voluntarily choose to participate in a county or regional planning process and coordinate with the county and cities that are either required or choose to comply with the provisions of the Growth Management Act. Collaboration and participation is a nonexclusive exercise of coordination and cooperation in the planning process and failure to exercise discretionary collaboration and participation shall not limit a party's standing for quasi-judicial or judicial review or appeal under this chapter.
- B. The City of Olympia honors the Accord between the Squaxin Island Tribe and City of Olympia and welcomes tribal participation in local planning processes.
- B-C. In alignment with the Countywide Planning Policies, the City of Olympia will seek input from local Tribes during its Comprehensive Plan Amendment Processes.

7. **Requirement: Policies consistent with countywide planning policies that address the protection of tribal cultural resources in collaboration with federally recognized Indian tribes that are invited, provided that a tribe, or more than one tribe, chooses to participate in the process. [RCW 36.70A.210\(3\)\(i\)](#) new in 2022.**

City Response: See proposed amendments for item #6, above.

Proposed Code Amendments to maintain consistency between Comprehensive Plan and Code Requirements:

A. Neighborhood Centers

OMC 18.06.020

Neighborhood Retail District (NR).

This district is intended to:

- a. Permit small retail establishments which offer a limited range of goods within a residential neighborhood.
- b. Protect existing neighborhood retail districts and permit new establishments where local economic demand and appropriate design can assure compatibility with the neighborhood.
- c. Be located not less than one-half (1/2) mile from another neighborhood retail district or any other commercial district providing similar services or facilities.
- d. Have a maximum size for a Neighborhood Retail district of not more than one (1) acre. If located within the Neighborhood Centers Future Land Use Designation then the maximum size for a Neighborhood Retail district may be up to three (3) acres.
- e. Limit the size, scale and expansion of such establishments in order to minimize traffic volumes and congestion, and other adverse impacts on the neighborhoods in which said establishments are located.
- f. Ensure that development in this district is characterized by small buildings, low traffic generation, considerable walk-in trade, quiet operations and little or no night activity.

B. Consistency between Future Land Use Map and zoning

18.59.055 Consistency between the zoning map and the future land use map

- A. Although the Future Land Use map is not specific with regard to the edges of Land Use designations, the zoning map boundaries should not vary more than 200 feet from the land use designation shown on the Future Land Map.
- B. Each Neighborhood Retail or Neighborhood Center district, if any, may be no further than four blocks (approximately 1,000 feet) from a Neighborhood Center location indicated on the Future Land Use Map or is at a location proposed pursuant to the Subarea Planning process described in the Comprehensive Plan.

- C. Districts on the zoning map must correspond to categories of the Future Land Use Map in accordance with the following table and be consistent with the purposes of each designation. Only those districts listed below are deemed to be consistent with the corresponding Future Land Use map designation, provided that zoning districts in locations enacted prior to January 1, 2015, may remain.

FUTURE LAND USE MAP DESIGNATION	ZONING DISTRICT(S)
Low Density Neighborhoods	Residential – 1 Unit per 5 Acres Residential Low Impact Residential – 4 Units per Acre Residential – 4 units per Acre Chambers Basin Residential – 4 to 8 Units per Acre Residential – 6 to 12 Units per Acre (only when adjacent to similar or higher density zoning district)
Medium Density Neighborhoods	Residential Multifamily – 18 Units per Acre Residential Multifamily – 24 Units per Acre
Mixed Residential	Mixed Residential 7 – 13 Units per Acre Mixed Residential 10 – 18 Units per Acre
<u>Urban Residential</u> <u>*(see also OMC 18.70.190(D))</u>	<u>Residential – 1 Unit per 5 Acres</u> <u>Residential Low Impact</u> <u>Residential – 4 Units per Acre</u> <u>Residential – 4 units per Acre Chambers Basin</u> <u>Residential – 4 to 8 Units per Acre</u> <u>Residential – 6 to 12 Units per Acre</u> <u>Residential Multifamily – 18 Units per Acre*</u> <u>Residential Multifamily – 24 Units per Acre*</u> <u>Mixed Residential 7-13 Units per Acre*</u> <u>Mixed Residential 10-18 Units per Acre*</u>
Neighborhood Centers	Neighborhood Retail Neighborhood Center District
Residential Mixed Use	Residential Mixed Use Urban Residential Urban Waterfront – Housing
Planned Developments	Planned Unit Developments Neighborhood Village District Community-Oriented Shopping Center Urban Village District
Professional Office and Multi-family Housing	Professional Office / Residential Multi-family
Urban Corridor	High-Density Corridor – 1 High-Density Corridor – 2

FUTURE LAND USE MAP DESIGNATION	ZONING DISTRICT(S)
	High-Density Corridor – 3 (only within area designated High Density Neighborhood Overlay) High-Density Corridor – 4 General Commercial Commercial Services – High Density Manufactured Housing Park Mixed Residential 10 to 18 Units per Acre Residential Multifamily 18 Units per Acre Residential Multifamily 24 Units per Acre
Urban Waterfront	Urban Waterfront Urban Waterfront – Housing
Central Business District	Downtown Business
General Commerce	General Commercial Commercial Services – High Density
Auto Services	Auto Services
Medical Services	Medical Services
Light Industry	Light Industrial / Commercial
Industry	Industrial

18.70.190 Rezones and text amendments

- A. Authority. The City Council may, upon its own motion, amend, supplement, or change by ordinance any of the provisions, use district boundaries, or use district classifications established in this Title; provided that:
1. In the case of site-specific rezones which do not require a Comprehensive Plan Amendment, the Council shall first review the recommendation of the Hearing Examiner. Such cases are Type III applications pursuant to OMC 18.70.040.
 2. In the case of all other non-ministerial changes, including text amendments and privately initiated rezones which require a Comprehensive Plan Amendment, the Council shall first review the recommendation of the Planning Commission. Such cases are considered Type IV applications pursuant to OMC 18.70.040.
- B. Collection of rezone applications. Site-specific rezone applications may be submitted at any time. However, for review purposes, such proposals will be collected into two sets in each calendar year. Unless otherwise specifically authorized by the City Council:
1. Proposals submitted between April 1st and September 30th are considered collectively and voted upon by the City Council by March 31st of the following year.

2. Proposals submitted between October 1st and March 31st are considered collectively and voted upon by the City Council by September 30th of the same year.
 3. Proposals will be considered no more than twice each year.
- C. Decision criteria for rezone requests. The following criteria are used to evaluate each rezone request. A zoning map amendment may only be approved if the Council concludes that at minimum the proposal complies with subsections (A) through (C) of this section. To be considered are whether:
1. The rezone is consistent with either the Comprehensive Plan, including the Plan's Future Land Use map as described in OMC 18.59.055, or with a concurrently approved amendment to the Plan.
 2. The rezone maintains the public health, safety, or welfare.
 3. The rezone is consistent with other development regulations that implement the comprehensive plan.
 4. The rezone results in a district that is compatible with adjoining zoning districts; this may include providing a transition zone between potentially incompatible designations.
 5. Public facilities and services existing and planned for the area are adequate and likely to be available to serve potential development allowed by the proposed zone.
- D. Privately initiated rezone requests of properties located in the Urban Residential land use designation (see Future Land Use Map) shall not include a request for a rezone to RM-18, RM-24, MR 7-13 or MR 10-18 unless:
1. The subject property is immediately adjacent to the proposed rezone district and the request is for same zoning district it is adjacent to; or
 2. The subject rezone area is a property, or combination of properties, of at least five acres in size.