

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING OLYMPIA MUNICIPAL CODE SECTION 18.06.080, TABLE 6.02, BUILDING HEIGHT AND ADDITIONAL DISTRICT-WIDE DEVELOPMENT STANDARDS FOR THE HIGH DENSITY CORRIDOR ZONING DISTRICTS; AND REPEALING ORDINANCE NO. 6820 AND ORDINANCE NO. 6878.

WHEREAS, the City of Olympia established High Density Corridor Commercial zoning districts (the HDC zones); and

WHEREAS, the Olympia Comprehensive Plan promotes higher densities and intensities within the HDC zones subject to higher levels of development regulations and design review; and

WHEREAS, the development regulations in place do not require additional setback from single family dwellings located in the Residential Multiple Family 18 and 24 Zoning Districts; and

WHEREAS, the development regulations in place only require a single step back for buildings greater than 35 feet in height; and

WHEREAS, the City, through its development review process, has analyzed the impacts of the existing regulations and have found that they do not fully protect adjoining single family development; and

WHEREAS, the City Council has heard testimony and public comments from numerous City residents about the impacts that tall buildings with small setbacks and limited step backs can have on adjoining properties and neighborhoods; and

WHEREAS, on December 11, 2012, the Olympia City Council enacted Ordinance No. 6820, which established interim regulations providing for enhanced setbacks and building step backs within the HDC zones to ensure sufficient regulation while staff conducted a review and analysis process, including participation by the public and the Olympia Planning Commission; and

WHEREAS, on December 3, 2013, the Olympia City Council extended the duration of the interim regulations for an additional six month by virtue of Ordinance No. 6878; and

WHEREAS, the Olympia Planning Commission held public hearings on October 21, 2013, and November 4, 2014, to receive testimony from the public on the impacts of tall buildings in the HDC zones adjacent to residential and mixed use zones; and

WHEREAS, on November 18, 2013, the Olympia Planning Commission recommended that the Olympia Municipal Code be amended to provide that the portion of a building within 100' of land zoned for a maximum density of less than 14 units per acre be limited to 35' and the portion of a building within 50' of land zoned for a maximum density of 14 units per acre or more be limited to the lesser of 60' or the height allowed in the abutting district; and

WHEREAS, based on the foregoing, the City Council has determined that it is in the City's interest to amend OMC Section 18.06.080, Table 6.02, as recommended by the Olympia Planning Commission; and WHEREAS, this Ordinance is supported by the staff report, attachments, documents and prior public comment and testimony on file with the City of Olympia; and

WHEREAS, general residential use is prohibited in the Industrial and Auto Services zones; and

WHEREAS, residential uses are allowed in Commercial zones, except the Auto Services zone; and,

WHEREAS, this Ordinance is adopted pursuant to RCW 36.70A and Article 11, Section 11, of the Washington Constitution;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

**Section 1. Amendment of the OMC 18.06.080.** Olympia Municipal Code Section 18.06.080, Table 6.02, is hereby amended to read as follows:

**TABLE 6.02  
COMMERCIAL DISTRICTS' DEVELOPMENT STANDARDS**

<b>STANDARD</b>	<b>NR</b>	<b>PO/RM</b>	<b>GC</b>	<b>HDC-1</b>	<b>HDC-2</b>	<b>HDC-3</b>	<b>HDC-4 and HDC-4 Capital Mall</b>	<b>ADDITIONAL REGULATIONS</b>
<b>MINIMUM LOT SIZE</b>	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	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. = 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. = 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.
<b>FRONT YARD SETBACK</b>	See City- Wide Design Guideline: "Building Design - Orientation & Form of Commercial & Public Buildings," 18.20.090.	10' maximum, if located in a High Density Corridor; 10' minimum otherwise.	5' minimum for residential otherwise none.	0-10' See 18.06A.180	0-10' See 18.06A.180	0-10' See 18.06A.180	0-10' See 18.06A.180	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. Must comply with site design standards,

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<b>STANDARD</b>	<b>NR</b>	<b>PO/RM</b>	<b>GC</b>	<b>HDC-1</b>	<b>HDC-2</b>	<b>HDC-3</b>	<b>HDC-4 and HDC-4 Capital Mall</b>	<b>ADDITIONAL REGULATIONS</b>
<b>REAR YARD SETBACK</b>	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 above 2 stories.	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. floor above 2 stories.	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 (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 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 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.	Chapter 18.06A.180.  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 18.06A.180.
<b>SIDE YARD SETBACK</b>	15' minimum.	No minimum on interior, 10' minimum on flanking street; Except: 1. Next to R	No Minimum; Except: 1. Next to R 4, R 4-8, or R 6-12 district = 15' minimum + 5' for each building	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	No minimum; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building	No Minimum; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building	No Minimum; Except: 1. Next to R4, R4-8, or R6-12 district = 15' minimum + 5' for each building	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
MAXIMUM BUILDING HEIGHT	Up to 35', whichever is less.	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 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.	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.	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.	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 building floor above 2 stories. 3. Residential excluding mixed use structures: 5' except 6' on one side of zero lot.	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.	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.	2. Must comply with clear sight triangle requirements, Section 18.40.060(C). 3. Residential sideyards can be reduced consistent with 18.04.080(H)(5). 4. Must comply with site design standards, Chapter 18.06A.180.
	Up to 35', whichever is less.	Up to 35', if any portion of the building is within 100' of R 4, R 6-12 district;	Up to 35', if any portion of the building is within 100' of R 4, R 6-12 district; Up to 60'	Up to 35', if any portion of the building is within 100' of R4, R4-8, or R6-12 district; The portion of a building within	Up to 35' if any portion of the building is within 100' of R4, R4-8, or R6-12 district; The portion of a building within	Up to 35', if any portion of the building is within 100' of R4, R4-8, or R6-12 district; The portion of a building within	Up to 35', if any portion of the building is within 100' of R4, R4-8, or R6-12 district; The portion of a building within	1. Not to exceed height limit set by State Capitol Group Height District, 18.10.060, for properties near

**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
		Up to 60' otherwise.	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.	100' of land zoned for a 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 residential development only.	100' of land zoned for a 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 residential development only.	100' of land zoned for a 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 under the building; or up to 75', if at least one story is residential.	100' of land zoned for a 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 under the building; or up to 75', if at least one story is residential. See 18.06A.251(4) Significant Building Entry tower exemption	the State Capitol Campus. 2. Must comply with site design standards, Chapter 18.06A.180. 3. HDC-1 and HDC-2 additional story must comply with OMC 18.06.100.A.6.

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<b>STANDARD</b>	<b>NR</b>	<b>PO/RM</b>	<b>GC</b>	<b>HDC-1</b>	<b>HDC-2</b>	<b>HDC-3</b>	<b>HDC-4 and HDC-4 Capital Mall</b>	<b>ADDITIONAL REGULATIONS</b>
<b>MAXIMUM BUILDING COVERAGE</b>	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.	(allows an additional 30' for a tower element at Capital Mall). 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.	Must comply with site design standards, Chapter 18.06A.180.

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							<p>sites, 85% if at least 50% of new required parking is 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.</p>	
<b>MAXIMUM DEVELOPMENT COVERAGE</b>	60%	85%, except 75% for residential only structures	85%	85% for all structures	85% for all structures	85% for all structures	85% for all structures	Must comply with site design standards, Chapter 18.06A.180.
<b>ADDITIONAL</b>	Maximum	Building floors	Building floors	Building floors	Building floors	Building Floors	Building floors	For properties in



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<b>DISTRICT- WIDE DEVELOPMENT STANDARDS</b>	building size (gross sq. ft.): 3,000 for single use; 6,000 for mixed use.	above 3 stories which about a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(D) and Figure 6- 3).	above 3 stories which about a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(D)).	above 3 stories which about a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(D)).	above 3 stories which about a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(D)).	above 3 stories which about a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(D)).	above 3 stories which about a street or residential district must be stepped back a minimum of 8 feet (see 18.06.100(D)).	the vicinity of the Downtown, also see Pedestrian Streets Overlay District, Chapter 18.16. For retail uses over 25,000 square feet in 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.

**TABLE 6.02**

**COMMERCIAL DEVELOPMENT STANDARDS**

<b>STANDARD</b>	<b>MS</b>	<b>UW</b>	<b>UW-H</b>	<b>DB</b>	<b>CS-H</b>	<b>AS</b>	<b>ADDITIONAL REGULATIONS</b>
<b>MINIMUM LOT AREA</b>	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	No minimum.	

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<b>STANDARD</b>	<b>MS</b>	<b>UW</b>	<b>UW-H</b>	<b>DB</b>	<b>CS-H</b>	<b>AS</b>	<b>ADDITIONAL REGULATIONS</b>
FRONT YARD SETBACK	10' maximum.	No minimum; however, see Chapter 18.100 for design guidelines for pedestrian access and view corridors.	No minimum.	No minimum.	No minimum.  bldg. height is over 35'.	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.
SIDE YARD SETBACK	10' minimum; 15' minimum plus 5' for every story over 3 stories if next to a residential	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	5' minimum 30' minimum for buildings and 15' minimum for other	1. 50' minimum from property line for agriculture buildings (or structures) which house animals

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COMMERCIAL DEVELOPMENT STANDARDS**

<b>STANDARD</b>	<b>MS</b>	<b>UW</b>	<b>UW-H</b>	<b>DB</b>	<b>CS-H</b>	<b>AS</b>	<b>ADDITIONAL REGULATIONS</b>
	zone.				the sum of the 2 side yards shall be no less than 1/2 the building height.	structures from flanking streets.	other than pets. 2. Must comply with clear sight triangle requirements, Section 18.40.060(C). 3. See Design Guidelines, Chapter 18.100.
<b>MAXIMUM BUILDING HEIGHT</b>	75'; except hospitals, which may exceed that height.	See 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(A)(2)(b). 2) In the portion of the area on West 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).	Refer to Figure 6-2 and 6-2B for specific height and building configurations required on specific blocks.	75'; PROVIDED, however, that two additional stories may be built, if they are residential. There are also restrictions around Sylvester Park. For details, see 18.06.100(C)(6) Height, Downtown Business District.	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.	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.
<b>MAXIMUM BUILDING COVERAGE</b>	50%	60% for properties between the shoreline and the nearest upland street.	100%	No requirement.	No requirement.	85%	

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<b>STANDARD</b>	<b>MS</b>	<b>UW</b>	<b>UW-H</b>	<b>DB</b>	<b>CS-H</b>	<b>AS</b>	<b>ADDITIONAL REGULATIONS</b>
		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.					
<b>MAXIMUM DEVELOPMENT COVERAGE</b>	65%	100% development coverage.	100%	100%	100%	85%	
<b>ADDITIONAL DISTRICT-WIDE DEVELOPMENT STANDARDS</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(F)). Residential uses (Section 5 of Table 6.01) may not be constructed within 600 feet of Lilly Road except in upper stories of mixed use building; all other	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. See also 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	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 Pedestrian Streets Overlay District, Chapter 18.16. For retail uses over 25,000 square feet in 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.

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COMMERCIAL DEVELOPMENT STANDARDS**

STANDARD	MS	UW	UW-H	DB	CS-H	AS	ADDITIONAL REGULATIONS
	development standards are the same as for commercial uses.	limits; and Chapter 18.100 for West Bay Drive view corridors. See also 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.					

**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 2. Repeal of Interim Regulation Ordinances.** Ordinance No. 6820 and Ordinance No. 6878 are hereby repealed.

**Section 3. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 4. Effective Date.** This Ordinance shall take effect five (5) days after publication, as provided by law.

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MAYOR

**ATTEST:**

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CITY CLERK

**APPROVED AS TO FORM:**

  
DEPUTY CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**